



An  
Bord  
Pleanála

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

### Inspector's Report ABP-314125-22

#### Strategic Housing Development

10 Year planning permission for the demolition of existing building on site and the construction of 1,243 residential units (804 apartments, 117 duplex units and 322 houses), a childcare facility, retail units, café, community centre, office hub, and all associated site works.

#### Location

Barberstown, Barnhill and Passifyoucan, Clonsilla, Dublin 15.

#### Planning Authority

Fingal County Council

#### Applicant

Alanna Homes and Alcove Ireland Four Limited

#### Prescribed Bodies

1. Irish Water
2. An Taisce
3. Transport Infrastructure Ireland

4. Inland Fisheries Ireland
5. Department of Housing, Local Government and Heritage - DAU

**Observer(s)**

1. Roderic O’Gorman, TD and Councillor Daniel Whooley
2. Fiacre O’Cairbre
3. Fidelma Madden, Charles Seaman, Stephen Seaman, Mairéad Seaman, Robert Seaman and Sarah Seaman.
4. Ian and Joan Pringle
5. Matt O’Grady, Dearbhla O’Sullivan and Eoin O’Grady
6. Philip Murray

**Date of Site Inspection**

8<sup>th</sup> February 2023

**Inspector**

Paul O’Brien

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## 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 29.6 hectares, comprises lands to the south of Hansfield, Dublin 15 and is approximately 4.8 km to the west of Blanchardstown village centre. The site is located with the townlands of Barberstown, Barnhill and Passifyoucan.

2.2. The Dublin/ Clonsilla to Dunboyne/ M3 Parkway railway line forms the northern boundary of the site, the R149 Clonee to Leixlip road forms the western edge of the site and the southern boundary is formed by the L-7005-0 Barberstown Lane South local road. There is no distinctive boundary to the east though the Royal Canal and Dublin to Maynooth/ Sligo railway line is located east of the site but does not directly adjoin the development site. The L-7010-0 Barberstown Lane North, local road crosses through the site on a north west to south east axis.

2.3. To the north of Barberstown Lane North are three pairs (six houses in total) of semi-detached, two-storey houses that are provided with generous gardens to their north. An additional house has been provided, to the rear of number 4. A farmyard with associated agricultural buildings is located to the south of the road. At least one vacant/ semi-detached house is located on this site, though this appears to have more recently been used for storage purposes. A number of houses are located along the R149.

2.4. Other than the residential uses associated with the houses on site, the lands are primarily in agricultural use consisting of large fields divided/ bordered by mature hedgerows. High voltage powerlines cross the site towards the north western corner and lower voltage lines are located throughout the rest of the site area.

2.5. Hansfield railway station is located to the north. There is currently no access to this from the development site, but the station is designed to serve the subject site. As stated, this station is located on the Dublin to Dunboyne/ M3 Parkway line



and the service provision currently consists of a single train per hour running to Clonsilla station and which provides for an onward connection to Dublin Connolly. During the peak hours, trains run on this line to Docklands station. The line is served seven days a week.

2.6. The nearest bus stops indicated on google maps are located to the north of the site on the Ongar Distributor Road. These stops are over 600 m away; however, the lack of direct connection means a walk of over 1 km until such time as a connection is provided through Hansfield station. The Ongar Distributor Road is served by the 39 with a service of every 30 minutes between Ongar, Blanchardstown Shopping Centre, Village and the City Centre. The 39A operates every 10 minutes from Ongar to UCD via Blanchardstown Shopping Centre, the N3 and the City Centre. The 139, operated by JJ Kavanagh, provides a service every two hours between Naas and TUD Blanchardstown via Maynooth and which operates along the R149 to the west of the site, though no bus stops are in place (at the time of the site visit) for it to serve the subject area. The L52 route operated by Go-Ahead Ireland operates an hourly service between Blanchardstown Shopping Centre, Clonsilla and Adamstown. The nearest stop from the subject site is at Clonsilla, approximately 1 km to the east, though again this is not easily accessible by foot.

### 3.0 Proposed Strategic Housing Development

3.1. The proposal, as per the submitted public notices, comprises the demolition of a number of structures on site and the construction of 439 houses and 804 apartment units – a total of 1,243 residential units. The development is supported with a creche, local centre, public open space, car parking and all other necessary infrastructure.

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

**Table 1: Key Figures**

<b>Gross Site Area</b>	29.6 hectares
<b>No. of Houses</b>	439
<b>No. of Apartments</b>	804
<b>Total</b>	<b>1243</b>

<b>Childcare</b>	942 sq m
<b>Commercial</b>	Convenience Shop: 370 sq m Café: 158 sq m Office Hub: 501 sq m Shop/ Convenience units (x 5) 127/ 127/ 127/ 62/ 57 sq m – Total 500 sq m. <b>Total 1,529 sq m</b>
<b>Community Use</b>	Community Space – 359 sq m Medical Centre (8 rooms) – 341 sq m
<b>Density – Net Site Area</b>	41.9 units per hectare
<b>Public Open Space Provision</b>	11.4 hectares – 38.7% of the site area.
<b>Car Parking – Total</b>	<b>1,593</b> (Includes 55 accessible spaces and 154 with electric charging capability).
<b>Bicycle Parking Total</b>	<b>3,357</b>

**Table 2: Unit Mix**

	Bedrooms				
	1 Bed	2 Bed	3 Bed	4 Bed	Total
Duplexes	5	20	92		117
Houses			286	36	322
<b>Total</b>	<b>5</b>	<b>20</b>	<b>378</b>	<b>36</b>	<b>439</b>

	Apartments				
Bedrooms	1 Bed	2 Bed	3 Bed	4 Bed	Total
<b>No. of Apartments</b>	<b>148</b>	<b>589</b>	<b>63</b>	<b>4</b>	<b>804</b>

- Vehicular access to the site is from the realigned R149 Clonee to Leixlip Road to the west of the site, from the L-7005-0 Barberstown Lane South local road to the south and from the L-7010-0 Barberstown Lane North which crosses through the centre of the site.
- Water supply and foul drainage connections to the existing public network will be provided.
- Public open space is proposed to be provided throughout the site area.
- The site is divided up into 10 separate character areas.

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

- Planning Report - McCutcheon Halley Planning Consultants
- Statement of Consistency – McCutcheon Halley Planning Consultants
- Material Contravention Statement – McCutcheon Halley Planning Consultants
- Part V Proposals & Costs – Alanna Homes
- Social Infrastructure Report - McCutcheon Halley Planning Consultants
- Childcare Demand Report - McCutcheon Halley Planning Consultants
- School Demand Report - McCutcheon Halley Planning Consultants
- Universal Design Report – Delphi Architecture + Planning
- Architectural Design Statement - Delphi Architecture + Planning
- Natura Impact Statement - AECOM
- Wind Microclimate Assessment – AECOM
- Daylight and Sunlight Assessment Report – 3D Design Bureau
- Landscape Design Statement – Gannon + Associates
- Arboricultural Impact Assessment – Arbor Care
- Tree Protection Plan – Arbor Care
- Traffic & Transport Assessment - Clifton Scannell Emerson Associates (CSEA)
- Mobility Strategy - Clifton Scannell Emerson Associates (CSEA)
- Stage 1 Road Safety Audit – PMCE
- Flood Risk Assessment – McCloy Consulting
- Engineering Report - Clifton Scannell Emerson Associates (CSEA)

- Outline Construction Traffic Management Plan and Outline Construction & Demolition Waste Management Plan – Alanna Homes
- Outline Operational Waste Management Plan – Alanna Homes
- Water Management & Conservation Plan – Alanna Homes
- Part B Fire Safety Compliance Letter - Maurice Johnson & Partners
- Part B Fire Safety Compliance Statement - Jensen Hughes
- EV Charging Strategy Report - Go Charge
- Energy Statement - McElligott Consulting Engineers
- Outdoor Lighting Reports – Sabre Electrical Services Ltd.
- Environmental Impact Assessment Report - McCutcheon Halley Planning Consultants, with input from Aecom, SLR, CSEA, Jon Cronin & Associates, John Purcell and Delphi Architecture + Planning

#### 4.0 Planning History

##### Subject site:

There are no recent, relevant applications on this site. The applicant lists a number of historic applications that relate to the subject site, but these refer to development that was either temporary in nature, required to facilitate other development or was not relevant to the subject application. A list of applications on adjoining lands has been provided in Table 2.1 – ‘Planning History Summary’, of the applicant’s Planning Report. These refer to development on the Hansfield Strategic Development Zone (SDZ) lands to the north of the railway line.

#### 5.0 Section 5 Pre-Application Consultation

5.1. A Section 5 Pre-Application Consultation took place, remotely via Microsoft Teams, on the 23<sup>rd</sup> of March 2022; Reference ABP-312005-21 refers.

Representatives of the prospective applicant, the Planning Authority and An Bord Pleanála attended the meeting. The development as described was for the demolition of existing structures, construction of 1,284 no. residential units (334 no. houses, 950 no. apartments), creche and associated site works at Barberstown, Barnhill and Passifyoucan, Barnhill, Clonsilla, Dublin 15.



5.2. An Bord Pleanála was of the opinion having regard to the consultation meeting and the submission of the Planning Authority, that the documentation submitted requires further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála. The following information, as summarised, was to be submitted with any application for permission:

1. Further consideration of the documents and justification for the proposed development having regard to the dependency of the development on the delivery of the proposed Ongar-Barnhill Road. The application should identify the timetable for completion of such infrastructure and responsibility for the funding and completion of works in this regard. The provision of such infrastructure should be clearly identified as part of the phasing strategy for the development of these lands.
2. Further consideration and elaboration of the documents with regard to the creation of a strong urban edge and streetscape to the Ongar-Barnhill Road and to Barberstown Lane South, and on key routes within the development. Application documentation should demonstrate how proposed building design and streetscape assist in place making and wayfinding as well as creating a contemporary urban development with a variety of character areas marked by changes in densities, housing typologies, and heights as well as changes to material finishes and designs. Regard should be had to the provisions of DMURS (section 2.2.1) with regard to the creation of a sense of place.
3. Further consideration and elaboration of the documents as they relate to the development strategy for the lands and the height and scale of development proposed. In this regard a detailed design statement / rationale for each neighbourhood or character area should be submitted having regard to the provisions of the Barnhill LAP 2019, as well as the criteria set out in Section 3.2 of the Urban Development and Building Height, Guidelines for Planning Authorities' 2018. Such rationale should, in particular, address the design of taller buildings and the differing character of individual neighbourhoods, particularly those at a remove from key public transport and local service nodes, and the transition between taller buildings and their surroundings. The application should demonstrate how a high quality of architectural design and finish to such taller

blocks is achieved within the development. The strategy should consider key views into the development including those from the east at Pakenham Bridge, as well as key internal vistas, such as views east and west along the proposed village centre / main street.

4. Further clarification and elaboration of the documents, and justification for the proposed development, having regard to the mix of uses and level of local and community service provision proposed on the lands. The Barnhill LAP 2019, envisages the development of a sustainable community at Barnhill comprising new homes, community, leisure and educational facilities based around an identifiable and accessible local centre. The LAP notes that a vibrant local centre is to provide for a range of services to cater for the shopping, recreational, educational, medical and other needs of the community. It further notes that the centre should be large enough to accommodate a foodstore and a range of supporting shops and retail services. Having regard to the significant scale of development envisaged for these lands, and the limited extent of retail and community service provision proposed, clarification / justification is required as to how the development will meet the needs of this new community and address the reasonable objectives the Local Area Plan in this regard. The application should set out a clear vision for the creation of a serviced, sustainable community and neighbourhood in this regard.
5. Further clarification and elaboration of the documents as they relate to the proposed pedestrian connection to Hansfield train station. In this regard, specific and detailed design proposals should clearly demonstrate how the development will deliver a high-quality public realm and accessibility for the public both to the station and across the railway to lands in Hansfield to the north. Evidence of the consent of the railway authorities to proposals in this regard should accompany the application.

Furthermore, Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations



2017, the following specific information should be submitted with any application for permission:

1. Detailed proposals for the phased development of these lands. Such phasing proposals should clearly identify the road and public transport, open space, water, drainage, and social infrastructure to be delivered with each phase of residential development.
2. The application should clearly identify the life of any permission sought and provide a clear rationale and justification for such period.
3. A detailed landscape and visual impact assessment.
4. The design statement in respect of the Link Road West neighbourhood should demonstrate that a high quality of residential amenity for proposed dwelling units can be delivered having regard to their position between two elevated roads and the adjoining railway to the north.
5. Detailed plan and section drawings should clearly identify existing and proposed ground levels across the site including existing and proposed road embankments.
6. The relationship between proposed buildings and between the proposed development and existing adjoining properties should be clearly described in appropriately detailed section drawings. The potential for impacts on adjoining residential amenity by reason of overlooking and overshadowing should be clearly assessed and described.
7. A report that specifically addresses the proposed materials and finishes across the entire scheme including specific detail of finishes, landscaping and paving, pathways, entrances and boundary treatments. Particular regard should be had to the requirement to provide high quality, durable and sustainable finishes which have regard to the context of the site. A rationale for the extensive use of cement render finishes to buildings across parts of the development should be clearly set-out.
8. Details of the proposed boundary treatment to the adjoining railway, including details of any noise attenuation measures to be incorporated therein. Regard should be had to the requirements of Irish Rail in this regard.

9. 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 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.

10. An analysis of wind microclimate and pedestrian comfort at ground level with reference to pedestrian occupation and usability of new public spaces. The analysis should address the safety and comfort of residential amenity spaces, including communal spaces and private upper floor balconies. Any required mitigation or other design measures arising from such assessment should be clearly described and assessed in the study. This may necessitate a review of the design of proposed balconies, and whether projecting or integrated balconies are more appropriate in terms of achieving satisfactory levels of residential amenity.

11. A detailed Housing Quality Assessment demonstrating compliance with relevant development standards.

12. Consideration should be given to a more direct connection from the western end of the proposed greenway (Barberstown Lane North) to the pedestrian and cycle infrastructure to be provided on the new Ongar-Barnhill Road.

13. Detailed proposals for the provision of childcare facilities sufficient to meet the projected demand arising from this extensive development. Such proposals should include detail with regard to access and cycle and car parking arrangements. Where a single facility is proposed to serve the overall development, the application should undertake a review of the viability and practicality of such scale of facility. The

provision of childcare facilities should also be addressed as part of the phasing details under item no. 1 above.

14. In respect of transportation, the application should be accompanied by the following:

- i. A report addressing the matters raised in the report of the Fingal County Council Transportation Planning Section.
  - ii. A detailed Traffic and Transportation Impact assessment. The assessment should clearly describe the scenarios assessed and the traffic distribution considered therein. All assumptions should be clearly stated. The assessment should have regard to existing constraints on the road network to the east of the site, including the capacity of Pakenham Bridge and Barberstown level crossing, and any phased improvements to the road network in the area.
  - iii. A Quality Audit in accordance with Advice Note 4 of DMURS, including a road safety audit.
  - iv. A Travel Plan / Mobility Management Plan, which should clearly identify targets for modal split and consider the availability of bus and rail services, and any required improvements to such services, to achieve these targets. The application should describe any engagement which has taken place with the NTA / bus providers in relation to this development.
  - v. A detailed description of car and cycle parking provision across the development, including the allocation of spaces. The quantum and design of cycle parking should accord with the provisions of the Apartment Design Guidelines and with the provisions of the National Cycle Manual and DMURS. This should include a level of commuter cycle parking adjoining Hansfield train station.
15. Clarification with regard to proposed pedestrian and cycle routes on the western side of the proposed Barnhill-Ongar Road at Parkside, as indicated in the submitted Design Statement.
16. A detailed noise impact assessment, having particular regard to the impact of the operation of the adjoining railway on residential amenities. Regard should be had to the frequency and timing of train movements and likely future increases in such

frequency. Detail of the design and location of any recommended mitigation measures in this regard should be clearly described in application documentation.

17. A report addressing the matters raised in the report of the Fingal County Council Water Services Department dated 06/12/2021. The report should also include evidence of consent / of the right to access the existing service culvert under the adjoining railway.

18. A report addressing the matters raised in the report of the Fingal County Council Parks and Green Infrastructure Division dated 20/12/2021.

19. A Detailed Construction Management Plan and Construction Traffic Management Plan. Such plans should have regard to the phasing of development described under item no. 1 above, including the means of access to each phase of development.

20. The application should address the dependency of the development upon the extinguishment of any public right of way on Barberstown Lane North, which is the subject of a separate approval process. This may require possible amendment to the documents and / or design proposals submitted.

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. Nation Transport Authority
4. Irish Rail
5. Commission for Railway Regulation
6. Waterways Ireland
7. Minister of Housing Local Government and Heritage
8. Heritage Council
9. An Taisce
10. Department of Education and Skills
11. Córas Iompair Éireann
12. Fingal Childcare Committee



- 13. Meath County Council
- 14. Kildare County Council

#### 5.4. Applicant's Statement

5.4.1. A document titled 'Response to ABP Opinion', prepared by McCutcheon Halley, was submitted with the application as provided for under Section 8(1)(iv) of the Act of 2016.

The following information, requiring more detail, was provided in response to the opinion:

**Issue 1 – Dependency on the development/ delivery of the Ongar-Barnhill Road:** The proposed road has been approved by Fingal County Council under the Part 8 process, and the road is due to be delivered prior to the commencement of the proposed development. A tender for the proposed road has been sent out and the road is due to commence construction in 2023 with completion expected in October 2024. Funding for the road has been sourced under the S.48 General Contribution Scheme.

**Issue 2 – Strong Urban Edge along the Ongar-Barnhill Road and to Barberstown Lane South, whilst having regard to DMURS:** The development has been designed to ensure that suitable strong street frontages are provided. A number of the units have been revised to provide for dual aspect units and which provide for a suitable frontage onto the Ongar-Barnhill Road and units have been revised to address the proposed upgraded Barberstown Lane South. In addition, the design provided for ten distinctive character areas and landmark buildings are provided in appropriate locations throughout the site area. A suitable landscaping plan has also been provided and which aids wayfinding throughout the site area.

**Issue 3 – Design Statement/ Rationale for each character area:** Taller buildings are proposed in the vicinity of Hansfield station and the railway line in addition to key landmark areas. The location of these units has been considered in the context of their proximity to existing residential units. The submitted EIAR under Chapter 4 provides for an assessment of the Landscape and Visual impacts of the proposed development on the area with eight verified views provided in support. The submitted Architectural Design Statement includes a number of relevant CGIs.

**Issue 4 – Mix of uses and provision of community services:** The Social Infrastructure Report provided in support of the application, by the applicant, details the likely demand for social and community facilities arising from the proposed development as well as providing an audit of existing services in the area. A creche is to be provided in Phase 1 with capacity for between 140 and 160 children, a medical centre and retail units will also be provided. A community space of 359 sq m and an office hub of 501 sqm are also proposed as part of this development. The applicant reports that additional childcare can be provided if conditioned by the Board.

**Issue 5 – Pedestrian links to Hansfield station:** Drawing 16\_053\_006 (Proposed Destination Links – Hansfield Train Station) by Clifton Scannell Emerson Associates indicates the proposed primary link to Hansfield station. The Landscape Design Statement also demonstrates how the railway plaza within the 'Railway Quarter' will function. Legal details have been agreed with Irish Rail that the pedestrian access over the railway line will be accessible at all times. Access to the station/ Hansfield SDZ lands will not require the provision of lifts etc. and the design will mirror that already in place on the northern side of the station. Consultation is ongoing between the applicant and Irish Rail.

**The following specific information was provided in response to the opinion:**

1. **Phasing:** The proposed phasing is detailed in section 2.3.6 of the submitted EIAR, and also within section 4.4 of the applicant's Architectural Design Statement. The Material Contravention Statement includes an assessment of how the development will be provided in accordance with the requirement of the Barnhill Local Area Plan 2019.
2. **Duration of Permission:** The applicant seeks a planning permission with a 10 year duration, though it is expected that construction will take 8 years. The Onger Barnhill Road is due to be completed in October 2024 and the development cannot commence before the completion of this road. Mobilisation works can take place whilst the road is undergoing completion.
3. **Landscape & Visual Impact Assessment:** This is provided in the EIAR within Chapter 4.



4. **Link Road West Design Statement:** Full details are provided in the submitted Architectural Design Statement. The design has full regard to the Barnhill Local Area Plan 2019 requirements.
5. **Plan and Section Drawings:** The design of the development has had full regard to the elevated nature of the road and railway embankments. The submitted Architectural Design Statement and Landscape Design Statement describe how the development interfaces with these features. Similarities to the Hansfield SDZ layout are utilised.
6. **Adjoining Residential Amenity:** The applicant has provided drawing number PLA-24 illustrating the relationship between the proposed development and the existing adjoining properties, in sections through the site/ adjoining lands. The applicant reports that a complicating factor is that the existing houses are located on lands that are zoned for high density development and the development has to provide for compact in the vicinity of Hansfield station. The applicant provides a list of design features that ensure that existing residential amenity is protected, summarised as follows:
- Minimum of 35 m set back from the existing houses to the proposed apartments within the Railway Quarter.
  - Considered that private amenity spaces in the form of balconies ensure adequate privacy is retained, however further measures can be provided for.
  - The Village Centre has been designed to ensure that the residential amenity of existing houses is protected. This is achieved through the use of appropriate heights and landscaping.
  - The proposed development including a noise abatement boundary along the railway line will result in a reduction in noise to existing residential units.
  - Barberstown Lane North will be retained to access the existing residential units and to provide for a pedestrian/ cycle priority route.
  - Existing residents will benefit from improved connections to Hansfield station, the provision of a new bus route to serve the village centre and improved pedestrian/ cycle connections to/ from and within the site.

- The amenities in the village centre will serve the existing residential units as they are only 100 m away and the proposed primary school (not part of this application but facilitated) is only 200 m away.
  - It is reported that the existing residents will experience a change in their environment from rural to a developing urban area. There will be short term negative impacts during the development of the site but long-term benefits include improved services, amenities and access to sustainable transport.
7. **Proposed Materials and Finishes:** The submitted Architectural Design Statement and Landscape Design Report provide details of the finished landscaping, paving, pathways, entrances, and boundary treatments to be utilised in this development. Final details can be agreed with Fingal County Council by way of condition.
8. **Railway Boundary Treatment:** Chapter 10 of the submitted EIA provides a detailed noise impact assessment of the proposed development. Noise levels are likely to reduce from the current situation due to the change over from diesel to electric powered trains due to the roll out of the DART + project. Noise mitigation measures are proposed including the provision of a 2 m high noise abatement screen along the railway boundary, units adjoining the railway are dual aspect meaning that windows can be closed if noise is a nuisance, and design measures have been incorporated to ensure that noise does not become an issue for units within the railway quarter.
9. **Daylight and Sunlight Assessment:** An assessment has been undertaken by 3D Bureau in support of this application. The report concludes that layout and proposed buildings have access to good levels of daylight/ sunlight though 2% of the proposed apartments do not comply with the BRE Guidelines. Compensatory measures are provided in the Architectural Design Statement.
10. **Microclimate Assessment:** A Microclimate Assessment has been undertaken by AECOM. Suitable design and mitigation measures have been carried out to the overall design. In conclusion, the report found that the development positively impacts on wind microclimate and the development is safe/ comfortable for pedestrian uses.

11. **Housing Quality Assessment:** This has been provided as part of the Architectural Design Statement.
12. **Connect to Greenway:** A pedestrian/ cycle path is proposed from the western end of Barberstown Lane North and which connects to the proposed junction at the south-west corner of Barnhill Stream and northwards to the north-west corner of the Link Road East. Further connections are provided to Parkside and beyond to the Ongar-Barnhill Road.
13. **Childcare Facilities:** A Childcare Demand Report has been provided in support of the application. The expected demand is for 113 to 138 children for all ages and 64 to 78 for pre-school children. A childcare facility is proposed in phase 1 of the development and which can accommodate up to 210 children, though operational capacity is likely to be 140 to 160 children at a time. Land has been set aside for the future development of a 16-classroom primary school and it is considered that this could also provide for after school care for children.
14. **Transportation Issues:** The applicant is supported with a Traffic and Transportation Assessment Report and a Mobility Management Plan, both prepared by CSEA. In addition, a quality audit in accordance with DMURS has been provided.
15. **Pedestrian & Cycle Routes – Parkside:** A drawing for Area 6, ref. 21154\_LP\_G\_D6 has been provided to clarify the layout in this area.
16. **Noise Impact Assessment:** This has been addressed in Chapter 10 of the submitted EIAR. As mitigation, a 2 m high noise abatement screen is to be provided at the boundary of the railway line. Other measures are outlined and have been detailed under Section 8 above.
17. **Water Services Department Matters:** A report prepared by CSEA has been provided to address the issues raised by Fingal County Council's Water Services Department. Legal details have also been provided in support of the application.
18. **Report on Parks & Green Infrastructure Division Matters:** The Landscape Design Report by Gannon Associates addresses the issues raised.
19. **Construction Management Plan and Construction Traffic Plan:** An outline CEMP has been submitted in support of the application and a final CEMP can be

agreed with Fingal County Council prior to the commencement of development on site.

20. **Barberstown Lane North – Public Right of Way:** As part of the works to develop the Ongar-Barnhill Road, by Fingal County Council, the public right of way over Barberstown Lane North will be extinguished. This will take place prior to the commencement of the subject development. The local authority can designate the remaining section of Barberstown Lane North as a cycle/ pedestrian route under Section 68 of the Roads Act 1993 as amended. Traffic volumes would be low over this road as it would only function as an access to the existing houses on it. Active travel will be prioritised throughout the site and Fingal County Council may develop this further in the future.

## 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) (DoEHLG, 2009).
- Quality Housing for Sustainable Communities (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.
- Climate Action Plan - 2023

## **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 Fingal and supports the implementation of the National Development Plan (NDP).

Table 5.1 – 'Strategic Development Areas and Corridors, Capacity Infrastructure and Phasing', references Barnhill under the Residential heading and states:

'Dublin 15 lands – continued development of Hansfield linked to the future development of Barnhill and Kellytown (sic) landbanks to the south and east'.

Phasing/ Enabling Infrastructure includes:



'Public transport, Clonsilla Station, water network and waste water upgrades'. These are listed as Short-Term works.

### 6.3. Local/ County Policy

#### Fingal County Development Plan 2017 - 2023

6.3.1. The Fingal County Development Plan 2017 - 2023 is the current statutory plan and includes these lands in Barnhill, Dublin 15.

6.3.2. The subject lands are zoned Objective RA – 'Residential Area' with the objective to 'Provide for new residential communities subject to the provision of the necessary social and physical infrastructure'. The site is subject to a Local Area Plan. A Road Proposal is indicated to the west of the site.

6.3.3. The following are considered to be relevant to this site, map references in brackets are part of the objective and refer to the development plan maps.

- Objective SS12 Promote the Metropolitan Consolidation Towns of Swords and Blanchardstown as Fingal's primary growth centres for residential development in line with the County's Settlement Hierarchy.
- Objective Blanchardstown 18 - Prepare and/ or implement the following Local Area Plans and Masterplans during the lifetime of this Plan: .....Barnhill Local Area Plan (see Map Sheet 13, LAP 13.A)
  - Construction of houses on these lands will be dependent on delivery of the proposed new road and bridge over the railway;
  - Ensure the provision of pedestrian access between Barberstown/ Barnhill and the Hansfield SDZ by means of a new pedestrian bridge integrated with adjoining development including the proposed Hansfield rail station;
  - Adoption of the Local Area Plan shall be dependent on the rail station at Hansfield being open, accessible and serviced by train.
- Objective BLANCHARDSTOWN 18: Prepare and/or implement the following Local Area Plans and Masterplans during the lifetime of this Plan (including Barnhill Local Area Plan).

- Objective MT41: Seek to implement the Road Improvement Schemes indicated in Table 7.1 within the Plan period, subject to assessment against the criteria set out in Section 5.8.3 of the NTA Transport Strategy for the GDA. Table 7.1 includes:

- N3-N4 Link Ongar to Barnhill
- N3–N4 Barnhill to Leixlip Interchange

6.3.4. Local Objective 125: 'Ensure the provision of pedestrian access between Barberstown/Barnhill and the Hansfield SDZ by means of a new pedestrian bridge integrated with adjoining development including the Hansfield rail station'.

6.3.5. The following Protected Structures are indicated on Sheet 13 in the vicinity of the subject site:

- RPS 711 – Pakenham Bridge – Late 18th Century single-arched stone road bridge over the Royal Canal located to the east of the development site.
- RPS 712 – Barnhill Bridge – Mid 19th Century stone road bridge with single arch over former Dublin – Little Pace Railway Line. This is located on the R149 to the north west of the subject lands.
- RPS 944a - Royal Canal Late 18th Century man-made canal, including the tow paths, the canal channel with its stone and earth banks, and the canal locks.

#### **Barnhill Local Area Plan 2019:**

6.3.6. The Barnhill LAP area comprises 45.64 hectares of residentially zoned land. The proposed Ongar-Barnhill Distributor Road is to serve the area and its proposed location is to the west of the site. A plaza/ suitable public realm area is required adjoining Hansfield train station to enable pedestrian access to the station from the LAP lands. The LAP seeks to promote/ accommodate higher density development adjoining the railway line and Hansfield station, with medium density development across the centre of the lands, and a lower density on a western part of the lands, adjoining rural lands. Part of the LAP lands are reserved for a future primary school, which is subject to the requirements of the Department of Education.

6.3.7. The following objectives within the LAP are considered to be relevant:

- S11 Deliver between circa 950 - 1150 new dwellings and associated amenity and educational facilities, to meet existing and future housing needs and to create a sustainable and socially inclusive mixed-use community.
- RN1 Ensure delivery of the appropriate road infrastructure in line with the phasing of the LAP and infrastructure needs.
- RN2 Apply a Section 48(2)(c) development contribution scheme as may be required, to deliver the infrastructure necessary to secure development.
- RN4 Ensure routes within the LAP are designed to function as urban streets rather than traffic distributors to accommodate multi-modal movements, create a sense of place and contribute to the public realm and overall permeability.
- MT2 Ensure the provision of new road infrastructure as required to serve the Plan lands prior to the delivery of any new residential development.
- GI1 Require all planning applications to be accompanied and informed by a Green Infrastructure Masterplan for the entire LAP lands.
- POSR9 Consider accepting the plaza/public realm area beside the rail station as Class2 Public Open Space subject to a sufficiently high-quality finish and design.
- DHM1 Promote a sustainable mix of housing types, sizes and tenures to reflect the diversity of needs in an expanding community set in a high-quality, well-designed environment.
- DHM2 Support the development of between 900 - 1,150 residential units or greater on the lands.
- BH1 Building height will primarily range between 4-6 storeys (or greater subject to high quality design and visual impact) along the rail line and canal and between 2-3 storeys elsewhere on the LAP lands.
- BH2 Accept local landmark and feature building elements over the stated building heights at key locations, where they contribute to the visual amenity, civic importance, quality design and legibility of the area. The locations are to be agreed with the Planning Authority and subject to relevant government guidelines.

6.3.8. The LAP identifies four development areas for which individual planning applications should be submitted. The phasing of future development should be

clearly indicated as part of the planning application. Should a larger planning application be lodged (SHD) it shall clearly outline proposed phasing within each development area.

#### Development Area 1: Railway Edge:

- A green route shall run along the length of the rail line, east-west, offering designated and safe pedestrian and cycle routes. The main internal avenue within the LAP lands commences at Hansfield Train Station at the small civic space and runs in a curved south-westerly direction to link in with a proposed local centre in Development Area 2. The plan provides for 467 no. units at a density of 84 per ha+.
- DA02 Ensure that the layout, design and delivery of the access route to the train station and the surrounding built form of the civic plaza is an integral part of any initial planning application whether in this Development Area or otherwise.

#### Development Area 2: Centre:

- The density of development will be generally in the range 35 - 50 units/ hectare, though there may be opportunity for a higher density arrangement. This area is to contain a local neighbourhood centre, school, and a public park alongside lands identified as being within a flood zone. Critical in establishing a sense of community and identity will be an appropriately proportioned civic space forming a 'village square' enclosed by buildings that accommodate ground floor active frontages and defined by a fine urban grain. A new centre will provide a range of uses and will offer a focal point for living, shopping and access to local services and facilities.

#### Development Area 3: West:

- Proximate to the greenbelt with County Meath. Building height and form and the quality of design are important given their potential prominence at the interface of the urban edge with the rural hinterland. Access will be from the Clonee to Lucan Road (R140). Lands will be isolated by the new Ongar to Barnhill Road, which will bridge over the railway line. Underpass of this road for pedestrians/cyclists will be facilitated. An opportunity exists to locate a higher building here or position a landmark building as an entrance detail. The density of development will be generally circa 24 units/ hectare with the possible exception of the area to the north.

Development Area 4: Royal Canal – (This area is located outside the subject development lands).



Section 9.0 identifies key principles of phasing, with development extending outwards from the railway station. Phase 1 includes all the 'RA' zoned land to the north of Barberstown Lane North and east of the new Ongar – Barnhill Road and includes the development of this road. This includes areas adjacent to the existing centrally located residential areas. Phase 2 of the LAP includes all remaining lands east of the Ongar - Barnhill Road and is the location for the primary school reservation, local centre, café/ interpretative centre and the majority of own door housing. The requirement for the school may not coincide with residential development. The school site reservation will remain unless confirmation is received from the DES that it is no longer needed. Phase 3 relates to all lands to the west of the Ongar-Barnhill Road, primarily consisting of low-density residential housing.

