



An
Bord
Pleanála

Inspector's Report ABP-315585-23

Development	Amendments to housing development permitted under ABP-306167-19
Location	Former Ormond Printworks site, Pelletstown, Dublin 11
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	LRD6027/22-S3
Applicant	Ballymore Eighth Lock Ltd.
Type of Application	Permission for Large Scale Residential Development
Planning Authority Decision	Grant permission subject to conditions
Type of Appeal	First Party vs. Condition
Appellant	Ballymore Eighth Lock Ltd.
Observers	None
Inspector	Stephen J. O'Sullivan

1.0 Site Location and Description

- 1.1. The site is located in a suburban area c5km north-west of Dublin city centre beside the Ratoath Road c1km north of the Navan Road. The scheme of apartments granted permission under ABP-306167-22, described in section 4 of this report, is currently being built on the site.

2.0 Proposed Development

- 2.1. The proposed development is an amendment to a permitted Strategic House Development of 435 apartments in five blocks to provide the following –
- 218 solar panels on the roof of Block E
 - 11 air source heat pumps at roof level on Block D
 - Increase in height of a stair/lift core in block B and one in Block C by 330mm
 - Addition of internal fire corridor to Block B of c78m²
 - Changes to glazing in Block A

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The council decided to grant permission subject to 11 conditions. Condition No.6 is as follows –

The development shall comply with the following requirements of Transport Planning Division of Dublin City Council:

- (i) The terms and conditions of the permission for the original development, which was issued under Plan No. ABP Ref. PL29N.306167-19 shall be fully complied with, except where modified by this permission.
- (ii) Revised drawings shall be submitted to the Planning Authority prior to commencement of the development noted in this permission demonstrating the following:

- a. The location and quantum of all long-term and short-term bicycle parking spaces / parking areas for residential and commercial uses and how such spaces are accessed.
- b. Details in relation to the height and dimensions of each bicycle parking areas demonstrating a minimum internal circulation area of 2m and access doors widths which allow ease of movement for cyclists.
- c. Manufacture details / specification of all bicycle parking spaces including detail of e-charging facilities and adaptability of such spaces for e-cargo as demand arises.

Reason: in the interests of traffic and pedestrian safety and comfort and residential amenity

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

There was no objection to the proposed solar panels, heat pumps or the increase in the height of the stair core. In relation to the additional fire corridor, the submission from the Transport Planning Division was regarded as relevant as it would affect an undercroft parking area. The concerns raised in that report can be addressed by condition. A grant of permission was recommended

3.2.2. Transport Planning Division

It is noted that the amount of car parking in the permitted development would not be changed in the proposal. The permitted development includes 942 bicycle parking spaces. The statement submitted with the application indicate that the proposed development would not change the number of spaces, but it appears that the proposed fire corridor would encroach on the bicycle parking in the undercroft resulting in the omission of visitor spaces there. The division would need to review the final location and allocation of all bicycle spaces there. This can be addressed by condition.

3.3. **Third Party Observations**

3.3.1. None

4.0 **Planning History**

- 4.1. ABP-306167-19 – The board granted permission in May 2020 for a Strategic Housing Development of 435 apartments, as well as a primary care centre, pharmacy, café, fitness centre and 11 office units over 5 blocks ranging from 4 to 13 storeys in height.

5.0 **Policy Context**

5.1. **National Policy**

- 5.1.1. The Guidelines for Planning Authorities on Design Standards for New Apartments were issued by the minister in December 2022. Paragraphs 4.15 to 4.19 refer to bicycle storage, stating that accessibility and secure storage of bicycles is a key concern. A general minimum provision of one space per bedroom and another visitor space for every 2 apartments. Planning Authorities have discretion to vary this with respect to factors such as the location and quality of facilities.
- 5.1.2. Section 5.5.10 of the National Cycle Manual issued by the NTA refers to cycle parking areas. It recommends that a well designed parking facility should have a separation of 2.5m between rows to allow cyclists room to manoeuvre when parking and collecting their bicycles.

5.2. **Local Policy**

- 5.2.1. The Dublin City Development Plan 2022-2028 applies. The site is part of a Strategic Development and Regeneration Area zoned under Objective Z14. Appendix 5 sets out bicycle parking standards of 1 space per bedroom and 1 visitor space for every 2 apartments. The site is also subject to the Ashtown/Pelletstown Local Area Plan adopted in January 2014 whose period has been extended to December 2023.

