



Planning Report &  
Statement of Consistency

Strategic Housing Development:  
Application to An Bord Pleanála

Residential Development

at

Blackrock Road,  
Haggardstown,  
Blackrock,  
Dundalk,  
Co. Louth

on behalf of

Kingsbridge Consultancy Limited

**Declan Brassil**  
& Company Ltd

chartered planning consultants

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## 1 INTRODUCTION

This Report accompanies a planning application by Kingsbridge Consultancy Limited for a residential development at a site at Blackrock Road, Haggardstown, Blackrock, Dundalk, County Louth. The application is made under the Strategic Housing Provisions of the Planning and Development (Housing) and Residential Tenancies Act, 2016.

Following pre-application consultation with An Bord Pleanála, the Board issued a Notice of Pre-Application Consultation Opinion on 13 February 2019. The manner in which the matters raised in the Board's Opinion have been incorporated into the drawings and documents submitted with this application are specifically addressed in detail in separate correspondence accompanying this application.

This Report includes a statement setting out how the proposal will be consistent with the objectives of the relevant City Development Plan and relevant section 28 Ministerial Guidelines. This application is also accompanied by a statement prepared by in respect of the material contravention of the phasing objectives of the Dundalk Town & Environs Development Plan 2009-2015.

### 1.1 Prospective Applicant

The prospective Applicant is Kingsbridge Consultancy Limited. Kingsbridge Consultancy Limited is registered under Company Register No. 518906 with an address at 1st Floor, Block 1, Quayside Business Park, Mill Street, Dundalk, County Louth.

Kingsbridge Consultancy Limited is the legal owner of the majority of the application site. Louth County Council control the Blackrock Road and a letter of consent from Louth County Council in respect of those areas within the subject site. In order to provide the required sightlines from the proposed entrance works are required to remove part of the neighbouring boundary wall and a letter of consent from Mr Jim Coyle is submitted herewith.

### 1.2 Brief Description of Nature & Purpose of Development

The proposed residential development provides for 483 no. new residential dwellings, a crèche and a public park on a site contiguous to the established urban area of Dundalk and to the north of Blackrock. The site is accessed from the Blackrock Road (R172) and Bóthar Maol and provides an opportunity to consolidate the existing urban footprint of Dundalk and Blackrock. Following the pre-application consultation with the Board, planning permission is sought for a period of 5 years.

The proposed residential development includes a sustainable mix of dwelling types and sizes comprising 41 no. 5 bedroom houses, 101 no. 4 bedroom houses, 116 no. 3 bedroom houses, 6 no. 3 bedroom duplexes with 2 no. bedroom apartments below, 149 no. 2 bedroom apartments and 64 no. 1 bedroom apartments. To achieve sustainable residential densities consistent with national policy the proposed units range in height from 2 storey houses at the edges of the site, to 3 and 4 storey apartment blocks surrounding the central open space. The proposed childcare facility of 677 sqm can accommodate 112 children. Over 25% of the site area is dedicated to providing high amenity public open spaces. The proposed central park of 3.1 hectares and pocket parks of 1.4 hectares will be landscaped to accommodate both active play areas and passive recreational uses.

The primary access to the proposed development is from the Blackrock Road, which has been designed to accommodate access to the adjoining residential zoned lands. An additional two pedestrian and cyclist access points are proposed from the Bóthar Maol.

The purpose of the development is to deliver housing on this Tier 1 'Serviced Zoned Land' to address the chronic undersupply of housing in Dundalk over the past decade. As addressed in detail in the 'Material Contravention Statement' submitted herewith, the residential lands designated for Phase 1 development up to 2016 have only yielded 10 no. houses, which represents an undersupply of 1740 no. units, and additional Phase 1 lands have not been designated to accommodate the population allocation of 1,600 no. units up to 2021. Local and regional media outlets describe significant housing shortages in Dundalk, and County Louth has experienced a 50% increase in homeless since the Government launched the '*Rebuilding Ireland – an Action Plan for Housing and Homelessness*' in July 2016.

The Government's *Action Plan for Housing and Homelessness* seeks to increase delivery of housing across all tenures to help individuals and families meet their housing needs and the subsequent the *National Planning Framework 2018* envisages that housing delivery will need to increase to 30,000 to 35,000 homes per annum in the years to 2027. Both the NPF and the Regional Spatial and Economic Strategy (RSES) prioritise the growth of Dundalk, and the latter designates the town as a Regional Growth Centre that is to expand to 50,000 persons by 2031, with the vision of achieving city scale.

The proposed development provides for the delivery of a sustainable mix of housing types, including a purpose-built accessible bungalow designed to Louth County Council's specifications, on serviced and appropriately zoned lands contiguous to the urban core that will contribute towards Dundalk fulfilling its role as a Regional Growth Centre and alleviate housing shortages in the area.

### 1.3 Strategic Housing Definition

Section 4 of the 2016 Act provides that an application for permission for strategic housing development shall be made directly to An Bord Pleanála during the specified period. Section 3 of the Act defines 'strategic housing development' as including:

- (a) the development of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses,*
- (b) the development of student accommodation units which, when combined, contain 200 or more bed spaces, on land the zoning of which facilitates the provisions of student accommodation or a mixture of student accommodation and other uses;*

The definition goes on to define the extent of other uses which may be included and states:

*'.....may include other uses on the land, the zoning of which facilitates such use, but only if-*

- (i) The cumulative gross floor area of the houses or student accommodation units, or both as the case may be, comprises not less than 85 per cent, or such other percentage as may be prescribed, of the gross floor space of the proposed development or the number of houses or proposed bed spaces within student accommodation to which the proposed alteration of a planning permission so granted relates, and*

- (ii) *The other uses cumulatively do not exceed-*
- (I) *15 square meters gross floor space for each house or 7.5 square meters gross floor space for each bed space in student accommodation, or both, as the case may be, in the proposed development or to which the proposed alteration of a planning permission so granted relates, subject to a maximum of 4,500 square meters gross floor space for such other uses in any development, or*
  - (II) *Such other area as may be prescribed, by reference to the number of houses or bed spaces in student accommodation within the proposed development or to which the proposed alteration of a planning permission so granted relates, which other area shall be subject to such other maximum area in the development may be prescribed*

The proposed development provides for 483 no. dwellings and crèche on lands zoned 'Residential 2' in the Dundalk and Environs Development Plan 2009 to 2015, with the objective *"To provide for new residential communities and supporting community facilities subject to the availability of services"*. Section 2.5 'Zoning Matrix' of the Plan lists 'Residential' and 'Creche/Childcare Facility' as 'Permitted Uses' on 'Residential 2' lands. Accordingly, the proposed development comes within the definition of strategic housing as provided in the 2016 Act, being *'development of 100 or more houses on lands zoned for residential use...'*. The proposed childcare facility is significantly below the thresholds set out in the definition and represents just 1.3 % of the proposed gross floor area<sup>1</sup> proposed.

#### **1.4 Possible Effects on the Environment**

The planning application will be accompanied by an EIAR under Class 10 of Part 2 of Schedule 5 of the Planning and Development Regulations, 2001 which provides for:

*"10. Infrastructure projects...*

*(b) (i) Construction of more than 500 dwelling units.*

*(iv) 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.*

*(In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.)"*

The proposed development of 483 units is below the 500 unit threshold. With a site area of 17.9 ha the area of the site exceeds the threshold of 10 hectares for development in the built-up area. Accordingly, the application is accompanied by an Environmental Impact Assessment Report prepared by the multidisciplinary team and compiled by Deirdre Larkin BSc (Hons) MSc PGeo IGI EurGeol, Senior Environmental Consultant and Hydrogeologist with Atkins Global.

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<sup>1</sup> The total residential floor area proposed is 52,487 sqm, including the common areas in the apartment but excluding basement car parking, and the area of the proposed childcare facility is 677 sqm.

It is noted that the entrance to the site is on the opposite side of the Blackrock Road to the Dundalk Bay SPA, SAC and pNHA, site codes 004026, 000455 and 000455, respectively. The development site is approximately 200 metres west of these protected areas. Due to the proximity of the subject lands to Dundalk Bay an Appropriate Assessment Screening Report (Stage 1) and Natura Impact Statement (NIS) accompanies the application. This assessment was undertaken by Mr Gareth E Grindle B.Sc. (Hons.) M.Sc. L.L.M. M.C.I.E.E.M. M.I.Env.Sc. and concludes:

*"The proposed development will not interfere with any key relationships or elements within the environment which define and control the structure and function of any Natura 2000 sites and will not result in significant adverse impacts on the integrity of the Natura 2000 network or any associated/underlying designations".*

## **2 SITE LOCATION & CONTEXT**

### **2.1 Site Location**

The subject site of 17.9 hectares are located off Blackrock Road and Bóthar Maol in the area of Blackrock, Dundalk, County Louth. Dundalk is located on the Dublin-Belfast economic corridor and the subject site is located in the south of Dundalk contiguous to the urban core. The primary access to the site is from the Blackrock Road, which leads to Dundalk urban core to the north and Blackrock village to the south and has continuous footpaths in both directions.

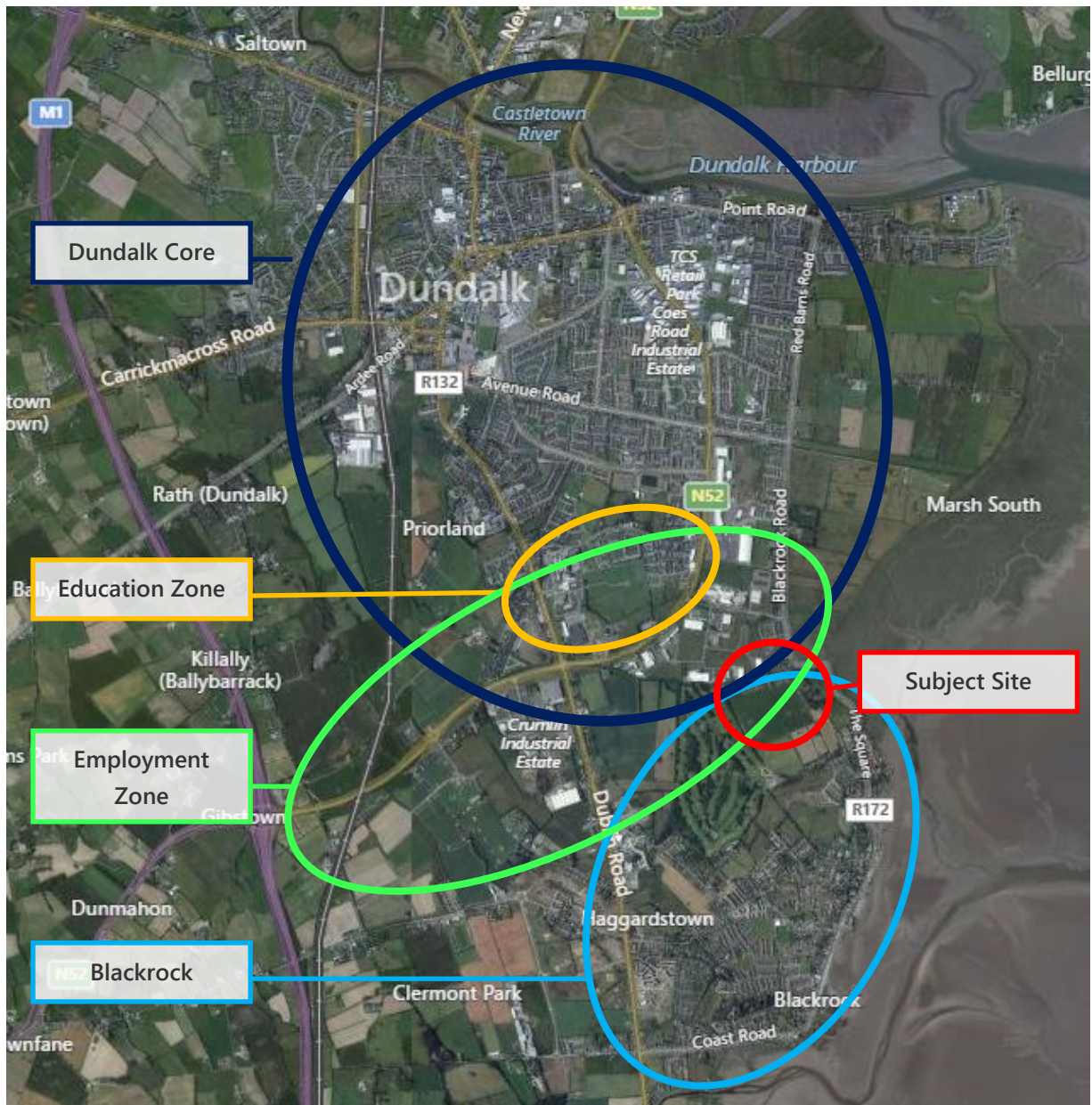
The site is strategically located within close proximity to established employment generating land uses. The Finnabair Industrial Estate is on the opposite side of the Bóthar Maol, approximately 70 metres north of the site. Further north, the Dundalk Retail Park is approximately 700 metres from the subject site. The Xerox Technology Park and Dundalk Logistics Park are both approximately 1 Kilometre to the west of the site, and the Dundalk Institute of Technology Campus is approximately 600 metres to the northwest.