- P2 All planning applications shall clearly set out a phasing programme as part of the application and this shall include a clear understanding of how each phase is to be completed including infrastructural requirements prior to the commencement of the next phase of development. Table 3 sets out the enabling infrastructure required for each development area.
- GP01 Ensure that the Urban Design Guidelines for this LAP which aim to support the vision for Barnhill are adhered to in the roll out of development in the area.

## **7.0 Third Party Submissions**

### **7.1. A total of six submissions were received.**

Submissions were received from Roderic O'Gorman, TD and Councillor Daniel Whooley, in addition to individual members of the public and the comments raised, can be summarised as follows.

#### **7.1.1. Proposed Development:**

- Status of the Barnhill Local Area Plan, there is a Judicial Review against this and if quashed, the proposed development cannot take place. The land is zoned RA – residential, and is subject to the provision of a local area plan.
- Concern about the development of multi-storey apartment blocks that would be out of character with the established form of development in this rural area.

- The proposal would represent overdevelopment of this site.
- There is plenty of land available in the area for a high-quality form of housing development that would provide for affordable housing.
- Facilities to be provided in tandem with the development.
- The provision of apartments in blocks up to 12 floors high is contrary to the requirements of the Barnhill Local Area Plan, 2019.
- The justification for material contravention due to the proposed height of development is not adequate.
- The proposed development does not represent a fast-track development due to the need for the provision of the new road, the need for a new bridge over the canal/ railway line, the status of the LAP is not confirmed due to the judicial review in progress at present, there is a need for the upgrade of the Ringsend Wastewater Treatment Plant, and the status of the zoning is still not confirmed.
- The Statement of Consistency includes a number of errors.

#### **7.1.2. Residential Amenity:**

- There is a reduction in the amount of green space proposed having regard to the requirements of the Barnhill Local Area Plan, 2019.
- Potential for overlooking from the proposed development.
- Lack of communal open space may adversely impact on the residential amenity of properties in the area.
- Views from the existing houses are not provided in the submitted documentation.
- Insufficient detail is provided in relation to the proposed boundary treatment adjoining existing houses.

#### **7.1.3. Proposed Local Centre:**

- Suggested that a number of the ground floor units in the Town Centre be revised for use as community spaces, which may be a more appropriate use of these spaces.
- Noted that there are vacant retail units in other similar local centres in the Dublin 15 area.



#### **7.1.4. Infrastructure:**

- There is a need for the completion of the proposed Ongar-Barnhill Road before development commences, this is included in the Barnhill Local Area Plan, 2019.
- Infrastructure in the area is at present of a poor quality with no footpaths and the proposed development is dependent on the provision of the Ongar-Barnhill Road prior to the commencement of development of this site.
- Other infrastructure is to be provided as part of the DART + West Scheme by Iarnród Éireann.
- The provision of new exits onto the already congested R149 gives rise to traffic safety concerns.
- General concern about the potential increase in traffic on the R149 and that road improvements be provided to reduce through traffic in the area.
- There is a shortfall in car parking provision.
- There is a need for car parking adjacent to the railway station at Hansfield.

#### **7.1.5. Water Supply, Drainage and Flood Risk:**

- The Barnhill area has been subject to flooding over the years and the submitted Flood Risk Assessment is not adequate in this regard.
- Concern about pluvial flooding on site.
- There is poor soil infiltration on site.
- There is a need to ensure that the stream to the south is protected as it has an important function for surface water drainage.
- Water supply to the area is already deficient, there is a need for a suitable water supply to serve the area including this development.

#### **7.1.6. Environmental Issues:**

- The EIAR is not adequate as there is Japanese Knotweed on the site that has not been adequately detailed. The EIAR suggests that there is no invasive species on site.
- Bat recording was undertaken along public roads, which is not acceptable.

- Concern about the removal of asbestos.

#### 7.1.7. Other Issues:

- No public consultation took place to date.
- There is an error in the public notices with reference to the newspaper notice.

The submissions are supported with photographs and relevant maps.

Note: The comments in relation to legal issues are noted, however the Barnhill Local Area Plan has been adopted by Fingal County Council and is the current operative plan for this subject site.

### 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 13<sup>th</sup> of September 2022. The report states the site location and description including relevant planning history, nature of the proposed development including the comments of the elected members, members of the public and reports, and provides an assessment of the strategic housing development.

8.2. The Planning Authority through the Chief Executive's report recommend that permission be granted for the proposed development. The report concludes that: 'Subject to appropriate conditions, the proposed development would accord with the Barnhill Local Area Plan and the Fingal County Development Plan, would provide a satisfactory standard of placemaking, architectural and urban design and level of amenity for future residents and not give rise to undue environmental or other impacts on the amenities of the surrounding area. The proposed development is therefore considered to be in accordance with the proper planning and sustainable development of the area. Consequently, Fingal County Council recommends a grant of permission'.

8.3. The CE report also includes a summary of the views of the elected members of the Blanchardstown-Mulhuddart/ Castleknock/ Ongar Area Committee Meeting held on the 17<sup>th</sup> of August 2022, and these are outlined as follows:

- Support given for the development of these lands.

- The provision of a school site is welcomed. Clarity required as to if negotiations have taken place with the Department of Education and Skills.
- School should be provided prior to the development of this site.
- There is a need for a post-primary school in addition to the primary school.
- Need for transportation and infrastructure to be delivered up front, this is key to the development of this site.
- Concern that the retail/ community space will not be provided.
- There is a need for community facilities considering the high-density nature of this development.
- Reference made to vacant retail units in other developments in north Dublin.
- Opposition to the development as submitted.
- Twelve storey apartment block is out of character with the existing area.
- Daylight/ sunlight analysis needs to be robust.
- Concern about the impact on existing residents in the area.
- Need for the provision of the Ongar-Barnhill Road.
- Concern about the quality and quantity of public open space on site.
- The change of use from retail to residential should not be permitted.
- The development should be carried out by way of a number of applications.
- Barnhill LAP should be complied with in full.
- The development contravenes the LAP.
- Potential for social issues.
- The development is focused on the provision of apartment/ duplex units, when it should provide for a better mix of unit types.
- Need for more facilities such as places of worship, playgrounds, and other amenity lands.
- Need for more school and creche places.
- Query over consultation with the local community.
- Need to consider universal design and duplexes go against this.
- Potential need for allotments in the area.

#### 8.4. Planning Assessment

8.4.1. Section 3 of the Chief Executive (CE) report provides an 'Assessment of the Strategic Housing Development'. Section 3.1 is an introduction to the assessment, Section 3.2 considers 'National and Regional Policy'. Section 3.3 considers the 'Strategic Context' of the development. The site is located on RA zoned lands that are served by the Dunboyne to Clonsilla railway line through Hansfield station and the Planning Authority report that the uses are appropriate to the zoning that applies to this site.

8.4.2. Section 3.3.2 considers the 'Ongar – Barnhill Road', which is an objective of the Fingal County Development Plan 2017 – 2023 under Objective MT41. The development of these lands is dependent on the delivery of the proposed new road and the bridge over the railway line. At the time of the CE report, the tender documents were almost complete with a construction period of 24 months expected. The Planning Authority recommend that if permission is granted, the road should be substantially complete and operational prior to the first occupation of the subject development. Considering the importance of the road to the wider area a special contribution under Section 48(2)(c) should be agreed prior to the commencement of development.

8.4.3. Section 3.3.3 considers the development in the context of the Barnhill Local Area Plan. The proposal would result in the development of the majority of the site area except for a small area of land that adjoins Hansfield station (to the south east) and a number of the existing houses within the LAPS lands. The Planning Authority considered the submitted development in the context of a number of specific aspects of the Barnhill Local Area Plan as follows:

Phasing: A proposed phasing has been submitted and is also included within Table 2.4 of the submitted EIAR. The development has regard to the phasing as provided in the LAP. The Planning Authority recommend that certain infrastructure be provided prior to the occupation of Phase 1A of the development site. Specific recommendations include the development of the 'Stream' character area prior to 'Parkside' and 'Link Road West' in order to ensure compliance with the LAP, to ensure the completion of the lands to the east of the Ongar-Barnhill Road and to provide a suitable entrance to the development site.



**Density:** The Planning Authority consider that the density is acceptable in the contest of the Barnhill LAP.

**Building Height:** Objective BH1 of the LAP sets out a building height strategy and Objective BH2 allows for certain landmark and feature elements within the LPA lands. The proposed layout in terms of height is summarised in the CE report. A Material Contravention Statement has been submitted in respect of deviation of the height strategy provided in the LAP. The Planning Authority note this, but also have concern regarding the proposed heights in the context of the prevailing character of the area with reference to the development of the lands to the north of the railway line in Hansfield and the adjoining lands which are predominantly rural in character. Concern that the development may dwarf existing houses in the area. Also concern about the design and monolithic nature of some of the blocks with particular reference to the 11-storey block in the Station Plaza. There is a need for increased place making and an urban design rationale for some of the proposed buildings on the site.

The Planning Authority recommend that the heights of some of the proposed blocks be reduced in order to comply with the Barnhill LAP. This in turn may create greater opportunities for more south facing apartments and address potential issues of overlooking of existing properties.

**Mix of Uses:** The Barnhill Local Area Plan includes a need for a range of services to serve the community and which includes recreational, educational, medical and retail uses. The LAP seeks to provide a foodstore with a floor area of between 1,000 and 2,500 sq m and a range of other retail units that provides for a focal point for the future population of this area. These units would be located adjacent to a civic plaza. The Planning Authority report that the elected members raised the need for suitable community and local services to serve the future population. The Planning Authority notes the units to be provided within the Village Centre, character area, but concern is expressed about the provision of supporting commercial and retail services. The Planning Authority are not certain if the proposed commercial units could accommodate a suitably sized convenience store.

**Residential Mix:** The Planning Authority provide a table that compares the proposed housing mix set out in the Barnhill LAP and that proposed by the applicant in this

application. There is a concern that the provision of 36 four-bedroom units in a development of 1,243 units would not support the development of a community in Barnhill with a potential imbalance in housing types. More four-bedroom units could be provided in the form of three or two storey units.

8.4.4. Design and Layout is addressed under Section 3.4 of the CE Report and any development on these lands should have regard to relevant national guidance. The proposed development is in the form of 10-character areas; two to the west of the R149 and the remaining eight are located to the east of this road. The density and nature of development varies amongst the character areas with higher density development located adjacent to the railway station and the mixed-use centre. Higher buildings are located within these areas and on key road nodal points, to provide for place marking. The primary area of public open space is located to the south adjacent to the Ongar-Barnhill Road.

The proposed development provides for suitable passive surveillance along the Ongar-Barnhill Road, though the Planning Authority consider that improvements could be made. Welcome is made for the dual frontage commercial units, though it is not certain if this would be practical having regard to the need for storage and staff facilities within the units. Comment is also made that the presence of two-storey units adjacent to the public open space may not provide for the most appropriate form of development here.

There is a lack of detail regarding the differences in height in two locations on site; the northern elevation where the site adjoins Hansfield station and to the western side of the Station Plaza which adjoins the existing cottages. The Planning Authority consider this issue to be one for the Board to have regard to and to ensure that the proposed development does not have a negative impact on the residential amenity of the existing residents who adjoin the site.

Car parking is provided in a mix of forms, however there is a significant amount of surface car parking proposed throughout the site. Street trees are provided within private gardens, and which is considered to be sub-optimal as they may be removed by the future landowners.

House Design: The Planning Authority have identified a number of houses that would benefit from a redesign in order to ensure that suitable passive surveillance of public open spaces is provided for:

- House number 23 (Unit Type HB2(M)) be replaced with a Type B1 House.
- Units DA86-91, DA70-75 be provided with additional fenestration in their flank walls.

A number of design features have also been identified, that would benefit from revision:

- External staircases on the side elevations of the duplex units/ maisonettes could be internalised.
- Revisions to Unit C01, C02, D29 – 20 and D41 to D42 and also C55-57, C52-54 and C43-45 to better address public spaces/ remove external staircases.
- Relocate the front entrance to the side to provide for more activity on corner sites – D1, D18 – Station Quarter South, C1-38, C1 – 41 Link Road East, C81.
- Revise the orientation of C01 to C01, C75 – 71 and C23/ C24 to improve overlooking of open space. It is reported that C23, C24 and C74 back onto open space and this is contrary to DMS66 of the Fingal Development Plan.

Architectural Design and Materiality: The Planning Authority report that further consideration is required in relation to the palette of materials and architectural detailing in a number of areas of the development site. Internal revisions to corridors are also recommended and it is reported that the flat roofs proposed result in a lost opportunity to provide for increased visual interest. The front elevation of House Type H-L on Link Road East, should be revised and similarly the external finishes to houses in the Stream would benefit from revisions. The northern façade of railway quarter would benefit from revision due to its visibility from the railway line. The Planning Authority identify a number of revisions to materials/ colours in their report.

8.4.5. Residential Amenity is considered under Section 3.4.4 of the CE report. A Housing Quality assessment has been provided with the application. A daylight/ sunlight study is included and provides details on the compensatory measures for units which do not reach the required targets. The submitted shadow assessment is difficult to assess due to the scale of the scale of the study. The Planning Authority

report that communal open space areas 7, 27 and 28 do not receive sufficient sunlight.

The Planning Authority identify a number of units that should be redesigned to address potential issue of overlooking, the following are listed:

- Unit type 3C on the Crescent, Site C23 – relocate master bedroom from the west to the south elevation.
- Unit on Site C28 – West facing window to the master bedroom to be relocated to the north.
- Unit Type 3-A in the Stream – relies on opaque glazing to address issues of overlooking.
- Unit D4 in Station Quarter South – western window should be relocated to the north façade
- Unit D18 in the Station Quarter South – eastern window should be relocated to the north façade.
- Unit D01 in the Station Quarter South – eastern window should be relocated to the north façade.
- Unit D15 in the Station Quarter South – western window should be relocated to the south façade.

The 14 visitor car parking spaces located adjacent to the terrace of apartment C-02 in Block C should be relocated.

A Wind Microclimate Assessment has been undertaken, but only the results for the balconies of the Village Centre character area are provided.

8.4.6. Community Facilities are considered under Section 3.5 of the CE report.

Note the provision of a site for the primary school which is the responsibility of the Department of Education and Skills to provide the school. The location and layout of this site is considered to be acceptable. A childcare facility with capacity for 140 – 160 children is proposed, and a Childcare Demand Report has also been provided. The Planning Authority note the demand for childcare in the area and raise some concerns about the survey results, which they estimate the childcare demand to be at least 160 spaces. Note the submitted report that the childcare facility will be



provided in Phase 1 though there may be a deficit in childcare for the first two years of the development; the reason for this is unknown. No details of set-down areas associated with the childcare facility are provided, though the location encourages active travel.

8.4.7. Landscape and Open Space details are provided in Section 3.6. The required open space provision is 2.96 hectares, and the applicant has demonstrated that this can be provided. The Planning Authority report that much of the Class 1 open space is located within a flood zone with areas forming part of the SuDS infrastructure on site. Fingal Development Plan policy is that the SuDS do not form part of the public open space provision, except where they contribute to the design and quality of open space in a significant way. Objective DSS73 of the Fingal Development Plan allows for a maximum of 10% of open space provision to be taken up by SuDS.

Drawing No. PLA-07 demonstrates the open space provision on site. It is reported that narrow/ unusable areas are provided and should be omitted from open space calculations. The bedspace provision of 2826.5 equates to an open space requirement of 7.07 hectares. A Section 48 contribution should be applied to make up for the shortfall and which will go towards the continued upgrade of St Catherine's Park, which is the relevant Class 1 Park serving this area.

The submitted landscape plan is generally acceptable, though the proposed MUGA (Multi Use Games Area) requires revision to ensure the protection of adjacent residential amenity. No details are provided as to what the boundary treatment for the proposed pumping station will be, and the Planning Authority recommend that a solid bar railing be provided. The Class 1 open space pitch should be fitted out to the requirements of the Planning Authority.

8.4.8. Movement and Transport: This is assessed under Section 3.7 of the CE report. No concern regarding the proposed access to Hansfield Station, though the proposed wheelchair ramp may require revision to ensure that the safety of end users is fully considered.

The proposed road layout provides for good permeability with suitable provision for segregated pedestrian and cycle infrastructure along the main spine road.

Pedestrian/ cycle routes should be provided in advance of occupation of residential units. Some additional details are required in relation to a number of the pedestrian/

cycle connectivity links. The road hierarchy in terms of width and function is in accordance with the principals of the Barnhill LAP and DMURS. The main spine road has a width of 6 m, though 6.5 m would be preferable for bus routes. A swept path analysis is required to determine the suitability of the roads for buses.

The provision of a 500 mm separation between the cycle track and parked cars does not comply with the NTA Cycle Manual requirement of 750 mm and revised details are required. Revisions are also required for shared spaces along the proposed spine road.

Section 3.7.3 considers the car parking provision on site. The proposed quantum and allocation of car parking is considered to be acceptable having regard to the apartment guidelines and the proximity of the site to Hansfield station. CSe statistics indicate that car ownership is at a rate of 1.4 in the area. A Mobility Management Strategy and a Parking Strategy have been provided and the Planning Authority consider them to be acceptable; as is the car parking provision for the non-residential element of the development. A Car Parking Management Strategy will be required and on-street car parking that is to be taken in charge cannot be designated to specific units. The segregation of residential and commercial parking is not clear and requires further detail in the Car Parking Management Strategy. EV parking/facilities are acceptable.

Section 3.7.4 assesses Cycle Parking and a total of 3,225 long-term residential parking spaces and 96 for commercial use are proposed, and which are considered to be acceptable to the Planning Authority. A range of bicycle parking options are proposed, though no individual caged lockable storage which are designated to a relevant apartment. The Planning Authority recommend that a cycle parking management strategy be prepared, and which includes provision for suitable bicycle maintenance equipment in appropriate locations. The Planning Authority consider it to be inappropriate that bicycles would have to be brought through a house to be parking in a rear garden and it is recommended that a suitable alternative be provided for. The parking in the plaza area is welcomed by the Planning Authority though a diverse range of design solutions would be welcomed.

Section 3.7.5 refers to the creation of a cul-de-sac of Barberstown Lane North as a result of the development of the Ongar-Barnhill Road. An extinguishment of a right

of way would have to be provided for as part of the development of this road. The narrow road width on Barberstown Lane North is reported and revisions to the layout are recommended. Further consultation and coordination between Fingal County Council, the DART + Team and the applicant is required in relation to the tie-in arrangements for Barberstown Lane South, both pre and post the upgrade of the railway to DART standard.

Traffic and Transport Assessment is considered under Section 3.7.6. and the road network would operate efficiently following the completion of the development in future years 2025, 2030 and 2040 for both the AM and PM peaks. The Planning Authority note some issues regarding the modelling including the inclusion of the Kellystown Road in the calculations, even though it is unlikely to be delivered by 2025 and the mode share for 2040 seems ambitious and a less ambitious mode share assessment should be carried out. The Planning Authority consider that the mobility strategy is acceptable, and they welcome the provision of an Action Plan/ Travel Plan for the proposed development.

Under Section 3.7.7, the sightlines of the R149 are assessed and works to the existing boundaries and appropriate signage/ lining may be required to ensure that these sightlines are adequate for a road of this nature. A Stage 1 Road Safety Audit has been provided and the recommendations/ identified measures have been accepted/ signed off by the designer.

Some issues have been identified under Section 3.7.8 in relation to the Basement and Undercroft Parking. The access arrangements for Blocks A, B and C are not clearly defined for the undercroft car parking and which appears to double up as a turning area. Some revisions have been identified by the Planning Authority in relation to parking etc.

8.4.9 Water Services and Infrastructure: Section 3.8.1 of the CE report considers issues in relation to Flooding. An unnamed watercourse, which is a tributary of the River Liffey flows on a north west to south east axis through the site. The stream is mostly overgrown and crosses by way of a culvert under the Royal Canal and the railway line. It eventually discharges to a number of lakes in Luttrellstown Golf Course before passing to the River Liffey.

The Flood Risk Assessment reports that the most significant threat from flooding to the site comes from fluvial flooding. Modelling was undertaken and includes climate change flows of 20%. The culvert under the canal and railway line causes a restriction on overland flooding, with backing up of flood levels towards the southern/south eastern parts of the site. A 1% AEP design event would result in 11% of the total site area flooding and 20% would flood for a 0.1% AEP event. The report findings differ from those of the OPW PFRA mapping undertaken, and a number of recommendations are made. The submitted flood study provides similar findings to those of the study undertaken in 2018 by Garland Consultancy for the Barnhill LAP. All housing is to be located on Flood Zone C, and overall, the level of flood risk to the development is considered by the Planning Authority to be acceptable.

Surface Water is considered under Section 3.8.2 and the applicant has proposed a range of measures to address surface water drainage. The site provides for poor infiltration, and this limits the use of certain SuDS measures. The CE report lists the measures that are proposed to be used on site. The proposed football pitch will also be incorporated into the overall SuDS strategy for the Barnhill LAP. Consideration was given to the provision of green roofs and other measures throughout the site. In conclusion the Planning Authority report that the SuDS strategy is acceptable.

In relation to Water Supply and Foul Sewer (Section 3.8.3 of the CE report), it is reported that a water and wastewater connection is possible subject to an extension in the case of wastewater, to connect to the existing public network which is not available on site at present.

8.4.10. The applicant has provided a taking in charge plan and the Planning Authority report that a revised plan should be provided that includes all access roads to future lands, to be clearly indicated as to be taken in charge.

8.4.11. A total of 104 units are to be provided as part of the applicant's provision. Consultation has been had with the Fingal County Council Housing Department.

8.4.12. The Planning Authority note the submitted NIS and EIAR and report that An Bord Pleanála are the competent authority to assess these.



**Statement in Accordance with Section 8(5)(b)(ii) as to whether to recommend that permission be granted or refused:**

The Planning Authority recommend that permission be granted subject to conditions. The site is located adjacent to Hansfield station, demonstrating compliance with the National Planning Framework and regional planning and transport policy. The site would result in the development of the majority of the Barnhill LAP lands and demonstrates compliance with the Fingal Development Plan 2017 – 2023.

The Planning Authority raise concerns about four issues:

- Phasing
- Open space provision and useability
- Building Height
- Architectural design and expression.

Overall, the development is in accordance with the Barnhill Local Area Plan and the Fingal Development Plan 2017 - 2023, would provide for a suitable form of development and provide for appropriate levels of residential amenity, would not give rise to undue negative impacts to the amenities of the area. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

Recommended conditions are included in the CE report. These are generally standard though I note the following:

2. Provide for a revised phasing plan that includes the completion of the Ongar-Barnhill Road, suitable bicycle/ pedestrian link to Hansfield station be provided, all infrastructure be in place, childcare, retail units, medical centre, offices, café, be in place before Phase 2 is available for occupation, cycle/ pedestrian infrastructure to be coordinated/ completed in tandem with development.
3. Reduce the 9-storey building in the 'Village Centre' by three storeys, reduce the 11-storey and 9-storey buildings in the western edge of the 'Station Plaza' by 3/ 4 storeys respectively, reduction in the height of the 12-storey buildings by 3 storeys, reduction in the 6, 7 and 8 storey buildings in the Railway Quarter by 2 storeys.

4. Lists a number of revisions and alterations to be undertaken to units, design, materials etc.
5. Provision to be made for an additional childcare facility with suitable set-down/ parking areas to be provided.
6. Revised access arrangements to Hansfield station.
7. Provision to be made for additional four-bedroom units throughout the scheme.
8. Transportation related details and revisions.
9. Provide for an updated Action/ Plan, Travel Plan and Mobility Management Plan within 1 year of first occupation of the development. Revisions to be made to car parking layout/ accesses.
10. Liaison with DART + project.
11. Road safety related matters.
12. Play and outdoor exercise equipment.
13. Revised landscaping plan, and relevant landscaping/ boundary treatment details.

**In addition to the Planning report, additional Fingal County Council internal reports have been provided and are included in Appendix B of the CE report, summarised as follows:**

- Environment Section: No objection subject to recommended condition.
- Housing and Community Department: No objection.
- Architects Department: A number of revisions to the layout and unit types are recommended.
- Transportation Planning Section: A detailed, and comprehensive report is provided. No objection subject to recommended conditions.
- Parks and Green Infrastructure Division: No objection subject to recommended conditions.
- Water Services: No objection subject to recommended conditions.

## 9.0 Prescribed Bodies

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

1. Irish Water
  2. Transport Infrastructure Ireland
  3. Nation Transport Authority – No response.
  4. Irish Rail – No response.
  5. Commission for Railway Regulation – No response.
  6. Waterways Ireland – No response.
  7. Minister of Housing Local Government and Heritage
  8. Heritage Council – No response.
  9. An Taisce
  10. Department of Education and Skills – No response.
  11. Córas Iompair Éireann – No response.
  12. Fingal Childcare Committee – No response.
  13. Meath County Council - No response.
  14. Kildare County Council - No response.
- Inland Fisheries Ireland (IFI) also submitted comments on the proposed development.

9.2. The following is a brief summary of the issues raised and includes any conditions/ recommendations that were made.

### 9.2.1. Irish Water:

- A water supply can be provided subject to the upgrading of 310 m of existing 200 mm Nominal Bore to a new 300 mm Nominal Bore main along the Barnwell Road as well as a new 300 mm Nominal Bore main along the proposed distributor road. The applicant to note that there is an existing water main within the confines of the site. A survey of the site will be required to determine the exact location of the

water main. Trial investigations shall be carried out with the agreement and in the presence of the Local Water Services Department on behalf of Irish Water.

- A wastewater connection to service the proposed development subject to the extension of the existing public system to serve the development. This would include a rail crossing of the adjacent railway line to the north and provide a connection to the existing 375 mm Irish Water sewer in Ongar Road. The applicant is advised that if a connection to 3rd party infrastructure is required, all permissions, full capacity report and a condition report to be provided. An upgrade of the existing 375 mm Foul Sewer to a 700 mm Foul Sewer on Ongar Road is also required for approximately 900 m. The size of the upgrade is subject to the finalisation of the modelling assessment. Irish Water have no plans to carry out upgrades in the area, therefore the applicant will have to provide a contribution of the relevant costs for the upgrades.

Irish Water has requested that in the event that permission is granted that conditions be included as follows:

- 'The applicant shall sign a connection agreement with Irish Water prior to any works commencing and connecting to the Irish Water network'.
- 'Irish Water does not permit any build over of its assets and separation distances as per Irish Waters Standards Codes and Practices shall be achieved. (a) Any proposals by the applicant to build over/near or divert existing water or wastewater services subsequently occurs, the applicant shall submit details to Irish Water for assessment of feasibility and have written confirmation of feasibility of diversion(s) from Irish Water prior to connection agreement'.
- 'The applicant must identify and procure transfer to Irish Water of the arterial water and wastewater Infrastructure within the Third-Party Infrastructure'.
- 'The applicant must demonstrate that the arterial infrastructure is in compliance with requirements of Irish Water Code of Practice and Standard Details and in adequate condition and capacity to cater for additional load from the Development'.



- 'All development shall be carried out in compliance with Irish Water Standards codes and practices'.

#### 9.2.2. Department of Housing, Local Government and Heritage:

Archaeology: The Department of Housing, Local Government and Heritage note the submitted archaeological details and they agree with the proposed mitigation measures recommended in the Archaeological Assessment Report and recommends that suitable archaeological mitigation be provided. A list of recommended conditions is provided.

Nature Conservation: The site includes the Barnhill/ Rusk Stream which flows through the southern part of the site. A wetland and amenity grasslands will be provided as part of the development. The EIAR identifies the potential of sedimentary material, hydrocarbons and other chemicals that may come from the development during its construction phase through surface water runoff to pollute the Barnhill Stream and the downstream Liffey Valley NHA. A range of measures are set out in an Outline Construction Environment Management Plan (OCEMP) to avoid such pollution occurring including the employment of silt traps, sedimentation ponds, and the storage of hydrocarbons and other chemicals in bunded areas. In addition, a Construction Erosion and Sediment Control Plan (CESCP) and a Water Quality Management Plan will also be put in place for the construction phase of the proposed development.

Two pairs of yellowhammers, which are on the red list, were found nesting to the south of the site. The presence of these would be associated with the use of the lands to the south for arable farming. The change in use of the land, may result in the loss of this species. Other bird species are likely to be less impacted as the loss of 32 mature trees will be compensated by the planting of 1700 new trees. No bat roosts were found on site and moderate use was made by three common bat species. Suitable lighting is proposed on site though it is not clear if this lighting is adequate to prevent impact to bats. A bat sett has been identified on site.

Conditions are recommended in the event the permission is to be granted for this development.

#### **9.2.3. Inland Fisheries Ireland (IFI):**

The site is located within the catchment of the Liffey system, and which supports a regionally significant population of Atlantic salmon, a species listed under Annex II and V of the EU Habitats Directive in addition to Brown trout, lamprey, eel and many other sensitive species. Development, if permitted, to be in accordance with recommended conditions. Note that the Ringsend waste water treatment plant, WWTP, is currently working at or beyond its design capacity and it won't be fully upgraded until 2023. Suitable local infrastructural capacity should be provided/ be available to cope with increased surface/ foul water generated by the subject development in order to protect the ecological integrity of any receiving aquatic environment.

#### **9.2.4. An Taisce:**

The proposed development materially contravenes the Barnhill Local Area Plan with regard to height. While a high level of density is desirable adjacent to the train line, it is considered that the proposed development fails to achieve 'a mix of unit types, sizes and tenure' as per the Barnhill LAP as it is dominated by apartments and duplexes units. It is therefore requested that any grant of permission requires a reduction in building heights and the mix of unit types aligns with LAP requirements. There is a need for additional community facilities to serve the Barnhill area. The reduced building heights are required to ensure that the rural character of the lands to the south/east of the site are protected.

#### **9.2.5. Transport Infrastructure Ireland (TII):**

No comment to make.

### **10.0 Assessment**

10.1. 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:

- Principle of Development
- Density and Scale of Development
- Design and Layout
- Building Heights
- 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 Blanchardstown Area Committee
- Other Matters
- Material Contravention
- Appropriate Assessment Screening – Natura Impact Statement
- Environmental Impact Assessment

#### **10.2. Principle of Development**

10.2.1. Having regard to the nature and scale of proposed development which is in the form of 1,243 residential units in the form of houses and apartments, a creche, local centre and is located on a stated area of 29.6 hectares. The lands are zoned for residential use and are subject to a Local Area Plan – Barnhill Local Area Plan, 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.

10.2.2. The subject lands are zoned 'RA' in the Fingal Development Plan 2017 – 2023. This zoning allows for residential development but is also subject to the provision of a local area plan. The Barnhill Local Area Plan was adopted in February

2019 and the subject site is within the LAP boundary, making up 29.6 hectares of the overall 45.64 hectares designated to form the LAP. The Barnhill Local Area Plan Map on page 57 of the LAP provides an indication of how the LAP is to be set out. Constraints on the development of these lands include the provision of the Ongar to Barnhill Road to the west of the LAP lands, and the upgrading of Barberstown Lane South. Barberstown Lane North is to form a cul-de-sac and access to the railway station at Hansfield is a priority. There is a cluster of houses towards the centre of the site, and it is important that their residential amenity is protected.

10.2.3. The proposed development provide for 1,243 units. Section 7.4 of the Barnhill LAP states under Objective DHM2: 'Support the development of between 900- 1,150 residential units or greater on the lands'. The important point is the word greater and the provision of 1,243 unit is considered to be appropriate having regard to the site area and the developing character of the adjoining lands.

10.2.4. **CE Report Comments:** No objection to the proposed development and in general the layout is acceptable. The proposed development makes up the majority of the Barnhill LAP lands and as such this application would ensure the completion of much of the proposed LAP.

10.2.5. **Conclusion on 10.2:** I am satisfied that the proposed development is acceptable in terms of general compliance with the Fingal Development Plan 2017 – 2023 and the Barnhill Local Area Plan 2019.

### 10.3. Density and Scale of Development

10.3.1. The proposed development of 1,243 residential units on a site area of 29.6 hectares provides for a gross density of 42 units per hectare.

10.3.2. National policy is to encourage the densification and consolidation of urban areas where this is deemed to be suitable. The subject site is within the Barnhill Local Area Plan designated lands, and which provides for a range of densities. In summary, and as indicated on the Barnhill Local Area Plan Map, the following densities are proposed:

- Railway Edge (Development Area 1): Lands to the north/ adjacent to the railway line have an indicative density of 84 units per hectare – Approximately 467 residential units.



- Centre (Development Area 2): Lands to the centre and south east have an indicative density of 35 to 50 units per hectare – Between 398/ 569 units
- West – Southern (Development Area 3): Lands to the west/ west of the Barnhill to Ongar Road, have an indicative density of 24 units per hectare – Providing for 45 units.
- West – Northern (Development Area 4): Lands to the north/ north east between Barberstown Lane North and the railway line have an indicative density of 50 units per hectare – Providing for 25 units.

The applicant has proposed the following:

Railway Edge (Development Area 1): Density of 85 units per hectare, total of 468 units.

Centre (Development Area 2): Density of 50 units per hectare, total of 571 units.

West – Southern (Development Area 3): Density of 27 units per hectare, total of 65 units.

West – Northern (Development Area 4): Density of 42 units per hectare, total of 21 units.

10.3.3. The applicant states in their Planning Report, 'The proposed number of units in the development is slightly above the target of the Barnhill LAP for development areas 2 and 3 and the divergence is considered marginal, however, should the Board consider this is a material contravention, a justification has been provided in the Material Contravention Statement which accompanies this application'. Further details on the unit breakdown by the ten-character areas is provided in the Architectural Design Statement and the Schedule of Accommodation. Section 5.7 – 'Proposed Density' provides a clear breakdown of unit numbers in the different character areas and matched with the density areas. 118 residential units are proposed as part of the Local Centre, and this gives an overall total of 1,243 units.