5.3. **Natural Heritage Designations**

- 5.3.1. None

6.0 The Appeal

6.1. Grounds of Appeal

The appeal is against condition 6(2)(b) of the planning authority's decision. There is no logical basis for the requirement for an internal circulation space 2m wide in this condition. It is not possible to provide this space in the bike storage area without severely compromising its design or reducing the number of bike spaces. The space is not necessary as the system that will be used only requires a 1.62m circulation area. Details of the proposed Larkin Two-Tier Bicycle Rack are submitted to illustrate this point. It is a standard type rack widely used in Ireland and elsewhere.

6.2. Planning Authority Response

6.2.1. None

6.3. Screening

6.3.1. The proposed development consists of minor amendments to a residential development in an established urban area for which consent has been granted after the need for EIA had been screened out. It is therefore evident from the nature, size and location of the proposed development that it would not give rise to any likelihood of significant effects on the environment and the need for EIA in this case is screened out after a preliminary examination.

6.3.2. The proposed development consists of minor amendments to a residential development in an established urban area for which consent was granted after the need for appropriate assessment had been screened out. The proposed development does not give rise to any appropriate assessment issues and is evident that it would not be not likely to have significant effect on any Natura 2000 site. The need for appropriate assessment and the submission of an NIS is therefore screened out

7.0 Assessment

- 7.1. There was no third party appeal against the council's grant of permission in this case. The condition which is the subject of the first party appeal does not alter the nature of the proposed development and its impact upon its scale is relatively minor. The consideration of the appeal as if the application had been made to the board in the first instance would not be warranted, therefore, and it is recommended that the board consider the appeal against condition no. 6(2)(b) only in accordance with section 139 of the act.
- 7.2. The footprint of the structures containing the permitted housing development are determined by the parent grant of permission under 306167 and is not subject to review in the current application and appeal. However one of the amendments proposed in this application, the insertion of a fire corridor at ground floor level, has resulted in a change in the extent of the undercroft area allocated to bicycle parking in Block B of the authorised scheme. The condition under appeal is relevant to the proposed development, therefore.
- 7.3. Section 4.17 of the apartment design guidelines sets a quantitative standard for the bike parking but makes it clear that the quality of the proposed facilities is also important and can justify a deviation from the proposed standards. Ease of access and ease of use of bicycle parking is important in this regard. Cyclists using the upper tiers of the two-tier racks proposed by the applicant can lower the upper tier with a separation distance of 1.62m as demonstrated by the details submitted with the appeal. However they also have to manoeuvre their bikes on and off the lowered rail. This would be made easier by having the additional separation space required by the council's condition. The requirement for the 2m separation in the condition is not unduly onerous compared to the separation of 2.5m between parking rows recommended by section 5.5.10 of the National Cycle Manual.
- 7.4. Providing the required separation distance may reduce the number of parking spaces somewhat. However this would be preferable to having a higher number of spaces that were difficult to use. A proportionate reduction would be in line with the relevant section of the apartment design guidelines and would be a proper issue to leave to the detailed control of the planning authority under a post-consent submission. Indeed, while proper planning would require the provision of enough

space for bike parking in the apartment development and its subsequent protection from other uses, the configuration of that space is likely to change over time in light of the demands from residents and as particular racks are maintained and/or replaced.

- 7.5. It is therefore considered that the condition under appeal is necessary and justified by the proper planning and sustainable development of the area.

8.0 Recommendation

- 8.1. It is recommended that condition no. 6(2)(b) of the planning authority's decision be retained.

9.0 Reasons and Considerations

- 9.1. Having regard to section 4.17 of the Guidelines for Planning Authorities on Design Standards for New Apartments issued in 2022 and to section 5.5.10 of the National Cycle Manual, and the need to provide cycle storage facilities that are easy to access and use, it is considered that the requirement for a circulation area of 2m is necessary and justified. Condition no. 6(2)(b) of the planning authority's decision is therefore in keeping with the proper planning and sustainable development of the area.

Stephen J. O'Sullivan
Planning Inspector

4th April 2023