This site is approximately 1.3 kilometres north of Blackrock Village Centre and approximately 3 kilometres to the south of the centre core of Dundalk.

To the north the site adjoins the rear of the existing dwellings that front onto Bóthar Maol and to the east the site primarily bounds the rear of the dwellings fronting the Blackrock Road. These existing dwellings at the site boundaries are all 'one-off' houses that are rural in character and vary in height and size. To the southeast the subject site bounds lands that are zoned for residential development that are currently in agricultural use. The lands of the Dundalk Golf Club adjoin the subject site to the southwest and west.



Figure 2.1.1 Strategic Level Site Location.



## 2.2 Site Description

The development site has an irregular shape as it forms the back-lands behind the dwellings fronting Blackrock Road and Bóthar Maol. At present, the lands are in agricultural use and primarily comprise two field areas defined by hedgerows and scrub vegetation.

There is a cluster of mature trees at the northeast corner of the site, near the junction of Bóthar Maol and the Blackrock Road. The lands are undulating throughout, and slope from the highest point at the southwest corner that is 23.78 metres Above Ordinance Datum (AOD), down to the lowest point at the northeast corner that is approximately 6.08 metres AOD. The site contains several rocky outcrops and is traversed by an EBS powerline.

Figure 2.2.1 Aerial Image of Local Context with the Subject Site outlined in red.



### 2.3 Subject Site Planning History

A review of Louth County Council's online planning register identified four recent and relevant planning applications lodged in respect of all or part of the subject site. These have been summarised below. It is of note that Reg. Refs. 08/520141 and 08/752 described the same development with the former being lodged to Dundalk Town Council and the later lodged to Louth County Council as the subject scheme traversed the administrative boundaries:

**Louth County Council Reg. Ref. 07/749:** On the 17<sup>th</sup> January 2008 the application lodged by W.J. Law Construction (No.1) Limited was deemed withdrawn as a response to the Planning Authority's request for Further Information was not submitted within the allocated timeframe.

This application was lodged to Louth County Council on the 16<sup>th</sup> May 2007 for the construction of an access road and waste water infrastructure to serve the subject site. On the 6<sup>th</sup> July 2007 the Planning Authority issued a request for 16 no. items of Further Information. The applicant had 6 months to respond to the

Planning Authority's request however no response was submitted, and the application was subsequently deemed withdrawn.

This application related to lands at the northern boundary of the subject site.

**Dundalk Town Council Reg. Ref. 08/520141:** On the 26<sup>th</sup> September 2008 Dundalk Town Council granted planning permission to W.J. Law Construction (No.1) Limited, subject to 11 conditions, for the construction of a foul pumping station and pumping Main for connection to the Dundalk Town Trunk Sewer, a storm sewer, the realignment of R172 and the realigned and provision of a site access off Bóthar Maol.

This application related to lands at the northern boundary of the subject site and along the R172 Blackrock Road northwards.

**Louth County Council Reg. Ref. 08/752 (ABP Ref. PL15 .233263):** On the 3<sup>rd</sup> July 2009 the application lodged by W.J Law Construction (no.1) Limited was deemed withdrawn.

This application was lodged to Louth County Council on the 27<sup>th</sup> June 2008 for the construction of a foul pumping station and pumping Main for connection to the Dundalk Town Trunk Sewer, a storm sewer, the realignment of R172 and the realigned and provision of a site access off Bóthar Maol. This application related to lands at the northern boundary of the subject site and along the R172 Blackrock Road northwards.

On the 20<sup>th</sup> August 2008 the Planning Authority issued a request for 19 no. items of Further Information. The applicant responded on the 16<sup>th</sup> February 2009. The Planning Authority issued their Notification of Decision to Grant planning permission for the proposed development on the 5<sup>th</sup> March 2009, subject to 10 no. conditions. Condition 2.2 of this decision sought to provide a link to Birches Lane from the proposed roadway.

Following the Planning Authority's decision, an Application for Leave to Appeal was lodged by Declan Muckian and Jim Coyle under reference PL15 .LV2956. The Board granted these Parties Leave to Appeal on the basis that Condition 2.2 altered the scheme proposed and would affect the adjoining landowner's enjoyment of their lands.

The First Party also lodged an Appeal under Reference PL15 .233263. On the 3<sup>rd</sup> July 2009 the Applicant withdrew this application entirely.

**Louth County Council Reg. Ref. 09/180:** On the 16<sup>th</sup> November 2009 the application lodged by Jim Coyle & Declan Muckian in respect of part of the subject site was deemed withdrawn.

This application was lodged to Louth County Council on the 27<sup>th</sup> March 2009 for a vehicular entrance off Blackrock Road and the provision of foul water infrastructure including a pumping station and rising mains, to service 17.25 hectares of land. It is of note that the subject site of this application did not overlap with the lands the subject of Reg. Ref. 08/752.

On the 14<sup>th</sup> May 2009 the Planning Authority issued a request for 4 no. items of further information. The Applicants did not respond to the Planning Authority's request within the allocated 6 month timeframe and therefore the application was deemed withdrawn.

## 2.4 Planning History Adjoining or Adjacent Sites

The subject lands adjoin 17 no. dwellings, which are dispersed along the northern and eastern boundary of the site. The majority of these dwellings gained planning permission in the 70's or 80's, with many being subsequently extended. Most recently, planning permission was granted on the 4<sup>th</sup> December 2017 to John and Anne McKenna under Reg. Ref. 17296 for the refurbishment and extension of a disused stone outbuilding for use as a house.

## 3 PARTICULARS OF PROPOSED STRATEGIC HOUSING DEVELOPMENT

### 3.1 Layout & Design

The proposed residential development provides for 483 no. new residential dwellings, a childcare facility of 677 sqm, a central open space of 3.1 hectares and 1.4 hectares of pocket parks.

**Table 3.1.1 Key Site Statistics**

Site Statistics	Area
Total Site Area	17.9 ha
Developable Area (Site area excluding central park and lands of existing road)	13.8 ha
Public Open Space on Amenity Lands	3.1 ha
Public Open Space within Residential Lands	1.4 ha (10.2% of Developable Area)
Net Residential Density	35 units per hectare
Plot Ratio	0.38
Site Coverage	20%

The proposed residential development comprises; 64 no. one bedroom dwellings, 149 no. 2 bedroom dwellings, 6 no. 3 bedroom duplexes over 6 no. 2 bedroom apartments, 116 no. 3 bedroom dwellings, 101 no. 4 bedroom dwellings, and 41 no. 5 bedroom dwellings. The proposed development provides for a range of house types including apartments, duplexes, and terraced, semi-detached and detached houses. One of the proposed 4 no. bedroom units is a bungalow designed to meet Louth County Council's requirements for an accessible, shared living house.

**Table 3.1.2 Breakdown of Housing Mix**

Description	Quantity	Mix %
1 bedroom Apartment	64	13.25%
2 bedroom Apartment	149	30.85%
2 bedroom Own-Door Apartment	6	1.24%
3 bedroom Own-Door Duplex	6	1.24%
3 bedroom Houses	116	24.02%
4 bedroom Houses	100	20.7 %
4 bedroom Accessible Bungalow	1	0.2%
5 bedroom Houses	41	8.48%

Across the scheme a total of 13 no. principal house types are proposed with additional variants to respond to varying gable end conditions, for example Type I is a mid-terrace configuration while Type I1 provides an end of terrace response where it adjoins an open space and Type I2 is an end of terrace unit where it adjoins another dwelling. There are 2 no. 1 bedroom apartment types, 4 no. 2 bedroom apartment types including own door units and 2 no. duplex types proposed.

**Table 3.1.3 House Types and Sizes**

Type	Description	Bed Spaces	Area (sqm)	No. of this Unit Type
TA	5 bed 2.5 storey detached house	9	196.5	22 no.
TB	5 bed 2.5 storey detached house	9	176.5	19 no.
TC	4 bed 2.5 storey detached house	7	151.8	10 no.
TC1	4 bed 2.5 storey detached house	7	153.8	7 no.
TD	4 bed 2 storey detached house	7	146	3 no.
TE	4 bed 2 storey detached/semi detached house	7	138.5	23 no.
TF	4 bed 2 storey detached house	7	137.4	7 no.
TG	4 bed 2 storey detached/semi detached house	6	120.8	50 no.
TH	3 Bed 2 storey detached house	5	117.3	9 no.
TH1	3 Bed 2 storey detached house	5	110	9 no.
TI	3 Bed 2 storey semi detached/Terraced house	5	102	37 no.
TJ	3 Bed 2 storey detached/semi detached/Terraced house	4	92	61 no.
DB	4 bed Detached Bungalow	7	160.4	1 no.
A.01	1 bedroom apartment	2	56	54 no.

Type	Description	Bed Spaces	Area (sqm)	No. of this Unit Type
D.01	1 bedroom apartment	2	52	10 no.
A.02	2 bedroom apartment	4	84	48 no.
A.03	2 bedroom apartment	4	83.3	48 no.
A.04	2 bedroom apartment	4	78.4	42 no.
D.02	2 bedroom apartment	2	85.6	6 no.
D.03	2 bedroom apartment	2	80	5 no.
DP	2 bed ground own door floor apartment	4	82.3	6 no.
DP	3 bed 2 storey upper floor Duplex	5	118.3	4 no.
DP	3 bed 2 storey upper floor Duplex	5	117.3	2 no.

Proposed building heights across the site vary from 1 to 4 storeys. At the edges of the site the proposed houses are predominantly 2 or 2.5 storeys in height to reflect and respect the heights of adjoining buildings and create a softer transition to the undeveloped areas. The taller apartment blocks are in the centre of the site to adjoin and passively surveil the large central open space. These 3 and 4 storey buildings will also create a sense of enclosure and character at this 3.1 hectare parkland area.

There are 7 no. apartment blocks proposed at the site. Blocks A, B, C, E, F and G are 4 storeys in height and Block D is 3 no. storeys. Each Block will accommodate a mix of 1- and 2-bedroom units and will be served by secure bike shelters and car parking. The proposed courtyard of apartments over Duplexes at the north east of the site are 3 storeys in height and are inward facing to create a distinct character area. The proposed houses are 1, 2 and 2.5 storeys in height to provide sufficient visual interest and residential mix in the scheme.

It is proposed to create 5 no. character areas within the site comprising:

- Cooley View at the south east of the site, which will act as the gateway to the scheme;
- Mill End at the north east of the site, which will draw from the character of the adjoining farmstead and mature trees;
- Bóthar Maol at the north of the site seeks to respond to, and respect the existing residential character on Bóthar Maol;
- Meadow & Field in the centre of the site is the largest character area and is dominated by the central open space and framed by the proposed apartments;
- The Birches & Pine at the west and south west of the site interact with the Golf Course and the existing mature trees in this location.