10.3.4. In general, the proposed densities are similar to those provided for in the Barnhill Local Area Plan. Some variations in density are to be expected to allow for good design and urban form, however the proposed development clearly has

regard to the High, Medium and Low form of density indicated in the Local Area Plan. The following points are considered:

- The site is located on lands zoned for residential development and which has been subject to the preparation of a local area plan.
- The is located to the south western edge, but urban defined area of Dublin 15.
- The site is located adjacent to the Dublin/ Clonsilla to M3 Parkway railway line and the majority of the houses on site are within a short walking distance of Hansfield station.

10.3.5. **CE Report Comments:** The Planning Authority through the CE Report have raised no objection to the proposed development in terms of the densities indicated in the documentation/ plans submitted in support of the application. The Planning Authority reports that the density is 'acceptable in the context of the Barnhill LAP policy for same'.

10.3.6. **Submissions:** Comment made that the development/ density is out of character with the existing form of development in the area.

10.3.7. **Conclusion on Section 10.3:** Having regard to the Barnhill Local Area Plan and specifically the issue of density, the proposed development is considered to be acceptable. The LAP set out clear densities that would provide for higher density adjacent to the railway line and at the railway station. Medium density would be provided towards the centre of the site and low density towards the west.

10.3.8. The lower density development, and the provision of open space/ wetlands to the south, provides for a suitable transition where the development interfaces with rural/ agricultural lands to the west and south. The development almost mirrors the existing development nearing completion to the north of the railway line in Hansfield, where the higher density development is provided adjacent to the railway station/ line and low-density housing is located away/ north of the railway station.

10.3.9. The development does not include lands to the south/ south east of the station and the existing houses to the north of Barberstown Lane North, located within the High-Density Area, are to be retained as is. The comprehensive

development of these lands, not in the control of the applicant, would provide for a significant increase in the number of units that these lands can accommodate. I am unaware of any proposals for any development of these lands.

10.3.10. I consider that the proposed density is acceptable. The variations between the density set out in the Barnhill Local Area Plan and that proposed are not significant. The issue of density is considered further under the section on Material Contravention.

#### **10.4. Design and Layout**

10.4.1. The Barnhill Local Area Plan provides an indicative layout in the 'Barnhill Local Area Plan Map' and the scale of development is restricted by the density set out in the LAP. Open space is primarily provided in a large area to the south/ south east and which includes a wetland space. Smaller areas of open space are provided throughout the site. These smaller spaces serve the needs of the units adjacent/ within walking distance of them. For example, the areas to the west of the proposed Ongar to Barnhill Road, Link Road East and Parkside character areas, are provided with public open space and play areas, be it with play equipment or natural play spaces. Combined with benches, where appropriate within these accessible spaces, these areas form a defined focal point for each of the character areas. Full details of the open space/ landscaping plan are provided in the documentation and drawings prepared by Gannon & Associates.

10.4.2. The need for buffer zones, due to the presence of powerlines and way leaves, allows for the provision of open space/ amenity lands that have visual/ passive recreational benefits. The road upgrades/ new road provision in the area also puts a control on the nature of development that adjoins this element of the proposed scheme.

10.4.3. Hansfield station will play a key role in setting the character of this development, as it will be the focus for the primary form of transport for many who will live here. The Village Centre is the character area that contains the local centre, and it is proposed to the south west of Hansfield station. To the south of this is the site for the primary school. Good pedestrian/ cycle links are proposed between the local centre and the station. A plaza space will provide for a focal point in the area

between the local centre and the school. The connection between the station and the local centre is restricted by the existing houses to the north of Barberstown Lane North, and there will be significant difference in the environment, scale and height of development in the context of the existing houses and the proposed development.

10.4.4. As reported, the local centre is focused around a plaza with the five smaller retail units to the north, the larger commercial unit to the east and a medical centre and a café located to the west. A bus stop is provided to the south of the plaza and access to the basement car park is available from within the plaza. At first floor level is a large office space to the west of the plaza and to the east is a community centre. The mix of uses is welcomed and should ensure that this area is active throughout the day and into the evening. It is considered that combined with the access to the station, this area should form the focal point for the entire development.

10.4.5. As already reported, the scale/ height of development has regard to the sites that adjoin the subject site, with the taller buildings to the north, and lower units to the south and west. Full regard has been had to the Urban Design Manual and the 12 design principles are fully considered in the Statement of Consistency submitted with the application.

10.4.6. **CE Report Comment:** The Planning Authority through the CE Report have raised no general objection to the proposed development in terms of the proposed layout and design. Note that 10-character areas are proposed with a difference in density, building heights and design differentiating them. Taller buildings are located at key nodes, which allows for wayfinding throughout the site.

10.4.7. Full consideration has been had to ensuring that appropriate passive surveillance is provided throughout the site. Dual frontage retail units are proposed, which is welcomed by the Planning Authority, though the practical achievement of this may be difficult when provision is made for storage and staff welfare areas within these retail units.

10.4.8. An issue that was raised referred to the how was the applicant going to deal with the issue of level differences at two points:

1. To the northern side of the site where the proposed units interface with the railway station.



2. To the western side of the station plaza, which is shared with the existing houses on Barberstown Lane North.

10.4.9. **Submissions:** Comment was made that the scale of development/density is out of character with the existing form of development in the area.

10.4.10. **Conclusion on Section 10.3:** Having regard to the Barnhill Local Area, the proposed layout is considered to be acceptable. Local area plans provide a clear framework as to how development of an area is to progress, and I am satisfied that the subject application is broadly in accordance with the Barnhill Local Area Plan.

10.4.11. I note the comments made by the Planning Authority through the CE report and in particular the issues raised in relation to interfaces with the railway line to the north and the existing cottages to the west of the access route. Sufficient separation distance is provided between the apartment blocks and the railway line to the north. The area between the railway and units will be used as car parking and for access. The provision of a solid boundary along the railway line will result in a reduction of daylight to the apartments especially those on the ground floor. This is considered further in this report; however, these are north facing elevations, with no access to sunlight and an expected poor receipt of daylight. The interface between the existing cottages and the western side of the station plaza will be screened by planting. The difference in height can be hidden by a planted wall and/ or a hedgerow that masks the construction method be it a block wall or other form of retaining wall.

## 10.5. Building Heights

10.5.1. The issue of height was raised as an issue of concern in a number of the third party submissions. The Planning Authority report that the Barnhill Local Area Plan seeks to provide for buildings that are between 2 to 6 storeys in height. Objective BH2 allows for local landmark buildings higher than 6 storeys in suitable locations. The Planning Authority report that a range of buildings from between 2 and 11 storeys are proposed throughout the site. Concern is expressed about the heights due to the exceedance of the prevailing heights, established by development in Hansfield to the north of the railway line, and also having regard to the proximity of

these higher structures in the context of the adjoining rural areas. Concern is also expressed about the height of some of the blocks in relation to existing residential units within the LAP lands, and also about the design/ elevational treatment of some of the blocks which are considered to be monolithic. The Planning Authority recommend that the height of a number of the blocks be reduced to address their issues of concern.

10.5.2. The Planning Authority have recommended a condition (no.3) that seeks the following reduction in heights:

- 9-storey building (Block C) in the 'Village Centre' by 3-storeys
- 11-storey building (Block A) to west of the 'Station Plaza' by 3-storeys
- 9-storey building (Block A) to west of the 'Station Plaza' by 4-storeys
- 12-storey building by 3 storeys
- 6-storey (Block A), 7-storey (Block B) and 8-storey buildings (Block C) in the 'Railway Quarter' each by 2-storeys.

The inclusion of this condition in full would result in a significant reduction in the number of units proposed. Although not stated by the Planning Authority, I have prepared this table to provide an estimation of the number of units that may be lost on this basis that the upper floors are removed. This total may not provide a true reflection of the number of units that would be lost, as the removal of other floors may present a different total.

Location	Block	Proposed number of units	Omitted units	Omitted Total	Revised Total
Village Centre	C – 9-storey	33	3 Floors – C-25 to C33	9 Units	24
Station Plaza	A – 11-storey	61	3 Floors – A55 to A61	7 units	54
Station Plaza	A – 9-storey	53	4 Floors – C32 to C52	21 units	32

Village Centre	12-storey	40	3 Floors – E29 to E40	12 units	28
Railway Quarter	A - 6-storey	74	2 Floors – A53 to A74	22 units	52
Railway Quarter	B - 7-storey	41	2 Floors – B30 to B41	12 units	29
Railway Quarter	C – 8-storey	94	2 Floors – C73 to C94	22 units	72
<b>Total</b>		<b>396</b>		<b>105</b>	<b>231</b>

10.5.3. **CE Report Comments:** The Planning Authority comments have already been raised in this section.

10.5.4. **Submissions:** Concern expressed about the height of some of the blocks and for the potential for loss of residential amenity directly associated with the height of these blocks.

10.5.5. **Conclusion on Section 10.4:** I have had full regard to the comments raised by the Planning Authority in relation to building heights. I note also the two objectives that refer to height and I will restate them here:

- 'BH1 Building height will primarily range between 4-6 storeys (or greater subject to high quality design and visual impact) along the rail line and canal and between 2-3 storeys elsewhere on the LAP lands'.
- 'BH2 Accept local landmark and feature building elements over the stated building heights at key locations, where they contribute to the visual amenity, civic importance, quality design and legibility of the area. The locations are to be agreed with the Planning Authority at application stage and will be subject to relevant government guidelines'.

From reading the LAP there is no absolute restriction on heights and it can be stated that the development complies with Objective BH1 with heights primarily in the range of 4 to 6 storeys. A restriction on heights would state what the maximum proposed is and the applicant has proposed a number of higher buildings that provide wayfinding

throughout the development site. The 12-storey block is proposed as a landmark building for the entire site and the greater south west Dublin 15 area.

10.5.6. Further consideration to the issue of building height will be given in the sections on Residential Amenity and Material Contravention. I have no objection to the proposed heights as the Barnhill Local Area Plan allows for heights in excess of those listed in the relevant objectives. The applicant has demonstrated that a high quality design can be provided and as will be assessed in the next section of this report, the visual impact is considered to be acceptable.

## **10.6. Visual Impact**

10.6.1. In addition to the submitted Architectural Design Statement, and the Landscape Design Statement, Photomontages and CGI Booklet prepared by 3D Design Bureau have been submitted as part of the EIAR, in support of the application. A total of 11 different viewpoints are provided, with additional 'bird-eye' views, and no issues of concern are raised. The Viewpoint assessment provides for eight different locations and the report provides a Baseline and Proposed image for each of these locations. I note that public street lighting is not visible in the submitted images.

10.6.2. The proposed development is located to the south of the Clonsilla to M3 Parkway railway line and is within a rural/ primarily agricultural area, with a small cluster of houses located towards the northern centre of the site. The proposed development will significantly change the visual character of the area. As submitted and if fully constructed, the site will become part of the existing built up area of Dublin 15. The existing boundary of the urban area is the railway line and this proposal will extend development to the south, but with a form of development that reduces in height and density where it interfaces with the rural area to the south and west. Considering the low height of existing building within the subject site, any development in excess of two storeys would have a visual impact and the provision of units up to 12 storeys would have a very significant impact.

10.6.3. The submitted Architectural Design Statement provides an overview of each of the 10-character areas. The statement includes photographs, plans and a number of images of 3D models of elements of the development in support of the application. Details are provided of the external finishes of the buildings and



summary details of the landscaping plans within the relevant character areas of this development.

10.6.4. The proposed development consists of a mix of standard two storey houses, primarily in the form of semi-detached and terraced blocks. The external materials consist of a mix of brick and render and there are clear differences between the design/ finishes between the different character areas. Details are provided in Section 7.2 'Elevational Material and Expression' of the Architectural Design Statement. Houses will be differentiated by the use of different coloured brick; red brick, buff, and grey bricks have been indicated for use within the different character areas.

10.6.5. The apartment blocks, similar to the houses, will be finished with a mix of materials to provide variety throughout the development site. As with the houses, brick of different colours will be in use but also render and standing seam metal cladding in some locations. Balconies are to be finished with a mix of glazing and powder coated or painted balustrades. Window frames will in most cases match the colour of the balcony and this provides for a level of visual continuity.

10.6.6. **CE Report comments:** The Planning Authority through the CE report consider that the proposed palette of materials and architectural detailing should be further considered for a number of areas of this development. They also consider that 'there is a lack of expression of entrances to the proposed apartment buildings'. The Planning Authority note that the apartment blocks are provided with flat roofs and that there was an opportunity to provide for visual interest across the roofscape of the proposed development. The Planning Authority have provided a list of buildings/ parts of character areas that could be revised to improve the overall visual character of the area.

10.6.7. **Submissions:** Concern was expressed about the impact of the development on the rural character of the area. In addition, it was stated that insufficient viewpoints were provided, none were provided indicating the view post construction from existing properties.

10.6.8. **Conclusion on Section 10.6:** The comments of the Planning Authority are noted, and it is considered that the issue of material finishes can be addressed by way of condition. The Planning Authority did not recommend refusal for the

proposed development. Final details can be agreed with the Planning Authority. I am satisfied that the submitted photomontages etc. provide a good visual impression of how the development will appear post construction, and that a sufficient amount of these have been submitted. The photomontages, CGIs, 3D models (in photograph form) etc. all support the application and the required plans and elevational drawings. An applicant cannot be expected to provide these from every possible viewpoint, their function is to give an overview of what is proposed within a site area.

10.6.9. As already stated, it is to be expected that a development of this scale and nature would have a significant impact on the established visual amenity of the area. The urban edge is extended to the south of the railway line and agricultural fields will be replaced with intensive urban development. This is in accordance with proper planning through the zoning of the lands primarily for 'RA' residential development and through the preparation and adoption of the Barnhill Local Area Plan in 2019. As already reported, the development is generally in accordance with this plan and the issue of visual impact has already been considered, though in more general terms than that provided for through this application. The proposed road improvements and the provision of Hansfield station clearly indicate that suitable infrastructure is in place/ proposed for the development of these lands for residential uses.

10.6.10. The proposed apartment blocks are considered to be visually acceptable and will provide for variety and wayfinding throughout the site. The provision of only houses and duplexes would result in a very monotonous form of development on site and the proposed apartment blocks are provided in appropriate locations.

10.6.11. The development within the 'Village Centre' is considered to be appropriate. This a relatively large development of 1,243 units and a suitable scale of centre is required. Connections from here to the railway station are good and combined with the proposed school site, this area should form the centre for the overall development, thereby providing a strong character for the overall development.

10.6.12. I note the Planning Authority comments regarding the roof profile of the proposed development and from an architectural point of view, it would be desirable

if more variety in the roof profile was provided for. The provision of flat roofs does allow for the provision of green roofs, as proposed, and also for the provision of solar panels which the applicant has made allowance for, for future installation. Some of the flat roof spaces are to be used as roof gardens to serve the amenity needs of the residents of these apartments, and again this is a good use of the available space.

10.6.13. It is therefore considered that the proposed development is visually acceptable and issues at the micro scale can be addressed by way of condition. I have no reason to recommend a refusal of permission to the Board on the basis of visual impact.

#### 10.7. Planning Authority House Design Comments:

10.7.1. The Planning Authority through the CE report have recommended a number of house design changes and modifications to units. I have considered them here were relevant:

Character Area:	Unit No.	Planning Authority recommended change:	Comment
Not stated.	23	Replace Type HP2(M) with Type B1	Uncertain as to where this unit is. No change recommended.
Link Road East	DA86-91	Increased fenestration to side elevation	Agreed, additional fenestration to would allow for improved design, more light and would not impact on third parties.
Link Road East	DA70-75	Increased fenestration to side elevation	Agreed, additional fenestration to would allow for improved design, more light and would not impact on third parties.
Crescent	C01/ C02	Replace external staircases	Not agreed, this layout is acceptable.

Station Quarter South	D29-20	Replace external staircases	Not agreed, this layout is acceptable.
Station Quarter South	D41-D42	Replace external staircases	Not agreed, this layout is acceptable.
Crescent	C43-45, C52-C54 C55-57	Improved addressing of open space	Not agreed, this layout is acceptable.
Station Quarter South	D1, D18	Relocate front entrance to the side	Agreed, would improve streetscape and increase passive surveillance
Link Road East	C1-38, C1-41 C81	Relocate front entrance to the side	Agreed, would improve streetscape and increase passive surveillance
Crescent	C01-08, C75-77, C23, C24.	Revised orientation to address open space	Not agreed, this layout is acceptable.

10.7.2. The revisions that are recommended can be agreed by way of condition. The proposed revisions and those not agreed with, would not impact on any third party or existing residential amenity. Whilst I may agree with the recommendation of the Planning Authority, I do not consider it necessary to carry out all the proposed changes.

#### 10.8. Residential Amenity – Future Occupants

10.8.1. **Unit Mix:** The applicant has provided a detailed Housing Quality Assessment, and which clearly details the type and number of units to be provided. A mix of houses, duplexes and apartments are proposed, providing for 1, 2, 3, and 4



bedroom apartments, 1, 2, 3, and 4 bedroom duplexes and 3 and 4 bedroom houses. Out of the total of 1,243 units, 589 or 47.4% are two-bedroom apartments and 286 or 23% are three-bedroom houses, these are the two predominant forms of housing proposed.

10.8.2. Under section 7.4 'Density and Housing Mix' of the Barnhill LAP, it states:

'The overall house-type mix for the development of the LAP lands will be broadly within the following parameters:

1 bedroom units 3–10%

2 bedroom units 25-45%

3 bedroom units 30-52%

4 plus bedroom units 5-12%'.  
**DECISION QUASHED**

The proposal provides for:

1-bedroom units 12%

2-bedroom units 49%

3-bedroom units 35%

4-bedroom units 3%

Clearly the biggest deviations are for the two-bedroom units which are 4% over what the stated parameters are, and the four-bedroom units at 3% are less than the 5 to 12% stated in the LAP. The LAP does not state that this is an absolute figure and that the numbers provided should 'be broadly within the' stated parameters. I am satisfied with the unit mix in terms of bed numbers and the overall mix of apartments/ duplexes and houses is considered to be acceptable in this location.

10.8.3. **Quality of Units – Floor Area:** The Housing Quality Assessment includes a breakdown of the proposed floor areas and storage provision for each type of residential unit. The proposed units provide for adequate floor space and all units are provided with storage that is easily accessible to the future occupants of the units. I note that a number of the apartments are provided with storage areas with a stated floor area of 3.5 sqm and this is acceptable in terms of the apartment guidelines which oppose the provision of storage areas in excess of 3.5 sq m.

Similarly, the applicant has proposed houses with floor plans that clearly indicate that the floor area of storage spaces does not exceed 3.5 sq m.

10.8.4. **Dual Aspect:** More than 50% of the apartments are dual aspect and this is acceptable in terms of SPPR 4 of the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities'. All the proposed 3-bedroom apartments are dual aspect.

10.8.5. **Floor to ceiling heights:** Floor to ceiling heights within the apartments are stated to be 2.7 m at ground floor level. This is in accordance with SPPR 5 of the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities'.

10.8.6. The apartment blocks do not exceed the requirement for a maximum of 12 apartments per lift core per floor. This demonstrates compliance with SPPR 6 of the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities'.

10.8.7. **Conclusion on Section 10.6.1 – 10.6.8:** The proposed development provides for an adequate mix of unit types. 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.

10.8.8. **Quality of Units – Amenity Space:** The submitted Housing Quality Assessment provides a detailed analysis of all private amenity spaces to serve the relevant residential units. All houses are provided with adequate private amenity space and in a number of cases I note that very significant provision of open space is made, such as:

- House A-87 – Link Road West: 101.3 sq m
- House A-98 – Link Road West: 181.4 sq m

10.8.9. The proposed duplex units are provided with a mix of ground floor amenity spaces for the ground floor units and the upper floors are provided with balconies. The open space provision is acceptable for these units and again I note that a number of the duplex units are provided with very generous areas of open space.

10.8.10. The proposed apartment units are provided with acceptable private amenity space, and which complies with the requirements of the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities'. The amenity spaces are generally accessed from the living/ dining spaces, which is desirable. A mix of inset and projecting balconies are provided throughout the development. Whilst the inset balconies are generally more acceptable in terms of visual amenity, the occasional projecting balcony does provide for some visual relief to the elevational treatment of the apartment blocks. Roof gardens are available to serve amenity needs, on some of the apartment blocks.

10.8.11. The submitted documents demonstrate that 39.6% of the site area is to be allocated for public open space use. 9.8% of this space forms part of the SuDS features on site. The following table in the Landscape Design Statement provides a clear breakdown of the open space provision:

Type of Space	Area, sq.m	Area, ha	% of site
Class 1 POS	58,253	5.62	19.10 %
Class 2 POS	25,382	2.53	8.59%
Environment Open Space	24,661	2.46	8.36 %
Communal/ Semi-private Open Space	7,908	0.79	2.62 %
Total Open Space Provision	114,210	11.42	38.6%
Of Which Play Provision	7,127	0.71	2.37%

10.8.12. The Fingal Development Plan objective DMS57 requires a minimum public open space provision of 2.5 hectares per 1,000 population, based on an occupancy rate of 3.5 persons in the case of dwellings with three or more bedrooms, and 1.5 persons in the case of dwellings with two or fewer bedrooms. In addition, objective DMS57A requires a minimum 10% of a proposed development site area be designated for use as public open space. The development would require a minimum public open space provision of 7.07 hectares to meet the requirements of objective DMS57 and a provision of 2.96 hectares to exceed the 10% requirement.

The development provides approximately 8.15 hectares of Class 1 and Class 2 public open space.

10.8.13. I note the comments of the Planning Authority that Objective DMS73 of the Fingal Development Plan only allows for 10% of open space to be taken up by SuDS. The Barnhill LAP states:

Objective SWM2: 'Allow the provision of SUDS within open spaces where this does not compromise the primary function of the open space'.

The primary area of open space to the south of the site is within Flood Zone A and only 10% of this may be permitted for public open space use. The issue here is not the quantity of open space but its useability and as such it may have to be excluded from the calculation of open space. The Planning Authority has recommended that a levy be applied in lieu of open space, and which will be used towards the continued development of St. Catherine's Park, which is the Regional Park serving this part of Dublin 15 and adjoining areas.

10.8.14. The Planning Authority have also raised issues in relation to the usability of narrow and poorly functioning pieces of open space. Under Chapter 7 – 'Placemaking Strategy' of the Barnhill Local Area Plan it states:

'Areas not counted in the Open Space calculation include:

- Environmental Open Space, i.e. incidental or narrow pieces of open space used for the preservation of trees and/or as a visual relief and screen planting e.g. along roads.
- Green corridors/riparian strips
- Areas of open space under high voltage electricity lines.
- Area designated as OS located between the rail lines and outside of the LAP'.

There is no issue with the provision of these spaces as they provide a visual/ passive form of amenity in addition to having a minor biodiversity function. The inclusion of all such areas of open space would suggest that the applicant is providing a significant area of open space, when in fact these are left over areas and/ or have little potential for amenity use.



10.8.15. Adequate communal open space is provided to serve the residents of the apartment units. The applicant indicates that 0.79 hectares of communal open space is available, and the residents of the apartment blocks have easy access to the public open space areas throughout the site.

10.8.16. **Trees and Hedgerows:** Drawing BRHL-ARBTS-001 prepared by Arbor Care indicates which trees and hedgerows are to be retained/ removed. A significant amount of hedgerow is to be retained especially towards the southern part of the site and along Barberstown Lane North. 125 trees were found on site and are detailed in Appendix A of the Arbor Care Arboricultural Impact Assessment submitted in support of the application. Out of these 125 trees, it is proposed that 33 be removed to facilitate the development and details are provided in Table of the Arboricultural Impact Assessment. It is reported that 1,500 new trees will be planted within the development site area.

10.8.17. **Conclusion on Section 10.7:** The proposed development provides for adequate private open space areas. The applicant has proposed the provision of adequate public open space but there is some concern in relation to the usability of the open space. This issue can be agreed with the Planning Authority and a contribution in lieu of public open space may be applied, by way of a Section 48 contribution, in the event that permission is granted for the proposed development.

10.8.18. I note that tree removal is relatively low considering the site area and it is welcomed that a significant length of hedgerow is to be retained and incorporated into the proposed development. This will add to the character of the area, providing a connection to its former rural nature and will also support biodiversity within the area.

10.8.19. Adequate open space is provided and the submitted Arboricultural Impact Assessment submitted in support of the application does not give rise to any concern in relation to the retention and protection of trees/ hedgerows. There is no reason to recommend a refusal of permission to the Board in terms of the quantity/ quality of the public amenity spaces and the protection of trees/ hedgerows.

10.8.20. **Daylight and Sunlight – Future Residents:** The applicant has engaged the services of '3D Design Bureau' to prepare a 'Daylight and Sunlight

Report' for the units/ open space within the development. This assessment is undertaken based on best practice guidance set out in the following documents:

- Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' BRE, 2022 (BR209). This will be the primary reference document as it is referenced in the Apartment Guidelines and the Urban Development and Building Heights Guidelines.
- EN 17037: 2018: Daylight in Buildings (2018): This recommends that 300 Lux be received across a hypothetical reference plane of any room for half of the daylight hours of the year and no less than 100 Lux be received across 95% of the plane. There is no distinction made between the function of the room for target lux levels.
- I.S. EN 17037:2018 Daylight in Buildings (2018): This is a direct adoption of the European Standard EN 17037:2018 that provides recommendations for daylight within spaces. The target values are difficult to achieve, especially in cases where increased density is desired/ provided for.
- BS EN 17037:2018: Daylight in Buildings (2018): This is the British Annex to the European Standard and with this, daylight recommendations differ depending on the proposed function of a room. Target lux levels are applied across 50% of the reference plane of a room for half of the daylight hours.

The target lux levels are:

- 200 lux for kitchens.
- 150 lux for living rooms
- 100 lux for bedrooms.

There is no minimum stated to be achieved across 95% of the working plane. If a space has dual purposes, it is advised that the higher target value should be applied. Full details of terms and tests undertaken are provided in the applicant's document.

10.8.21. The submitted assessment undertook the following tests as follows:

- Test 1 – Sun on Ground in Proposed Outdoor Amenity Areas: The availability of sunlight should be checked for all open spaces where sunlight is required for its

proper function as an amenity space. The BRE guide recommends that, for an open space to appear adequately lit throughout the year, at least 50% of its area should receive at least two hours of sunlight on the 21<sup>st</sup> of March.

- Test 2 – Spatial Daylight Autonomy in Proposed Units: which is a test applied to all rooms within residential units and the applicant has applied the tests in accordance with BRE 209 and IS EN 17037. The tests assess the amount of daylight received by the relevant rooms in the tested units.

In the case of BRE 209, the target LUX values are:

- 200 lux for kitchens.
- 150 lux for living rooms.
- 100 lux for bedrooms.

The test considers the % area that is above the target LUX and which should be above 50%

The test for IS EN 17037 considers the % of the area that is above 300 LUX, recommended to be above 50% and the % of the area that is above 100 LUX, and in this case it should be greater than 95%.

**10.8.22. Sun on Ground in Proposed Outdoor Amenity Areas:** The submitted analysis considers the received sunlight for the proposed public amenity spaces – indicated as Proposed Open Area 1 to 34 and the calculations are supported with appropriate plans/ diagrams of the tested open space areas. All amenity areas other than Areas 7, 27 and 28 receive the recommended sunlight. 27.7% of Area 7 would receive the recommended sunlight, which is 55.3% of the BRE recommendation. Area 27 would receive 31.7% of the recommendation (63.4% of the BRE recommendation) and Area 28 would receive 22.4% (44.8% of the BRE recommendation). Area 7 is located within the Station Quarter character area and the layout of the blocks may sunlight penetration difficult to achieve throughout the day. A similar situation arises for Areas 27 and 28, which are located in The Cross character area. Area 27 is primarily a communal open and Area 28 provides a plaza/ passive recreational area. All three areas are within easy walking distance of other open space areas including the major piece of amenity lands located to the south of the site.

10.8.23. All the other tested areas demonstrate good receipt of sunlight, exceeding the 50% recommendation. I note that a number of the proposed amenity spaces receive very high levels of sunlight.

10.8.24. Spatial Daylight Autonomy in Proposed Units: Tests in accordance with BRE 209 and IS EN 17037 are undertaken for this part of the Daylight and Sunlight Assessment. The assessment has been undertaken for all of the proposed apartment blocks and full details be found in Section 7.6 of the applicant's report. I will only comment on units that do not meet the recommended standards; I have provided a table of these units for ease of reference as follows:

Floor:	Unit No.	Room	BRE 209 - % above target Lux (recommend >50%)	IS EN 17037 - %: 300 LUX (recommend >50%)	IS EN 17037 - %: 100 LUX (recommend >95%)	Compliance
<b>Railway Quarter – Block 01</b>						
GF	A-01	LKD	21%	8%	84%	None
GF	A-04	LKD	85%	47%	100%	BRE and 100 LUX
GF	A-05	LKD	79%	47%	100%	BRE and 100 LUX
GF	A-06	LKD	77%	48%	100%	BRE and 100 LUX
GF	A-10	LKD	31%	8%	95%	None
GF	A-11	Bed 1	100%	39%	100%	BRE and 100 LUX
1 <sup>st</sup>	A-12	LKD	33%	11%	87%	None
1 <sup>st</sup>	A-20	LKD	38%	10%	97%	None
1 <sup>st</sup>	A-23	LKD	98%	48%	100%	Not 300 LUX
1 <sup>st</sup>	A-26	LKD	37%	9%	97%	None



1 <sup>st</sup>	A-26	Bed 2	73%	13%	79%	Not 300 LUX
2 <sup>nd</sup>	A-33	LKD	61%	28%	100%	Not 300 LUX
2 <sup>nd</sup>	A-39	LKD	47%	21%	100%	Not BRE or 300 LUX
2 <sup>nd</sup>	A-39	Bed 2	95%	21%	98%	BRE and 100 LUX
3 <sup>rd</sup>	A-52	LKD	56%	37%	100%	BRE and 100 LUX
3 <sup>rd</sup>	A-52	Bed 2	100%	29%	100%	Not 300 LUX
4 <sup>th</sup>	A-63	Bed 2	100%	37%	100%	Not 300 LUX
5 <sup>th</sup>	A-72	LKD	85%	44%	100%	Not 300 LUX
<b>Railway Quarter – Block 02 - Duplexes</b>						
GF	B-01	Bed 2	90%	44%	99%	Not 300 LUX
1 <sup>st</sup>	B-04	LKD	45%	17%	100%	Not BRE or 300 LUX*
1 <sup>st</sup>	B-05	LKD	47%	13%	99%	Not BRE or 300 LUX*
1 <sup>st</sup>	B-08	LKD	23%	11%	100%	Not BRE or 300 LUX*
2 <sup>nd</sup>	B-11	LKD	63%	25%	100%	Not 300 LUX
2 <sup>nd</sup>	B-12	LKD	65%	24%	100%	Not 300 LUX
2 <sup>nd</sup>	B-15	LKD	42%	19%	100%	Not BRE or 300 LUX*
3 <sup>rd</sup>	B-18	LKD	74%	32%	100%	Not 300 LUX
3 <sup>rd</sup>	B-19	LKD	71%	29%	100%	Not 300 LUX
3 <sup>rd</sup>	B-22	LKD	71%	31%	100%	Not 300 LUX
4 <sup>th</sup>	B-25	LKD	89%	45%	100%	Not 300 LUX

Railway Quarter – Block 03						
GF	C-01	Bed 1	95%	15%	99%	Not 300 LUX
GF	C-01	Bed 2	100%	27%	100%	Not 300 LUX
GF	C-04	LKD	60%	39%	100%	Not 300 LUX
GF	C-05	LKD	35%	18%	97%	Not BRE or 300 LUX*
GF	C-06	LKD	1%	0%	34%	None
GF	C-06	Bed 1	84%	6%	89%	BRE Only*
GF	C-07	LKD	77%	40%	100%	Not 300 LUX
1st	C-09	Bed 1	100%	29%	100%	Not 300 LUX
1st	C-10	LKD	2%	0%	42%	None
1st	C-10	Bed 1	100%	29%	100%	Not 300 LUX
1st	C-10	Bed 2	95%	13%	98%	Not 300 LUX
1st	C-11	LKD	31%	14%	96%	Not BRE or 300 LUX*
2nd	C-14	Bed 1	100%	26%	100%	Not 300 LUX
2nd	C-14	Bed 2	100%	48%	100%	Not 300 LUX
2nd	C-16	LKD	40%	13%	100%	Not BRE or 300 LUX*
2nd	C-17	LKD	54%	20%	99%	Not 300 LUX
2nd	C-19	LKD	30%	15%	89%	None
2nd	C-20	LKD	6%	1%	47%	None
2nd	C-20	Bed 1	100%	22%	100%	Not 300 LUX
2nd	C-22	Bed 1	100%	35%	100%	Not 300 LUX
2nd	C-23	LKD	6%	0%	59%	None
2nd	C-23	Bed 1	100%	37%	100%	Not 300 LUX