These character areas are defined by through visual cues provided by existing landscape features and the proposed landscaping scheme. The character areas are further reinforced through the distribution of different house types and materials palette proposed, as described in the 'Urban Design & Architectural Statement of Consistency' prepared by Project Architects OMP. OMP also have compiled a Housing Quality Assessment, which illustrates that each of the proposed dwellings meets and exceeds the minimum development standards. The Urban Design and Architectural Statement of Consistency prepared by OMP architects, and submitted to the Board, illustrates that the scheme has been designed in accordance with the

Urban Design – A best practice guide (2009), and specifically the 12 no, urban design criteria described therein, namely: Context, Connections, Inclusivity, Variety, Efficiency, Distinctiveness, Layout, Public Realm, Adaptability, Privacy and Amenity, Parking, and Detailed Design.

**Figure 3.1 Excerpt from the Landscape Strategy/Design Code prepared by Mullin Design Associates Showing Proposed Landscaping Character Areas.**



### 3.2 Open Space, Access, Permeability & Parking

Quality public open space in the form of pocket and linear parks are distributed throughout the scheme, all overlooked by housing. The central amenity area park forms the backbone of the scheme from which the proposed pathways move towards the residential character areas and pocket parks. Landscaping Plans have been prepared by Mullin design associates, Chartered Landscape Architects, and have been submitted herewith.

In addition to the large park of 3.1 hectares in the centre of the scheme there are pocket parks dispersed throughout the proposal that have a combined area of 14,050 sqm. The spaces are bisected by pedestrian routes that allow for movement through the public open space areas and adhere to the resident’s anticipated desired lines of movement. These pedestrian routes also ensure that the open areas are ‘active’ spaces and as such, opportunities for anti-social activity are reduced.

As well as facilitating connectivity within and across the lands, the open spaces perform a number of amenity functions. Those larger flat areas will act as ‘kick-about’ areas for older children while the smaller pocket

parks provide spaces where younger children can play within very close proximity to their homes. The central open space will accommodate a NEAP area of 500 sqm, a 'Local Area of Play', grassed informal kick-about areas, a 'trim trail' of outdoor gym equipment, species rich planting and a SUDS wetland area.

The proposed development will be accessed from three locations; primarily from the Blackrock Road and two secondary accesses from Bóthar Maol. The main entranceway on the eastern boundary of the site on Blackrock Road incorporates two-way traffic, an off-road cycle path and a pedestrian footpath. Pedestrians and cyclists may also access the site from two points off Bóthar Maol, and a further pedestrian access is facilitated at the southern boundary leading across proposed open spaces. The primary access road incorporates access points to the adjoining zoned residential lands to facilitate future development.

**Figure 3.2.1 Excerpt from Landscape Masterplan Prepared by Mullin Design Associates**



Site boundary treatments have been specified by Mullin design associates for both form and function; to give visual cues and interest throughout the site, provide privacy and security for residents and to visually integrate the scheme with the surrounding land uses. 6 no. distinct boundary types are proposed including 2 metre high rendered blockwork walls, some with brickwork detailing, low 0.9 to 1.2 metre high stone finish or render walls to separate the front of houses, 1.8 metre stained timber fencing, retaining dry stone walls with fencing with hedges as required and 2 metre high mesh fencing with hedging to support and protect existing vegetation. Existing trees will be maintained where possible and supplemented by additional planting. As is described above, character areas within the proposed development are accentuated by distinct planting schemes.



Car parking for the proposed houses has been provided at a rate of 2 no. spaces per unit and the proposed disability bungalow has 4 no. car parking spaces. Car parking for the proposed apartments is provided at a rate of 1 no. car parking space per unit and 1 no. visitor space per 4 units. In this way, the residential units are served by 800 no. car parking spaces. A total of 24 no. car parking spaces are proposed to serve the childcare facility. The proposal utilises soft landscaping and tree planting to visually integrate the larger parking areas.

Safe and secure bicycle storage areas are proposed. Bicycle parking is provided for the proposed apartment units at a rate of 1 no. space per bedroom and a visitor space per 2 no. units. In this way, a total of 504 no. bicycle parking spaces are proposed to serve the proposed apartments. 8 no. dedicated and secure bicycle parking stands have been provided to serve the childcare facility.

### **3.3 Integration with Surrounding Land Use**

The subject lands occur within an established residential area, in close proximity to the commercial and educational areas of Dundalk, and the village of Blackrock. The subject site comprises the backlands of the existing residential dwellings fronting the Blackrock Road (R172) and Bóthar Maol. As the proposed land use is the same as that existing in the immediate vicinity, it is envisaged that the subject residential scheme will integrate seamlessly with existing land uses.

There are 3 no. proposed entrances into the site and additional vehicular and pedestrian connections that may be provided to future development on adjoining residential lands. At present linkages are not proposed directly into the privately-owned golf club lands. These lands are zoned for 'Recreation, Amenity and Open Space' and are therefore unlikely to accommodate significant residential or economic development in the current plan period. Future connections to these lands can be provided in the future as the grounds are level across these boundaries, as shown in Sections 7-7 and 8-8 in drawings 'Proposed Site Sections 1-1, 2-2, 3-3, 4-4, 5-5, 6-6 & 7-7' and 'Proposed Site Sections 8-8, 9-9 & 10-10'. Further to this, the full extent of the proposed roadways and open spaces right up to the site boundaries are proposed to be taken in charge by the Council who may, if they so wish, provide connections into future development on the golf club lands, please refer to Drawing 'Site Plan - Taking in Charge'.

### **3.4 Part V**

It is intended to comply with Part V of the Planning and Development Act 2000 (as amended) by the transfer of built units on site.

Consultations have taken place with the Housing Department, Louth County Council in respect of Part V requirements and identification of units. As part of these consultations the Applicant submitted calculations and a methodology for calculating values of land, site costs, construction and development costs, profits and other costs to the Housing Department for review. During these consultations the Housing Section of Louth County Council gave specific details of Part V housing requirements in the area, and the applicant was happy to provide a single storey dwelling for disabled persons as part of this proposal.

In addition to this specialist 4 no. bedroom bungalow, Type DB, it is proposed to provide 48 no. dwellings to the Council in the form of 6 no. four bedroom houses, 18 no. three bedroom houses, 10 no. one bedroom apartments, 14 no. two bedroom apartments. These proposed units are dispersed throughout the proposed scheme, in so far as is practical for the County Council.

The proposed site layout and housing quality assessment submitted to An Bord Pleanála show those units to be provided to the Council. Also submitted is a letter from Louth County Council dated 14<sup>th</sup> December 2018 stating that the net monetary value of the Part V has been agreed. Appendix A contains an excerpt from this letter.

Notwithstanding the information submitted herewith, it is submitted that all details of compliance with Part V requirements will be finalised with the Planning Authority upon the issue of any grant of planning permission.

### **3.5 Ancillary**

The proposed development includes a 2 storey childcare facility of 677 sqm to serve the needs of the proposed development and surrounding residents. This crèche is located near the main vehicular access to the site beside the central public park, to maximise visibility to all residents within the scheme and beyond.

### **3.6 Services Infrastructure**

The proposal includes surface water drainage, foul drainage and potable water infrastructure designed by Finn Design Partnership in close consultation with Irish Water. In this regard, Irish Water have issued a Statement of Design Acceptance for the proposed scheme dated 20 May 2019 that is submitted herewith and copied in Appendix B.

In respect of potable water, consultations with Irish Water have confirmed that a new District Meter Area (DMA) will be installed and a new pipeline provided from the connection point at the N52 Junction at Crowne Plaza Hotel/DKIT entrance and extend along Bothar Maol in southeast direction before entering and passing through the site and connecting to the existing public watermains on the R172. Within the subject site, it is proposed that a 150mm diameter spine water main will be provided along the main access road through the site with a number of 100 mm diameter looped watermains provided along the Local Streets. Hydrants are provided for fire-fighting at locations to ensure that each dwelling is within the required. Building Regulations distance of a hydrant. The proposed potable water infrastructure is designed in accordance with the Irish Water Code of Practice for Water Infrastructure and Irish Water, Water Infrastructure Standard Details.

In respect of wastewater, it is proposed to provide a foul sewerage pumping station with adjoining emergency storage tank to serve the scheme. Foul waters from the site will be directed to the rising main provided by Irish Water that will connect to the public gravity mains at standoff manhole located at the N52 junction with the Crowne Plaza Hotel/DKIT entrance. The proposed foul water system includes 150 mm and 250 mm diameter gravity pipelines with manholes and 100 mm diameter connections will be provided at individual houses. The foul sewers are designed to accommodate six times average dry weather flow (DWF) where the total design flow from the site is 15.66 lts/sec. The design of all gravity sewers, rising mains and the pumping station and all materials used will be in accordance with the Irish Water Code of practice for Wastewater Infrastructure, December 2017 (Revision 1) and Irish Water Wastewater Infrastructure Standard Details, December 2017 (Revision 3).

The proposed surface and storm water infrastructure has been designed to limit water run-off to green field rates, to prevent the movement of sediment, fuel or oils into the Dundalk Bay SAC and SPA, and to ensure that no negative impacts arise on the existing hydraulic context. A sustainable urban drainage system (SUDS) approach has been utilised in this scheme, which incorporates filter strips, swales (wet), swales (dry), filter

drains, permeable paving, bioretention areas, attenuation/infiltration basin, and petrol interceptors. The allowable 'greenfield' run-off rates are achieved at the site through the attenuation of water and the use of hydrobrakes to limit outfall from the network. In the event of large volumes of potentially contaminated water, say during a house fire, the attenuation basin is fitted emergency penstock valves to prevent run-off. The attenuated greenfield run-off from the majority of the development (Part A) will discharge to an existing open channel to the north east of the site where a new culvert is proposed that incorporates flow control measures including the retention of water and a riprap apron. The attenuated run-off from the main entrance road (Part B) will be retained in oversized pipes before discharging to existing wetlands to the north of the site at allowable greenfield rates. Hydraulic modelling was undertaken by IE Consulting, and is appended to the Flood Risk Assessment and EIAR, which concluded that the proposed surface and storm water infrastructure will not result in an adverse impact to the existing hydrological regime or result in an increased flood risk to adjacent lands or properties or result in an adverse impact to the existing hydrological regime of the area.

Full details in respect of the proposed service infrastructure at the site are provided in the Engineering & Services Report prepared by Tony Finn Design and submitted herewith.

### **3.7 Built and Archaeological Heritage**

There are no structures/features of historic architectural significance located within the site proposed for development or adjoining the subject site. Therefore, no direct impact on the architectural heritage will arise as a result of the proposed development.

Archaeological assessment at the site has been undertaken by Archer Heritage Planning Ltd. and forms part of the EIAR submitted. The preliminary field inspection was undertaken by Archer Heritage on the 30<sup>th</sup> September 2017 and subsequently Geophysical survey (Magnetic Gradiometer) was undertaken across the Site by J Nicholls of Target Archaeological Geophysics on 12 and 13 March 2018 under licence 18R0036 (Nicholls 2018) to identify sub-surface magnetic anomalies indicative of areas of archaeological potential with no surface expression. Test excavation was undertaken across the Site on 21 August 2018 under excavation licence 18E0417 by A O'Connell of Archer Heritage Planning Ltd. This test trenching targeted anomalies recorded in the course of geophysical survey with the aim of revealing archaeological Sites/features/deposits.

The geophysical survey undertaken across the site displayed no clear evidence for archaeological activity and the test excavation works verified that no archaeological features were present at the locations where anomalies were recorded during the geophysical survey.

### **3.8 Possible Effects on the Environment**

As is stated in Section 1.2.2 'Possible Effects on the Environment' of this report, this proposal is the subject of environmental assessment and both an Environmental Impact Assessment Report and Natura Impact Statement have been submitted with this application. Chapter 14 of the EIAR lists all of the mitigation and monitoring commitments identified by each of the competent experts in their assessment of the proposed development and each of these items has been incorporated into the Outline Construction Environmental Management Plan (CEMP) submitted as part of this planning application. The Appropriate Assessment Screening Report (Stage 1) and Natura Impact Statement (NIS) prepared by Corvus Environmental Consulting Ltd. concludes that

*"The proposed development will not interfere with any key relationships or elements within the environment which define and control the structure and function of any Natura 2000 sites and will not result in significant adverse impacts on the integrity of the Natura 2000 network or any associated/underlying designations".*

## **4 PRIOR CONSULTATION**

### **4.1 Consultation with Planning Authority**

In accordance with Section 5(2) of the Planning and Development (Housing) and Residential Tenancies Act 2016, formal pre-planning consultation took place in the Louth County Council offices on the 23<sup>rd</sup> January 2018 and 19<sup>th</sup> September 2018.