2 <sup>nd</sup>	C-23	Bed 2	98%	21%	100%	Not 300 LUX
2 <sup>nd</sup>	C-27	Bed 1	100%	32%	100%	Not 300 LUX
2 <sup>nd</sup>	C-29	LKD	57%	25%	100%	Not 300 LUX
2 <sup>nd</sup>	C-30	LKD	65%	33%	100%	Not 300 LUX
2 <sup>nd</sup>	C-33	LKD	9%	2%	68%	None
2 <sup>nd</sup>	C-33	Bed 1	100%	36%	100%	Not 300 LUX
3 <sup>rd</sup>	C-35	Bed 1	100%	39%	100%	Not 300 LUX
3 <sup>rd</sup>	C-36	LKD	10%	0%	75%	None
3 <sup>rd</sup>	C-36	Bed 1	100%	49%	100%	Not 300 LUX
3 <sup>rd</sup>	C-36	Bed 2	100%	27%	100%	Not 300 LUX
3 <sup>rd</sup>	C-40	Bed 1	100%	43%	100%	Not 300 LUX
3 <sup>rd</sup>	C-42	LKD	66%	34%	100%	Not 300 LUX
3 <sup>rd</sup>	C-43	LKD	72%	42%	100%	Not 300 LUX
3 <sup>rd</sup>	C-45	LKD	39%	19%	100%	Not BRE or 300 LUX*
3 <sup>rd</sup>	C-46	LKD	16%	6%	93%	None
4 <sup>th</sup>	C-49	LKD	21%	4%	86%	None
4 <sup>th</sup>	C-49	Bed 2	100%	43%	100%	Not 300 LUX
4 <sup>th</sup>	C-50	LKD	46%	21%	100%	Not BRE or 300 LUX*
4 <sup>th</sup>	C-55	LKD	86%	47%	100%	Not 300 LUX
4 <sup>th</sup>	C-58	LKD	44%	23%	100%	Not BRE or 300 LUX*
4 <sup>th</sup>	C-59	LKD	30%	16%	100%	Not BRE or 300 LUX*
5 <sup>th</sup>	C-60	LKD	38%	17%	885	None



5 <sup>th</sup>	C-72	LKD	65%	33%	100%	Not 300 LUX
6 <sup>th</sup>	C-75	LKD	72%	37%	90%	BRE 209 only
<b>Station Plaza – Block A</b>						
GF	Crec he	Sleepi ng	100%	47%	100%	Not 300 LUX
1 <sup>st</sup>	Crec he	Kids	30%	8%	49%	None
1 <sup>st</sup>	A-07	LKD	59%	42%	100%	Not 300 LUX
1 <sup>st</sup>	A-07	Bed 2	51%	5%	53%	BRE 209 only
2 <sup>nd</sup>	A-16	LKD	47%	27%	96%	Not BRE or 300 LUX*
2 <sup>nd</sup>	A-16	Bed 1	100%	47%	100%	Not 300 LUX
2 <sup>nd</sup>	A-17	LKD	68%	49%	100%	Not 300 LUX
2 <sup>nd</sup>	A-17	Bed 2	54%	5%	56%	BRE 209 only
3 <sup>rd</sup>	A-25	LKD	56%	33%	98%	Not 300 LUX
3 <sup>rd</sup>	A-26	Bed 2	67%	11%	69%	BRE 209 only
4 <sup>th</sup>	A-34	LKD	65%	39%	100%	Not 300 LUX
4 <sup>th</sup>	A-35	Bed 2	70%	11%	78%	BRE 209 only
5 <sup>th</sup>	A-43	LKD	74%	45%	100%	Not 300 LUX
5 <sup>th</sup>	A-44	Bed 2	79%	11%	89%	BRE 209 only
6 <sup>th</sup>	A-51	Bed 2	94%	16%	100%	Not 300 LUX
<b>Station Plaza – Block B</b>						
1 <sup>st</sup>	B-03	LKD	25%	17%	65%	None
1 <sup>st</sup>	B-05	Bed 2	100%	45%	100%	Not 300 LUX
1 <sup>st</sup>	B-06	LKD	50%	32%	100%	Not 300 LUX
1 <sup>st</sup>	B-07	LKD	66%	24%	100%	Not 300 LUX



1 <sup>st</sup>	B-08	Bed 1	100%	42%	100%	Not 300 LUX
1 <sup>st</sup>	B-08	Bed 2	100%	9%	100%	Not 300 LUX
2 <sup>nd</sup>	A-16	Bed 1	100%	47%	100%	Not 300 LUX
2 <sup>nd</sup>	B-09	LKD	30%	10%	94%	None
2 <sup>nd</sup>	B-13	LKD	37%	16%	100%	Not BRE or 300 LUX*
2 <sup>nd</sup>	B-14	Bed 2	100%	27%	100%	Not 300 LUX
3 <sup>rd</sup>	B-15	LKD	76%	43%	100%	Not 300 LUX
3 <sup>rd</sup>	B-19	LKD	50%	22%	100%	Not 300 LUX
3 <sup>rd</sup>	B-20	Bed 2	100%	41%	100%	Not 300 LUX
4 <sup>th</sup>	B-25	LKD	69%	33%	100%	Not 300 LUX
<b>Station Plaza – Block C Duplexes</b>						
1 <sup>st</sup>	C-09	LKD	73%	46%	100%	Not 300 LUX
2 <sup>nd</sup>	C-16	LKD	73%	45%	100%	Not 300 LUX
<b>Station South – Apartment 3</b>						
GF	58	Bed 1	99%	32%	100%	Not 300 LUX
1 <sup>st</sup>	64	Bed 1	100%	45%	100%	Not 300 LUX
1 <sup>st</sup>	65	Bed 3	96%	21%	92%	BRE 209 Only
1 <sup>st</sup>	66	LKD	27%	4%	80%	None
1 <sup>st</sup>	67	LKD	28%	11%	86%	None
1 <sup>st</sup>	67	Bed 3	100%	39%	100%	Not 300 LUX
1 <sup>st</sup>	69	LKD	82%	47%	100%	Not 300 LUX
1 <sup>st</sup>	69	Bed 2	99%	22%	100%	Not 300 LUX
2 <sup>nd</sup>	74	Bed 3	100%	26%	100%	Not 300 LUX
2 <sup>nd</sup>	75	LKD	50%	24%	100%	Not 300 LUX

2 <sup>nd</sup>	76	LKD	59%	27%	100%	Not 300 LUX
2 <sup>nd</sup>	77	Bed 2	100%	29%	100%	Not 300 LUX
2 <sup>nd</sup>	76	LKD	59%	27%	100%	Not 300 LUX
3 <sup>rd</sup>	82	Bed 3	100%	34%	100%	Not 300 LUX
3 <sup>rd</sup>	83	LKD	68%	39%	100%	Not 300 LUX
<b>Station South – Apartment A4</b>						
GF	92	LKD	52%	41%	79%	BRE 209 only
GF	93	LKD	51%	39%	79%	BRE 209 only
1 <sup>st</sup>	97	LKD	47%	23%	100%	Not BRE or 300 LUX*
1 <sup>st</sup>	99	Bed 2	71%	16%	79%	BRE 209 only
1 <sup>st</sup>	99	Bed 3	100%	38%	100%	Not 300 LUX
1 <sup>st</sup>	100	Bed 1	100%	38%	100%	Not 300 LUX
1 <sup>st</sup>	100	Bed 2	100%	29%	100%	Not 300 LUX
1 <sup>st</sup>	101	LKD	15%	10%	59%	None
1 <sup>st</sup>	102	LKD	27%	13%	91%	None
1 <sup>st</sup>	105	Bed 1	100%	47%	100%	Not 300 LUX
1 <sup>st</sup>	105	Bed 2	90%	26%	94%	BRE 209 only
1 <sup>st</sup>	106	LKD	45%	23%	95%	Not BRE or 300 LUX*
2 <sup>nd</sup>	107	LKD	75%	46%	100%	Not 300 LUX
2 <sup>nd</sup>	108	Bed 2	85%	22%	91%	BRE 209 only
2 <sup>nd</sup>	110	LKD	36%	14%	90%	None
2 <sup>nd</sup>	111	LKD	51%	25%	100%	Not 300 LUX
2 <sup>nd</sup>	114	LKD	74%	46%	100%	Not 300 LUX
3 <sup>rd</sup>	118	LKD	51%	24%	100%	Not 300 LUX

3 <sup>rd</sup>	119	LKD	78%	35%	100%	Not 300 LUX
4 <sup>th</sup>	126	LKD	58%	32%	100%	Not 300 LUX
4 <sup>th</sup>	127	LKD	87%	42%	100%	Not 300 LUX
5 <sup>th</sup>	134	LKD	77%	47%	100%	Not 300 LUX
<b>Station South – Apartment A5</b>						
GF	143	LKD	87%	44%	90%	BRE 209 only
GF	144	LKD	51%	39%	96%	Not 300 LUX
1st	150	Bed 1	78%	14%	87%	BRE 209 only
1st	155	LKD	11%	2%	50%	None
1st	155	Bed 2	100%	45%	100%	Not 300 LUX
2 <sup>nd</sup>	156	Bed 1	93%	19%	99%	Not 300 LUX
2 <sup>nd</sup>	161	LKD	35%	17%	92%	None
3 <sup>rd</sup>	162	LKD	55%	32%	100%	Not 300 LUX
3 <sup>rd</sup>	163	Bed 1	100%	15%	100%	Not 300 LUX
4 <sup>th</sup>	168	LKD	80%	47%	100%	Not 300 LUX
<b>Station South – Apartment A5</b>						
1 <sup>st</sup>	A1-0-01	LKD	72%	36%	100%	Not 300 LUX
<b>Village Centre – Block A</b>						
GF	A-0	Bed 3	93%	38%	94%	BRE 209 only
GF	A-03	LKD	75%	46%	100%	Not 300 LUX
GF	A-03	Bed 1	93%	0%	98%	Not 300 LUX
GF	A-03	Bed 2	99%	0%	100%	Not 300 LUX
1 <sup>st</sup>	A-04	Bed 2	93%	91%	94%	BRE 209 only
1 <sup>st</sup>	A-07	LKD	49%	26%	100%	None



1 <sup>st</sup>	A-08	LKD	82%	41%	100%	Not 300 LUX
1 <sup>st</sup>	A-09	Bed 1	100%	17%	100%	Not 300 LUX
1 <sup>st</sup>	A-09	Bed 2	100%	5%	100%	Not 300 LUX
2 <sup>nd</sup>	A-10	Bed 2	93%	56%	94%	BRE and 300 LUX
2 <sup>nd</sup>	A-13	LKD	70%	33%	100%	Not 300 LUX
2 <sup>nd</sup>	A-15	Bed 1	100%	42%	100%	Not 300 LUX
3 <sup>rd</sup>	A-19	LKD	68%	29%	100%	Not 300 LUX
4 <sup>th</sup> / 5 <sup>th</sup>	A-22	Bed 2	93%	81%	100%	Not 300 LUX
<b>Village Centre – Block B</b>						
GF	B-01	Bed 1	100%	41%	100%	Not 300 LUX
GF	B-05	Bed 1	100%	45%	100%	Not 300 LUX
<b>Village Centre – Block C</b>						
2 <sup>nd</sup>	C-01	Bed 1	100%	33%	100%	Not 300 LUX
2 <sup>nd</sup>	C-06	Bed 1	92%	91%	91%	BRE and 300 LUX
3 <sup>rd</sup>	C-12	Bed 1	92%	91%	91%	BRE and 300 LUX
4 <sup>th</sup>	C-18	Bed 1	92%	91%	91%	BRE and 300 LUX
5 <sup>th</sup>	C-24	Bed 1	92%	91%	91%	BRE and 300 LUX
<b>Village Centre – Block D</b>						
1 <sup>st</sup>	D-08	Bed 1	100%	32%	100%	Not 300 LUX
<b>Village Centre – Block E</b>						
2 <sup>nd</sup>	E-02	Bed 1	93%	83%	93%	BRE and 300 LUX



2 <sup>nd</sup>	E-04	LKD	49%	27%	99%	Not BRE or 300 LUX*
3 <sup>rd</sup>	E-06	Bed 1	93%	84%	93%	BRE and 300 LUX
3 <sup>rd</sup>	E-08	LKD	33%	15%	84%	None
4 <sup>th</sup>	E-10	Bed 1	93%	89%	93%	BRE and 300 LUX
4 <sup>th</sup>	E-12	LKD	59%	33%	100%	Not 300 LUX
5 <sup>th</sup>	E-14	Bed 1	93%	89%	93%	BRE and 300 LUX
5 <sup>th</sup>	E-16	LKD	40%	21%	97%	Not BRE or 300 LUX*
6 <sup>th</sup>	E-18	Bed 1	93%	89%	93%	Not 300 LUX
6 <sup>th</sup>	E-20	LKD	71%	27%	100%	Not 300 LUX
7 <sup>th</sup>	E-22	Bed 1	93%	91%	93%	Not 300 LUX
7 <sup>th</sup>	E-24	LKD	46%	25%	100%	Not BRE or 300 LUX*
8 <sup>th</sup>	E-26	Bed 1	93%	91%	93%	BRE and 300 LUX
8 <sup>th</sup>	E-28	LKD	78%	41%	100%	Not 300 LUX
9 <sup>th</sup>	E-30	Bed 1	93%	91%	93%	BRE and 300 LUX
9 <sup>th</sup>	E-32	LKD	50%	27%	100%	Not 300 LUX
10 <sup>th</sup>	E-34	Bed 1	93%	93%	93%	BRE and 300 LUX
10 <sup>th</sup>	E-36	LKD	84%	44%	100%	Not 300 LUX
11 <sup>th</sup>	E-38	Bed 1	93%	91%	93%	Not 300 LUX

11 <sup>th</sup>	E-40	LKD	52%	29%	100%	Not 300 LUX
<b>Barnhill Cross – Block A2</b>						
GF	74	LKD	63%	495	100%	Not 300 LUX
GF	80	LKD	72%	42%	100%	Not 300 LUX

\* Incorrect description going by the actual % results.

10.8.25. A number of the units listed in the table above, demonstrate very poor compliance in relation to the guidelines/ available standards. Compliance with BRE 209 is better than that for IS EN 17037. Demonstration of compliance with the 300 LUX is far more difficult to achieve than with the 100 LUX requirement. This may only be possible with south and west facing aspects or dual aspect units. The proposed development proposes a number of perimeter blocks/ semi perimeter blocks addressing open space and in order to achieve good lighting conditions to adjacent open space, the apartment units suffer as a consequence.

10.8.26. I note that a number of the units that demonstrate poor Lux tests, are the Living/ Kitchen/ Dining (LKD) spaces that have a direct balcony or terrace attached to them. The use of inset amenity spaces/ balconies reduces the amount of light that can enter the relevant rooms and is a consequence of providing larger amenity spaces and room sizes. Revised amenity spaces such as projecting balconies may help address this issue in some cases; this would have an impact on the visual appearance of the apartments.

10.8.27. The applicant concludes their assessment by stating that under BRE 209, 2159 habitable rooms meet or exceed their target values, a compliance rate of 98%. In terms of IS EN 17037, 2007 rooms meet their target values, which is a compliance rate of 91%. The applicant suggests that exceptionally high standards to be achieved, is the issue rather than the quality of the units themselves. I would agree with this and the number of units that achieve lower standards are relatively small in the context of the scale of this development. As reported, larger amenity spaces and rooms sizes provide compensation for the reduced daylight standards.

10.8.28. **CE Report comment on daylight and sunlight:** Note that some of the communal open spaces do not receive sufficient sunlight and note the study in

relation to the apartment units, and the proposed compensatory measures for the units that do not reach the appropriate targets. No issue of concern is expressed.

10.8.29. **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' (209). 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 development of this accessible and serviced site within the Fingal County Council 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. Overall, I am satisfied that the proposed development will provide for good daylight and sunlight to the proposed units. Those units that do not achieve the relevant target benefit from compensatory factors such as the size of the relevant rooms and are provided with a generous area of private amenity space.

10.8.30. **CE Report comment on residential amenity:** No issues of concern are raised in this regard.

10.8.31. **Conclusion on Residential Amenity:** Overall the proposed development will provide for a high quality of residential amenity. Room sizes, amenity spaces and supporting facilities are of a good standard. The development complies with the requirements of National and Local policies.

#### 10.9. Residential Amenity – Existing/ Adjacent Residents

10.9.1. **Overlooking:** Submissions were received in relation to overlooking leading to a loss of privacy as a result of the proposed development. There are a number of houses to the west of the R149, to the west of the proposed Ongar to Barnhill Road that adjoin the subject site. I am satisfied that adequate separation distances are provided to ensure that residential amenity is protected. A single house is located between the R149 and the proposed road, within the development area, but again adequate separation distances ensure that overlooking will not be an issue.

10.9.2. The units with the greatest potential for loss of residential amenity are located to the north of the Village Centre character area, west of Station Quarter and

to the south of the Railway Quarter. There are seven houses in this area, three pairs of semi-detached units facing onto Barberstown Lane North and a detached house, 4A, located to the north east of this area. The houses are provided with generous gardens to the rear, though the garden of no. 4 has been reduced through the development of 4A to the rear.

10.9.3. Objective DMS28, of the Fingal Development Plan 2017 – 2023, states:

'A separation distance of a minimum of 22 metres between directly opposing rear first floor windows shall generally be observed unless alternative provision has been designed to ensure privacy. In residential developments over 3 storeys, minimum separation distances shall be increased in instances where overlooking or overshadowing occurs.'

The objective clearly defines the area of protected privacy to be to the rear of a property. In the case of buildings greater than three storeys, an increased separation is to be provided but it is not stated what this is. The consideration is protection of privacy, issues relating to protection of available daylight and sunlight are considered in the next section of this report.

10.9.4. The Village Centre is located to the south of the site and overlooking will be to the front of the existing houses, the 22 m/ + separation does not apply. However, the proposed development on drawing VC.00, indicates that directly opposing separation distances in excess of 22 m are provided between Blocks A, C and D and the houses to the north. The higher buildings are located towards the south of this section and therefore an even greater separation is provided for.

10.9.5. The separation between the Railway Quarter units and the houses to their south, is a minimum of 31 m (between Block C and what appear to be a shed/ outhouse) and 68 m (between Block A and another outhouse). The separation between the south elevation of these blocks and the rear boundary of the gardens of these houses is between 15.2 m and 21.6 m. This indicates that the proposed development is providing a significant separation to its adjoining boundary.

10.9.6. Layout ID: SP00 demonstrates the separation distances between Block A in the Station Quarter/ Plaza and the existing houses to the west. The separation between the block and their adjoining boundary is between 24 and 35 m. The



separation between the western elevation of Block A and House 4A is a minimum of 30 m. This is clearly in excess of the required 22 m as per Objective DMS28.

**10.9.7. CE Report comment on residential amenity – Separation**

**Distances:** The Planning Authority have recommended that heights be reduced due to non-compliance with the local area plan, increase the number of south facing elevations and also reduce overlooking of private amenity spaces. Concern that the proposed blocks dwarf existing residential amenity.

**10.9.8. Conclusion on Separation Distances:** I will only comment on the issue of privacy under this heading. The applicant has demonstrated that separation distances of at least 22 m can be provided in all cases between the proposed blocks and the existing houses within the centre of the site. In most cases the separation distances is greater than this and I am satisfied that the issue of privacy of homes can be protected. The applicant has indicated the separation distance between the proposed blocks and their adjoining boundary to be in excess of 11 m in all cases. The Planning Authority raised an issue in relation to protection of private amenity spaces, however I am satisfied that the separation distances achieve this in a balanced manner. DMS28 does not require 22 m between a residential unit and the adjoining boundary, as it would be unfair on one party to be expected to provide all of the required separation distance specified in the objective.

**10.9.9.** I note the proposed development and the heights of the units in close proximity to the existing houses. These units are located on higher density lands where higher buildings would be expected to be developed. Adequate separation distances are provided in accordance with the requirements of the Fingal Development Plan 2017 – 2023 and the Barnhill Local Area Plan. I have no reason to recommend refusal based on the proposed separation distances between the existing and proposed residential units.

**10.9.10. Impact on daylight/ sunlight of existing residences and potential overshadowing:** The applicant has engaged the services of '3D Design Bureau' to prepare a 'Daylight and Sunlight Report' to assess the impact of the proposed development on adjoining properties in the area of the subject site. These houses are located towards the northern centre of the site and the applicant has labelled

them as 1, 2, 3, 4, 4A, 5 and 6 Barberstown, Figure 1.1 of the applicant's report indicates their location on site. Three tests were undertaken on these:

- Effects on daylight – measurement of the Vertical Sky Component (VSC)
- Effect on sunlight – measurement of the Annual/ Winter Probable Sunlight Hours (APSH/ WPSH)
- Effect on sunlight to amenity spaces – Sun on Ground (SOG)

Full regard is had to the following documents:

- Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' BRE, 2022 (BR209). This will be the primary reference document as it is referenced in the Apartment Guidelines and the Urban Development and Building Heights Guidelines.

The following are also noted:

- EN 17037: 2018: Daylight in Buildings (2018)
- I.S. EN 17037:2018 Daylight in Buildings (2018)
- BS EN 17037:2018: Daylight in Buildings (2018)

10.9.11. Test 1 undertaken by the applicant is the Vertical Sky Component (VSC) analysis, and this is a measure of the available skylight at a given point on a vertical plane. The available diffuse daylight may be adversely affected if after the completion of the development the Vertical Sky Component is both less than 27% and less than 0.8 times its former value. The BRE guidance does not define the term 'main window'. The applicant states 'If it can be determined or reasonably assumed that multiple windows are servicing the same room, each window has been assessed and a weighted average has been calculated'.

10.9.12. In summary, all tested windows pass the VSC requirements, except window 2c in House 3 which returned a Minor Adverse result demonstrating 94.89% compliance with BRE 209. This window is south east facing but is located at ground floor level with a two storey element to the south and a part two/ part single storey element to the north. Any development more than a single storey to the east would impact on this window. The impact on the other tested windows was found to be negligible.

10.9.13. I note these results and agree with the findings. As already reported, good separation distances are provided between the existing and proposed houses, and this ensures that the potential impact on daylight is reduced to an acceptable level.

10.9.14. The second round of tests undertaken were to consider the impact on Annual Probable Sunlight Hours and Winter Probable Sunlight Hours. In terms of APSH the effect was found to be negligible in except again for tested window 3c. This window would be found to have a Major Adverse impact in terms of WPSH and Window 3e would have a Minor Adverse impact. From the available information I note that the impact on Window 3e would be minor as it would demonstrate 97.9% compliance with the BRE guidelines. The APSH demonstrates 79.7% compliance. Window 3c would only demonstrate 14.2% compliance in terms of WPSH. It is the location of this window that is the problem, as the amount of light received is constrained by the design of this house and its extension.

10.9.15. The third test considered the impact of Sun on Ground to gardens/ private amenity spaces of the existing houses. All seven gardens were assessed, and negligible impacts were found as a result of the proposed development, with proposed results matching those of the current situation.

10.9.16. Overshadowing was also considered by the applicant and an assessment was undertaken for March, June, and December for the relevant hours of that time of the year (7.00 to 18.00 in March, 6.00 to 21.00 in June and 9.00 to 16.00 in December). The Planning Authority raised a concern about the scale of the submitted information and I concur with this assessment. From the available evening, evening shadowing is likely to occur earlier than is the case at present, but the primary impact would be to the front of the tested houses and the rear amenity spaces are unlikely to be adversely affected by the proposed development.

10.9.17. **Conclusion on sunlight/ daylight impacts to neighbouring properties:** 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 on the basis of impact to the existing amenity of adjoining properties in terms of sunlight/ daylight.

10.9.18. **CE Report comment on residential amenity:** I note again the comments in the CE report. No particular issues of concern were raised in relation to impact on adjoining residential units.

10.9.19. **Conclusion:** Overall I am satisfied that the development will not have a unduly negative impact on the existing residential amenity of the area. The development is located to the south of the Dublin/ Clonsilla to M3 Parkway railway line in an area that is appropriately zone and has been subject to a local area plan. Adequate separation distances are provided between the proposed residential units and the existing adjoining houses within and adjoining the local area plan lands. The submitted assessments prepared by the applicant indicate that sunlight/daylight currently received by adjoining residents will not be adversely affected by the proposed development.

10.9.20. I have no reason, therefore, to recommend to the Board that permission be refused due to impact from the proposed development on the existing residential amenity of the area.

#### 10.10. Transportation, Traffic and Parking

10.10.1. The applicant has included a 'Traffic and Transport Assessment' prepared by CSEA, in support of the proposed development. The submitted report looks at the current situation, the nature of the proposed development, consideration of relevant policies, the impact on traffic and a conclusion. In addition, CSEA have prepared a Mobility Strategy and an Engineering Report in support of the application. PMCE have been engaged to prepare a Stage 1 Road Safety Audit.

10.10.2. Section 2 of the submitted Traffic and Transport Assessment, provides the 'Assessment Methodology' and assesses/ details the current situation. In support of the proposed development, traffic counts were taken in 35 locations over a three-week period between the 28<sup>th</sup> of January and 14<sup>th</sup> February 2019, a pre-covid time. The assessment considers the impact on traffic over the following years:

- 2019: Baseline Year
- 2025: Development's Year of Opening (YoO)
- 2030: Future Year, YoO+5



- 2040: Horizon Year YoO+15, in line with the National Transport Authority 2040 planning sheet and East Regional Model.

Future traffic assumptions include the development/ completion of the Ongar-Barnhill Road and the Kellystown Link Road, Figure 2.3 indicates the 'Future Road Network'. Full details of these and other road upgrades are provided by the applicant. Regard is also had to other similar schemes in the area such as ongoing development of the Hansfield Strategic Development Zone (SDZ) to the north of the site/ the railway line.

10.10.3. Section 3 has full regard to 'Relevant National and Local Policy' with full consideration of the Fingal Development Plan 2017 – 2023 and the Barnhill Local Area Plan 2019. The site is appropriately zoned for residential development and the local area plan provides an indicative layout and suitable objectives for the development of these lands. There is a focus on the use of sustainable means of transport for trips to and from the site and within the local plan area. A list of objectives relevant to traffic/ transport are provided.

10.10.4. Section 4 provides a detailed assessment of 'Existing Conditions' in relation to the site and traffic/ transport. Section 5 considers the 'Future Receiving Environment' and has regard to the proposed road and sustainable transport upgrades. In addition to the road upgrades, there are proposals to upgrade the railway lines in the area to DART standard and the Bus Connects project will have a limited impact on public transport provision in relation to the subject site.

10.10.5. Section 6.12 provides the 'Proposed Development Movement Strategy' for internal movements within the site and details connections to adjoining lands/ road network. Further details are provided in relation to the connections to Hansfield and the Royal Canal Greenway. Details are also provided in relation to traffic calming measures that are to be employed throughout the scheme. Section 6.14 details access arrangements for the creche and proposed school. Provision is made for bus stopping points within the site, though I note that there are currently no proposals to provide for a bus route that accesses the subject site.

10.10.6. **Car Parking:** Included within Section 6 – 'Proposed Development', of the Traffic & Transport Assessment are full details of the proposed bicycle and car parking provision to serve the proposed development. This is broken down for each of the 10-character areas, and clearly indicates the parking per unit type, location

and for visitors. A total of 1,593 car parking spaces are proposed throughout the site area. Suitable commercial car parking is provided in the 'Village Centre' character area and creche parking is allocated to the 'Station Plaza' character area.

10.10.7. The proposed development includes provision for two car club spaces which will be operated by Go-Car. These spaces will be provided in the Village Centre. As reported, additional spaces can be provided if required.

10.10.8. The Planning Authority have reported no objection to the car parking quantum or the rationale for the car parking allocations. It is proposed that 10% of the car parking spaces will be fitted for electric vehicle (EV) charging.

10.10.9. **Bicycle Parking:** The proposed development provides for 3,225 residential bicycle parking spaces and a total of 3,337 bicycle parking spaces. This is broken down for each of the 10-character areas. The report clearly indicates where and how many spaces for cargo bikes are to be provided for; Table 6.15 indicates that a total of 111 cargo bike parking spaces are to be provided for. Provision is also made for electric charging of bicycles.

10.10.10. **Quality Audit:** This is provided in Section 7 of the Traffic & Transport Assessment and demonstrates how the development complies with the Design Manual for Urban Roads and Streets (DMURS), and the National Cycle Manual. Junction details, pedestrian crossings, footpaths and general street layout are all considered in this section. Traffic calming measures are also outlined. This section of the TTA also includes details on the type of bicycle parking to be provided throughout the site.

10.10.11. **Traffic:** The proposed report provides full details on the potential traffic volumes generated by the proposed development and any consequential impact on the local road network. Table 6.17 provides the 'Proposed Development Peak Hour Trips Generation' and it is noted that the volume of traffic will decline from 2025, the opening year to 2030 and further decline by 2040. This reduction, most significantly between 2025 and 2040, is due to an expected change in modal split with an increase in use of public transport expected with the implementation of the DART + project and Bus Connects.

10.10.12. Further details are provided in Section 8 which outlines the 'Road Network Future Traffic Flows'. Junction details are provided for each of the design

years as per section 10.9.2 of my report. Section 9 assesses the 'Proposed development Traffic Impact' with junctions assessed under section 9.1. Full consideration is given to the proposed road and junction upgrades in the immediate area of the subject site. Under Section 9.11.2 'Operational Impacts' it is stated:

'Based on the modelling results obtained for all junctions, it can be concluded that the local road network will operate within capacity and at satisfactory levels during peak hours for all assessment years with the proposed development in place. Therefore, the potential traffic impact associated with the development was found to be long-term, neutral and imperceptible'.

The proposed development promotes the use of sustainable forms of transport. A Mobility Strategy, separate to the TTA, has been prepared by CSEA in support of the application.

In terms of cumulative impact, considering the other large-scale developments in the area, the report states 'the potential cumulative traffic impact associated with the development was found to be long-term, neutral, and imperceptible'.

10.10.13. Section 9.12 provides a list of suitable 'Mitigation Measures' to be employed on site during the construction phase of the development and these are further detailed in the submitted CEMP. Section 10 provides a 'Conclusion' and in terms of road capacity/ junction efficiency, 'the road network will continue to operate successfully with the development in place in all assessment scenarios at both the AM and PM peak'.

10.10.14. A 'Stage 1 Road Safety Audit' has been undertaken by PMCE and identifies issues throughout the scheme under Section 4 'Observations'. These are relatively minor issues that can be addressed by the applicant and no issues of significant concern were raised.

10.10.15. **Mobility Strategy:** As reported, CSEA have prepared a 'Mobility Strategy' for the proposed development and this focuses on the use of sustainable forms of transport such as walking, cycling and the use of public transport. The existing situation is provided and notes the adjacent Hansfield station and the generally rural character of this area. The nearest bus stop is approximately 1.2 km to the north of the centre of the subject site. Bus service frequency is provided in Table 2.1 with bus stops indicated on Figure 2.1.

10.10.16. Section 3.2 provides details on public transport upgrades that would benefit the subject site. DART + is the primary project of benefit considering its proximity and improved capacity/ frequency that is proposed. Bus Connects would also benefit the area and cycle improvements are proposed through the implementation of the Greater Dublin Area Cycle Network Plan.

10.10.17. Table 5.1 provides 'Mode Share Targets' with car use expected to fall between 2025 from 47% to 39% by 2040 and public transport use to increase from 26% to 30% by 2040. Cycling is to increase from 5% to 6% and walking from 22% to 25%. Walking increases as services such as retail, the creche and school are provided on/ within the site area.

10.10.18. Section 5.2 provides an 'Action Plan to Reach Targets'. The provision of information about alternatives to car use form a significant number of the measures outlined and include the appointment of a Travel Plan Coordinator. Section 5.3 provides details on a 'Monitoring Strategy'.

10.10.19. **CE Comment:** The Planning Authority and Fingal County Council departments have raised a number of issues in relation in relation to movement/ transport. I have summarised them here:

- Requirement for a pedestrian link to Hansfield station before occupation of any unit.
- Need to reconsider the improvement of the layout of the wheelchair ramp to the station.
- Additional information required in relation to pedestrian and cycle connectivity links including to the Ongar-Barnhill Road, the Royal Canal Greenway, Barberstown Bridge, and the tie-ins to the R149.
- Main spine road should have a width of 6.5 m, which is preferred for buses.
- Revised buffer between cycle track and car parking areas.
- Revise shared areas to provide for more pedestrian/ cycle continuity.
- Need for a parking management strategy and ensure that residential and commercial parking are suitably segregated.
- A cycle parking management strategy is also recommended.



- Cycle parking to the rear of houses should only apply to those units that have direct access to the rear garden.
- Specific requirement for Barberstown Lane North and Barberstown Lane South.
- Revisions to the sightlines for the R149.
- Revisions may be required for the basement car parking with specific reference to access.

Overall, the development is acceptable in terms of traffic and movement. The car parking provision is considered to be appropriate and the traffic assessments using 2018 and 2019 details are considered to be appropriate. Figures for the modal split seem ambitious but are in line with NTA targets. Welcome is made for the Mobility Strategy and the provision of a Travel Plan. The Planning Authority do not oppose the development in the context of traffic and movement and the issues raised can be addressed by way of suitable condition.

10.10.20. **Conclusion on Transportation, Traffic and Parking:** The development is to be provided with an adequate internal road network, adequate car parking and is within easy walking distance of Hansfield station. The proposed development is based on a heavy reliance on proposed road upgrades and the availability of Hansfield station. Sustainable forms of transport are to be encouraged within the site area and to adjoining areas.

10.10.21. Considering the opening year is forecast to be 2025, it can be expected that the Ongar-Barnhill road will be in place/ operational by then. Access to Hansfield station will be required before occupation of units. The full implementation of DART + may not be complete for some time, however it is expected that improvements to the rail service can take place in advance of this subject to demand. Bus Connects will bring improvements to the public transport system in the local area, though I am not certain that its benefits will extend to this site.

10.10.22. I note the comments raised by third parties in relation to car parking and traffic. The Planning Authority are satisfied that adequate car parking is to be provided for. A car park adjacent to Hansfield station is not necessary as the majority of units on site are within easy walking distance of the station, a car park

may only encourage unnecessary traffic movements. Similarly, the proposed road network is considered to be adequate to serve this development.