In addition, informal consultation took place with various Departments including the Planning Department, and the Transportation and Infrastructure department in respect to the detailed design of the proposed development.

#### **4.1.1 Details of Outcomes**

Outcomes of meeting 23<sup>rd</sup> January 2018:

- **Site Layout:** During the pre-planning consultation the emerging site layout was discussed. This initial scheme accommodated c. 350 no. units. The layout sought to retain the large central area of public open space and provide a mix of dwelling types and sizes at sustainable densities on those lands zoned for residential development.
- **Part V:** The provision of dwellings to satisfy the Part V requirements of the scheme was also discussed. The Planning Authority expressed a preference for a mix of dwelling types and sizes, and specialised dwellings for older persons and those with disabilities.
- **Core Strategy and Phasing:** Central to the preplanning meeting was the Core Strategy and the phasing of residential development under the Dundalk and Environs Development Plan. To illustrate consistency with the Development Plan, the planning authority requested that a Draft Planning Report and Statement of Consistency be prepared for discussion at the next meeting.
- **Design:** The Planning Authority discussed the provision of character areas into the design of the scheme. The design is to accord with the Sustainable Residential Development in Urban Areas – Guidelines, and the 12 design criteria describe therein.
- **Density:** At the initial meeting it was discussed that a sustainable residential density should be achieved on the site. It was noted that apartments and duplexes could be provided at the site, and that the updated guidelines on apartments were applicable.
- **Transportation and Accessibility:** Accessibility and the availability of Public Transportation was discussed during the preplanning consultation. It was noted that Blackrock was served by a private bus company. The potential to enhance connectivity across the site and through adjoining lands was also discussed.

- Service Infrastructure: Proposals to connect the scheme to the municipal potable and foul water infrastructure was discussed. The status of the proposed pumping station are to be agreed with Louth County Council and Irish Water. It was agreed that a Flood Risk Assessment and a DMURS statement of consistency should be prepared in respect of the site.

Outcomes of meeting 19<sup>th</sup> September 2019:

- Surface Drainage: It was discussed that mechanisms to reduce and reduce the flow rate of surface waters from the site should be assessed. It was agreed that the engineering report submitted with the application should include SUDS details, calculations for each drainage catchment and attenuation details.
- Flood Risk Assessment: It was agreed that the Flood Risk Assessment should confirm that access for emergency vehicles is maintained during times of flooding. It was advised that up to 200/250 mm water is passable for emergency vehicles.
- Connectivity: It was agreed that the applicant should seek to enhance connectivity between the site and the surrounding lands. At this meeting the potential for creating a greenway along Bothar Maol was discussed<sup>2</sup>. The Planning Authority requested that the application provides for a sustainable modal split.
- Housing Design/Part V: Louth County Council is an Age Friendly Council, and therefore the Part V units proposed should be 'Universally Designed'. Inputs from the Housing Section of Louth County Council confirmed that a specialised bungalow is required in the area, and could be provided at the site.
- Items for Application: In addition to the reports and drawings submitted to the Planning Authority for the pre-planning meeting, it was suggested that details on the following be provided with the application: DMURS map to show the proposed road hierarchy, information on bike and bin storage, details of street furniture, details on the usability of open spaces.

## 4.2 Pre-Application Consultation

In accordance with Section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016, formal pre-application consultation took place with representatives from An Bord Pleanála and Louth County Council in the Louth County Council offices on the 31<sup>st</sup> January 2019.

The Board issued the Opinion on the pre-application consultation dated 13 February 2019. The response to the items raised in the Board's Opinion is provided under a separate cover, prepared by Declan Brassil and Company, and submitted herewith.

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<sup>2</sup> While the Planning Authority had originally supported the provision of a pedestrian and cycling route along Bóthar Maol it has since become apparent that the Council are not in a position to consent to these works as the lands are not under their control, as was previously confirmed. The Applicant is now in consultation with the IDA with the hope of providing a linkage from their lands to the Bóthar Maol.

## 5 STATEMENT OF CONSISTENCY

### 5.1 Ministerial Guidelines

#### 5.1.1 Sustainable Residential Development in Urban Areas Guidelines, 2009 & Urban Design Manual – A Best Practice Guide (2009)

The Sustainable Residential Development in Urban Areas Guidelines, 2009 contain specific policies and objectives in relation to the scale and location of new residential development, the need for high quality design of residential areas and the use and development of infill, greenfield and brownfield sites.

These Guidelines describe the net residential densities to be achieved in urban areas. In the interest of efficiency, it is stated that net densities in the range of 35 to 50 units per hectare should be encouraged. It is stated that residential densities below 30 units per hectare should be discouraged.

In accordance with these Guidelines, the proposed scheme accommodates a net residential density of 35.1 units per hectare. As per the Appendix A 'Measuring residential density' of the Guidelines, the net site area of 13.8 hectares excludes just the central local park of 3.7 hectares and those parts of the applicant's lands that overlap with the existing roads.

Chapter 3 of the Guidelines deals generally with the core principles of design including place-making, environmental responsibility, social equity and economic viability that are required when creating places of high quality and distinct identity. Box 2 in the Guidelines identifies 12 'Best Practice Design Manual' criteria which should be incorporated in the new residential as follows.

1. *Context: How does the development respond to its surroundings?*
2. *Connections: How well is the new neighbourhood / site connected?*
3. *Inclusivity: How easily can people use and access the development?*
4. *Variety: How does the development promote a good mix of activities?*
5. *Efficiency: How does the development make appropriate use of resources, including land?*
6. *Distinctiveness: How do the proposals create a sense of place?*
7. *Layout: How does the proposal create people-friendly streets and spaces?*
8. *Public realm: How safe, secure and enjoyable are the public areas?*
9. *Adaptability: How will the buildings cope with change?*
10. *Privacy / amenity: How do the buildings provide a high quality amenity?*
11. *Parking: How will the parking be secure and attractive?*
12. *Detailed design: How well thought through is the building and landscape design?*

The Urban Design and Architectural Statement of Consistency prepared by O'Mahony Pike Architects included as part of this submission sets out the design rationale and the key criteria considered in the design process for the proposed development based on the 12 criteria identified above.

#### 5.1.2 Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities March (2018)

The Sustainable Urban Housing: Design Standards for New Apartments 2018 Guidelines are intended to promote sustainable housing, by ensuring that the design and layout of new apartments provide satisfactory

accommodation for a variety of household types and sizes, including families with children over the medium to long term.

These Guidelines update previous guidance in the context of greater evidence and knowledge of current and likely future housing demand in Ireland taking account of the Housing Agency National Statement on Housing Demand and Supply, the Government's action programme on housing and homelessness Rebuilding Ireland and Project Ireland 2040 and the National Planning Framework, published since the 2015 Guidelines.

It is noted that 'apartment' for the purposes of the Guidelines is defined as 'a self-contained unit in a multi-unit building with grouped or common access'. Accordingly, the 7 no. apartment blocks, which adjoin the large central open space, fall under the definition of apartments for the purposes of the Guidelines and are subject to a separate Housing Quality Assessment to demonstrate compliance with the various provisions of the Guidelines. The 6 no. own door apartments and 6 no. own-door duplex units do not fall under this definition but have been included in the sections below for ease of reference.

The Guidelines include a range of specific planning policy requirements (SPPR's) which the Board are required to have regard to. SPPR's relevant to the proposed development, and compliance with same, are as follows:

### **Specific Planning Policy Requirements 1**

*Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s).*

A total of 213 no. apartments (with grouped or common access) are proposed. Of these a total of 64 no. units are one bedroom representing 30% of the total number of apartments proposed. These one-bed units represent 13.2% of the overall development proposed (including houses and own-door apartments and duplexes).

### **Specific Planning Policy Requirements 3**

*Minimum Apartment Floor Areas:*

- *Studio apartment (1 person) 37 sq.m*
- *1-bedroom apartment (2 persons) 45 sq.m*
- *2-bedroom apartment (4 persons) 73 sq.m*
- *3-bedroom apartment (5 persons) 90 sq.m*

All apartments exceed the stated minimum floor areas. One-bed apartment range in size from 52 to 56 sqm. Two-bed apartments range in size from 78.4 to 83.3 sqm.

It is noted that own-door two-bed apartments range in size are 82.3 sqm, and the own-door three bedroom duplex units are 117.3 sqm and 118.3 sqm.

#### **Specific Planning Policy Requirements 4**

*In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply:*

*(i) A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate.*

*(ii) In suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.*

*(iii) For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects.*

Based on a total of 213 no. apartments proposed a total of 102 no. units are dual aspect. This represents 48% of the apartments proposed and is substantially consistent with the general standard. With the inclusion of the own-door apartments and duplexes, 51% of the proposed apartments in the scheme are dual aspect units.

#### **Specific Planning Policy Requirements 5**

*Ground level apartment floor to ceiling heights shall be a minimum of 2.7m and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise discretion on a case-by-case basis, subject to overall design quality.*

A floor to ceiling height of 2.7 metres is achieved in all of the 213 no. proposed apartments. Floor to ceiling heights of 2.7 metres are achieved in the 6 no. own door apartments and on the 1<sup>st</sup> floor of the own-door duplex units. Only the top floor of the proposed own-door duplex unit, where the bedrooms are located, have a reduced floor to ceiling height of 2.5 metres. Accordingly, the requirements of SPPR5 are met.

#### **Specific Planning Policy Requirements 6**

*A maximum of 12 apartments per floor per core may be provided in apartment schemes. This maximum provision may be increased for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, subject to overall design quality and compliance with building regulations.*

The maximum number of units on any floor is 8 no. apartments. Accordingly, all Blocks meet the requirements of SPPR6.

Based on the foregoing, the proposed development is compliance with the relevant SPPR's contained with the Apartment Guidelines.



Sections 3.8 to 3.15 of the Apartment Guidelines considers safeguarding higher standards with particular reference to the majority of units exceeding minimum floor area standards. The Guidelines outline a number of ways this can be achieved.

It is submitted that 166 no. of the 213 no. apartments proposed exceed the minimum area standards by at least 10%, as detailed in blue in the Housing Quality Assessment prepared by OMP and submitted herewith. This equates to 78% of the proposed apartments and comprises;

- 64 no. one bedroom units (100% of one-bedroom units proposed)
- 102 no. two bedroom units (68% of two-bedroom units proposed)

Based on the foregoing, it is considered that the proposed development provides a high-quality scheme which significantly exceeds the minimum standard and fulfil the requirements of the Guidelines to safeguard high standards while offering a mix of unit sizes.

A Building Lifecycle Report for the apartments has been prepared for the proposed apartment units and is submitted herewith.

Based on the foregoing, the proposed apartments fully comply with the requirements of the Sustainable Urban Housing: Design Standards for New Apartments 2018.

### **5.1.3 Urban Development and Building Heights Guidelines for Planning Authorities – December 2018**

The Guidelines outline that generic maximum height limits, if inflexibly or unreasonably applied, can undermine wider national policy objectives to provide more compact forms of urban development as outlined in the National Planning Framework and instead continue an unsustainable pattern of development whereby cities and towns continue to grow outwards rather than consolidating and strengthening the existing built up area. Furthermore, the Guidelines provide that blanket limitations can also hinder innovation in urban design and architecture leading to poor planning outcomes.

On this basis, the Guidelines outline wider and strategic policy considerations and a more performance criteria driven approach that planning authorities should apply alongside their statutory development plans in securing the strategic outcomes of the National Planning Framework and in particular compact urban growth.

Section 3.4 to 3.8 of the Guidelines deal specifically with building height in suburban/edge locations. In this respect the Guidelines note that new developments including town-houses (2-3 storeys), duplexes (3-4 storeys) and apartments (4 storeys upwards) deliver medium densities, in the range of 35-50 dwellings per hectare net. Such developments are beneficial in addressing the need for more 1- and 2-bedroom units in line with wider demographic and household formation trends, while at the same time providing for the larger 3, 4 or more-bedroom homes across a variety of building typology and tenure options, enabling households to meet changing accommodation requirements over longer periods of time without necessitating relocation.

The Guidelines note that this form of development "*can, where well designed and integrated, also facilitate the development of an attractive street-based traditional town environment with a good sense of enclosure, legible streets, squares and parks and a strong sense of urban neighbourhood, passive surveillance and*

community as in the case of the award-winning Adamstown Strategic Development Zone in South Dublin County Council”.

Section 3.6 provides that development in suburban/edge locations “2, 3 and 4-storey development which integrates well into existing and historical neighbourhoods and 4 storeys or more can be accommodated alongside existing larger buildings, trees and parkland, river/sea frontage or along wider streets”.

The Guidelines advocate that such development patterns are generally appropriate at suburban edges of towns and cities, for both infill and greenfield development and should not be subject to specific height restrictions.

Specific Planning Policy Requirements 4 (SPPR4), which takes precedence over any conflicting, policies and objectives of Development Plans or Local Area Plans, provides:

**SPPR 4:** *It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure:*

1. *The minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled “Residential Development in Urban Areas (2007)” or any amending or replacement Guidelines;*
2. *A greater mix of building heights and typologies in planning for the future development of suburban locations; and*
3. *Avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.*

The proposed development incorporates a range of building heights from 1 to 4 storeys. The proposed houses are typically 2 and 2.5 storeys in building height, the proposed duplex over apartments are 3 storeys, apartment building D is 3 storeys in height and buildings A, B, C, E, F, G.

The introduction of three and four storey elements assist in ensuring a greater mix of building typologies in line with wider demographic and household formation trends. Taller elements have been sensitively located adjacent to the large central public open spaces and in distinct clusters to facilitate passive surveillance and strengthen character areas. In addition, the proposed building heights assist in achieving appropriate densities in accordance with the Residential Development in Urban Areas Guidelines. On this basis, the proposed building heights are fully consistent with the provisions of the Urban Development and Building Heights Guidelines.

#### **5.1.4 Childcare Facilities – Guidelines for Planning Authorities 2001**

The Childcare Facilities Guidelines for Planning Authorities, June 2001, provide a framework to guide Planning Authorities and developers in assessing and formulating development proposals for childcare facilities. It is noted that these are a planning guidance document only, and standards set down in relevant childcare legislation take precedence.

Section 2.4 of the Guidelines consider appropriate locations for childcare facilities, and with reference to facilities ‘in new communities/larger new housing developments’ provides that:

*'For new housing areas, an average of one childcare facility for each 75 dwellings would be appropriate..... Authorities could consider requiring the provision of larger units catering for up to 30/40 children in areas of major residential development on the basis that such a large facility might be able to offer a variety of services – sessional/drop in/after-school, etc.'*

Section 3.3.1 of the Guidelines goes on to state that *'in relation to new housing areas, a standard of one childcare facility providing for a minimum 20 childcare places per approximately 75 dwellings may be appropriate'*.

The proposed development proposes a total of 483 no. dwellings of which 419 no. units are potential family homes with 2 or more bedrooms. In accordance with the Childcare Guidelines, a crèche facility with capacity for 112 no. children is proposed. The two storey crèche of 677 sqm has a secure outdoor play area of 660 sqm. This crèche has been located in the vicinity of the main entrance to the site, adjoining the large area of Public Open Space, to enable safe and easy access for families.

### **5.1.5 Guidelines for Planning Authorities – The Planning System and Flood Risk Management 2009**

The Planning System and Flood Risk Management Guidelines (DoECLG 2009) introduce comprehensive mechanisms for the incorporation of flood risk identification, assessment and management into the planning process. The guidelines require the planning system to:

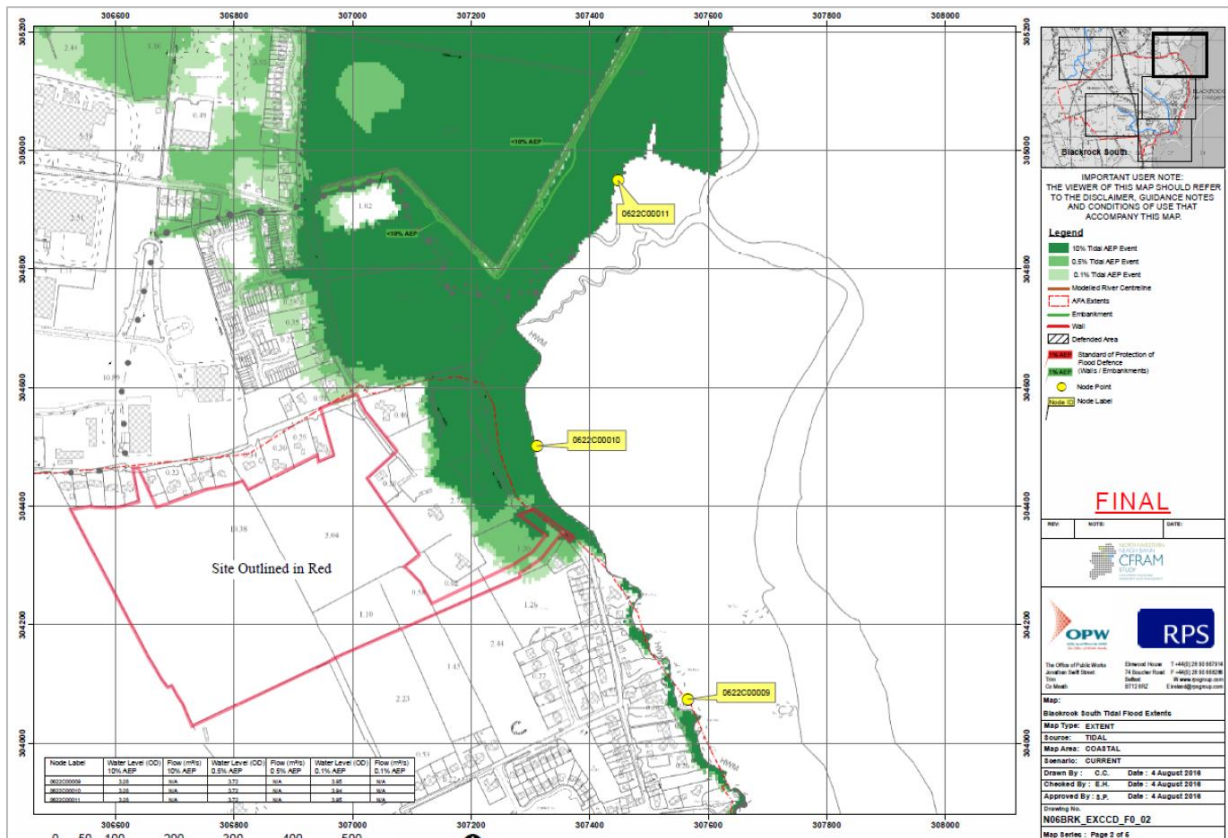
- Avoid development in areas at risk of flooding unless proven wider sustainable development grounds and risk can be mitigated without increasing risk elsewhere.
- Adopt a sequential approach to flood risk management for new development location based on avoidance, reduction and mitigation of flood risk.
- Incorporate flood risk assessment into decision making on planning applications.

A site-specific flood risk assessment has been undertaken by Finn Design Partnership Consulting Engineers, utilising hydraulic modelling from IE Consulting, in accordance with the *'Planning System and Flood Risk Management Guidelines'* (DoECLG 2009). This assessment found that part of the proposed access road to the site falls within Flood Zone A and B as a result of coastal flooding, see figure 6.3.4.1 below. Notably, the proposed residential elements does not form part of Flood Zones A or B. The Flood Risk Assessment confirms that all of the dwellings, the creche and the vast majority of the services infrastructure are above the maximum predicted flood level of 3.94 m AOD.

To mitigate against the risk of flooding at the main entrance to the site it is proposed to raise the vertical alignment of a 158 metre section of the Blackrock Road (R172) by an average to 395 mm to ensure that vehicles may use this roadway in a southerly direction during 1 in 10 yr (10% AEP), 1 in 200 yr (1% AEP) and 1 in 1000 yr (0.1%) coastal flooding events. Proposed footpaths will ensure that pedestrians can safely access and egress the subject site during extreme coastal weather events.

The proposed development incorporates measures to prevent future onsite flooding and potential for downstream flooding. The increase in impermeable area and the corresponding increase in both volume and rate of surface water run-off and this will be mitigated by applying the Principles of Sustainable Urban Drainage Systems. The surface water infrastructure proposed will ensure the run -off post development will be to at allowable greenfield levels with no significant adverse impacts on the surface water system and will protect against any potential increase in flood risk due to the introduction of hardstanding.

Figure 5.1.5.1 Excerpt from Flood Risk Assessment Report



5.1.6 Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (2009)

A Natura Impact Statement (NIS) has been prepared by Mr Gareth E Grindle B.Sc. (Hons.) M.Sc. L.L.M. M.C.I.E.E.M. M.I.Env.Sc., as Director of Corvus, in respect of the proposed development. This assessment has been prepared in accordance with the following:

- Assessment of plans and projects significantly affecting Natura 2000 sites, Methodological guidance on the provisions of Article 6 (3) and (4) of the Habitats Directive 92/43/EEC
- Managing Natura 2000 Sites, The provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC
- Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities

This NIS was prepared to enable the Competent Authority to undertake Appropriate Assessment of the impacts of the scheme on Dundalk Bay, which holds SPA and SAC designations and is also designated as a Ramsar Site and a pNHA. This NIS concludes in stating that:

*“The proposed development will not interfere with any key relationships or elements within the environment which define and control the structure and function of any Natura 2000 sites and will not result in significant adverse impacts on the integrity of the Natura 2000 network or any associated/underlying designations”.*

### 5.1.7 Statement of Consistency

The proposed development has been informed by the foregoing Guidelines and has incorporated the relevant policies and objectives as contained therein. Accordingly, it is submitted that the proposed development is consistent with the overarching purpose and principles of the Ministerial Guidelines outlined above.

## 5.2 Louth County Development Plan 2015-2021

Chapter 1 of the County Development Plan describes Louth as a place *"Where people want to live, work, visit and invest now and in the future. That is well planned, well managed, safe and inclusive. Where there exists equality of opportunity for all"*. Arising from this vision are 11 no. Strategic Objectives that focus on; promoting the economic growth of the County, directing new development in accordance with the Settlement Hierarchy, facilitating sustainable, efficient and integrated development within a plan-led decision making structure, protecting the built and natural heritage of the County, and to limit the human induced causes of climate change.

It is stated in Section 2.16.4 of the County Plan that *"The Louth County Development Plan 2015-2021 will be an over-arching Development Plan for the entire county including Dundalk and Drogheda"*.

### 5.2.1 Core Strategy and Settlement Strategy

Dundalk is identified as a 'Large Growth Town I', which is the highest tier of Settlement Hierarchy in the Louth County Development Plan. It is stated in Section 2.6 'Settlement Hierarchy' that the Settlement Hierarchy supports the growth of Dundalk as a Gateway in parallel with balanced development in the County. The Preferred Development Strategy for 'Large Growth Towns' and defined urban settlements under the Development Plan is to achieve a critical mass of population. Policy SS2 of the Settlement Strategy seeks *"To facilitate the development of Dundalk and Drogheda and to maintain their positions at the top of the settlement hierarchy"*.

Policy CS 3 of the Development Plan states that it is a Policy of the Planning Authority *"To require that a 'Core Strategy Population and Phasing Statement' will be submitted with all planning applications for residential development on zoned land detailing how the application complies with the core strategy household allocations and phasing proposals included in the settlement plan"*.