10.10.23. I do not foresee that the proposed development will negatively impact on any of the local road networks. I have no reason to recommend a refusal of permission to the Board on this issue.

#### 10.11. Infrastructure and Flood Risk

10.11.1. The applicant has engaged the services of CSEA to provide drainage and water supply details and this is set out in an 'Engineering Report' and also includes limited transportation details as well as details on what, and how utilities are to be provided for. The details in this report are supported with relevant engineering drawings/ plans.

10.11.2. **Foul Drainage:** Full details on foul drainage are provided in Section 5.0 of the applicant's report. The foul sewerage / wastewater will then be pumped, via a 200mm rising main, from the proposed pumping station to an existing services culvert that passes underneath the existing Clonsilla – M3 Parkway Railway line immediately to the east of Hansfield station. From there, the foul rising main will connect to a foul rising main discharge manhole constructed within the Hansfield development and the foul effluent will then flow, via gravity to the existing foul sewer infrastructure located along the existing Ongar Distributor Road, from where it will ultimately discharge to the Ringsend Wastewater Treatment Plant (WWTP). The applicant reports that the Ringsend WWTP is currently undergoing upgrade works to increase its capacity and will therefore have sufficient capacity to cater for the foul sewer effluent created by the development.

10.11.3. A pre-connection enquiry was made to Irish Water and a response indicated that a proposed connection to the public services could be facilitated. This connection would include a rail crossing of the adjacent railway line to the north and would require the provision of a connection to the existing 375 mm Irish Water sewer in Ongar Road. An upgrade of the existing 375 mm Foul Sewer to a 700 mm Foul Sewer on Ongar Road is required for approximately 900 m and the size of the upgrade is subject to the finalisation of the modelling assessment. As Irish Water have reported that they have no plans to carry out upgrades in the area, the applicant will have to provide a contribution of the relevant costs for the upgrades.

10.11.4. **Conclusion on Foul Drainage:** No issues of concern have been raised in relation to the applicant's ability to provide a suitable connection to the public foul drainage system and to provide a suitable network to serve the proposed development.

10.11.5. **Water Supply:** The CSEA 'Engineering Report' provides full details on the proposed water supply to serve this development. There are existing watermains crossing the site and which serve the existing residential units on site. Full details of the 'Proposed Water Supply and Distribution Network' are provided in Section 6.3 of the submitted report.

10.11.6. A 'Water Management & Conservation Plan' has been prepared by the applicant. A range of water conservation methods are detailed including water butts, dual flush toilets and efficient taps/ sinks/ showers. These provide for best practice in terms of management and conservation of water.

10.11.7. Contact has been made with Irish Water in relation to connecting to the public water supply and they report that a water supply can be provided subject to the upgrading of 310 m of an existing 200 mm Nominal Bore to a new 300 mm Nominal Bore main along the Barnwell Road as well as the provision of a new 300 mm Nominal Bore main along the proposed distributor road. Irish Water report that a survey of the site will be required to determine the exact location of the water main and that trial investigations shall be carried out with the agreement and in the presence of the Local Water Services Department on behalf of Irish Water.

10.11.8. **Conclusion on Water Supply:** No issues of concern have been raised in relation to the applicant's ability to provide a suitable public water supply to serve this development.

10.11.9. **Surface Water Drainage:** The applicant has engaged the services of CSEA to prepare a 'Barnhill SHD SuDS Strategy Report'. Full details of the site and existing situation are provided as are details of the proposed development and the proposed SuDS design. A number of methods of surface water drainage are considered in the report including storage tanks, green roofs and rain gardens. Rainwater butts can be provided at individual residential units providing a localised approach to surface water drainage. Tree pits and permeable paving have a role to play throughout the site.

10.11.10. Existing ditches on the subject site are recognised as providing a role for surface water drainage. The primary public open space area, located to the south of the site, offers a number of opportunities in terms of surface water drainage including a dedicated wetlands area and an infiltration area under the proposed playing pitch. Details are provided of other suitable measures to be employed throughout the development site. The report is supported with plans, relevant tables and SuDS calculations for required storage is provided in Appendix B of the applicant's report.

10.11.11. **Planning Authority Comments:** Note the comments in the applicant's report that the site is subject to poor infiltration in parts, and this limits the provision of suitable SuDS measures on site. SuDS measures will not be provided within known flood zones. In conclusion the Planning Authority report that the proposed SuDS strategy is acceptable.

10.11.12. **Conclusion on Surface Water Drainage:** The proposed surface water drainage system for this site is considered to be acceptable. A range of measures are proposed, and it is considered appropriate that such a system does not rely on a limited number of such measures for such a scale of development. The applicant has demonstrated that their proposal addresses specific issues relevant to that part of the site/ nature of the development proposed in that area.

10.11.13. **Flood Risk:** The 'Barnhill SHD SuDS Strategy Report' – prepared by CSEA includes Section 2.4 - 'Strategic Flood Risk Assessment'. It is reported that a site-specific Flood Risk Assessment was carried out for the preparation of the Barnhill LAP site by Garland Consultancy on behalf of Fingal County Council. The CSE report summarises the issues raised in the Garland report and the following is reported:

- Flooding was recorded on part of the subject site, and is associated with both Pluvial and Fluvial occurrences. The Barnhill Stream passes through the site and was surveyed as part of the Liffey River catchment for the preparation of the Local Area Plan. Flood risk maps for the stream were prepared for the 1% (1 in 100 year) and 0.1% (1 in 1000 year) probabilities of flooding on site and included an allowance for climate change. The assessment also took into consideration



the future Ongar to Barnhill Distributor Road to determine if it would have an impact on the identified flood plain.

- The flood modelling assessment reported that there are large areas of low-lying lands located to the north and south of the Barnhill Stream that are liable to flooding and it was determined that this flooding is largely caused by the existing capacity of the culvert that carries the stream under the Royal Canal, and the Dublin to Maynooth Railway line, which are located to the south of the lands. It was discovered that this culvert caused the stream to back up during both the 1% and 0.1 % rainfall events, and in turn, inundated the low-lying areas on both banks of the stream with flood waters.

Figure 1 and 2 of the applicant's report, demonstrates the 1 in 100 and 1 in 1000 probability of flooding on the subject site.

10.11.14. McCloy Consulting have been engaged by the applicant to prepare a 'Flood Risk Assessment' for the subject site. Similar to previous assessments on site, details of the proposed development and the location are detailed. The Barnhill Stream or Rusk Stream crosses towards the southern part of the site on a north west to south east axis. Table 2.1: provides a 'Vulnerability Classification', the residential and creche elements are classified as 'Highly Vulnerable'. The assessment has full regards to relevant guidance and supporting information including OPW data, and the Greater Dublin Strategic Drainage Study (GSDS). Walkover surveys of the site were undertaken in the preparation of this Flood Risk Assessment.

10.11.15. Section 4.2 provides the 'Pre-Development Fluvial Flooding (Existing Scenario)' for the site and Section 4.3 provides the 'Post-Development Fluvial Flooding (Proposed Scenario)'. Figure 4.2: provides a 'Flood Extents Map – Proposed Scenario Present Day'. Flooding events are indicated to the south of the site, within an area that is proposed to provide for open space/ amenity lands. Full regard is had to climate change by adding 20% to the present day design flows, and this is indicated in Figure 4.3: 'Flood Extents Map – Proposed Scenario Climate Change'.

10.11.16. Section 4.4 provides an assessment of 'Pluvial (Surface Water) Flooding' and as reported, 'OPW and Fingal CC flood mapping indicates that the site

is not affected by pluvial flooding'. Surface water flooding can occur, but suitable maintenance of the proposed surface water drainage system will address this issue.

10.11.17. Section 5.0 provides a 'SUMMARY OF FINDINGS AND RECOMMENDATIONS'. The report states:

'It has been determined through detailed site-specific hydraulic modelling that parts of the site are affected by flooding during the present day, climate change, and culvert blockage events. Development proposals have been developed in accordance with the Flood Zones at the site and have been shown to be resilient to flooding during climate change and culvert blockage events. The proposals are therefore acceptable under the OPW Guidelines, will have no negative impact on the existing floodplain or on flood risk elsewhere and are not required to be the subject of a Justification Test.

No other significant flood mechanisms are anticipated at the site'.

A Justification Test is undertaken in Section 5.5 and Table 5.2 provides the 'Justification Test for Development Management'. The report is supported with appropriate plans, diagrams and calculation tables.

In conclusion, 11% of the site is prone to flooding for the 1% AEP – Flood Zone A and 20% in terms of the 0.1% AEP – Flood Zone B. The submitted report provides a number of recommendations in relation to compensatory storage, recommended freeboard and also the report identifies that improvement works to the culvert could result in downstream flooding.

10.11.18. **Planning Authority and Third-Party Comments:** The Planning Authority note the issues raised in this report but in general it identifies similar issues to that raised in the report by the Garland Consultancy prepared on behalf of Fingal County Council, in support of the Barnhill LAP. The Planning Authority conclude that the residential element of the development is located within Flood Zone C and the proposed public open space is located within the area that may be prone to flooding.

10.11.19. Third Party comments reference that there have been additional parts of the site subject to flooding that are not included in the flood risk assessment, resulting in a question over the robustness of the study.

10.11.20. **Conclusion on Infrastructure and Flood Risk:** I am satisfied from the available information that the applicant has fully considered flood risk. The site has been subject to a flood assessment as part of the preparation of the Barnhill Local Area Plan and no significant additional risks or issues have been identified. I note the third-party comments and I accept that additional areas of the site may be subject to flooding, however the nature of these is not known and considering no reports of concern by the Local Authority, these are likely to be localised issues. The issue of the blocked culvert has been raised and the ongoing maintenance of this should address potential flooding issues on site.

10.11.21. The proposed development includes a comprehensive surface water drainage system/ SuDS proposal, and I am satisfied that the issue of flooding has been appropriately addressed by the applicant through the submitted information. The site is served by a public water supply and the public foul drainage network.

#### 10.12. **Childcare, Social Infrastructure and Part V Social Housing Provision**

10.12.1. **Childcare:** The proposed development includes a childcare facility that can accommodate between 140 and 160 children depending on the age groups to be accommodated. The proposed facility has a stated floor area of 942 sq m and could accommodate 210 children. This creche/ afterschool facility will be provided as part of Phase 1 of the subject development and is located within the 'Village Centre' character area.

10.12.2. The 'Social Infrastructure Report' prepared by McCutcheon Halley indicates (section 6.2) that the proposed development will generate a childcare demand of between 113 – 137 places, within the 0-12 age group. The Social Infrastructure Report identifies only six spaces in the immediate area for childcare, from 12 facilities, and there may be a shortfall of childcare in advance of the opening of the on-site facility. This report does note that there are a number of facilities proposed/ permitted within the SDZ lands to the north of the subject site.

10.12.3. Section 4.7 of the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities' states 'One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms'. The requirement under the 'Planning Guidelines

for Childcare Facilities (2001)' was for one facility for every 75 units, with no exemption based on unit size/ bedroom numbers.

10.12.4. The proposed development is for 1,243 units, out of which 153 are one-bedroom units, therefore childcare provision is required for 1,090 units. The childcare requirement is therefore 291 spaces ( $1090 / 75 = 14.5$ ,  $*20 = 291$ ). The applicant has provided a 'Childcare Demand Report and has estimated the likely demand to be between 113 to 128 children if the average household size is 3 and between 121 to 137 children if the average household size is 3.0. This is based on 17% of all children falling within the age range of 0 - 12 years as per the National Household Survey.

10.12.5. The Planning Authority note these figures and query the data obtained from the National Household Survey. The Planning Authority consider that a conservative minimum figure of 160 places should be expected. It is recommended that a second childcare facility should be conditioned to be provided by the applicant.

10.12.6. The submitted information and the comments of the Planning Authority are noted. I agree that a second childcare facility should be provided for. This could be addressed by way of condition and could be provided in lieu of one or two houses on site. I do accept that it is somewhat difficult to calculate likely demand for a development of this scale.

10.12.7. **Social Infrastructure:** The Social Infrastructure Report indicates that there are 15 national and 6 post primary schools within 3.1 km of the subject site. Existing schools have a calculated spare capacity of 171 primary places and 296 spaces for post primary. The post primary capacity has increased from 74 in 2021/ 2022 to 296 spaces in 2022/ 2023. A primary level school is proposed towards the centre of the site and will be provided by the Department of Education and Science.

10.12.8. Third level education is available in Blanchardstown Community Training Centre and the Technical University Dublin (TUD) – Blanchardstown Campus, though the rail service offers easy access to the TUD campus in Grangegorman, DCU and Trinity College.

10.12.9. The Audit also provides details on available healthcare, community facilities and sport/ leisure/ open space within 5 km of the subject site. Transport, retail and population details are also provided. This report is dated July 2022. I note



the submitted information and it is considered to be acceptable, demonstrating that services are available in the area. I note the location of Connolly Hospital and part of it serves as the National Children's Hospital, and which is within 5 km of the subject site.

10.12.10. **Part V and Social Housing:** A total of 150 units are proposed to be provided for the Part V housing, as per the Part V Proposal prepared by Alanna Homes. Fingal County Council report that 104 units are to be provided for Part V and that this can be agreed by way of condition.

10.12.11. I note the 'Housing for All Plan' and the associated 'Affordable Housing Act, 2021' which requires a contribution of 20% of land that is subject to planning permission, to the Planning Authority for the provision of affordable housing. There are various parameters within which this requirement operates, including dispensations depending upon when the land was purchased by the developer. In the event that the Board decides to grant planning permission, a condition can be included with respect to Part V units and will ensure that the most up to date legislative requirements will be fulfilled by the development.

10.12.12. **Conclusion:** I am satisfied that the applicant can provide for adequate childcare to serve the proposed development. The proposed unit has capacity to accommodate the majority of the potential childcare demand, however I note the request of the Planning Authority, that an additional unit be provided for. This may be addressed by way of condition. Schools, community, and other social infrastructure are also available in the area and the applicant has demonstrated that they are willing to meet their Part V requirements.

#### 10.13. Retail:

10.13.1. The Social Infrastructure Report provides detail on the available retail provision in the area, and also includes a section on Retail. Table 5.8 lists 'Convenience Retail and Shopping Centres' within 5 km of the subject site. At present there is a relatively large open centre in Ongar which is 1 km to the north of the subject site. Blanchardstown Centre, which is a regional level shopping centre is 3.6 km to the north east of the centre of this site. Retail units are under construction/ are proposed within the Hansfield SDZ lands to north of the subject site.

10.13.2. The proposed development includes the following within the proposed Village Centre:

1. Convenience retail anchor – 850 sq m approximately gross/ 680 sq m net
2. 5 no. secondary retail units – approximately 500 sq m gross/ 400 sq m net

Letters are provided from Sherry Fitzgerald and Musgraves noting the proposed development and considering it appropriate for the area.

10.13.3. The Planning Authority note the proposed local centre but have concern regarding the unit size and the fact that it may not be possible to provide for a suitable convenience store. I note the letter from Musgraves offering support/ interest for such a unit as proposed.

10.13.4. I am satisfied that the proposed retail provision is acceptable. The local centre – Village Centre character area will function as a focal point for the overall development through its location adjacent to the proposed school, the childcare facility and on the main route to Hansfield station. The plaza space to the front will ensure that this function as a suitable local centre.

#### **10.14. Comment on Submission/ Observations of the Blanchardstown-Mulhuddart/ Castleknock/ Ongar Area Committee:**

10.14.1. The views of the elected members were submitted alongside and included in the CE report. Having regard to their important role in plan and place making, I have considered the strategic points raised by them, as outlined below.

10.14.2. Mixed support for and against the proposed development as submitted. Concern was expressed about the scale and nature of the proposed development. The comments raised are noted. The site is appropriately zoned for residential development and a local area plan, adopted by Fingal County Council, has been prepared for the development of the site. The proposed development is generally in accordance with the Barnhill Local Area Plan. Whilst the subject application will see the development of nearly all of the LAP site, the proposal provides for 10 distinct character areas and the development will take place in accordance with a detailed phasing plan.

10.14.3. There is a recognised need for infrastructure including roads, sustainable transport, amenity lands and school to be provided in conjunction with the development of the site. This will be subject to the detailed phasing plan. The

Ongar-Barnhill Road will be complete in advance of any occupation of the proposed units. The development of the school is a matter for the Department of Education and Science and is likely to only commence on completion of a certain number of units. Access to Hansfield station is relatively easy to achieve and whilst the site is in a rural area, it is adjacent to lands with good infrastructure provision.

10.14.4. Concern was expressed about the need for suitable community infrastructure and an opportunity exists for the provision of a community hall as part of the school development. The proposed local centre also allows for community infrastructure to be put in place. The childcare provision was considered to be insufficient and whilst it is agreed that additional childcare may be desirable, the economics of this may not allow for additional smaller facilities throughout the site area.

10.14.5. Concern was raised about the scale of the development and the height of the proposed apartment blocks. As reported, the Barnhill Local Area Plan allows for increased heights and National Policy encourages increased density in appropriate locations. This site is adjacent to an existing railway station, with a modest service that is proposed for significant improvement in terms of capacity and frequency. The development is based on the use of all forms of sustainable transport and it is appropriate that a suitable density be provided on site, a density that can be facilitated by existing/ proposed infrastructure and one that allows for further improvements to infrastructure for the benefit of the wider area.

10.14.6. Comment was made on the provision and location of public amenity spaces throughout the site area. The applicant has clearly outlined the proposed public open space strategy and in addition to the large area of open space to the south of the site, smaller pocket parks are provided throughout the site. Plaza areas are also proposed and these allow for different amenity to that provided by open space areas that are primarily under grass. It is desirable that play areas be provided throughout the site, however these need to be carefully considered and ensure that they do not result in negative residential amenity in adjoining areas.

10.14.7. Other issues include a query about public consultation. The site has been subject to a local area plan and the Strategic Housing Development (SHD) process allows for submissions to be made to An Bord Pleanála. I have carefully

considered all of the third-party submissions throughout this report. Impact on residential amenity was raised as an issue, and I have addressed this in the relevant sections of this report.

#### 10.15. Other Issues

10.15.1. **Microclimate Assessment:** AECOM have prepared a 'Wind Microclimate Assessment' in support of the application, with results analysed/ discussed in relation to the industry standard 'Lawson' method. In conclusion, this report/ assessment does not give rise to any issues of concern. The assessment identifies some areas of balconies and a small section of the south-eastern most point of the development site boundary indicating 15 m/s Lawson distress. Overall, the microclimate of the proposed development site is suitably comfortable for pedestrian use in accordance with the Lawson method.

10.15.2. **Energy Statement:** This has been prepared by McElligott Consulting Engineers. The proposed development provides for energy efficient residential units and the other buildings forming this application are also of a suitable energy efficiency. Full details are also provided as to how electric vehicle charging will be managed on site. This will be operated by Go Charge. Regard is had to future demand and provision is also made for electric bike charging. The submitted information demonstrates a high quality of residential unit will be provided on site and is acceptable.

10.15.3. **Lighting:** An 'Outdoor Lighting Report' has been prepared by Sabre Electrical Services Ltd and indicates the type of lighting to be provided on site and where the light standards will be located. I have no objection to the submitted details; final details can be agreed with the Planning Authority by way of condition in the event that permission is granted for the proposed development.

10.15.4. **10 Year Permission:** The applicant has applied for a ten year permission and this is considered acceptable having regard to the scale of the proposed development. Whilst it would be desirable to see the rapid completion of this scheme, to do so would be unreasonable in the current climate with a shortage of suitable construction workers.



#### 10.16. Material Contravention

10.16.1. The applicant has engaged McCutcheon Halley to prepare a 'Material Contravention Statement'. The public notices make specific reference to a statement being submitted indicating why permission should be granted, having regard to the provisions of Section 9(6)(a) of the Planning and Development (Housing) and Residential Tenancies Act 2016. This section of the Act states that the Board may decide to grant a permission for strategic housing development in respect of an application under section 4, even where the proposed development, or a part of it, contravenes materially the development plan or local area plan relating to the area concerned. Paragraph (b) of same states 'The Board shall not grant permission under paragraph (a) where the proposed development, or a part of it, contravenes materially the development plan or local area plan relating to the area concerned, in relation to the zoning of the land'.

10.16.2. The statement of Material Contravention has been prepared to acknowledge matters which may be considered to be a Material Contravention of the Fingal County Development Plan 2017 - 2023 and the Barnhill Local Area Plan 2019.

10.16.3. There are five (5) issues identified in the applicant's Material Contravention statement as follows:

Material Contravention Issue	Local Area Plan/ Development Plan Requirement	Proposal
Car Parking Standards	In accordance with the Fingal Development Plan 2017 – 2023, the car parking provision would be for 2,300 spaces	The proposed development provides for 1,593 car parking spaces.
Height Strategy	Section 8 of the Barnhill Plan sets out general heights for each of the development areas.	The proposed development provides:

	<ul style="list-style-type: none"> <li>• Development Area 1 (Railway Edge): 4 - 6 storeys</li> <li>• Development area 2 (Centre) is 2 - 3 storeys</li> <li>• Development Area 3 (West – Southern): max building height of 2.5</li> <li>• Development Area 4: no target heights</li> </ul> <p>Objective BH1 states:          'Building height will primarily range between 4-6 storeys (or greater subject to high quality design and visual impact) along the rail line and canal and between 2-3 storeys elsewhere on the LAP lands'.</p> <p>BH2 states:          'Accept local landmark and feature building elements over the stated building heights at key locations, where they contribute to the visual amenity, civic importance, quality design and</p>	<ul style="list-style-type: none"> <li>• Development Area 1 (Railway Edge): 3-9 storeys</li> <li>• Development Area 2 (Centre): 2-5 storeys with two landmark buildings at 9 storeys and 12 storeys.</li> <li>• Development Area 3 (West – Southern): 2 and 3 storeys.</li> <li>• Development Area 4 – Not part of this planning application.</li> </ul>
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	legibility of the area. The locations are to be agreed with the Planning Authority at application stage and will be subject to relevant government guidelines'.	
Unit Numbers and Density	Objective DHM2 of the Barnhill LAP is to 'Support the development of between 900 - 1,150 residential units or greater on the lands.'	The total number of units proposed in the Barnhill Development is 1,243 units. The total number of units is greater than the guidance figure in DHM2, but the policy objective allows for a greater number
Housing Mix	<p>DHM1 of the Barnhill LAP is to: 'Promote a sustainable mix of housing types and sizes and tenures to reflect the diversity of needs in an expanding community set in a high-quality well-designed environment.'</p> <p>The LAP states that the overall house-type mix for the development will be broadly within the following parameters.</p> <p>1 bed units 3 - 10%</p> <p>2 bed units 25 - 45%</p>	<p>The proposed development at Barnhill provides for the following housing mix:</p> <p>1 bed units 12.3%</p> <p>2 bed units 49%</p> <p>3 bed units 35.5%</p> <p>4 plus bed units 3.2%</p>

	<p>3 bed units 30 - 52%</p> <p>4 plus bed units 5 - 12%</p>	
Phasing	<p>Three phases are set out in the Barnhill Local Area Plan as follows:</p> <ul style="list-style-type: none"> <li>Phase 1: Includes all the zoned land to the north of Barberstown Lane North and east of the new Ongar Barnhill Road and includes the development of this new road.</li> <li>Phase 2: Includes all the remaining lands to the east of the Ongar Barnhill Road and is the location for the primary school reservation, local centre, café / interpretative centre and the majority of own door housing.</li> <li>Phase 3: Relates to all lands to the west of the Ongar-Barnhill Road and comprises of development primarily consisting of</li> </ul>	<p>The proposed development is to be provided in 5 main phases as detailed in Table 2.4 of Chapter 2 of the EIAR and Figure 4.8 of the Architectural Design Statement illustrates the phasing details.</p> <ul style="list-style-type: none"> <li>Phase 1 of the proposed development is the area north of Barberstown Lane North, and east of the Ongar – Barnhill Road. This is consistent with Development Area 1 as detailed in the Barnhill LAP.</li> <li>Phase 2 of the proposed development consists of the village centre and part of the Station Quarter South Character area. This area falls entirely within Development</li> </ul>



	low-density residential housing.	<p>Area 2, as detailed in the Barnhill LAP.</p> <ul style="list-style-type: none"> <li>• Phase 3 of the proposed development consists of Barnhill Cross Character area. This falls entirely within Development Area 2, as detailed in the Barnhill LAP.</li> <li>• Phase 4 of the proposed development consists of Barnhill Crescent and the eastern portion of Station Quarter South. This falls entirely within Development Area 2, as detailed in the Barnhill LAP.</li> <li>• Phase 5 of the proposed development consists of the lands to the west of the Ongar-Barnhill Road (Parkside and Link Road West character areas) and Barnhill Stream Character</li> </ul>
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		area. These lands fall within Development Area 2 (south-western portion) and Development Area 3.
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10.16.4. **Car Parking:** The applicant has calculated that a total of 2,300 car parking spaces are required to serve the proposed development in accordance with the Fingal Development Plan 2017 - 2023, whilst they propose to provide for 1,593 parking spaces. The applicant has justified the lower figure on the basis of the following:

- NPO 28 of the National Planning Framework which states: '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'.
- RPO 5.3 of the EMRA RSES states that: 'Future development in the Dublin Metropolitan Area shall be planned and designed in a manner that facilitates sustainable travel patterns, with a particular focus on increasing the share of active modes (walking and cycling) and public transport use and creating a safe attractive street environment for pedestrians and cyclists'.

The proposed development promotes the use of sustainable forms of transport and therefore there is less of a need for the use of the private car. The site is adjacent to Hansfield station and the development is designed to accommodate bus services. The proposed development provides for 3,337 bicycle parking spaces, which is in excess of the requirements of the Fingal Development Plan. The proposed car parking provision is in line with that proposed in the draft Fingal Development Plan. In conclusion the applicant considers that the provisions of Section 37(2)(b)(iii) apply.

10.16.5. National Policy through the Climate Action Plan is to encourage the use of more sustainable forms of transport, and it reports that 'The availability and price of car parking also plays a major role in people's choice to use a car, and impacts not only on climate emissions, but also on traffic congestion and the efficient operation of urban areas. The quantum, pricing and form of parking needs to be

managed carefully so as to favour sustainable modes over car usage'. As the applicant reports, the National Planning Framework and the Regional Spatial and Economic Strategy seek to reduce the need for the use of a car for most journeys.

10.16.6. I am satisfied that the applicant has proposed a sufficient number of car parking spaces to serve this development, although the number is below that required in the Fingal Development Plan 2017 – 2023. As reported, the site is served by Hansfield station and high-quality cycle/ pedestrian routes are proposed within the site area. I am therefore satisfied that the shortfall in car parking provision is acceptable and appropriate in this case. I do not consider this shortfall to be a Material Contravention of the Fingal Development Plan 2017 – 2023 as the car parking requirements are standards and not an objective of the plan. Objective DM113 states:

'Limit the number of car parking spaces at places of work and education so as to minimise car-borne commuting. The number of car parking spaces at new developments will be in accordance with the standards set out in Table 12.8'.

It is not clear if this objective applies to all new development or just work/ education related. In any case it refers to Table 12.8 – 'Car Parking Standards'.

Under the specific section 'Car Parking Standards' of the plan it is stated:

'Car parking standards provide a guide as to the number of required off-street parking spaces acceptable for new developments. The principal objective of the application of car parking standards is to ensure that, in assessing development proposals, consideration is given to the accommodation of vehicles attracted to the site within the context of existing Government policy aimed at promoting modal shift to more sustainable forms of transport'.

10.16.7. Whilst suitable car parking for a development is required, it is not necessary to stick rigidly to these standards. As stated, the site is adjacent to a railway station and significant measures in terms of sustainable forms of transport are proposed throughout the site. I am therefore satisfied that in the absence of an objective and/ or policy in the Fingal Development Plan that specifically requires a definite number of car parking spaces, the proposed development does not materially contravene the plan.

10.16.8. **Height Strategy:** The applicant has justified the proposed heights in relation to Urban Development and Building Height Guidelines and refers to SPPR 3:

'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....'

Table 6.1 is provided by the applicant and demonstrates how the development will comply with the requirements of SPPR3. A number of supporting documents demonstrate how the development will integrate with its surroundings.

10.16.9. The Fingal Development Plan 2017 – 2023 does not specify maximum heights for residential development. Other controls are used such as ensuring the protection of residential amenity (overlooking, over shadowing, loss of sunlight considerations) and having regard to the existing character of the area. The Barnhill Local Area Plan 2019 does set out a range of heights per character areas and the following objectives are relevant:

'BH1 Building height will primarily range between 4-6 storeys (or greater subject to high quality design and visual impact) along the rail line and canal and between 2-3 storeys elsewhere on the LAMP lands.'

'BH2 Accept local landmark and feature building elements over the stated building heights at key locations, where they contribute to the visual amenity, civic importance, quality design and legibility of the area. The locations are to be agreed with the Planning Authority at application stage and will be subject to relevant government guidelines.'

10.16.10. I am satisfied that the proposed development is in accordance with these objectives. Landmark and feature buildings are permissible that are in excess of the general 4 – 6 storeys and no limit is provided to their height. The proposed development provides for a suitably high quality of design and the applicant has



provided sufficient information to demonstrate that the development would not have an adverse impact on the visual amenity of the area, in accordance with Objective BH1. Objective BH2 allows for landmark and feature buildings throughout the site. I am therefore satisfied that the proposed heights do not materially contravene the local area plan.

10.16.11. **Unit Numbers/ Density:** The proposed development provides for 1,243 residential units and the Barnhill Local Area Plan seeks to 'Support the development of between 900 - 1,150 residential units or greater on the lands' under Objective DHM2. The applicant justifies this on the basis of RPO 5.4 of the EMRA RSES which states:

'Future development strategic residential development areas within the Dublin Metropolitan area shall provide for higher densities and qualitative standards as set out in the 'Sustainable Residential Development in Urban Areas', 'Sustainable Urban Housing; Design Standards for New Apartments Guidelines' and 'Urban Development and Building Heights Guidelines for Planning Authorities.'

10.16.12. Barnhill is within the Dublin Metropolitan area, is located adjacent to a railway line/ station and other infrastructure improvements have been permitted in the area. The applicant considers the difference in unit numbers to be marginal and the proposed development provides for additional housing and suitable density of development.

10.16.13. I refer back to Objective DHM2 and although it sets a range for suitable housing, it includes the words - 'or greater on the lands'. The proposed development of 1,243 is therefore acceptable in terms of the local area plan. The site is suitably zoned for residential development, is serviced and is located within an area with a requirement for such housing. As the applicant has correctly pointed out, National Policy seeks to increase densities and unit numbers in locations where this can be appropriately achieved. I am therefore satisfied that the proposed unit numbers/ densities do not materially contravene the local area plan.

10.16.14. **Housing Mix:** Objective DHM1 and Section 7.4 of the Barnhill Local Area Plan provide a general percentage per unit type that should be provided on site. The mix is provided under Section 7.4 and states:

'The overall house-type mix for the development of the LAP lands will be broadly within the following parameters:

1 bedroom units 3–10%

2 bedroom units 25–45%

3 bedroom units 30–52%

4 plus bedroom units 5–12%

10.16.15. The applicant considers that the proposed unit mix that they propose is acceptable having regard to the age profile of the region detailed in the RSES and that the mix is appropriate in terms of the Urban Development Building Heights guidelines.

10.16.16. Whilst the mix of units proposed is not the same as that provided under Section 7.4 of the plan it is similar. Slightly more one and two bedroom units are provided, with a corresponding reduced number of three and four bedroom units. However, I am satisfied that the unit mix is acceptable as it is 'broadly within the.. parameters' set out in the plan. This phraseology allows for a deviation from the mix, but as demonstrated, the difference in the mix is not significant. I am therefore satisfied that the proposed unit mix does not materially contravene the local area plan.

10.16.17. **Phasing:** The Barnhill Local Area Plan provides for three phases of development and the applicant has proposed to carry out the development in five phases. Table 6.2: 'Barnhill LAP Phasing Requirements and Phasing of Proposed Development', demonstrates the requirements to carry out each phase of the proposed development. The development is generally in accordance with the phasing plan and the local area plan does not clearly state a sub-division of phases is possible.

10.16.18. I note that the Planning Authority, through the CE report, have recommended that the phasing should be revised, and they have provided details on how they consider this should progress.

10.16.19. This issue can be addressed by way of condition. Development should take place in a coordinated and properly phased basis, but this may change in time depending on circumstances. It is appropriate that this be agreed with the

Planning Authority, but the development should generally follow the phasing provided in the local area plan. The provision of sub-phases is also appropriate, and the plan does not make comment on this. I am therefore satisfied that the proposed phasing plan does not materially contravene the local area plan.

## **11.0 Appropriate Assessment – Natura Impact Statement**

### **Stage 1 – Appropriate Assessment Screening**

11.1. The applicant has engaged the services of AECOM, to carry out an Appropriate Assessment Screening/ Natura Impact Statement; the report is dated July 2022. I have had regard to the contents of same.

11.2. 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.

The areas addressed are as follows:

- Compliance with Article 6(3) of the EU Habitats Directive
- Screening the need for appropriate assessment
- The Natura Impact Statement and associated documents
- Appropriate assessment of implications of the proposed development on the integrity of each European site

### **11.3. Compliance with Article 6(3) of the EU Habitats Directive**

11.3.1. 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.

11.3.2. 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).

#### 11.4. Screening the need for Appropriate Assessment

11.4.1. The first test of Article 6(3) is to establish if the proposed development could result in likely significant effects on a designated European site. This is considered Stage 1 of the appropriate assessment process, i.e. screening. The screening stage is intended to be a preliminary examination. If the possibility of significant effects cannot be excluded on the basis of available objective information, without extensive investigation or the application of mitigation, a plan or project should be considered to have a likely significant effect and Appropriate Assessment shall be carried out. The applicant has submitted a screening report for Appropriate Assessment and a Natura Impact Statement as part of the planning application.

11.4.2. The applicant's Stage 1- AA Screening Report was prepared in line with current best practice guidance and provides a description of the proposed development and identifies European Sites within a possible zone of influence of the development, in Table 1.

11.4.3. The following are the sites identified within the possible zone of influence:

Site Name (site code)	Designation	Distance/ direction from the site
Rye Water Valley/ Carton (001398)	SAC	3 km to the south-west
Glenasmole (001209)	SAC	15 km to the south-east
South Dublin Bay and River Tolka Estuary (004024)	SPA	15 km to the east
South Dublin Bay (000210)	SAC	16 km to the east
North Bull Island (004006)	SPA	17 km to the east

The above sites were assessed as to potential impact from the development at both construction and operation phases, taking full account of the conservation objectives



of these European Sites. In summary, it was found that there is no Likely Significant Effect during the construction phase of the development, on any designated European sites. At Operation Phase, there is potential for Likely Significant Effects from recreational pressure on the Rye Water Valley/ Carton SAC, Glenasmole SAC and the South Dublin Bay and River Tolka Estuary SPA. There is also a potential Likely Significant Effect from operational pollution, through foul drainage, on South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA and South Dublin Bay SAC without suitable mitigation measures.

11.4.4. The following are the Qualifying Interests of the designed sites:

Site Name (site code)	Qualifying Interests [code]	Site Conservation Status
Rye Water Valley/ Carton SAC (001398)	<ul style="list-style-type: none"> <li>• Petrifying springs with tufa formation [7220]</li> <li>• Narrow-mouthed Whorl Snail [1014]</li> <li>• Desmoulin's Whorl Snail [1016]</li> </ul>	<ul style="list-style-type: none"> <li>• Stable or increasing</li> <li>• Population restored to baseline</li> <li>• No decline.</li> </ul>
Glenasmole SAC (001209)	<ul style="list-style-type: none"> <li>• Semi-natural dry grasslands and scrubland facies on calcareous substrates [6210]</li> <li>• Molinia meadows on calcareous, peaty or clayey-silt-laden soils [6410]</li> <li>• Petrifying springs with tufa formation [7220]</li> </ul>	<ul style="list-style-type: none"> <li>• Good</li> <li>• Good</li> <li>• Good</li> </ul>
South Dublin Bay and River Tolka Estuary SPA (004024)	<ul style="list-style-type: none"> <li>• Light-bellied Brent Goose [A046]</li> <li>• Oystercatcher [A130]</li> <li>• Ringed Plover [A137]</li> <li>• Grey Plover [A141]</li> <li>• Knot [A143]</li> </ul>	Generally Favourable. Unfavourable status for the Ringed Plover, Grey Plover and the

	<ul style="list-style-type: none"> <li>• Sanderling [A144]</li> <li>• Dunlin [A149]</li> <li>• Bar-tailed Godwit [A157]</li> <li>• Redshank [A162]</li> <li>• Black-headed Gull [A179]</li> <li>• Roseate Tern [A192]</li> <li>• Common Tern [A193]</li> <li>• Arctic Tern [A194]</li> <li>• Wetland and Waterbirds [A999]</li> </ul>	<p>Black-headed Gull.</p> <p>Conservation Condition is not provided for the three types of Terns and for the wetland and waterbirds.</p>
South Dublin Bay SAC (000210)	<ul style="list-style-type: none"> <li>• Mudflats and sandflats not covered by seawater at low tide [1140]</li> <li>• Annual vegetation of drift lines [1210]</li> <li>• Salicornia and other annuals colonising mud and sand [1310]</li> <li>• Embryonic shifting dunes [2110]</li> </ul>	<ul style="list-style-type: none"> <li>• Good for all.</li> </ul>
North Bull Island SPA (004006)	<ul style="list-style-type: none"> <li>• Light-bellied Brent Goose [A046]</li> <li>• Shelduck [A048]</li> <li>• Teal [A052]</li> <li>• Pintail [A054]</li> <li>• Shoveler [A056]</li> <li>• Oystercatcher [A130]</li> <li>• Golden Plover [A140]</li> <li>• Grey Plover [A141]</li> <li>• Knot [A143]</li> <li>• Sanderling [A144]</li> <li>• Dunlin [A149]</li> <li>• Black-tailed Godwit [A156]</li> <li>• Bar-tailed Godwit [A157]</li> <li>• Curlew [A160]</li> </ul>	<p>Generally Favourable.</p> <p>Intermediate Unfavourable for the Shelduck and Pintail.</p> <p>Unfavourable for the Shoveler, Golden Plover, Grey Plover and the Black-headed Gull.</p> <p>No status provided for Wetland and Waterbirds.</p>

	<ul style="list-style-type: none"> <li>• Redshank [A162]</li> <li>• Turnstone [A169]</li> <li>• Black-headed Gull [A179]</li> <li>• Wetland and Waterbirds [A999]</li> </ul>	
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Greater detail is provided in Table 2 of the AECOM report.

11.4.5. The submitted report has considered the impact of the development on the identified designated sites. The applicant's AA Screening Report concluded that:

11.4.6. "...the following impacts have been screened out of the Appropriate Assessment because there is clearly no potential for Likely Significant Effects on any European Sites:

- disturbance or displacement of SCI bird species as a result of construction activity;
- direct loss of or damage to qualifying or supporting habitats during the construction phase;
- waterborne pollution affecting qualifying or supporting habitats during the construction phase of the Proposed Development;
- airborne pollution affecting qualifying or supporting habitats or QI species during construction;
- disruption to flow of groundwater or reduction in volume of groundwater during construction phase;
- increase in predation of SCI and QI species by domestic predators, particularly cats, during operation; and,
- spread of invasive non-native species during construction and operation.

Identified impact pathways that could result in Likely Significant Effects, pending further investigation, concern:

- waterborne pollution affecting qualifying or supporting habitats at downstream European Sites during the operational phase of the Proposed Development; and,

- disturbance of SCI species as a result of the increased number of people and corresponding increase in recreational pressure on all four European Sites within 15 km during the operational phase of the Proposed Development.

One or both of these Likely Significant Effects concerns each identified European site within the zone of influence of the Proposed Development, therefore none of the European Sites themselves can be screened out of Appropriate Assessment. Further consideration is therefore given in the remainder of this NIS to the potential for these particular impacts to result in adverse effects on the integrity of the identified European Sites'.

11.4.7. Having reviewed the documents and submissions, I am satisfied that the information allows for a complete examination and identification of any potential significant effects of the development, alone, or in combination with other plans and projects on European sites.

#### **11.5. Stage 1 Screening - Test of Likely Significant Effects**

11.5.1. The proposed development is examined in relation to any possible interaction with European sites, the relevant sites have been detailed already under Sections 12.4.1 and 12.4.6, to assess whether it may give rise to significant effects on any designated European Site. The project is not directly connected with or necessary to the management of a European Site and therefore it needs to be determined if the development is likely to have significant effects on a European site(s).

11.5.2. A description of the site is provided in this Appropriate Assessment Screening Report; I have already outlined the development description under Section 3.0 of this report. In summary the development is for 1,243 residential units in the form of houses, duplexes and apartments, a creche, commercial units, community uses, and all necessary infrastructure. The site is located to the south west of Mansfield and Blanchardstown and the site area is 29.6 hectares. An EIAR has been submitted in support of the application.

11.5.3. **Submissions and Observations:** Third-Party submissions were made and are detailed in Section 7.0, the Local Authority (Chief Executive report and internal departments) submissions are summarised in Section 8.0 and Prescribed Bodies are summarised in Section 9.0 of this report.



11.5.4. **Zone of Influence:** A summary of European sites that are located proximate to the proposed development, including their conservation objectives and Qualifying Interests has been examined by the applicant. A precautionary approach in the submitted Screening Report of including all SACs within 15 km of the development site was taken to be the zone of influence of the development site, which are listed in section 11.4.3 of this report.

11.5.5. 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.

11.5.6. 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. The nearest European site is Rye Valley/ Carton SAC which is 3 km to the south-west of the subject site. The applicant has identified four other sites that are within 14 and 17 km of the site and are considered to be within the Zone of Influence.

11.5.7. There is a watercourse crossing through the south of the site. This is named as the Rusk or Barnhill Stream and flows towards the east into the River Liffey via lakes within Luttrellstown Golf Club.

11.5.8. The Department of Housing, Local Government and Heritage have reported no objection to the submitted AA Screening and the NIS.

#### 11.6. Screening Assessment

11.6.1. The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out Screening for Appropriate Assessment of the project, the AA Screening Report has concluded that the project individually could have a Likely Significant Effect on Rye Water Valley/ Carton SAC, Glenasmole SAC and the South Dublin Bay and River Tolka Estuary SPA and there is also a potential Likely Significant Effect from operational pollution, through foul drainage, on South Dublin Bay and

River Tolka Estuary SPA, North Bull Island SPA and South Dublin Bay SAC, and the applicant has reported that Appropriate Assessment (and submission of a NIS) is therefore required.

11.6.2. **Water Pollution:** The likely significant effect on South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA and South Dublin Bay SAC is through operational stage pollution by use of the public foul drainage system. The proposed development has taken full account of potential flood risk and a flood risk assessment has been provided in support of the application.

11.6.3. A detailed SuDS proposal is provided that will ensure that no untreated water is discharged directly to any identified watercourse. Water will be supplied to the development from the existing public water system. Foul drainage will be via the public system and will be treated in the Ringsend Waste Water Treatment Plant, which is undergoing upgrades that are due to be complete by 2023. From the submitted documentation, the upgrade works to Ringsend will be complete well in advance of commencement of works on site.

11.6.4. I note that the applicant has carried out a Stage 2 Appropriate Assessment through the submission of a Natura Impact Statement. I note the distance between the site and the identified designated sites, the nature of the proposed development, the character of the area and also the fact that the Ringsend Wastewater Treatment Plant is undergoing upgrades that will increase its capacity. I am satisfied that there is no realistic likelihood of pollutants reaching the identified Natura 2000 sites.

11.6.5. **Recreation pressure on European Sites during the operation phase of the proposed development:** The submitted AA Screening identified designated sites within the zone of influence and the following are noted:

Rye Valley/ Carton SAC (Site Code 001398): This is located 3 km from the subject site. The impact on a site from recreation pressure generally only applied to such locations within 1.5 km of a development site, and where car parking is available. The SAC is over 1.5 km away and there no formal car parks on this site. The NIS reports that 'increased recreational pressure from the Proposed development are considered improbable' and 'there is expected to be adverse effect on the integrity of Rye Valley/ Carton SAC from recreational pressure'.

Glenasmole Valley SAC (Site Code 001209): Glenasmole Valley SAC is 15 km from the subject site and impact from the development is expected to be low and of such numbers as to be insufficient to cause significantly increased recreational pressure. The NIS reports that 'there is expected to be adverse effect on the integrity of Glenasmole Valley SAC from recreational pressure'.

South Dublin Bay and River Tolka Estuary SPA (Site Code 004024): This SPA is 15 km from the subject site and impact from the development is expected to be low and of such numbers as to be insufficient to cause significantly increased recreational pressure. Just on the edge of the 15 km area is Fairview Park where waterbirds may be found, though no human disturbance issues were noted. The NIS reports that 'there is expected to be adverse effect on the integrity of South Dublin Bay and River Tolka Estuary SPA from recreational pressure'.

11.6.6. The subject site is located within Barnhill/ Barberstown and was identified in the Fingal Development Plan 2017 – 2023 as a suitable site for residential development. Lands to the east, south and west of the subject site are zoned for High Amenity and/ or Open Space and are further protected by a number of objectives in the development plan. Lands to the north from part of the Hansfield Strategic Development Zone (SDZ) and are primarily zoned for residential uses. There is an area of land to the east of the subject site that is subject to a LAP for residential development but an area of High Amenity zoned lands separates the two areas.

11.6.7. I note the comments made in relation to recreational pressures to the designated sites. As reported, the subject site provides for significant areas of open space and considering the distances/ location of the designated sites relative to the subject site, I do not foresee that the proposed development will result in recreational pressure on these sites. The Rye Valley/ Carton SAC and Glenasmole SAC are not easily accessible for use by residents of this development and similarly the South Dublin Bay and River Tolka Estuary SPA is 15 km from the subject site. Reference is made to Fairview Park and whilst this is a significant recreational resource for a wide area of the north city, it is unlikely to experience increased use/ pressure from the subject site. The provision of suitable open space on site will meet the demand for such recreational needs generated by the proposed development and such

provision cannot be considered as a form of mitigation or avoidance of a need for Stage 2 Appropriate Assessment.

11.6.8. The possibility of significant effects on other European sites has been excluded on the basis of the nature and scale of the works proposed, scale of intervening distances involved, lack of a direct hydrological link, dilution effect, and lack of substantive ecological linkages between the proposed works and the sites in question.

#### **11.7. AA Screening Conclusion:**

11.7.1. 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 Rye Water Valley/ Carton SAC, Glenasmole SAC, the South Dublin Bay and River Tolka Estuary SPA, the North Bull Island SPA and the South Dublin Bay SAC, or any other 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 significant separation distance to the nearest European site, no Appropriate Assessment issues arise.

11.7.2. Full consideration has been had to the potential impact on designated sites from water pollution and from recreational pressure on identified sites. It is therefore considered that the development would not be likely to give rise to a significant effect individually or in combination with other plans or projects on an European site.

In consideration of the above conclusion, there is no requirement therefore for a Stage 2 Appropriate Assessment.



## 12.0 Environmental Impact Assessment Screening

12.1. 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.

12.2. The application was accompanied by an Environmental Impact Assessment Report (EIAR), which is mandatory for the development in accordance with the provisions of Part X of the Planning and Development Act 2000, as amended and Schedule 5 of the Planning and Development Regulations 2001 as amended.

12.3. 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'.

The development proposes 1,243 residential units, creche, local centre, and has a stated area of 29.6 hectares. It therefore requires mandatory EIA, and an EIAR has been submitted with the application. This has been prepared by McCutcheon Halley with support from specialists. The contributors/ specialists are listed in Table 1.1 of the EIAR in relation to the relevant chapter that they contributed to.

12.4. The EIAR is laid out as follows:

Volume 1 – Non-Technical Summary

Volume 2 - Volume II: Environmental Impact Assessment Report

The following chapters are included in the EIAR

1. Introduction
2. Project Description
3. Alternatives Considered
4. Landscape and Visual Impacts
5. Traffic and Transport
6. Material Assets
7. Land & Soils
8. Water
9. Biodiversity
10. Noise & Vibration
11. Air Quality
12. Climate Change
13. Cultural Heritage
14. Population & Human Health
15. Risk of Major Accidents & Hazards
16. Significant Interaction of Impacts
17. Schedule of Mitigation Measures

Volume III: Environmental Impact Assessment Report (EIAR) - Appendices

Chapter 1 includes an overview of the development, the need for/ purpose of EIA, EIA Methodology including a list of relevant legislation/ guidance, possible outcomes, details on consultation/ scoping, EIAR process, structure of the EIAR, and a list of the EIAR team and relevant surveys is also provided. No difficulties were encountered in the compilation of the required information in order to prepare the EIAR. Cumulative Impacts were considered under Section 1.6.

12.4.1. Chapter 2 provides a more detailed project description, relevant planning issues, details on the site environment and details on the available services/ infrastructure on/ adjoining the site. Full details of waste management are provided, at both construction and operational stages.

12.4.2. Chapter 3 provides a detailed assessment of the Alternative Considered. This includes the 'Do-Nothing Alternative', 'Alternative Locations', 'Alternative Layout', 'Alternative Design', and also considers 'Mitigation Measures'. The subject development was proposed as it was considered to respond most effectively to:

- Policy objectives for Barnhill LAP,
- Topography and constraints of the site,
- Opportunities to provide sustainable development focused on active and public transport modes,
- Issues raised through pre-consultation with Fingal County Council, An Bord Pleanála,
- and Issues raised during the EIAR consultation process.

Further details are provided in the documentation submitted in support of this application.

12.4.3. The likely significant direct and indirect effects of the proposed development are considered in the remaining chapters, in the order provided in the EIAR, which collectively address the following headings, as set out in Article 3 of the EIA Directive 2014/52/EU:

- Population and Human Health
- Biodiversity (Flora and Fauna)
- Land, Soil, Water, Air and Climate
- Material Assets, Cultural Heritage and the Landscape
- Interactions
- Mitigation and Monitoring

12.4.4. I am satisfied that the EIAR has been prepared by competent experts to ensure its completeness and quality, and that the information contained in the EIAR, and supplementary information provided by the applicant, adequately identifies and describes the direct and indirect effects of the proposed development on the environment and complies with article 94 of the Planning and Development

Regulations 2000, as amended. Each chapter demonstrates the competency of the assessor, relevant guidance that they have considered, and the assessment criteria.

12.4.5. I have carried out an examination of the information presented by the applicant, including the EIAR, and the submissions made during the course of the application. A summary of the submissions made by the planning authority and prescribed bodies has been set out already in this report. This EIA has had regard to the application documentation, including the EIAR, the observations received, and the planning assessment completed above.

12.4.6. **Consultations:** Details of the consultations carried out by the applicant as part of the preparation of the application and EIAR are set out in the documentation submitted and these are considered to be adequate. I am satisfied that the participation of the public has been effective, and the application has been made accessible to the public by electronic and hard copy means with adequate timelines afforded for submissions.

12.4.7. **Assessment of Likely Significant Direct and Indirect Effects:** My assessment is based on the information provided by the applicant, including the EIAR, in addition to the submissions made during the course of the application, together with my site visit.

## 12.5. Landscape and Visual Impact

12.5.1. This chapter was prepared by SLR Consulting. Assessment Methodology is provided under Section 4.1.2 and under Consultations it is reported that An Bord Pleanála sought the submission of a Landscape Visual Impact Assessment (LVIA) in support of the application. Photomontages and CGI have been prepared by 3D Design Bureau in support of this chapter of the EIAR and are included in Appendix 4.1. Also included are 'Criteria and Definitions Used in Assessing Landscape and Visual Effects' in Appendix 4.2, the 'Assessment of Potential Landscape Effects' in Appendix 4.3 and 'Assessment of Potential Visual Effects' in Appendix 4.4.

12.5.2. Section 4.1.2.4 provides 'Sources of Information, and the 'Study Area' is detailed under 4.1.2.5. The 'Policy Context' is detailed under Section 4.2, referring in particular to the requirements of the Fingal Development Plan 2017 – 2023. A 'Description of Existing Environment' is provided under Section 4.3 and includes



details on the 'Fingal – Landscape Character Assessment of Fingal' as provided in the Fingal Development Plan 2017 – 2023 and 'The Development Site is fully located within the 'River Valleys and Canal Character Type', which is categorised as having high value and high sensitivity to development'. An area sensitive to development is located immediately to the south of Barberstown Lane South, and which marks the southern boundary of the subject site. Consideration is also given to the Meath and Kildare Landscape Character Areas.

12.5.3. The site is described as located 'on the settlement edge, and at the interface with rural agricultural land, resulting in a transitional local character. No prominent natural features exist in the local landscape'. A number of viewpoints were identified, and the chapter provides a number of photographs of the subject site. Landscape and Visual Receptors are identified in the EIAR.

12.5.4. Section 4.4 provides the 'Impact Assessment', on the landscape and visual receptors. The proposed development will provide for an urban development in a currently rural area located on an established urban edge. Other than a former industrial site and a number of houses, the subject lands consist of agricultural fields. Section 4.4.1.5 provides 'Elements of the Proposed Development Likely to Cause Effects during Construction Phase' and includes the setting up of a site compound, site clearance works, construction equipment and materials, semi completed buildings and site landscaping works. Section 4.4.1.6 details the 'Elements of the Proposed Development Likely to Cause Effects during Operational Phase' and includes new buildings ranging in height from 2-12 storeys, presence of activity in the form of people, vehicles with associated noise and movement, and site landscaping. The impact is further considered in the submitted Appendices.

12.5.5. The Do-Nothing Scenario is considered under Section 4.4.2 and the 'Landscape Effects' are considered under Section 4.4.3. Landscape change is considered under the construction and operational phases of the development. 'Visual Effects' are assessed under Section 4.4.4, 'Direct/ Indirect Effects' under Section 4.4.5 and 'Cumulative Effects' under Section 4.4.6. which includes consideration of relevant third-party developments adjoining/ in close proximity to the subject site. It is reported that 'There are no major schemes that either have planning permission or are in the process of being implemented with intervisibility to the west, south and east of the Site'. The report finds that in relation to 'Potential

Cumulative Landscape Effects and Significance' that there will 'be no significant cumulative landscape effects'. It is reported, 'The residents along Barberstown Lane North and within the Hansfield SDZ would experience major/moderate negative and locally significant effects. The remaining residential receptors and recreational users along the canal, as well as road users crossing Pakenham Bridge would experience moderate negative, but not significant, visual effects'.

12.5.6. A list of 'Mitigation Measures' are provided under Section 4.5 and provide for the Construction and Operational Phases of this development. These rely on suitable construction processes, site management, the phased nature of the development and the quality of the finished buildings/ landscaping of the site.

12.5.7. **Submissions and Observations:** A number of the third parties raised concern about the height of elements of the proposed development and the impact on the character of the area. The Planning Authority through the CE Report, note the proposed heights and which exceed those set out in the Barnhill Local Area Plan 2017 – 2023. Some concern also that the development does not adequately respond to the established character of the area.

12.5.8. **Assessment:** The submitted information demonstrates that the development will significantly change the character of this area from a currently rural/ agricultural character to a relatively dense urban environment containing a number of multi storey buildings that will form a landmark for the wider area. I note the comments raised in the CE report and by third parties. The subject site is zoned for residential development, has been subject to the preparation of a local area plan and is adjacent to an existing urban area which is served by a train service at Hansfield station.

12.5.9. It is agreed that the development of these lands as proposed would have a significant impact on the visual character of the area, however that has to be expected considering the requirements of the local area plan. The higher buildings proposed on site have been raised as an issue of concern in terms of visual impact. I refer to the submitted view – VVM7 taken from the R149 and at present the high voltage electricity pylons are dominant on the landscape and post construction, with a significantly changed visual environment, they remain the dominant feature. VVM3 taken from the canal bridge also displays a significant visual change, but again I

consider this to be acceptable having regard to the road layout in the area and the potential for a landmark building in this location.

12.5.10. I note the submitted mitigation measures and the reality is that the visual impact will be significant but is as expected and planned for through the Barnhill Local Area Plan. The site is not located within a Highly Sensitive Landscape and there are no scenic viewpoints or views to be preserved within or adjacent to the site. I am therefore satisfied that the proposed development would not have any unacceptable impact on the visual environment.

## **12.6. Material Assets: Traffic and Transportation**

12.6.1. Chapter 5 was prepared by CSEA. The Site Location is identified under Section 5.2 and Section 5.3 provides a summary of the proposed development. Scoping details are provided under Section 5.4 and revisions to the development were made following a number of meetings with Fingal County Council. The 'Assessment Methodology' is provided under Section 5.5 and includes details on a traffic survey undertaken in February 2019 with traffic counts undertaken at 35 locations and assessed junctions are provided under Section 5.5.9. The East Regional Model, detailed under Section 5.5.7, was used to inform the Local Area Model (LAM) with further data provided by Fingal County Council. Assessment Years include:

- 2019 – Baseline Year
- 2025 – Development's Year of Opening (YoO)
- 2030 – Future Year (YoO +5)
- 2040 – Horizon Year (YoO +15)

A number of assessment scenarios are provided including 'Do-minimum' and a 'Do-something' scenarios. It is assumed in the assessment that the Ongar-Barnhill Road Scheme will be completed by the end of 2024, and the Kellystown Link Road will be constructed, but which is not required for the delivery of the proposed development. These roads are located on Figure 5.5 and the main components of these roads and their expected delivery dates are summarised under Section 5.5.4. Population and key development assumptions are provided under Section 5.5.8. and it is expected that the Hansfield SDZ will provide for 3,000 residential units on completion of its full



build out by 2040 and that Kellystown will provide for 1,000 residential units by 2040. Table 5.3 provides the 'Estimated population for the Barnhill, Hansfield, and Kellystown lands on each assessment year'. A list/ summary of 'Relevant National and Local Policy' is provided under Section 5.6 with particular reference to the Fingal Development Plan 2017 – 2023, the Barnhill Local Area Plan 2019, and the Kellystown Local Area Plan 2021.

12.6.2. Details are provided on the existing road network under Section 5.7 and it is apparent that the roads serving the site/ adjoining areas, are of variable quality. Details of existing public transport are summarised in Table 5.7. I note that reference is made to the train service operating to Longford, this is incorrect as Hansfield is located on the M3 Parkway to Dublin line, though a connection to Maynooth/ Longford is possible from Clonsilla station. Figure 5.13 provides 'Traffic flow for the year 2019', and which indicates that the R149 is the busiest of the roads on site. Future development includes the road improvements already referred to and the conversion of the existing commuter train service to a DART service. In addition to frequency improvements, this upgrade will include the closure/ replacement with bridges of the existing level crossings at Barberstown and Clonsilla. Bus improvements are focused on the implementation of the Bus Connects project. Upgrades to the cycle network will be in accordance with the 'Greater Dublin Area Cycle Network Plan – 2013 and is detailed under Section 5.8.3 of the EIAR. The pedestrian network will see improvements through the implementation of the Royal Canal Greenway and the Liffey Valley Greenway.

12.6.3. Figure 5.19 provides the 'Proposed Pedestrian/Cyclist Network' and details internal connections within the scheme and to adjoining lands including to Hansfield to the north of the railway line. The 'Proposed Road Network' is provided under Figure 5.23 and 'Proposed Traffic Calming and Zebra Crossings' are indicated on Figure 5.22 of the EIAR. Section 5.11 provides details on the 'Proposed Barberstown Lane North Layout' and it is proposed that this road will primarily function as a pedestrian/ cycle route with local access allowed. The western end of this road will form a cul-de-sac in order to allow for the development of the Ongar-Barnhill Road. A suitable road layout will be provided in the vicinity of/ to serve the proposed school and creche. The 'Proposed Car Parking and Cycle Parking Strategy' is provided under Section 5.13. A total of 1,593 car parking spaces are



provided and this is outlined in Table 5.8 with details provided on an area basis. A total of 153 EV parking spaces are proposed and 142 visitor parking spaces as per Table 5.9 of the EIAR. Bicycle parking is summarised in Table 5.10 with a total of 3,337 spaces proposed to serve this development/ site. A total of 111 bicycle parking spaces for cargo bikes are proposed and spaces for 181 EV bikes. Two spaces in the Village Centre will be allocated for Go-Car/ car share club use.

12.6.4. Section 5.18 provides full details on the 'Proposed Development Traffic Generation' with trip generation details provided in Table 5.13. Trip generation in 2040 is expected to be less than the opening year of 2025 due to improvements in public transport in the area. Traffic Flows are assessed in Section 5.19 of the EIAR. The assessment of impacts to the identified junctions is provided under Section 5.22. Generally the junctions can accommodate the increase in traffic generated by the proposed development though one of the options for Junction 2 may not operate within acceptable levels, I note that this junction already operates above its capacity. The EIAR raises no issues of concern though in relation to traffic generated by the proposed development.

12.6.5. Cumulative Impacts are considered under Section 5.28.3 and the assessment of the proposed development has had to regard to other development and improvements proposed outside of the subject lands. Mitigation Measures focus on the construction phase of the development and are detailed further in the submitted Outline Construction Environmental Management Plan (CEMP). This chapter concludes with the following points:

'On that basis, the traffic impact of the proposed development can be described as long-term, neutral, and imperceptible. The assessment has demonstrated that the proposed development will have a no material impact on the operation of the local road network.

During construction stage the impact of the proposed development is expected to be short-term, negative, and not significant'.

12.6.6. **Submissions and Observations:** No particular issues of concern were raised in the third-party submissions or by the Planning Authority through the CE Report. The proposed car parking provision is generally acceptable.

12.6.7. **Assessment:** The submitted information demonstrates that in general the proposed development will not impact on traffic or on the indicated junctions that serve the subject site. This is a large residential development but as demonstrated, there is public transport available in the area and plans are in place to improve existing services. The site is adjacent to Hansfield station and at a minimum, it is relatively easy to provide a connection from the subject site to this station. I note that the submitted report, expects a reduction in car traffic over time and this is a reasonable expectation having regard to the proposed improvements in public transport as the development is proposed to be constructed.

12.6.8. Adequate car parking is proposed to serve the residents of this development, 1,593 car parking spaces indicates that at least one space per unit will be provided, though it is accepted that not all units may be allocated a specific parking space. The development also proposes a significant number of bicycle parking spaces and the topography of the site and surrounding area is such, that cycling is feasible for many short to medium trips. The nearby Royal Canal is proposed to be further developed as a greenway between the City Centre and Maynooth and in time further west.

12.6.9. The submitted information is considered to be acceptable and I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts on traffic in the area. The proposed development strikes a good balance between facilitating car ownership and promoting the use of sustainable forms of transport.

## **12.7. Material Assets, Service Infrastructure and Utilities**

12.7.1. Chapter 6 of the EIAR has been prepared by CSEA and relevant guidance has been listed under Section 6.1.2 with Methodology provided under Section 6.1.3. Information Sources used for the identification of Existing Utilities and Site Conditions' are listed under Section 6.1.3.1. and 'Significance Criteria' under 6.1.4. It is reported that no difficulties were encountered in compiling the information for this chapter of the EIAR.

12.7.2. The 'Description of the Existing Environment' is provided under Section 6.2. There is no public surface water drainage networks on or adjacent to the subject site with existing discharge to ditches already found on site. These flow into

the Barnhill Stream which crosses the southern part of the site. Roads on site also drain to ditches. A flood risk assessment was undertaken for the Barnhill Local Area Plan and a constraints in the local network was found by way of a culvert which was blocking up at times. This issue has been addressed through the provision of a large diameter culvert at this pinch point. The percolation/ infiltration characteristics of the site were found to be very poor and indicates a need for increased attenuation capacity to serve the site. There are no public foul/ wastewater drainage networks located within, or immediately adjacent to the subject site. The existing residential/ farm properties situated within the development site have their own independent wastewater treatment systems. Water supply is by a 4-inch watermain which is located within Barberstown Lane North. Other watermains are located throughout the adjoining area.

12.7.3. The EIAR provides details on other utilities that serve the subject site. These include electricity lines in the form of high voltage powerlines (110 kV) that cross the site and a number of lower voltage lines also cross the site. There are no underground lines in the site at present. Similarly, there are no gas mains located within or immediately adjacent to the site. Telecommunication lines are available, though again these are overhead rather than underground lines. No public lighting is in place on the site.

12.7.4. Section 6.3 provides a 'Description of the Future Receiving Environment' and includes the provision of infrastructure to serve and allow for the development of this site and these are detailed under Sections 6.3.1 to 6.3.9 of the submitted EIAR. The 'Proposed Surface Water Drainage and SuDS Strategy' is detailed under Section 6.3.11 and includes a number of different forms of SuDS measures including a pond/ wetland in the floodplain area of the proposed parkland located to the southern side of the site. The 'Proposed Foul Sewer Network' is detailed under Section 6.3.12 and this network will be pumped via a rising main to an existing network that passes under the Clonsilla to M3 Parkway station and in turn flows to the Ringsend Wastewater Treatment Plant where it is treated. Upgrade works were underway at Ringsend at the time this section of the EIAR was prepared.

12.7.5. The water supply network to serve the proposed development is considered under Section 6.3.13 and this also connects into the existing public system. Some upgrade works are required but Irish Water have reported no

objection, though note that the applicant will have to fund the relevant ratio of the required works.

12.7.6. In relation to other utilities, no gas network is proposed to serve this site, powerlines will be upgraded and relocated as required in agreement with the ESB, telecoms will be provided in conjunction with the relevant utility companies, and public lighting will be provided in accordance with the requirements of Fingal County Council.

12.7.7. Section 6.4 of the EIAR considers 'Predicted Impacts' and these are assessed under the following headings:

- Do Nothing Scenario – Neutral impact, no development would mean that the only works in the area would be maintenance and repair related.
- Construction Stage – Potential for contamination of water and flooding in the area due to uncontrolled discharge of surface water run-off. There is no foul drainage network in place at present and this phase of development will generate wastewater and sanitary waste over a limited, short-term period. A temporary water and electricity supply will be required to serve this phase of development. Existing services may require diversion/relocation, though this will only have a limited short-term impact.
- Operational Stage – Increased volumes of surface water runoff will be generated if appropriate on-site SuDS storage is not provided for. A suitable SuDS strategy is proposed for the site. Foul drainage will be treated in the Ringsend wastewater treatment plant. Telecoms will be provided to serve the needs of the area and public lighting will be provided as the development progresses.
- Cumulative Impact – Consideration is given to the DART + project and the development of improved road networks in the area which will allow for the suitable routing of telecoms and other utilities throughout the site.

12.7.8. Mitigation measures are considered under Section 6.5, and these include the construction and operational phases of the development. A list of 'Monitoring' measures is provided for both the construction and operational phases in Section 6.6 of the EIAR. 'Residual Impacts' are addressed under Section 6.7.



Upgrades and the provision of new services such as telecoms will allow existing residents to benefit from these services.