Section 2.9 'Future Population Growth' of the Core Strategy states that 60% of future population growth within County Louth should be directed towards Dundalk and Drogheda. Table 2.4 'Distribution of Existing and Proposed Populations in the Settlement Hierarchy' predicts that the population of County Louth will increase by 8,402 persons between 2016 and 2021. This population growth is to be accommodated in 3,111 no. new residential units in the County. Of those 8,402 additional people, a total of 4,322 shall be accommodated in Dundalk town and environs. This predicted population increase in Dundalk and Environs from 42,300 to 46,622 between 2016 to 2021 is stated to require an additional 1,600 no. residential units,

based on an occupancy level of 2.7 persons per dwelling<sup>3</sup>.

Table 2.5 'Potential Housing and Population Growth within Settlements' of the Plan states that Dundalk and environs requires 51 hectares of land for residential development up to 2016, while an additional 57 hectares will be required up to 2021. These calculations are based on an average residential density of 42 units per hectare across all residential zoned lands. From these calculations, it is stated that there is an excess of 798 hectares of undeveloped residential land zoned in Dundalk & environs to meet the housing allocation for this area. To address the excess of zoned lands in the urban areas of Dundalk and Drogheda, the Plan includes for the phasing of residential lands through the core strategy of Local Area Plans.

### 5.2.2 Residential Development and Other Objectives

Chapter 4 of the County Development Plan includes 54 Policies in respect of residential and community facilities. These have been listed in Appendix D of this report.

Section 4.9 of the Development Plan describes development standards applicable to residential development. It is stated that residential densities of 20 to 30 units per hectare shall be provided at edge of centre sites while residential densities in excess of 30 units per hectare shall be provide in centrally located sites. It is stated that building heights shall generally not exceed 3 storeys, however taller buildings may be accommodated in certain locations and in accordance with Local Area Plans. Under the Plan public open space is to be provided at 15% of the site area and facilitate both active and passive use. These open spaces should be passively surveilled and comprise high quality landscaped linear and pocket parks that are integrated with proposed community facilities. It is stated that no public open space is less than 200 sqm in size and that no boundary is less than 10 metres in length.

Tables 4.5, 4.6, 4.7, 4.8 and 4.9 of the Plan list the minimum standards for residential dwellings, which are listed in Appendix D. It is further stated at a distance of 22 metres shall be provided between habitable windows above ground floor. Table 7.6 states that car parking shall be provided at a rate of 2 no. spaces per dwelling, and 1 per 6 children for the crèche, in Area 3. Bicycle parking shall be provided at a third of the rate prescribed for car parking.

The subject site occurs within 100 meters of the Dundalk Bay SAC and SPA (Site Codes 000455 and 004026, respectively). Policy HER 4 of the Plan requires that screening for Appropriate Assessment be undertaken for all plans and projects within the County. Dundalk Bay is also designated as a pNHA, under Site Code 000455, and a County Geological Site under Site Number LH18.

Section 5.8 of the County Development Plan states that there are 4 no. Tree Protection Orders (TPO) in the County, none of which occur within or adjoining the subject site. The Plan also lists 21 no. Champion Trees and 33 no. 'Trees and Woodlands of Special Amenity Value', none of which occur within or adjoining the subject site.

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<sup>3</sup> As used in 2.9.1 'Allocation of Population in the Settlement Hierarchy' of the Development Plan. It is stated in the Plan that this occupation rate of 2.7 persons per unit arises from the 2011 Census of Population.

### 5.2.3 Statement of Consistency with Louth County Development Plan

The subject site comprises zoned infill residential lands in close proximity to existing employment generating land uses, Dundalk Institute of Technology, and the central areas of Dundalk and Blackrock Village. By co-locating residential, employment and educational land uses it is considered that the proposed development accords with the Strategic Objective of the Plan to provide sustainable and integrated development.

The proposed development is consistent with the requirements of the Core Strategy and the Settlement Strategy which seeks to focus growth into the town and environs of Dundalk. A total of 3,111 no. residential units are required to accommodate predicted population increases in County Louth between 2016 and 2021. However, evidence from the Central Statistics Office (CSO) indicates that County Louth is failing to accommodate a sufficient number of new dwellings to meet the housing targets of the Core Strategy.

The CSO's 'New Dwelling Completions' indicate that there is a significant shortfall in the provision of housing to reach the population targets of the Development Plan. Over the past 3 no. years just 1,181 no. new dwellings have been completed across County Louth. This represents a shortfall of 1,930 no. when compared to the housing targets of the Development Plan up to 2021. In order to reach the core strategy targets an additional 965 no. new housing units will have to be completed per annum in 2019 and 2020.

**Table 5.2.3.1 Summary of 'New Dwelling Completion' Data for Louth County (CSO)**

Year	No. New Dwellings Completed
2016	204 no. units
2017	375 no. units
2018	602 no. units
<b>Total New Housing Completion 2016-2018 (inclusive)</b>	<b>1,181 no. Units</b>
<b>Shortfall in new Units required to Reach Housing allocation of 3,100 no. units up to 2021:</b>	<b>1,930 no. Units</b>

Regarding the phasing of residential lands within the Dundalk area, it is noted that the housing allocation calculations for Dundalk and Environs described in Table 2.5 of the Core Strategy and Settlement Strategy were based on an average residential density of 42 units per hectare. Inner urban and infill areas where higher residential densities may be achieved only account for a small percentage of the undeveloped lands in Dundalk and Environs. The majority of undeveloped lands in this area are suburban and greenfield sites which, given the existing pattern of low-density residential development, may potentially only accommodate new residential development at the lower end of the recommended 35 to 50 unit per ha range.

A review of recently permitted multi-unit residential developments in Dundalk and Environs confirmed that the residential densities achieved on Phase 1 and 2 lands was far below the 42 units per hectare applied in the Core Strategy. The planning history review undertaken for the 'Material Contravention Statement'

submitted herewith identified that new Multiple Unit Developments<sup>4</sup> permitted on Phase 1 and 2 lands since 2011 accommodated residential densities in the region of 26 units per ha, which is almost 40% lower than the residential density used in the Core Strategy of the Development Plan.

This practice of providing very low-density development undermines the Housing Allocation calculations of the Core Strategy and creates a scarcity of zoned and serviced lands in the locality. As such, the 57 hectares of lands allocated to Dundalk and Environs for housing development up to 2021 may prove to be insufficient to meet housing demand in the future. It is therefore submitted that the proposed scheme incorporating sustainable residential densities at 35 units to the hectare makes efficient use of this well located and serviced site.

In seeking to accommodate higher residential densities in accordance with the 2009 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns & Villages)', the proposed apartment buildings include 4 storey elements. These taller elements are sensitively positioned around the large central open space, such that they do not impact upon the existing character of the area and offer passive surveillance over this expansive park, consistent with the building heights prescribed in the Development Plan.

In respect of the residential development standards described in the Plan, each of the proposed dwellings meets and exceeds the residential development standards of the County Development Plan, as illustrated in the Housing Quality Assessment prepared by OMP, Project Architects.

In accordance with the Development Plan, 22 metres has been provided between habitable windows above ground floor to protect and maintain the privacy of existing and future residents. Car parking has been provided at a rate of 2 no. spaces per house. 1 no. car parking space per apartment unit and 1 no. visitor space per 4 units, in accordance with the 2018 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities'. Similarly, bicycle parking has been provided at a rate exceeding that described in the Development Plan to accord with the Apartment Guidelines and facilitate a sustainable modal split.

The proposed scheme includes 1.4 hectares of public open space in the form of pocket parks, which equates to 10.2% of the net site area. This current proposal includes a large central public open space of 3.1 hectares. This central park occupies over 20% of the gross subject site area. In this way, it is submitted that the future residential community will be well serviced by high amenity open spaces.

Due to the proximity of the subject site to the Dundalk SAC, SPA and pNHA an NIS has been prepared and submitted to An Bord Pleanála. The current scheme is also the subject of Environmental Impact Assessment.

Drawing from the above, it is submitted that the proposed scheme is consistent with the provisions of the Louth County Development Plan 2015-2021.

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<sup>4</sup> The Multi-Unit Developments Act 2011 defines a Multi-Unit Development as a development that contains not less than 5 residential units;



### 5.3 Dundalk and Environs Development Plan 2009-2015

The Dundalk & Environs Development Plan 2009-2015 was adopted by Dundalk Town Council on 25<sup>th</sup> November 2009. Since its adoption, the Plan has been the subject of two variations: Variation No 1 was adopted on the 29<sup>th</sup> August 2011 and incorporated the Core Strategy into the Plan, Variation No 2 regarding the zoning of Ashling Park, and a material amendment relating to lands on the Lower Point Road.

It is stated in the Louth County Development Plan 2015 – 2021 that the Dundalk and Environs Development Plan will be replaced by a Local Area Plan (LAP). This LAP has yet to be issued and therefore the existing Development Plan from 2009 continues to have affect, in conjunction with the County Development Plan.

#### 5.3.1 Land Use Zoning & Designations

Under the Dundalk & Environs Development Plan 2009-2015 the area of the subject site is zoned 'Residential 2' with the objective "*To provide for new residential communities and supporting community facilities subject to the availability of services*" and 'Recreation, Amenity and Open Space' with the objective "*To provide for the provision of public parks, open spaces, amenity and recreational facilities*".

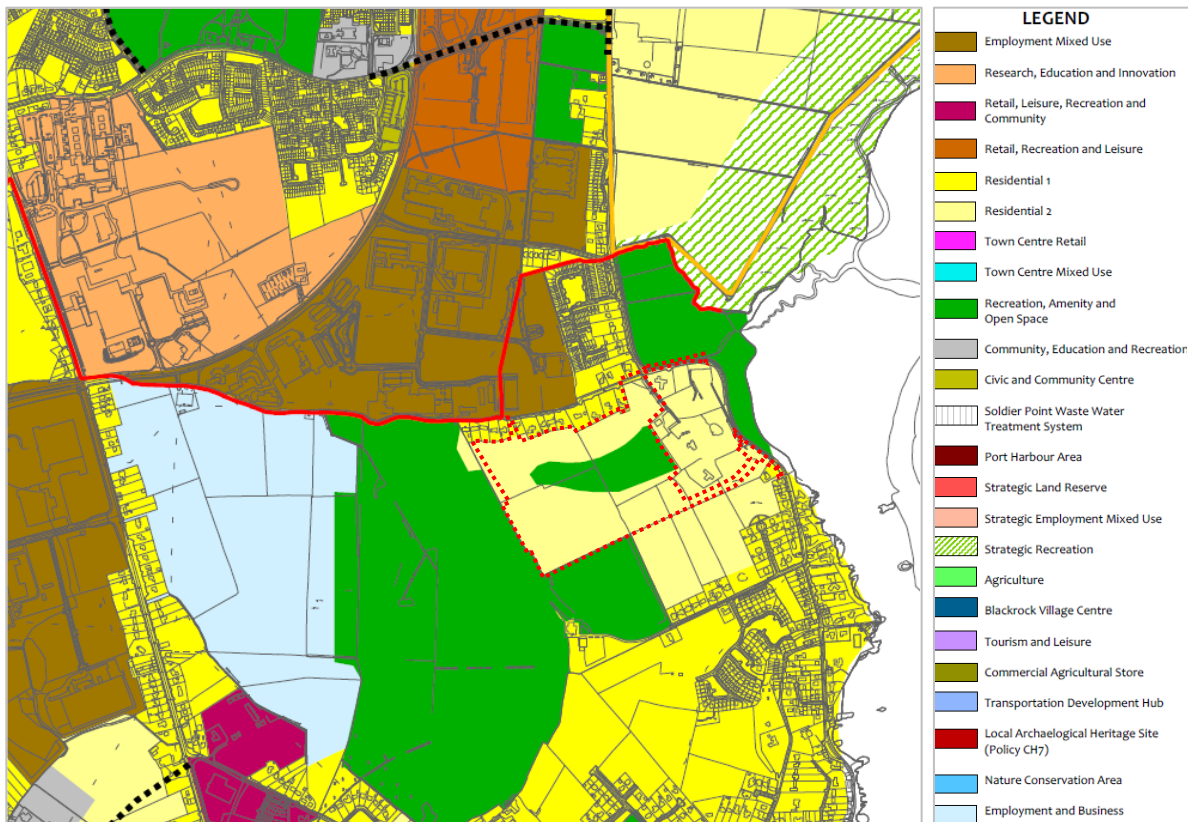
Table 2.4 'Zoning Uses' of the Plan lists those uses that are 'Permitted Uses', 'Uses Open to Consideration' and 'Not Permitted Use' under the Plan. This table lists Residential, Residential (Ancillary), and Crèche / Childcare Facility are listed as 'Permitted Uses' on lands zoned 'Residential 2'. Allotments and Sports Facilities are 'Permitted Uses' on lands zoned 'Recreation, Amenity and Open Space'. Section 2.5 'Zoning Matrix' of the Plan states that "*Uses other than the primary use for which an area is zoned may be permitted in certain circumstances provided that they are not in conflict with the primary use zoning objective*".