12.7.9. Section 6.8 considers 'Waste Management' impacts at both the construction and operational phases of the development. Full details are provided as to how waste is to be managed and disposed from the site. The Outline Construction Environmental Management Plan (CEMP) and the Operational Waste Management Plan (OWMP) provide further details on this.

12.7.10. **Submissions and Observations:** No particular issues of concern were raised by the Planning Authority through the CE Report. Third Party concerns were raised in relation to potential flooding on site. This issue was initially raised through the preparation of the Barnhill Local Area and areas of greatest threat from flooding, to the south of the site, are not to be developed for housing but will have an amenity function. A wetland is to be provided on this section of the subject site. I note the report from Irish Water in relation to water supply and foul drainage, and no issues of concern were raised.

12.7.11. **Assessment:** The submitted information demonstrates that the site can be adequately served by necessary infrastructure and that a suitable surface water drainage system can be put in place. The proposed development will allow for the installation of infrastructure that may not otherwise be possible such as telecoms and this will benefit the existing residents of the area. Similarly, a publicly operated foul drainage network can be put in place, and which will benefit existing residents. There is no indication that the proposed development would put an excess demand on existing services in the area.

12.7.12. The submitted information is considered to be acceptable and I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts on utility infrastructure in the area.

## 12.8. Land

12.8.1. This chapter (Chapter 7 of the EIAR) has been prepared by AECOM and evaluates the potentially significant impacts on land, soils, geology and hydrogeology of the site and the surrounding area as a result of the subject development. Legislation relevant to the chapter is provided in section 7.1.2 and the methodology is outlined in section 7.1.3.

12.8.2. Table 7.1 describes the significance of effects in accordance with EPA Guidance, 2022. Sources of relevant information is provided under Section 7.1.3.2, the relevant study area is within a 2 km radius of the subject site and no difficulties were encountered in the compilation of the necessary information. The subject site is described under section 7.2. This includes land uses, topography, surrounding land use, geological details, and hydrogeology. Most of the site consists of till derived from limestones and a bedrock outcrop is located to the north western section of the subject site, this is fully detailed in the EIAR and is summarised in Table 7.3. Section 7.2.8 Hydrogeology states 'According to the GSI spatial resources viewer, the underlying bedrock is a locally important aquifer which is moderately productive in local zones' and 'Groundwater recharge rates are recorded as between 49 mm/yr and 89 mm/yr across the site, with the recharge rate in the northeastern corner indicated to be 200 mm/yr'.

12.8.3. The Royal Canal which is 50 m to the east of the development site is a proposed Natural Heritage Area (pNHA) and the Liffey Valley pNHA is 1.6 km to the southwest of the subject site. There are no SACs or SPAs within a 2 km radius of the site.

12.8.4. Predicted Impacts are considered in Section 7.3 of the EIAR.

- Do-Nothing Scenario: In this case, no development takes place, therefore there is no impact.
- Construction Phase: A number of potential issues in terms of land take, spillages, use of concrete/lime on site, soil exaction and filling of areas and the use of materials – natural resources. Table 7.4 provides a summary of expected 'Cut and Fill Volumes'. An outline CEMP accompanies the application and a final CEMP will be prepared on appointment of the contractor, and following agreement with Fingal County Council, prior to the commencement of development on site. The impacts from this stage of development are a mix of permanent in the case of infilling of land, use of natural resources and unlikely such as the case of spillages. The overall impacts are not significant. With regard to Land Take, the effect is slight as the subject lands are considered to be a low impact to a medium sensitivity environment.

- Operational Phase: Impact could arise from the discharge to ground, accidental spills and leaks; and water balance changes. The impact from these is considered to be slight to imperceptible.
- Cumulative: Note the development on adjoining lands and it is considered that there will be no significant cumulative impacts to the land and soil environment as a result of the proposed development.

12.8.5. A range of suitable 'Mitigation Measures' are provided in Section 7.4 of the EIAR, for both the Construction and the Operational phases of this development. Much of the relevant details will be provided in the CEMP. Monitoring will be undertaken during the construction phase in accordance with the CEMP but will not be required during the operational phase of the development. 'Residual Impacts' are considered under Section 7.5 and consider that the implementation of the proposed mitigation measures highlighted will significantly reduce the likelihood/ magnitude of the potential impacts on land, soil, geology and hydrogeology which may occur during the construction and operational phases. The potential impact of the subject development is considered to be slight on the surrounding land and the soils environment.

12.8.6. **Submissions and Observations:** No particular issues of concern were raised by third parties or by the Planning Authority through the CE Report.

12.8.7. **Assessment:** The proposed development is for a residential scheme on suitably zoned lands. The proposed development provides for earth works but on land with no significant value. The operational phase should not have any impact on soils or geology.

12.8.8. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of Land.

## 12.9. Water

12.9.1. Chapter 8, 'Water' has been prepared by AECOM. Section 8.1.2 provides details on the Methodology used and Table 8.1 outlines the significance of

effects in accordance with EPA guidelines. Suitable sources of information are obtained from the EPA, OPW and the OSI. A walkover survey was undertaken in June 2022 in order to assess the baseline conditions of the subject site. The site is described under Section 8.2 and the 'Local Hydrology' is outlined under Section 8.2.4. The Barnhill or Rusk Stream flows through the southern portion of the subject site on a west to east axis. Generally, this is in the form of an open stream, but part of it is culverted and it discharges to the River Liffey approximately 2.4 km to the south east of the subject site. The applicant reports that the stream had a low flow on the day of the site visit. There are a number of drainage ditches located throughout the site area. The Royal Canal is located to the east of the subject site and is referred to as an 'Artificial Water Body' (AFB) by the EPA under the Water Framework Directive. The Barnhill Stream and the River Liffey, within the local sub-basin, have a water quality status of 'moderate' under the Water Framework Directive status and both are deemed 'at risk' by the EPA.

12.9.2. A Flood Risk Assessment was prepared by McCloy Consulting in support of the application and part of the site, towards the south, is considered to be within Flood Zone B. The Liffey Valley is designated as a proposed Natural Heritage Area (pNHA) and there are no SACs or SPAs within 2 km of the subject site. The River Liffey discharges into Dublin Bay to the east and parts of Dublin Bay are designated as a SAC, SPA and NHA. Further details are provided in Chapter 9 – Biodiversity of the EIAR.

12.9.3. Section 8.3 considers 'Predicted Impacts' and the description of the possible effects are those where no appropriate mitigation measures are put in place. Effects are similar to those in Chapter 7 – Land due to the inter-relationship between water and land, soils and hydrogeology.

- Do-Nothing Scenario: In this case, no development takes place, therefore there is no impact on water.
- Construction Phase: A number of potential issues in terms of sedimentation associated with surface water run-off, spillages, use of concrete/ lime on site, and culverting/ drainage works may interfere with the flow of watercourses and could create a local flood risk.



**Sedimentation:** Careful control of material stockpiling on site, run-off requires mitigation measures otherwise there is a potential for negative impact with a moderate effect over a temporary period.

**Spillages:** Potential for a direct, negative, temporary impact, which would be local in nature, but occasional in frequency. It is therefore considered a medium magnitude of effect on a medium sensitivity receptor and the overall significance of the impact is assessed as moderate.

**Concrete/ Lime use:** Use would be during the construction phase and would result in a medium impact to an environment of medium sensitivity and the significance of the impact is considered to be moderate.

**Culverting:** Potential for flood risk, however the submitted Flood Risk Assessment has found that there would be no negative impact on the existing floodplain and there would be no flood risk elsewhere, even with a significant blockage of the culvert. The predicted impact is therefore negligible on an environment of medium sensitivity and the significance of the impact would be imperceptible.

- **Operational Phase:** Impact could arise from increased surface water run-off with a potential for flooding and spills/ leaks could contaminate surface water run-off. A suitable SuDS strategy has been put in place and address these issues. Interceptors will be provided within the drainage system and will mitigate against the potential pollution of surface water.
- **Cumulative:** Assumption that other development in the area will include the provision of suitable drainage systems that meet the requirements of the Planning Authority.

12.9.4. Section 8.4 provides details on the proposed Mitigation Measures to be used on site. Details in relation to potential sedimentation are as per the outline Construction Environmental Management Plan (OCEMP). Appropriate measures will be taken in relation to Fuel and Chemical Handling on site and are detailed under Section 8.4.1.2. Similarly details in relation to the use of concrete and lime are provided under section 8.4.1.3. The importance of the OCEMP is detailed under Section 8.4.1.4. Operational Phase measures are assessed under Section 8.4.2 and include maintenance of watercourses and ensure that the drainage system is

working adequately. Residual impacts at the construction phase are considered to be slight on the surrounding water environment due to the implementation of suitable mitigation measures on site. No impacts are foreseen at the operational phase.

12.9.5. **Submissions and Observations:** No particular issues of concern were raised by the Planning Authority through the CE Report. Reference was made in third party submissions to potential flooding on site, and I am satisfied that the submitted flood risk assessment addresses these concerns and that a suitable surface water drainage system will be provided on site.

12.9.6. **Assessment:** The proposed development is for a residential scheme on suitably zoned lands, which is subject to a local area plan. Suitable mitigation measures are proposed that address any concerns in relation to impact on water courses and potential flooding issues.

12.9.7. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of Water.

## 12.10. Biodiversity

12.10.1. Chapter 9 considers the impact of the development on Biodiversity and this chapter was prepared by AECOM with full details of the authors provided in section 9.1.1., the 'Legislative Context' under Section 9.1.2., and relevant plans/policies in relation to Biodiversity under Section 9.1.3. The Methodology for this chapter is detailed under Section 9.1.4. A list of 'Desk study data sources' is provided in Table 9.1. Table 9.2 provides 'Ecological features excluded from field survey, with justification'. These are due to the common nature of listed species on site, or that the site would not support their habitat. A number of surveys are detailed in the EIAR and these follow the principals set out in relevant guidance, as outlined by the applicant. Included are a Habitat and Bat Survey, a Bat roost suitability assessment, and a Bat emergence/ re-entry survey. These surveys were undertaken in July 2020, August/ September 2021 and a roost suitability survey in June 2022. Further details in relation to the bat surveys are provided in Table 9.3,

9.4 and 9.5 of the EIAR. An Otter and a Badger survey were undertaken in July 2020 with a recheck survey in September 2021.

12.10.2. Table 9.6 outlines the 'Importance of Ecological Features' ranging from International Importance (Highest level) to Site Importance (lower level). Potential Impacts and Effects, and Significance are described in detail. Section 9.1.4.7 details any 'Limitations' that were identified in the preparation of this chapter of the EIAR. I note that under Section 9.1.6, no significant difficulties were encountered in the compilation of information in order to prepare this assessment.

12.10.3. Section 9.2 provides a 'Description of the Existing Environment' and Table 9.7 lists the 'Statutory designated nature conservation sites'. The Royal Canal pNHA is immediately adjacent to the subject site, the Liffey Valley pNHA is 1.5 km to the south east and all other listed sites are between 3.5 km and 17 km from the subject site.

12.10.4. Section 9.2.2 provides a detailed description of the habitats within 200 m of the subject site in accordance with the Fossil habitat types. Further details are provided in Figure 9.3 and Appendix 9.2. The type of vegetation, hedgerow and landscape are what are to be expected in a mostly agricultural/ rural area such as this. No evidence of roosting bats was found during the site survey. Two trees were identified as having moderate bat roost suitability. A derelict building was found to provide a low suitability for bat roosting. No bats were seen to emerge from this building or from the two trees during a dusk re-entry survey. Bat activity on site is listed in the EIAR and varies from high activity (July 2020 and September 2021) to low (August 2020). Table 9.9 provides a 'Summary of walked transect bat activity surveys' and further details are provided in the EIAR.

12.10.5. In relation to Otters, the only record was from 1980 at Beech Park House near the Royal Canal, recorded in the NPWS database. No signs of otters were recorded during the most recent surveys in July 2020 and September 2021, though it would be expected that there would be occasional otter presence along the Barnhill Stream. The NPWS database has four records of badgers within 2 km of the subject site, but no setts were recorded. Evidence of badgers during the site surveys were found.

12.10.6. A list of other small mammals expected on site is provided in Section 9.2.3.4 and details of birds under Section 9.2.3.5. Two pairs of yellowhammer, which are on the red list, were identified to the south of the site and a number of possible amber-listed birds were also identified. No rare or protected reptiles are recorded within 2 km of the subject site and site surveys reported that potential for breeding amphibians is very low. The Barnhill stream would not be suitable for a large fish population. The Royal Canal is known to contain a large number of coarse fish. The NPWS and the NBDC databases include seven red-listed invertebrate species, five of which are butterflies, one is the large red-tailed bumblebee and the other is the Lake Orb Mussel. Three red listed plant species located within 2 km of the site are listed on the database. Two of these are unlikely to be found on site and only St. John's Wort may be found here. No species were identified on the site surveys. Invasive animals in the form of the brown rat and rabbit may be found on site and no invasive plant species were recorded though Japanese Knotweed was found along the banks of the Royal Canal which is adjacent to the subject site.

12.10.7. Section 9.2.4 provides details on the 'Future Baseline'. The development is expected to commence within two years. Two roads (Ongar to Barnhill and Kellystown Link Roads) are to be provided by others.

12.10.8. Section 9.3 provides the 'Predicted Impacts'. The proposal is considered to be a permanent development and issues of decommissioning do not arise. Impacts are considered for both the construction and operational phases of the development. In the case of the Do-Nothing Scenario, it is likely that an alternative similar development would be provided on this site. In the absence of any development, it is unlikely that there would be any significant improvement in ecological condition as the site would most likely remain in agricultural use. Section 9.3.2 provides details on 'Features excluded from assessment'. Table 9.11 lists the designated sites within the zone of influence in terms of the 'Importance of ecological features'. Section 9.3.4 provides details on 'Embedded Mitigation' and which are listed in Table 9.12 and are considered in the context of relevant policies of the Fingal Development Plan 2017 – 2023. The provision of the wetland feature and other elements will benefit biodiversity.

12.10.9. The impact of the proposal is considered in terms of the Construction and Operational phases of the development.



#### Construction Phase:

- Section 9.3.5.1 concludes in relation to European Sites, 'It is therefore concluded that construction effects of the Proposed Development on European sites are unlikely and Imperceptible'.
- Impact on the Royal Canal could arise from waterborne and airborne pollution. Without suitable construction phase pollution controls, the EIAR predicts that there would be a temporary adverse effect on the Royal Canal pNHA through waterborne construction pollution. This would be unlikely and of Moderate significance. Similarly airborne pollution would be unlikely and of moderate significance.
- The results for the Liffey Valley pNHA would be similar for waterborne pollution, air pollution would be unlikely due to the distance between the designated site and the subject site.
- A buffer habitat is to be provided along Barnhill Stream. Both Waterborne and Airborne pollution would at most be temporary, would be likely and of slight significance.
- In terms of Terrestrial Habitats, the proposed development will include the retention of significant lengths of hedgerow, the planting of trees and the provision of a wetland area. The EIAR reports that the 'overall biodiversity benefit of these proposals is significant and there is predicted to be a permanent beneficial effect on habitats at the Local (Local Higher) level, which is likely and (since the benefit would not be of consequence at the County scale but is consequential to the wider local area) of Moderate significance'.
- The construction phase may result in the loss of potential bat roosts, though none were located on site and suitable locations are limited. If there is a loss of bat roost, this would result in a permanent adverse effect at the Local Level, is unlikely and would be of slight significance. In terms of loss of foraging/commuting habitat, whilst the nature of the area may change, open fields are not preferred by bats and it is proposed that a significant number of trees will be planted on site. The overall affect will be neutral, and impact will be not significant. Similarly at construction stage, the impact would be limited and not significant.

- In terms of Otters, the impact would be a permanent beneficial effect at the local level and of slight significance. The provision of the wetland and retention of the stream would be of benefit. Impact from pollution would result in a temporary adverse effect of less than Local consequence, would be unlikely and Not Significant. Consideration is also given to otter mortality during the construction phase and in the absence of suitable mitigation measures, the effect would be unlikely but significant.
- The impact on badgers is likely to be low as the identified badger sett is located within a hedgerow that is proposed for retention. The overall impact at the construction stage would be likely but not significant. There is likely to be a loss of foraging habitat on the subject site, however alternative locations are available on adjoining lands. Whatever the impact, badgers are likely to remain common in the area. As with the otters, badger mortality at the construction phase is unlikely and of slight significance.
- Consideration is given to the impact on other protected mammals at construction stage and in terms of habitat loss, the impact would be likely and of slight significance and in terms of mortality, the impact would be unlikely and not significant.
- The provision of the wetland and protection of the stream through the site results in a permanent beneficial effect on amphibian and reptilian habitats, which is likely and of Moderate significance.
- Section 9.3.5.12 considers the impact on Breeding Birds. The presence of the hedgerows on site is important for breeding birds. The identified yellow hammers are located to the south of the site and the landscape in this area is to be protected. Other protected bird species are not likely to be present due to the nature of the landscape and lack of suitable habitat. The EIAR reports, 'there is predicted to be a permanent beneficial effect at the Local (Local higher) scale on the extent of breeding bird habitat and breeding bird diversity and abundance, which is likely and of Moderate significance'. Consideration is given to potential barn owl mortality, though this is unlikely, but would be of moderate significance. If it did occur, it would be in breach of protection under the Wildlife Acts.

- In terms of the general breeding bird populations, there is a high likelihood of accidental destruction of active nests during the construction phase of the development, however bird nests are protected under the Wildlife Acts. The 'damage or destruction of active nests of general breeding birds, which would be likely and Not Significant'.
- Impact to the numbers of Lake Orb Mussel is unlikely to be significant, given the small size of the Barnhill Stream. Overall, there is expected to be no effect on the extent of this mussel habitat arising from the construction phase of the development. Pollution of the habitat is likely but not significant.

12.10.10. As with the Construction phase, the impact at Operation phase is considered and is reported under Section 9.3.6. In summary the following is reported:

- European Sites: The operational effects are expected to be unlikely and imperceptible.
- Royal Canal pNHA: Water pollution is predicted to have an unlikely and imperceptible effect on the Royal Canal and airborne pollution, from residents vehicles, is likely but imperceptible.
- Liffey Valley pNHA: The operational effects are predicted to be unlikely and imperceptible in term of waterborne pollution.
- Barnhill Stream: The operational effects are predicted to be unlikely and imperceptible in term of waterborne pollution.
- Bats: The proposed development would be predicted to have an overall neutral effect on foraging and commuting bats by operational disturbance and which is considered to be unlikely and not significant.
- Otter: Potential pollution of the otter habitats is dealt with by the proposed SuDS measures. Barnhill Stream is to be retained and measures are proposed that will ensure that otters can access it, thereby avoiding collisions with vehicles. There is therefore predicted to be No Effect on otter through injury during the operational phase of the development.
- Badger: There is a potential for collisions between badgers and vehicles, especially in areas with busy roads. The proposed development will contain low

speed roads and a badger underpass will be provided as part of the upgraded road network. It is reported that 'badger-vehicle collisions are likely to be rare, and there is predicted to be a permanent adverse effect at the Local (Local Lower) level only, which is unlikely and Not Significant'.

- Other Protected Mammals/ Amphibians/ Reptiles: Adverse impacts are not foreseen at the operational stage of the development, except perhaps through the predation of pygmy shrews by domestic cats.
- Breeding and Wintering Birds: The one possible adverse effect is again from potential predation by domestic animals. This is of slight significance and would impact on the likely increase in bird diversity from the proposed wetland and woodland creation.
- Lake Orb Mussel: No adverse impacts expected at the operational phase of the development.

12.10.11. Cumulative Assessment is considered under Section 9.3.7 and this section has regard to the other similar developments in the area most notably in Hansfield. The main impacts of proposed developments in the Hansfield SDZ are reductions in foraging/ commuting habitat for bats and badger. The subject development is considered to have an overall neutral effect on bat commuting/ foraging habitat for the reasons outlined in the EIAR, including the provision of new, suitable foraging habitat in the form of the proposed wetland and adjacent meadows, native tree planting, with significant unlit areas, and the retention of significant lengths of hedgerows with mature trees. There will be no cumulative adverse effect with regards to bat foraging/ commuting habitat. In terms of the badger foraging habitat, the cumulative loss will be larger with the subject development combined with the nearby Hansfield SDZ areas. There are extensive agricultural fields suitable for badger foraging located to the south, west and partially to the east of the subject development. These lands are designated in the Fingal Development Plan for retention as either 'Open Space', 'High amenity' and 'Green belt'. The EIAR considers there to be a high probability that suitable habitat for badger will remain indefinitely in the local area within County Dublin. In addition, adjacent areas of County Meath and County Kildare are also rural and are likely to remain so. Therefore, the cumulative effect on badger is considered to remain of Slight



significance. There may be a loss of grassland associated with the provision of a pedestrian link between the subject site and the edge of the canal, this is considered to be likely and of slight significance.

12.10.12. Section 9.4 details proposed 'Mitigation Measures' and these address the Construction and Operational phases of the development. These are provided under Sections 9.4.1.1 to 9.4.1.9 for the Construction Phase and the Operational Phase measures are provided under Sections 9.4.2.1, consisting primarily of the provision of 20 bat boxes. These will be provided in advance of the demolition of any structures on site/ removal of trees to ensure that if bats are found on site at that time, suitable roosting areas can be provided.

12.10.13. Monitoring primarily refers to the control of potential pollution, monitoring of habitats and monitoring for protected species. Residual Impacts are listed under Section 9.5 of the EIAR. Without mitigation, there is the potential for Moderate/ Significant adverse impacts but also Slight/ Moderate Beneficial impacts through the provision of the wetlands, meadows and woodland areas. The applicant reports, 'The residual adverse effects of the Proposed Development that will remain are loss of badger foraging/commuting habitat, and likely predation of birds by the pets of the residents of the Proposed Development. There will also be a cumulative Slight adverse effect arising through completion by other parties of the short footpath linking to the canal footpath, completion of which would pass through a very small amount of grassland in the Royal Canal pNHA. Loss of badger foraging/commuting habitat cannot be appreciably mitigated since the pasture dominating the baseline environment is suitable and known to be visited by badger, and neither can bird predation by pets be prevented. However, these remaining residual adverse effects are of Slight significance only, for the reasons set out in the impact assessment, and are not considered an impediment to the Proposed Development, which achieves several important and counteracting beneficial effects for biodiversity as summarised in the last bullet points above'.

Note: This chapter of the EIAR contains a number of maps that indicate the location of different species identified on site, the location of designated sites in relation to the subject site, watercourses, tree data in relation to habitats and the location of bats found on site.

12.10.14. **Submissions and Observations:** The Planning Authority through the CE report did not raise any issues of concern in relation to this Chapter of the EIAR. A third-party submission raised the presence of Japanese Knotweed on site and which they considered was not adequately addressed. It was also requested that a drainage ditch leading to Barnhill Stream be retained.

12.10.15. **Assessment:** The submitted details in the EIAR provide a detailed assessment of the current situation in relation to Biodiversity and the potential impact on it through the construction and operational phases of the development. I note that the species found on site are generally common in the area and nationally and whilst some may be listed as of concern at an EU level, they are not rare or under threat at an Irish level. The applicant has proposed a detailed range of mitigation measures, and these are considered to be acceptable. Site clearance works would be restricted to the requirements of other non-planning legislation.

12.10.16. I am satisfied that the identified impacts would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts on Biodiversity.

## 12.11. Noise & Vibration

12.11.1. Chapter 10 has been prepared by the SLR Acoustics Team. Relevant guidance and technical standard on Noise is provided under Section 10.1.2. Road traffic noise is to be assessed as the road network is to be revised in the area, in terms of the Ongar-Barnhill Road and the Kellystown Link Road.

12.11.2. The Methodology for the assessment is provided under Section 10.1.3, with Table 10.6 providing the 'Sensitivity Criteria for Acoustic Receptors', Table 10.7 provides the 'Construction Noise – Impact Magnitude' and Table 10.8 'Construction Vibration – Magnitude of Change (Impact)'. These tables provide the magnitude of impact and the various acceptable thresholds/ thresholds not to be exceeded.

Operational Noise Impacts are provided in Tables 10.9 and 10.10 for impact on residential development – Daytime/ Night Time and Table 10.11 provides 'Commercial Noise Upon Residential Receptors – Impact Magnitude'. Traffic noise impacts are considered under Table 10.12 'Development Related Traffic – Short-

Term Magnitude of Change (Impact)' and Table 10.13 'Development Related Traffic – Long-Term Magnitude of Change (Impact)'. The sensitivity of the receiving environment together with the magnitude of impact defines the level of effect as indicated in Table 10.14 – 'Level of Effect Matrix'.

12.11.3. The existing environment is detailed under Section 10.2 of the EIAR. Baseline Survey Results are detailed in section 10.2.3 with Table 10.17 providing 'Noise Survey Results' for road traffic. Table 10.18 provides a table of train generated noise and this is expected to change over time with the increase in frequency of trains. Full consideration is given to the future road network in the area, and it is reported that the noise levels/ sources will be different from that at present. As the frequency of the future train service is not known at present, an estimation of noise levels is provided.

12.11.4. 'Predicted Impacts' are assessed under section 10.3. Full details of the plant to be used at site clearance/ enabling works stage is provided in Table 10.22 and road construction plant is listed under in Table 10.23, groundworks Plant in Table 10.24, substructure works in Table 10.25 and superstructure works plant in Table 10.26. Working hours will be standard for a building site of this type.

12.11.5. Table 10.27 provides details on the 'Predicted Noise Levels and Assessment, LAeq dB(A)' and all listed receptors would experience a negligible impact and negligible effect.

12.11.6. Disruption from vibration is expected to be temporary in nature and intermittent in nature. Table 10.28 provides the 'Predicted Construction Vibration Levels' arising from the construction of the proposed development. The following is derived from the table:

- 'There will be a Minor Impact and Effect at Aldemere House, which is located 150m from the site.
- there will be a Minor Impact and Effect at Meadow Brook which is located 116m from the site.
- There will be a Minor Impact and Effect at Barnhill House as the property is located 95 from the site.

- There will be a Moderate Impact and Effect at the receptors to the north will be moderate as they are located approximately 65m from the site'.

12.11.7. Figure 10.2 provides a noise map of the subject site, High Impact areas are associated the road network and the railway line to the north. Cumulative impacts are from the traffic generated from adjoining development and using the local road network adjacent/ within the subject site.

12.11.8. A list/ assessment of Mitigation Measures is provided in Section 10.4 of the EIAR. Construction Phase Mitigation is provided in Section 10.4.1.1 and Operational Phase Mitigation in Section 10.4.1.2. At operational stage, external measures include the provision of 1.8 m high solid wooden fences at the boundary of identified effected plots – those adjacent to the road network. Internal measures refer to glazing specifications, and suitable ventilation to be provided, following the completion of the final design of this element of the development.

12.11.9. Residual Impacts are considered in Section 10.5 at both construction and operational phases of the development. No issues of concern are raised in this regard.

12.11.10. **Submissions and Observations:** No particular issues of concern were raised by the Planning Authority through the CE Report. Third party submissions raised no specific concerns.

12.11.11. **Assessment:** The submitted information demonstrates that the proposed development will not give rise to noise and vibration that would impact on sensitive receptors. Potential issues are addressed in terms of appropriate mitigation measures.

12.11.12. I am satisfied that the identified impacts would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of noise and vibration.

## 12.12. Air Quality

12.12.1. Chapter 11 deals with Air Quality, SLR have prepared this chapter of the EIAR, relevant legislation, policy and guidance is provided in Section 11.2, with



Methodology provided in Section 11.4. The Methodology considers the impact at Construction and Operational phases. Table 11.2 provides the 'Magnitude of Change' in relation to air quality and Table 11.3 details the 'Air Quality Impact Descriptors'. Section 11.5 provides a 'Description of Existing Environment'. Baseline Air Quality is detailed under 11.5.2 with information provided in Table 11.4 of 'Air Quality Monitoring Data' from three locations, Blanchardstown, Phoenix Park and Ballyfermot Station.

12.12.2. Section 11.6 provides an assessment of 'Construction Impacts Mitigation & Monitoring Measures'. A list of construction activities is provided:

- 'Demolition/removal of existing structures;
- material export and import;
- temporary stockpiling of materials;
- groundwork for foundations and services;
- construction of buildings;
- landscaping works; and
- vehicle movements (with the potential to track-out material from site)'.

Construction activities would be divided into five separate phase, and it is likely that more than one phase could be underway at the one time. The assessment considers a worst case scenario where all five phases are underway at the same time and the EIAR reports that 'Although this has the consequence of overestimating the risk of dust impacts, it does ensure that the level of control required is more than satisfactory to control any emissions during the 10-year construction phase'.

12.12.3. Impact from construction dust on ecological receptors can be screened out as there are none within 50 m of the subject site. Potential impacts on Biodiversity have been assessed in Chapter 10 of this EIAR. The assessment, therefore, considers the impact on 'human receptors' within 350 m of the site. Table 11.5 provides 'Potential Dust Emission Magnitude' and the factors that make up the 'Sensitivity of the Area' are provided in Section 11.6.3. Table 11.6 provides the 'Sensitivity of the Area – Unoccupied' and Table 11.7 provides the 'Sensitivity of the Area – Occupied'. The risk of dust impacts for unoccupied locations is outlined in Table 11.8 and for occupied locations in Table 11.8.

12.12.4. Section 11.7 of the EIAR outlines the 'Operational Impacts, Mitigation and Monitoring Measures' for the subject site/ proposed development. Table 11.10 provides 'Predicted Changes in Annual Average Daily Traffic Flow – 2025', table 11.11 does the same for 2030 and Table 11.12 for 2040. 'Traffic Emissions Receptors' are provided in Table 11.13, 'DMRB Input Data 2030' in Table 11.14 and 'DMRB Input Data 2040' in Table 11.15. 'Predicted Impacts & Significance of Effect' are detailed under Section 11.7.3. No significant issues of concern are raised. The proposed Barnhill to Ongar Road shows significant increases in traffic. As with traffic emissions, details are provided in tables 11.16 to 11.18 for years 2025, 2030 and 2040 for Annual Mean NO<sub>2</sub> concentrations. The magnitude of change ranges from small to imperceptible and the impact significance was found to be negligible in all cases.

12.12.5. Mitigation Measures and Residual Impacts are assessed under Section 11.8 of the EIAR. Details are again provided in tabular form with Table 11.22 providing the 'Construction Dust Mitigation and Monitoring Measures'. This includes details on consultation as well as actual physical measures proposed to address these issues. No specific mitigation measures are required at the operational phase of the development. No concerns are raised in relation to residual impacts (section 11.9) and under Section 11.10 'Cumulative Impacts', there is no particular issue of concern as there are no identified construction sites within 350 m.

12.12.6. **Submissions and Observations:** No particular issues of concern were raised by the Planning Authority through the CE Report. No third-party submissions raised particular issues of concern in relation to Air Quality.

12.12.7. **Assessment:** The submitted information demonstrates that the proposed development as submitted will not impact on Air Quality. Suitable mitigation measures are proposed where they are deemed appropriate. I note that there is a significant increase in vehicle movements on the proposed Ongar to Barnhill Road in years 2025 and 2030, though the numbers using it are not as great in year 2040. This road will allow for a variety of journey types in the area including providing connections between Dublin 15, Lucan and Leixlip/ M4 and also allows for local journeys. As the main road serving this development, it will provide a

significant means of access to/ from the proposed development and the surrounding area.

12.12.8. I am satisfied that the identified impacts would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of air quality.

### 12.13. Climate Change

12.13.1. Chapter 12 has been prepared by SLR Consulting Ireland. Legislative Framework/ Policy Context is provided under Section 12.2. The report provides a list of climate change policies/ actions in Table 12.1 of this chapter. Fingal County Council's Climate Change Action Plan 2019 – 2024 was adopted in 2019 and contains 133 actions that cover:

- Energy and Buildings;
- Transport;
- Flood Resilience;
- Nature-Based Solutions;
- Resource Management

National Policy is in accordance with European Union requirements and includes the National Planning Framework, Climate Action and Low Carbon Development Act, 2021, and the National Energy Efficiency Action Plan (NEEAP) 2009 - 2020. In addition to the Fingal Development Plan 2017 – 2022, The Barnhill Local Area Plan 2019 promotes energy efficiency and the use of sustainable forms of transport. Section 12.2.3 sets out details on Green House Gas Emissions with policies provided that seek to reduce the volume of emissions. The Climate Change Advisory Council have set out clear carbon budgets over the years 2021 to 2035:

- 2021-2025: 295 Mt CO<sub>2</sub> eq. an average of -4.8% for the first budget period.
- 2026-2030: 200 Mt CO<sub>2</sub> eq. an average of -8.3% for the second budget period.
- 2031-2035: 151 Mt CO<sub>2</sub> eq. an average of -3.5% for the third provisional budget.

The EIAR includes a list of other relevant policies, directives and programmes that are relevant to the area of climate change.

12.13.2. Methodology is provided under Section 12.3 and has regard to research carried out by national bodies. Under the section on 'Development Vulnerability Assessment Methodology (12.3.1.1), table 12.2 provides the 'Scale of Likelihood of Climate Hazard', ranging from rare with a 5% occurrence to almost certain at 95%. The report provides a number of (blank) tables on Climate Hazard Impact Analysis, Sensitivity of Project to Climate Hazards, Exposure of Project to Climate Hazards, and Vulnerability Analysis of Project to Climate Hazards.

12.13.3. The Baseline Environment is outline in Section 12.5 of the EIAR, and this includes Table 12.7 which details 'Climate Impacts Projections: 30-year overview'. The Local Context is considered under Section 12.5.2 with details provided on temperature and precipitation levels. Figure 12.1 gives a 'Windrose for Dublin Airport' and indicate that the south west winds are the predominant form of wind for the period assessed.

12.13.4. Section 12.6 provides the 'Potential Impact of the Proposed Project'. During the construction phase, impacts from identified hazards are rear to unlikely in all cases other than for Storms and Winds and for Extreme Rainfall with a Moderate possibility. These may have an impact on energy provision and transport links as well as on-site assets. At operational stage the potential for climate hazards from extreme rainfall, heat and storms and winds is considered to be Almost Certain. Impacts on transport links, energy provision would be high with draught impacting on water availability.

12.13.5. Mitigation Measures are provided in Section 12.7 and appropriate measures are outlined in Table 12.20. Green House Gas reduction is dependent on the availability/ accessibility of sustainable transport modes, housing with efficient energy provision and energy demand reduction. No specific issues are raised in relation to Residual Impacts. It is noted that the EIAR reports that 'whilst the development will result in increased greenhouse gas emissions, due to the enhanced construction methods, energy specification and master planning design features, the greenhouse gas emissions per bedspace associated with the proposed development will be considerably lower than that of the existing older housing stock



in the region. Therefore, the average greenhouse gas emissions per head of population will be reduced within the region. As existing housing stock is redeveloped in the future, new technologies are brought online, and the electricity grid is decarbonized, the situation will further improve'.

12.13.6. **Submissions and Observations:** No particular issues of concern were raised by the Planning Authority through the CE Report.

12.13.7. **Assessment:** The submitted information demonstrates that the proposed development as submitted will not have an adverse impact on Climate Change. It is accepted that the development of the site will give rise to increased CO<sub>2</sub> through emissions at construction stage and from increased traffic at operation stage. As reported, the proposed development, primarily of housing, will be built to a high standard with reduced demand for energy. The energy demand is much lower than is the case with existing house stock in the area.

12.13.8. I am satisfied that the identified impacts would not have an adverse impact on Climate Change.

#### 12.14. Cultural Heritage

12.14.1. Chapter 13 has been prepared by John Purcell Archaeology and by John Cronin & Associates. The Methodology under Section 13.3 provides details on the study methodology, written sources, and a field inspection. The site is described under Section 13.4 and there are no monuments listed on the Record of Monuments and Place for County Dublin, no protected structures included on the Record of Protected Structures of Fingal County Council. The nearest protected structure is Packenham Bridge at the Royal Canal. The site survey found nothing of architectural heritage significance.

12.14.2. Section 13.6 provide a 'Review of cartographic sources' for the area. A number of figures illustrate historic maps for the area, including the Down Survey map, the Rocque Map and OS 6-inch and 25 inch-maps. The townland names have a long history dating back to 1455.

12.14.3. Archaeological testing found a number of pits located to the northern section of the site. 'The impact on the pits and any associated features as a result of the construction phase would be profound. Should the development proceed as planned (and in the absence of mitigation measures), the impact on the identified

archaeological features will be permanent, negative and direct; however, the significance of the impact will be slight'. No National Inventory of Architectural Heritage (NIAH) structures would be impacted by the proposed development. The impact on structures would be permanent, negative and direct but with a slight significance. No impacts at operational phase are expected and no cumulative impacts are foreseen either.

12.14.4. In terms of Mitigation Measures (Section 13.10), if development takes place, preservation by record or archaeological excavation of archaeological feature will be required, to be carried out under licence. It is recommended that a building record of the derelict farm complex be undertaken by a suitably qualified historic building specialist. No residual impacts of concern are identified and monitoring will be in accordance with National Monuments Service requirements.

12.14.5. **Submissions and Observations:** No particular issues of concern were raised by the Planning Authority through the CE Report. The Department of Housing, Local Government and Heritage have recommended that archaeological monitoring be undertaken in the event that permission is granted for the proposed development. No issues were raised in the third party submission in relation to impact on cultural heritage.

12.14.6. **Assessment:** The submitted information demonstrates that the proposed development as submitted will not impact on Cultural Heritage. I note the comments of the Department and their recommendations can be provided in the form of a suitable condition.

12.14.7. I am satisfied that the identified impacts would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts on cultural heritage.

## 12.15. Population and Human Health

12.15.1. Chapter 14 has been prepared by McCutcheon Halley Planning Consultants. This chapter has cross referenced issues with other chapters of this EIAR including Landscape and Visual Impact (Chapter 4); Traffic and Transport (Chapter 5); Land (Chapter 7); Water (Chapter 8); Noise and Vibration (Chapter 10);

Air Quality (Chapter 11); and Climate Change (Chapter 12). This Chapter, 14, considers those impacts which are not already addressed by the remaining chapters of the EIAR.

12.15.2. The Methodology is provided under Section 14.2 and the study area is indicated in Figure 14.1. Under the section 14.2.3 'Difficulties Encountered in Compiling Information', the primary issue raised was the use of the 2016 census data as full data from the 2022 census was not available at that time. Baseline data/site details are provided under Section 14.3. This includes household size, tenure, commuting details and general population information. Land use details and availability of educational facilities are also detailed. Table 14.8 lists primary schools within 3 km of the site and second level schools are listed in Table 14.9. Childcare facility details are provided in Table 14.10, for up to 1.7 km from the site. Health, sport and social facilities are also detailed. Retail provision is primarily located in Ongar Village with Blanchardstown Shopping Centre providing regional level retail.

12.15.3. Section 14.5 identifies the principal potential receptors as follows:

1. Existing residential dwellings along Barberstown Lane North and by the R149;
2. Surrounding residential estates and dwellings;
3. Community Facilities and Services including;
4. Existing educational facilities such as pre-schools, primary schools and post-primary schools;
5. Social amenity facilities such as banks, the post office, library, churches, medical centres, dental surgeries;
6. Local amenities including community groups, clubs, societies as well as sports facilities and amenity walks;
7. Owners and employees of commercial activities;
8. Adjacent owners of agricultural land;
9. Temporary receptors such as passing traffic or pedestrians on the R149; Barberstown Lane North; and Barberstown Lane South;
10. Hansfield Train Station.

In the Do Nothing Scenario, the site would remain a greenfield site and would not be developed in accordance with the statutory plans for the area. This would not result in the development of the site for housing, which is required, and patronage of Hansfield station would be lower than expected.

12.15.4. Impact Assessment is considered under Section 14.6 and under the Construction and Operational phases, potential impacts are considered for the following:

- **Land Use:** Change from agricultural to residential and commercial uses. The development complies with the statutory land use of the Barnhill Local Area Plan with the exception of stated material contraventions of the LAP and the Fingal Development Plan. The impact of the proposed development would be a significant positive effect through the provision of required housing.
- **Human Health Impacts:** Potential impacts at the construction stage in a variety of ways and by several environmental receptors which includes, water, biodiversity, climate, flooding, air, and major accidents. These issues are addressed throughout the EIAR, with appropriate mitigation measures. An Outline Construction and Environmental Management Plan has been prepared by CSEA in support of the application and outlines the measures that will be taken during the construction phase of the development. Impact from construction related traffic will be a short-term, neutral and imperceptible effect provided the mitigation measures set out in the Outline Construction and Environmental Management Plan prepared by CSEA are carried out in full. This section of the EIAR concludes, 'With mitigation measures in place, any significant negative effect on human health from the construction process is unlikely'.
- **Population and Economic Activity Impacts:** The proposed development has the potential to boost economic activity through construction related activity, over the period October 2024 to July 2032. The estimated residential unit output by year end is provided in Table 14.12. The impact of the construction phase of this development will have a likely, positive, moderate, short-term impact on Population and Economic Activity in a local and county wide context.
- **Local Amenity Impacts:** There is likely to be some disruption during the construction phase of the development and again, construction will be subject to



the outline CEMP. This section of the EIAR concludes, 'The impact of the construction phase will have a likely negative, slight to moderate, short-term effect on residential amenities in the local area. Compliance with the CEMP and CTMP will avoid, reduce, or mitigate negative impacts'.

Table 14.13 details the 'Potential Significant Impacts on Population and Human Health during the Construction Phase'.

12.15.5. The Operational Phase is assessed under Section 14.6.2 of the EIAR and is again considered under the following four heading:

- Land Use: The proposed development will provide for new housing and a new residential community with suitable amenities/ services. The proposed development would therefore have a likely, positive, significant, permanent impact on land use in this context.
- Human Health: Negligible impact from traffic emissions and other issues have been covered already in the EIAR. A 'Daylight and Sunlight Assessment Report', prepared by 3D Design Bureau concluded that for a scheme of this scale/ density, the levels of daylength and sunlight achieved should be considered favourable. This report also concludes that the proposed scheme design is sympathetic on the existing neighbouring properties. The subject development will provide for amenity spaces available to the public. The operational phase of the proposed development would therefore have a likely positive, significant, permanent impact on Human Health in a local context.
- Population and Economic Activity: The proposed development is for 1,243 residential units and associated facilities/ services, accommodating around 3,500 residents and creating employment for 161 people. Table 14.14 provides an 'Estimate of Employment in Commercial and Medical Uses'. The development will aid the provision of housing in the area and represents a long-term positive impact on the local economy through the sustainable mix of uses within the proposed development and a significant increase in the local population which will avail of local goods and services.
- Local Amenity and Services: The development provides for public open space, play facilities, and childcare facilities. Table 14.15 provides an 'Estimate of Childcare and School Demands', and tables 14.6 and 14.7 provide further

estimates based on child population numbers. The EIAR considers that the true demand for childcare places will be less than that provided in Table 14.15. The section on childcare concludes:

'The impact of the proposed development on childcare provision is likely to have a slight negative effect on local amenity in the area in the short-term due to the initial occupation of the proposed development prior to the construction of the crèche. However, once the crèche has been constructed it will be able to accommodate demand arising from the development and thus it is unlikely to have an effect on local amenity'.

In relation to school places, the subject development includes the provision for a primary school, which would meet the demand generated by the scheme. The post-primary school demands can be met by existing schools in the local area. The impact of the proposed development on school provision is likely to be neutral to slight negative, the extent of the impact will be local, and the duration of the impact will be permanent.

Healthcare provision will be met by the existing services in the area, however a medical centre is proposed in the local centre and the impact of the proposed development on healthcare provision is therefore likely to be neutral, the significance imperceptible, extent of the impact will be local, and the duration of the impact will be permanent.

Table 14.18 details the 'Potential Impacts & Effects on Population and Human Health during the Operational Phase' of the proposed development.

12.15.6. Section 14.7 of the EIAR considers the 'Risk of Major Accidents and Disasters' and this is primarily addressed in Chapter 15 of the EIAR. The consequences of some of these disasters/ accidents would be significant, however the likelihood of them would be low.

12.15.7. Section 14.8 provides an assessment of Cumulative Impacts. Table 14.19 provides a 'Review of Planning Applications With Permission Granted For Development Within Hansfield SDZ 2015 – 2022'. The provision of the CEMP and CTMP will ensure that there will be no risk of significant construction phase cumulative impacts with other proposed developments. In general, any overlap of construction phases would result in short term effects. The operational phase of the

subject development and the development of Hansfield SDZ is not considered to have any additional significant negative cumulative impacts on human health, population and economic activity or local amenity.

12.15.8. Suitable Mitigation Measures are provided in Section 14.9, though most of these measures have been detailed in the relevant chapters of the EIAR. The applicant states that the 'proposed development design incorporates sufficient community, recreation, childcare, and primary education facilities to meet the needs of the future population of Barnhill Garden Village'. Consultation has been held with the Department of Education and Science in relation to school space provision. The EIAR states:

'There is a potential for a residual cumulative negative moderate effect on post-primary education facilities if additional capacity is not provided by the Department of Education. The applicant will seek to avoid this residual effect by providing annual reports of the progress of the development, and associated post-primary demands, to the Department of Education, to inform the Department's investment decisions'.

12.15.9. Details on 'Monitoring' is provided under Section 14.11 and monitoring of compliance with relevant Health and Safety requirements will be undertaken by the Project Supervisor during the construction phase of the development. The Worst Case Scenario is considered under Section 14.12, whereby mitigation fails and an accident occurs, though this is considered to be unlikely.

12.15.10. **Submissions and Observations:** No particular issues of concern were raised by the Planning Authority through the CE Report. Third Party submissions referred to the need for community facilities to be provided in conjunction with the development of the site. It was also considered that the amount of public open space had been reduced from what was indicated in the Barnhill Local Area Plan.

12.15.11. **Assessment:** The submitted information demonstrates that the proposed development as submitted will not negatively impact on Human Health. The submitted EIAR indicates that the development will provide beneficial impacts through the provision of housing within an area with a need for housing, in addition to facilities including public open space, childcare and community facilities will be provided for. I note the comments in relation to open space provision and this is

assessed further in the planning assessment, though it should be stated that the LAP is indicative in terms of the location of open space and other elements of development.

12.15.12. The provision of suitable educational facilities is assessed in detail in this chapter. The development, allocates land for the provision of a primary school and this will be provided by the Department of Education and Science. Depending on the ability of the department to develop this school, there may a shortfall in school places in the area, though it is clear that the overall south west part of Dublin 15 is well provided for in terms of primary school places/ facilities. No specific provision is made for secondary schools, though it is evident that there is sufficient capacity in the wider Dublin 15 area.

12.15.13. I am satisfied that the identified impacts would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts on public health.

#### 12.15.14. **Major Accidents and Disasters**

12.15.15. Chapter 15 assessed the potential for major accidents and disasters and this chapter has been prepared by AFECOM UK and Ireland Environmental and Sustainability Team. Relevant legislation is listed under Section 15.1.2 and Definitions are provided under Section 15.1.3. The Methodology is detailed under section 15.2 of the EIA. Major accidents and disasters are identified in this section of the report. 'Descriptions of Impacts and Effects' are listed within Table 15.1. An 'Overview of the Proposed Development' is provided under Section 15.3. and 'Environmental Receptors' under Section 15.4, detail in Table 15.2 'Receptors Within Study Area'.

12.15.16. Under Section 15.5 'Hazard Source and Pathway Screening', Table 15.3 provides a 'Hazard Source and Pathway Screening'. Under Section 15.6 'Predicted Impacts' Screening of hazardous sources and pathways has been provided and identifies two credible MA&D scenarios, which are:



- 'Scenario 1: A fire and/or explosion caused by a loss of containment of highly flammable natural gas contained in distribution pipework to properties during the operational phase.
- Scenario 2: Failure of electrical transmission systems which could occur during all phases of the Proposed Development. This incorporates Scenarios 4 and 5 in Table 15.3'.

12.15.17. Section 15.6.1 details the 'Do-Nothing' scenario, and Section 15.6.2 provides the construction phase impacts as follows:

- 'Accidental spills and leaks of substances such as diesel which have the potential to contaminate surface water discharge, soil and groundwater.
- The use of materials such as concrete and cement which have the potential to contaminate surface water run-off and watercourses'.

Whilst sedimentation leading to impacts to watercourses may occur, the impact would not be of such a level to give rise to a MA&D scenario.

Operational phase impacts include:

- 'Increased surface water run-off from the site due to development of land has the potential to increase the risk of flooding if surface water design does not limit the discharge from the site to greenfield discharge rates.
- Accidental spills and leaks from development use / leaking pipes has the potential to contaminate surface water run-off, if adequate interceptors are not incorporated within the proposed development'.

Without suitable mitigation measures in place, surface water flooding and leaks from pipework containing water and foul water are a potential hazard, however the impacts are below the level at which would correspond to a MA&D.

Demolition is considered under Section 15.6.4, with impacts similar to those at the construction phase. Cumulative Impacts are not likely due to the nature of the development and that on adjoining lands, which is a similar form of residential development.

12.15.18. Mitigation Measures are provided in Section 15.7 and in Table 15.4 'Credible Major Accident and Disaster Scenarios, Impacts and Mitigation measures'.

Emergency Management is considered under Section 15.8 and Residual Impact in Section 15.9. Conclusions are provided under Section 15.10 of the report and concludes:

'Major accidents are by nature high consequence, low probability events and generally require a number of simultaneous failures to occur in order for an event to take place. Although the consequences of these findings appear significant, the likelihood of them occurring is low.

The credible MA&D scenarios identified for the Proposed Development are well understood hazards which are managed via established Regulations and industry standards'.

12.15.19. **Submissions and Observations:** No particular issues of concern were raised by the Planning Authority through the CE Report. Third Party submissions did not raise any issues of concern.

12.15.20. **Assessment:** The submitted information demonstrates that the applicant has considered the potential for Major Accidents & Disasters. These are considered for the construction and operational phases of the proposed development.

12.15.21. I am satisfied that the identified impacts would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not give rise to Major Accidents, and Disasters.

#### 12.16. Significant Interactions of Impacts

12.16.1. Chapter 16 was prepared by McCutcheon Halley Planning Consultants and full details of the 'Assessment Methodology' are provided in Section 16.1.2, primarily the relevant Legislative Requirements. Section 16.2 provides a 'Description of Significant Interactions' and these are outlined in Table 16.1.

12.16.2. **Assessment:** The submitted information provides full details on the interactions between different identified factors. No issues of concern arise in this regard.

#### 12.16.3. **Schedule of Mitigation Measures and Monitoring**

12.16.4. Full details of all mitigation measures are provided in Chapter 17. This is details in Table 17.1 – 'Mitigation and Monitoring Table' and provides suitable measures for the issues raised in each of the chapters of this EIAR.

12.16.5. The submitted information is considered to be acceptable and provides a thorough response to the requirements for mitigation as necessary.

**12.17. Appendices:**

12.17.1. The EIAR includes Appendices in support of the EIAR, and these are set out in accordance with the relevant chapters of the EIAR:

Chapter 1: Appendix 1.1 Public Consultation

Chapter 4: Photomontages and CGI Booklet

Criteria and Definitions Used in Assessing Landscape and Visual Effects

Assessment of Potential Landscape Effects

Assessment of Potential Visual Effects

Chapter 9: NBDC and NPWS records

Plant survey results

Chapter 10 Construction Mitigation

Level 0A\_Daytime Glazing Specification

Level 1A\_Daytime Glazing Specification

Level 2A\_Daytime Glazing Specification

Level 3A\_Daytime Glazing Specification

Level 4A\_Daytime Glazing Specification

Level 5A\_Daytime Glazing Specification

Level 6A\_Daytime Glazing Specification

Level 7A\_Daytime Glazing Specification

Level 8A\_Daytime Glazing Specification

Level 9A\_Daytime Glazing Specification

Level 10A\_Daytime Glazing Specification

Level 11A\_Daytime Glazing Specification

Chapter 12 Greenhouse Gas (GHG) Assessment

Chapter 13 Results of Archaeological Testing

Built Heritage Survey Photographs

12.17.2. The EIAR is also accompanied by a Non-Technical Summary (NTS) as is required.

**12.18. Reasoned Conclusion on Significant Effects:**

12.18.1. The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, provided information which is reasonable and sufficient to allow the Board to reach a reasoned conclusion on the significant effects of the proposed development on the environment, having taken into account, current knowledge and methods of assessment.

12.18.2. The Board is satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU. Having regard to the examination of environmental information contained above, and in particular to the EIAR and supplementary information provided by the developer, and the submissions from the Planning Authority, prescribed bodies and observers in the course of the application, it is considered that the main significant direct and indirect effects of the proposed development on the environment are as follows:

- **Population and Human Health:** Impacts are likely to be positive with the provision of additional housing and an increased local population that will avail of services/facilities in the area. No significant negative impacts from the development and no significant residual effects are identified.
- **Biodiversity:** Impacts to be mitigated by the proposed landscaping strategy; ensure no additional invasive species are introduced; the significant provision of active and passive open space; protection of trees to be retained, and measures



to avoid disturbance to bats and nesting birds. No significant negative impacts from the development and no significant residual effects are identified.

- **Land & Soils:** The impacts to be mitigated by construction management measures including minimal removal of soil, reuse of excess material within the site; proposals for identification and removal of any possible contamination; management and maintenance of plant and machinery. No significant negative impacts from the development and no significant residual effects are identified, subject to appropriate mitigation measures.
- **Water:** The impacts to be mitigated by management of surface water run-off during construction; adherence to Construction Management Plan to avoid uncontrolled contamination of water sources. No significant negative impacts from the development are identified.
- **Air Quality & Climate:** The impacts will be mitigated by suitable measures taken on site during the construction phase of development. These will be detailed in the adopted Construction Management Plan (CMP).
- **Noise & Vibration:** Impacts will be mitigated by adherence to requirements of relevant code of practice; location of noisy plant away from noise sensitive locations and through the use of suitable noise control techniques on site. Excessive levels of vibration are not expected on site.
- **Landscape & Visual Impact:** The development will present as a new development in the landscape. There will also be changed views for some viewers in nearby residences and nearby locations. The potential impact will be mitigated by the establishment of suitable boundary treatment and landscaping that will reduce the impact at a local level and to provide for extensive landscaping of the site to reduce the visual impact at a more distant level. The proposed development will not have an adverse impact on the character or on the visual amenity of the area.
- **Cultural Heritage:** The proposed development would not impact on cultural heritage.
- **Material Assets – Services, Infrastructure & Utilities:** Impacts will be mitigated by consultation with relevant service providers; adherence to relevant codes of practice and guidelines; service disruptions kept to a minimum

- **Material Assets – Traffic & Transport:** Impacts to be mitigated by implementation of a Construction Environmental Management Plan, a Construction Traffic Management Plan, and the promotion of sustainable travel patterns by residents during the operation phase.
- **Waste Management:** The impacts to be mitigated by management of materials/ waste during construction and adherence to Construction Management Plan.

The submitted EIAR has been considered with regard to the guidance provided in the EPA documents 'Guidelines for Planning Authorities and An Bord Pleanála in Carrying out Environmental Impact Assessment' (2018); 'Guidelines on the Information to be Contained in Environmental Impact Assessment Reports' (draft August 2017) and 'Advice Notes for Preparing Environmental Impact Statements' (draft September 2015).

In conclusion, the submitted details have sufficiently demonstrated that the proposed development would not adversely impact on the existing environment. The proposed development is located on lands that are zoned for residential development and these zoned lands have undergone Strategic Environment Assessment (SEA) as part of the county and local plan processes.

## 13.0 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.

13.1. In conclusion, I consider the principle of development 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 and is located on the south western side of Dublin 15 to the west of Clonsilla and south of Hansfield and Ongar. The proposed development is of a suitably high quality and provides for a mix of houses, apartments and duplex units which are served by high quality open space and a childcare facility. A local centre is to be provided that will allow for the suitable provision of retail units.

13.2. I do not foresee that the development will negatively impact on the existing residential and visual amenities of the area. Suitable pedestrian, and cycle provision is available to serve the development. The site is located adjacent to the existing and operational Hansfield station, which is on a railway line that is proposed for significant upgrading under the DART + project. The development is generally in accordance with National Guidance and Local Policy and is in accordance with the proper planning and sustainable development of the area.

13.3. 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.

## 14.0 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 Fingal Development Plan 2017 – 2023 and the Barnhill Local Area Plan 2019,
- (ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Fingal Development Plan 2017 – 2023 and the Barnhill Local Area Plan 2019, and appendices contained therein,
- (iii) to the Rebuilding Ireland Action Plan for Housing and Homelessness, 2019,
- (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 2022,
- (vi) the availability in the area of a wide range of social and transport infrastructure,
- (vii) to the pattern of existing and permitted development in the area, and
- (viii) Chief Executive's Report and supporting technical reports of Fingal County Council,
- (ix) the comments made at the Blanchardstown-Mulhuddart/ Castleknock/ Ongar Area Committee meeting,
- (x) the comments made in the third-party submissions,
- (xi) the reports from the Department of Housing, Local Government and Heritage, An Taisce, Inland Fisheries Ireland, and from Irish Water,

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.

## 15.0 Recommended Draft Order

**15.1. 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 20<sup>th</sup> of July 2022 by Alanna Home and Alcove Ireland Four Limited.

### 15.2. The Proposed Development consists of:

- Construction of a residential development comprising of 1,243 residential units consisting of 322 no. houses, 804 no. apartments and 117 duplexes, a childcare facility, medical centre, six retail units, community centre, office hub, car parking, bicycle parking, internal roads, services infrastructure, bin stores and bicycle store; landscaping, open space, play areas, boundary treatment and public lighting.
- The application contains a statement setting out how the proposal will be consistent with the objectives of the Fingal Development Plan 2017 – 2023 and the Barnhill Local Area Plan 2019. It is submitted that the proposed apartments have been designed to fully accord with the Sustainable Urban Housing: Design Standards for New Apartments 2020 (these are superseded by the 2022 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 application contains a statement setting out how the proposal will be consistent with the objectives of the Fingal County Development Plan 2017 – 2023 and the Barnhill Local Area Plan 2019. The application contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000, as amended, notwithstanding that the proposed development materially contravenes the Fingal County Development Plan in terms of car parking standards,

and contravenes the Barnhill Local Area Plan in terms of height, unit numbers, unit mix and phasing.

An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the proposed development. It is considered that Stage 2 appropriate assessment is not required having demonstrated that the potential for significant effects to designated sites can be ruled out at appropriate assessment screening stage.

#### **15.3. 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.**

#### **15.4. Matters Considered:**

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.

In coming to its decision, the Board had 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 Fingal Development Plan 2017 – 2023 and the Barnhill Local Area Plan 2019,
- (ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Fingal Development Plan 2017 – 2023 and the Barnhill Local Area Plan 2019, and appendices contained therein,
- (iii) to the Rebuilding Ireland Action Plan for Housing and Homelessness 2016,
- (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 2022,
- (vi) the availability in the area of a wide range of social and transport infrastructure,
- (vii) to the pattern of existing and permitted development in the area, and
- (viii) Chief Executive's Report and supporting technical reports of Fingal County Council,
- (ix) the comments made at the Blanchardstown-Mulhuddart/ Castleknock/ Ongar Area Committee meeting,
- (x) the reports from the Department of Housing, Local Government and Heritage, An Taisce, Inland Fisheries Ireland, and from Irish Water,
- (xi) third party submissions,
- (xii) the Inspectors report

It is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable residential density on this greenfield site, that has been subject to a local area plan, would respect the existing character of the area, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

#### **15.5. Appropriate Assessment (AA):**

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 reports on file.

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 designated European site in view of the conservation objectives of such sites. There was therefore no requirement to carry out a Stage 2 Appropriate Assessment.

In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of European Sites in view of the sites' conservation objectives. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable scientific doubt as to the absence of adverse effects.

#### **15.6. Environmental Impact Assessment (EIA):**

15.6.1. The Board completed an environmental impact assessment of the proposed development, taking into account:

(a) The nature, scale and extent of the proposed development. The site is located on lands governed by zoning objective RA – Residential in the Fingal Development Plan 2017 – 2023 and the Barnhill Local Area Plan 2019;

(b) The environmental impact assessment report and associated documentation submitted in support of the planning application;

(c) The submissions from the Planning Authority, and the prescribed bodies in the course of the application;

and

(d) The Inspector's report.

The Board considered that the environmental impact assessment report, supported by the documentation submitted by the applicant, adequately identifies and describes the direct, indirect, secondary and cumulative effects of the proposed development on the environment.

The Board agreed with the examination, set out in the Inspector's report, of the information contained in the environmental impact assessment report and associated



documentation submitted by the applicant and submissions made in the course of the planning application.

The Board completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures set out in the environmental impact assessment report and subject to compliance with the conditions set out below, the effects on the environment of the proposed development, by itself and in combination with other development in the vicinity, would be acceptable. In doing so, the Board adopted the report and conclusions of the Inspector.

### **Conclusions on Proper Planning and Sustainable Development**

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.

The Board considered that the proposed development is broadly compliant with the current Fingal County Development Plan and the Barnhill Local Area Plan and would therefore be in accordance with the proper planning and sustainable development of the area.

## 16.0 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 period during which the development hereby permitted may be carried out shall be ten (10) years from the date of this order.

**Reason:** Having regard to the nature of the development, the Board considers it appropriate to specify a period of validity of this permission in excess of five years.

3. The number of residential units permitted by this grant of permission is 1,243 no. units in the form of 322 houses, 804 apartments and 117 duplex units.

**Reason:** In the interests of clarity.

4. The proposed development shall be amended as follows:
  - (a) The following units to be revised to provide for additional fenestration in their side elevations: Link Road East units DA70, DA75, DA86 and DA91.
  - (b) The following units to be revised to provide for a relocated front door to the side elevation addressing the public street/ footpath: Station Quarter South units D1, D18 and Link Road East units C1-38, C1-41 and C81.

(c) The provision of a childcare facility that can accommodate the needs of phase 1 of this development. This may be provided in a house unit which can revert to residential use on completion of the proposed childcare facility.

(d) The provision of a second permanent childcare facility away from the local centre, which may be in lieu of a residential unit (s) such as unit no. 015 on Link Road East. This may also be the unit required under Item 3. (c), but retained on a permanent basis.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the Planning Authority prior to the prior to occupation of units within Phase 1.

**Reason:** In the interests of visual and residential amenity.

5. Details of the materials, colours and textures of all the external finishes to the proposed dwellings/ buildings shall be as submitted with the application, unless otherwise agreed in writing with the Planning Authority/An Bord Pleanála 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. a) The development shall be carried out on a phased basis, agreed in writing with the Planning Authority prior to the commencement of development. The phasing shall clearly detail the development of the site over the ten-year period sought.
- b) The first phase shall include the following, prior to the occupation of the first unit:
- i) The provision of a pedestrian/ cycle connection to Hansfield station with full access to the existing station plaza in order to access the station.
  - ii) The completion and full operation of the Ongar-Barnhill road.

- iii) The provision of a childcare facility that can accommodate the needs of this phase of the development.

**Reason:** To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings.

7. Mitigation and monitoring measures outlined in the plans and particulars, including the Environmental Impact Assessment Report submitted with this application as set out in Chapter 17 of the EIAR 'Schedule of Mitigation Measures and Monitoring', shall be carried out in full, except where otherwise required by conditions attached to this permission.

**Reason:** In the interest of protecting the environment and in the interest of public health.

8. a) The areas of public open space shown on the lodged plans shall be reserved for such use and shall be soiled, seeded and landscaped in accordance with the landscape scheme submitted to An Bord Pleanála with this application, unless otherwise agreed in writing with the Planning Authority.
- b) All areas of open space shall have a defined function be it for active, passive and/ or visual/ screening amenity, and which shall be agreed in writing with the Planning Authority.
- c) This work shall be completed before any of the dwellings are made available for occupation, on the agreed phased basis, and shall be maintained as public open space by the developer until taken in charge by the Local Authority or management company.

**Reason:** In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.



9. Each residential unit shall be used as a single dwelling unit only and shall not be sub-divided in any manner or used as two or more separate habitable units.

**Reason:** In the interests of sustainable development and proper planning

10. 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.

11. Details of all security shuttering, external shopfronts, lighting and signage shall be as submitted to An Bord Pleanála with this application unless otherwise submitted to, and agreed in writing with, the planning authority prior to occupation of the commercial/retail units.

**Reason:** In the interest of the amenities of the area/visual amenity.

12. No advertisement or advertisement structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the proposed buildings (or within the curtilage of the site) in such a manner as to be visible from outside the buildings, unless authorised by a further grant of planning permission.

**Reason:** In the interest of visual amenity.

13. 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.

14. 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.

15. a) The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs, and the underground car park shall be in accordance with the detailed construction standards of the Planning Authority for such works and design standards outlined in DMURS. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination. In particular:
- b) The roads layout shall comply with the requirements of the Design Manual for Urban Roads and Streets, in particular carriageway widths and corner radii,
  - c) Pedestrian crossing facilities shall be provided in suitable locations to be agreed with the Planning Authority,
  - d) Provision shall be made for future bus service provision to serve the development, including the provision of suitable road widths to accommodate regular bus services,
  - e) The materials used in any roads/ footpaths provided by the developer shall comply with the detailed standards of the Planning Authority for such road works,
  - f) A detailed construction traffic management plan, including a mobility management plan, shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. The plan shall include details

of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

**Reason:** In the interests of traffic, cyclist, and pedestrian safety and to protect residential amenity

16. A total of 3,337 no. bicycle parking spaces shall be provided within the site as indicated in the submitted documentation. Details of the layout, marking, demarcation and security provisions for these spaces shall be 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.

17. (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, including for use in association with any other uses of the development hereby permitted, unless the subject of a separate grant of planning permission.
- (b) 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.

18. A minimum of 10% of all car parking spaces serving the apartments and duplex units 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.

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

19. 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

20. 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.

21. 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.



22. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -

- (a) notify the Planning Authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
- (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
- (c) provide arrangements, acceptable to the Planning Authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

**Reason:** In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

23. Bat roosts shall be incorporated into the site and shall be carried out on the site to the written satisfaction of the Planning Authority and in accordance with the details submitted to An Bord Pleanála with this application unless otherwise agreed in writing with the planning authority

**Reason:** To ensure the protection of the natural heritage on the site.

24. (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.

25. (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.
- (c) This plan shall provide for screened bin stores, which shall accommodate not less than three standard sized wheeled bins within the curtilage of each house plot.

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

26. 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. 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.

27. 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.

28. 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.

29. All of the permitted house or duplex units in the development, when completed, shall be first occupied as a place of residence by individual purchasers who are not a corporate entity and/or by persons who are eligible for the occupation of social or affordable housing, including cost rental housing. Prior to commencement of development, the applicant, or any person with an interest in the land shall enter into a written agreement with the planning authority under section 47 of the Planning and Development Act, 2000 to this effect. Such an agreement must specify the number and location of each house or duplex unit.



**Reason:** To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

30. 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.

31. 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.

32. 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.

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**Paul O'Brien**

**Planning Inspector**

**14<sup>th</sup> March 2023**