The group of trees at the northeast of the site were assessed as part of the 'Tree Survey of Dundalk' that forms Appendix 6. This survey, from May 2004, describes the group of trees as follows:

TP 54 Bothar Maol "*Group of Sycamore, Ash, mature, fair condition. No great value*".

Policy CH5 of the of the Plan seeks to make Tree Preservation Orders for all of the trees described in the Tree Survey, however no Tree Preservation Orders were made as the County Development Plan does not refer to any TPO's at the subject site. This policy also seeks the protection of important groups of trees and requires the planting of replacement trees were tree removal is required to facilitate development.

Figure 5.3.1.1 Land Use Zoning Objectives Map 1 from the Dundalk and Environs Development Plan 2009-2015 with the Subject Site highlighted.



### 5.3.2 Core Strategy and Settlement Strategy

The vision for the Core Strategy of the Dundalk and Environs Development Plan 2009-2015 states that;

*“The vision for Dundalk and its environs, as enshrined in this Development Plan, is of a prosperous, thriving, self sufficient and age friendly regional gateway of sufficient size to support a broad range of employment opportunities, social, cultural and community facilities and services in order to provide a high quality of life for all and to act as a driver for development within the North East sub-region where such development is soundly based on the sustainable use of energy and the principles of economic, social and environmental sustainability with attainment of carbon neutral status by the year 2020”.*

The ‘Core Strategy Phasing Map B’ of Variation No. 1 designates the subject lands as Phase 3 residential development. Under Variation No. 1, it is envisaged that Phase 1 lands will accommodate housing during the lifetime of the Plan, with Phase 2 and 3 lands becoming available for development once Phase 1 and Consolidation areas have been utilised.

Section 2.3 ‘Housing Land Requirement (HLR)’ of the Core Strategy states that an oversupply in the housing market required the designation of strategic sites to accommodate sustainable growth within Dundalk and Environs. Under the Core Strategy 6 no. broad geographical areas were evaluated in respect the availability of social and physical infrastructure. The Town Centre and the residential lands at Mount Avenue/Castletown scored most favourably and were therefore designated Phase 1. Phase 2 lands are those areas with existing

services (water, sewerage, roads), and Phase 3 lands comprise areas without public services that would require public sector investment to accommodate development.

POLICY CS2 of the Plan states that the Planning Authority will seek *"To apply the phasing of new residential development as per the phasing strategy set out, whereby residential development, other than infill, brownfield or mixed use development shall only be permitted in the identified area within Phase 1. Only on completion of the development of 75% of these lands shall subsequent phasing be considered for additional residential development"*.

It is of note that the Core Strategy of the Dundalk and Environs Development Plan has not been updated to accord with the Core Strategy of the County Development Plan or to allocate the additional 57 hectares required for residential development from 2016 to 2021.

### 5.3.3 Residential Development

Chapter 6 'Housing and Community Facilities' of the Development Plan describes development standards applicable to the subject scheme. It is stated that developments should incorporate a sustainable mix of dwelling types and sizes, in addition to the provision of housing for those with special needs, in accordance with Policies HC3 and HC4. Section 6.6 'Design Guidelines' states that residential development should be permeable to facilitate the safe movement of pedestrians and cyclists through the scheme. Houses should be designed to be flexible, and to provide access for all, so that houses may adapt as the needs of the homeowner changes over time. Table 6.7 'Residential Car Parking Standards' states that car parking shall be provided at a rate of 2 no. spaces per dwelling in greenfield areas.

Section 6.7 'Residential Development Standards' states the residential developments shall incorporate sustainable residential densities in accordance with Ministerial Guidelines. Private open spaces should be provided at a rate of 60 sqm for 1 and 2 no. bedroom houses and 80 sqm for 3 no. plus bedroom houses. 1 no. bedroom apartments should have 10 sqm of private open space and 2/3 bedroom apartments should have 20 sqm. On lands with areas zoned for recreation and amenity purposes, 10% of the site shall be dedicated for public open space, with a minimum of 4% provided as pocket parks throughout the scheme. It is recommended that at least 22 metres is provided between opposing habitable rooms.

Appendix 4 'Internal Room Standards' of the Plan lists the Development Standards of the 'Quality Housing for Sustainable Communities, Best Practice, Guidelines for Delivering Homes, Sustaining Communities' published by the DoEHLG in 2007.

### 5.3.4 Statement of Consistency

#### 5.3.4.1 Land Use Zoning & Designations

In accordance with the land use zoning it is proposed to provide a new residential community on this serviced and well-located site. The area zoned 'Recreation, Amenity and Open Space' in the centre of the site will become a landscaped park incorporating play areas, pathways and wildflower meadows.

It is stated in Section 2.5 'Zoning Matrix' of the Plan that *"Uses other than the primary use for which an area is zoned may be permitted in certain circumstances provided that they are not in conflict with the primary use zoning objective"*. It is submitted that the provision of sections of access road, uses ancillary to the creche, a pumping station, a bin store and bicycle parking within the lands zoned 'RAO' do not undermine the quality

or functionality of this expansive 3.1 hectare public open space. This central public open space will be landscaped to provide areas of active and passive recreation including a playground and a free-play area, 'Trim Trail' outdoor gym equipment, interconnected cyclepaths and footpaths all surrounded by extensive planting as shown in the 'Landscape Masterplan' Drawing No. Dwg. 18.120.100.1 prepared by Mullin Design Associates. This proposed open space will be of great recreational amenity to the community and is therefore consistent with the zoning objective 'To provide for the provision of public parks, open spaces, amenity and recreational facilities'.

The existing trees at the site have been surveyed by Br. Philip Blackstock on two occasions<sup>5</sup>. It is intended to protect and maintain existing trees at the site, in particular at the northeast portion of the site at Bothar Maol, and to supplement the retained trees with new trees and planting in a manner consistent with Policy CH5 of the Plan. The existing trees and vegetation within and adjoining the subject site have been utilised in defining the landscape character areas within the site, for example the existing conifer planting at the Golf Course boundary is replicated with 'The Birches & Pine' character area. Please refer to the landscaping masterplan and tree protection details prepared and submitted by Mullin Design Associates.

#### 5.3.4.2 Development Standards

In respect of the residential development standards of the Development Plan, it is submitted that the subject site accommodates a mix of dwelling types and sizes to meet the needs of all members of the community. Each of the dwellings meets and exceeds the minimum standards of the Plan and have been designed to allow flexibility and adaptability, as evidenced in the Housing Quality Assessment prepared by Project Architects OMP.

The subject site seeks to facilitate and enhance pedestrian and cyclist connectivity by providing 3 no. entrances to and from the site and provides for additional connections to adjoining residential zoned lands. The landscaping proposals describe pathways and walking routes that permeate through the site. The Report prepared by Atkins, illustrates that the site is within comfortable walking distance of the IDA and Finnabair Industrial Estates and the existing public transport routes on the N52. Blackrock village and the Dundalk Retail park are within a comfortable walking distance of the site, and the Xerox Technology Park, and Dundalk I.T. campus are both a comfortable cycle from the site.

As is stated above, car parking has been provided at a rate of 2 no. spaces per house. 1 no. car parking space per apartment unit and 1 no. visitor space per 4 units, in accordance with the 2018 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities'.

The site is well serviced by high quality public open spaces. Pocket parks have been integrated into the housing scheme and represent 10.2% of the net site area. The large central open space of 3.1 hectares has been landscaped to facilitate both active and passive recreation. Active recreation areas include proposed NEAP and LAP play areas, informal kick-about spaces and the proposed 'Trim Trail' with outdoor exercise equipment. Passive recreation is facilitated through the provision of extensive interlinking pathways, seating, and densely planted meadows and orchards. In accordance with the Plan, existing trees and vegetation have been retained where feasible and utilised to inform the landscaping strategy for the site.

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<sup>5</sup> Trees were felled at the subject site by a Third Party and the timber removed from site. This incident was reported by the Applicant to An Garda Síochána in January 2019, and is currently being investigated.

Based on the foregoing the proposed development has been informed by the Dundalk and Environs Development Plan 2009 to 2015 and has incorporated the relevant policies and objectives as contained therein. Accordingly, it is submitted that the proposed development is consistent with the policies and objectives of this Plan.

#### 5.3.4.3 Core Strategy

Variation No. 1 states that the short-term vision for the Core Strategy is to consolidate existing residential development to enable the sequential expansion of the town, and the medium-term vision is to support the Gateway status of the settlement to deliver residential growth in tandem with the provision of infrastructure and economic development. In accommodating new residential development at sustainable densities in proximity to existing employment, recreational and educational land uses, it is considered that the proposed scheme is consistent with the vision of the Core Strategy for Dundalk and Environs.

Variation No. 1 of the Town Plan designated the subject site for Phase 3 development on the basis of infrastructural constraints. As is evidenced by the 'Statement of Design Consistency' issued by Irish Water and the Engineering and Services Report prepared by Finn Design Partnership, both submitted herewith, the subject site is serviceable and capable of delivering development in the short term.

As evidenced in the Transport and Accessibility Assessment prepared by Atkins Consulting Engineers, the lands are sustainably located within the polycentric urban area of Dundalk and Environs. The site is a 12 minute walk from the employment lands at the Finnabair Industrial Estate and a 12 minute cycle to the employment lands at the Xerox Technology Park. In addition to the above, the comfortable 24 minute walking radius from the site includes the following amenities: Blackrock Village, the Crowne Plaza Hotel, the retail area at Dunnes Stores, the DKIT sports campus and Na Piarasigh GAA Club, and the Dundalk Retail Park. The educational hub at Dundalk Institute of Technology is within a 24 minute cycle from the site. The N52, with its existing public transportation linkages, is within a 24 minute walk from the site. To further enhance connectivity between the subject site and surrounding land uses, Kingsbridge Consultancy Limited are in consultation with the operators of the Halpenny Travel bus to include the subject site on their route.

In this way, the subject site accords with the definition of Tier 1 'Serviced Zoned Land' in the National Planning Framework.

Policy CS2 of the Plan prevents the release of Phase 2 and 3 lands for development as only 10 no. of the 1,750 no. housing units allocated to the Phase 1 lands have been completed to date. Justification for the contravention of Policy CS2 has been provided in the 'Material Contravention Statement' prepared by Declan Brassil & Company and submitted herewith.

In all, it is submitted that any assessment of consistency for the purposes of assessing a planning application or a request for consultation under the SHD process must be based on a holistic assessment of all relevant statutory provisions. Professor Yvonne Scannell in 'Environmental and Land Use Law' provides a relevant analogy in respect of assessing whether a proposed development represents a material contravention of a Plan:

*'Note that the contravention must be a contravention of the development plan, not necessarily of a single or particular provision of the plan. It is submitted therefore that it is **the plan as a whole which must be***

**considered.** *There is no definition of what constitutes 'material contravention' of the development plan'.*  
[Emphasis added]

It is submitted that the same principle applies to an assessment of consistency of the statutory land use plans. In the current instance, the relevant statutory land use plans are both the County Plan and Town and Environs Plan. The lands are zoned residential and as such meet the requirements of the SHD legislation. Accordingly, having regard to the above considerations, and the assessment of consistency against all relevant provisions of those Plans as provided in this Report, it is submitted that the proposed development of the lands for 483 units is consistent with the provisions of those plans and may be granted permission by the Board.

## 5.4 Other Guidance

### 5.4.1 National Planning Framework

The National Planning Framework (NPF) is the Government's high-level strategic plan for shaping the future growth and development of Ireland to the year 2040 and replaces the National Spatial Strategy 2002-2020. The NPF requires the preparation of Spatial and Economic Strategies for each region by the Regional Assemblies, to be completed in early 2019. Louth is in the Eastern and Midland Regional Assembly. The NPF has 10 strategic outcomes including the delivery of 30% population growth in targeted settlements outside the five cities.

Under the NPF the Eastern and Midland Region is targeting an increase in population between 490,000 – 540,000 additional people. The NPF prioritises Dundalk and Drogheda for growth and consolidation given their strategic location on the nationally important Dublin-Belfast Economic Corridor, and it is stated that key future planning and development and place-making policy priorities for the Eastern and Midland Region include:

*"A focused approach to compact, sequential and sustainable development of the larger urban areas along the Dublin – Belfast economic and transport corridor, along which there are settlements with significant populations such as Dundalk and Drogheda".*

Relevant National Policy Objectives include;

**National Policy Objective 3a** - Deliver at least 40% of all new homes nationally within the built-up footprint of existing settlements.

**National Policy Objective 3c** – Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints.

**National Policy Objective 6** – Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area.

**National Policy Objective 7** – Apply a tailored approach to urban development, that will be linked to the Rural and Urban Regeneration of Development Fund, with a particular focus on:- ...

- Encouraging population growth in strong employment and service centres of all sizes, supported by employment growth;
- Reversing the stagnation or decline of many smaller urban centres, by identifying and establishing new roles and functions and enhancement of local infrastructure and amenities;
- Addressing the legacy of unplanned growth, by facilitating amenities and services catch-up, jobs and/or improved sustainable transport links to the cities, together with a slower rate of population growth in recently expanded commuter settlement of all sizes;
- In more self-contained settlements of all sizes, supporting a continuation of balanced population and employment growth.

**National Policy Objective 11** – In meeting urban development requirements, there will 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 Policy Objective 18a** – To support the proportionate growth of and appropriately designed development in rural towns that will contribute to their regeneration and renewal, including interventions in the public realm, the provision of amenities, the acquisition of sites and the provision of services.

**National Policy Objective 32** – To target the delivery of 550,000 additional households to 2040.

**National Policy Objective 33** – 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** – Increase residential density in settlements, through a range of measures including reductions in vacancy, reuse of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

It is submitted that the proposed development has been designed in accordance with the Policy Objectives of the National Planning Framework and constitutes Tier 1 'Serviced Zoned Land'. Correspondence from Irish Water through the 'Confirmation of Feasibility' dated 18 February 2019 and the 'Statement of Design Acceptance' dated 20 May 2019 illustrate that the subject site and the proposed development can be serviced potable and wastewater infrastructure. Proposed surface water infrastructure will be provided within the site, with discharge to the existing surface water outfall to be kept within greenfield discharge limits, as designed by Project Engineers Finn Design Partnership. Spatially, the site forms part of the Dundalk and Environs area contiguous to the Dundalk urban core, as defined in the Dundalk and Environs Development Plan 2009-2015. The site is ideally co-located beside the Finnabair and IDA industrial estate to the immediate north, and the Xerox Technology Park 1 kilometre to the west. Both of these employment hubs and the educational hub at Dundalk I.T. are within easy walking distance of the subject site and existing footpaths on the Blackrock Road lead continuously to Dundalk and Blackrock.

To make efficient use of this serviced and well located site, it is proposed to provide residential densities above those prescribed in the Development Plan, in accordance with the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns & Villages)'.

#### 5.4.2 Rebuilding Ireland - Action Plan for Houses and Homelessness

The Action Plan for Housing and Homelessness was published in 19 July 2016 in response to Ireland's worsening housing shortage. The Plan is designed to accelerate housing supply through Five Key Pillars;

- Pillar 1 – Address Homelessness
- Pillar 2 – Accelerate Social Housing
- Pillar 3 – Build More Homes
- Pillar 4 – Improve the Rental Sector
- Pillar 5 – Utilise Existing Housing

The 'Housing Challenges' section of this Action Plan lists the pressing challenges to be overcome in Ireland's housing sector including; Decline in House Completions, Persistent Under-Supply, Location and Land Supply. 'Pillar 3: Build More Homes' states that the key objective of this pillar is to *"Increase the output of private housing to meet demand at affordable prices"*. The Key Action under Pillar 3 is the doubling of housing output to deliver over 25,000 units per annum up to 2021.

Information from the 'Homelessness Reports' issued by the Department of Housing, Planning and Local Government indicate that since July 2016 when the Government launched the *'Rebuilding Ireland – an Action Plan for Housing and Homelessness'* homelessness in County Louth as increased by 50%<sup>6</sup>.

This current proposal seeks to provide housing in the short term in order to address the current under supply experienced in Dundalk and its environs. This scheme accommodates 483 no. dwelling units incorporating a sustainable mix of 1, 2, 3, 4 and 5 bedroom dwellings in the form of houses, duplexes and apartments. Ongoing discussions with the Housing Section of Louth County Council has informed the proposed Part V housing mix such that the scheme can meet the needs of all members of the community.

#### 5.4.3 Eastern & Midland Regional Assembly's Regional Spatial & Economic Strategy

County Louth forms part of the Eastern and Midland Regional Assembly. The Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Region was adopted on the 3<sup>rd</sup> May 2019 and comes into effect on the 28<sup>th</sup> June 2019. The Strategy specifically identifies Dundalk and refers to its position on the 'Cross Border Network'. Section 3.2 'Growth Enablers for the Region' highlights the importance of the Dublin Belfast Corridor and describes this corridor is the largest economic agglomeration in the Island, accommodating a population of 2 million people linked by high-capacity road and rail links. The growth enablers identified for the Dublin Belfast Corridor include;

- *"Compact and focused growth in the Regional Growth Centres of Drogheda and Dundalk to grow to city scale"*

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6. The Department of Housing, Planning and Local Government Homelessness Report February 2019 found 150 no. homeless people in Louth, the same report from July 2016 found 76 no. homeless people in Louth.



- *Drive in the linkage between Dundalk and Newry to strengthen a cross border synergy in services and functions*
- *Improve accessibility and service by rail, road and communication between Dublin and Belfast”.*

Section 4.2 ‘Settlement Strategy’ of the RSES lists Dundalk as one of three Regional Growth Centres in the Eastern and Midlands Region, along with Drogheda and Athlone. It is stated in Table 4.3 ‘Settlement Typologies and Policy Responses’ that planning policy should reflect that status of Regional Growth Centres as *“Key drivers of regional economic growth aligned with significant rates of population growth, coupled with investment in services, amenities and sustainable transport”.*

Section 4.5 ‘Regional Growth Centres’ gives further guidance on the Regional Growth Centres of; Athlone, Drogheda, and Dundalk. It is stated that the Strategy seeks to prioritise regeneration of the town centre, opportunity sites and surrounding areas, and to promote sustainable development through integration of existing facilities. It is further stated that the population of Dundalk is to increase significantly, as the Strategy States:

*“The vision provided for in the draft RSES is that Dundalk will act as a Regional Growth Centre to achieve a target population in the region of 50,000 by 2031”.*

This section lists Regional Policy Objectives for Dundalk, comprising the following:

- RPO 4.15: An Urban Area Plan (UAP) shall be prepared by Louth County Council for Dundalk to provide a coordinated planning framework to identify and deliver strategic sites and regeneration areas for the future physical, economic and social development of the town to ensure targeted compact growth of a minimum of 30% is achieved. The UAP shall facilitate the sustainable, compact, sequential growth and urban regeneration in the town core by consolidating the built footprint of Dundalk through regeneration of the town centre Core Character Area with a focus on rejuvenation of Clanbrassil Street / St. Nicholas Quarter and development of key town centre infill / brownfield sites in this area. A significant proportion of future urban development shall be accommodated on infill/brownfield sites by encouraging development, including renewal and regeneration of underused, vacant or derelict town centre lands for residential development to facilitate population growth.
  - The UAP shall: Support development on key town centre infill/ brownfield sites include Long Walk Shopping Centre, Carroll’s Village Shopping Centre, Williamson’s Mall, and Dunne’s Park Street
  - Improve accessibility and sustainable mobility in the town centre by enhancing modal choice through integration of rail, bus and taxi services
  - Promote the Seatown / Port Harbour Area for regeneration and repurpose of a water based urban quarter
  - Facilitate Urban Expansion through development of the Mount Avenue masterplan lands.
- RPO 4.16: Promote and enhance cross-border interactions to realise the growth potential of Drogheda-Dundalk-Newry as an important crossborder network for regional development.

- RPO 4.17: Enhance Dundalk's role as a strategic employment centre on the Dublin-Belfast Economic Corridor and provide for employment opportunities through identification of suitable sites for new industry including FDI.
- RPO 4.18: Support the role of Dundalk Institute of Technology as a centre of excellence for education.
- RPO 4.19: Enhance potential for economic development and regeneration at Dundalk Port / Harbour area subject to a feasibility study and appropriate coastal zone management.
- RPO 4.20: Support social inclusion measures including the revitalisation of areas by physical regeneration, planning, investment and community development and measures to improve educational attainment levels, up skilling in key competencies and skills acquisition.
- RPO 4.21: Support the proposed Dundalk Flood Relief Scheme, subject to the outcome of appropriate environmental assessment and the planning process.

Section 6.4 'The Region's Economic Engines and their sectoral opportunities' of the Strategy describes the importance of the 'Dublin-Belfast Economic Corridor', to counteract BREXIT with a proactive spatial economic policy. It is stated that *"By increasing its critical mass, population and jobs growth will take place in a sustainable growth pattern focused on clusters and smart specialisation, in line with the Region's economic and settlement strategy"*. It is noted that the Regional Growth Centres of Dundalk, Drogheda and Athlone are to serve as focal points to gain critical mass, to deliver positive impacts and enhance overall regional and national growth. Regional Policy Objective on the Dublin – Belfast Economic Corridor states the following:

*RPO 6.4: Support the effective planning and development of large centres of population and employment along the main economic corridor, in particular Drogheda and Dundalk.*

It is submitted that the current proposal accords with the provisions of the Strategy by providing much needed residential accommodation on underutilised lands adjoining an existing IDA employment and industrial area. This subject site lies in the urban area of Dundalk and occupies the backlands of existing housing fronting Bóthar Maol and the Blackrock Road. Providing a mixed tenure residential scheme at the site will help achieve the critical mass of population needed to support the economic growth and success of the adjoining Finnabair Industrial estate, and the nearby Xerox Technology Park and Dundalk Retail Park. The Eastern Strategic Planning Area (SPA) Socio-Economic Evidence Baseline Report, November 2017, which accompanies the Strategy, illustrates in Table 'Resident Workers and Local Jobs, 2016' that Dundalk is the one of the few towns in the Eastern SPA with a 50:50 ratio of resident workers to jobs. This statistic illustrates that economic development in Dundalk has kept pace with residential development, which enables sustainable commuting patterns and growth. This proposed residential scheme will support this trend, and efforts are being made to further enhance connectivity to the IDA lands to the north through the provision of a pedestrian/cycle gate on Bóthar Maol and include the subject site on the route of the existing Halpenny Bus service operating in the locality.

In respect of Regional Policy Objectives RPO 4.20 and RPO 9.1, this current proposal supports increased social inclusion through the provision of multiple housing types and tenures, including adaptable dwellings and a residence designed for disabled persons.

## 6 TRAFFIC & TRANSPORTATION

### 6.1 Statement on Traffic & Transportation Issues

A Traffic & Transport Assessment Report (TTA) has been prepared by Atkins consulting engineers in respect of the proposed development.

It is stated that the subject site is well located in terms of access to local services amenities and employment opportunities. The TTA contains illustrations of the 6 minute, 12 minute and 24 minute walking and cycling radius from the subject site. It is noted that significant land uses such as the IDA lands, Dundalk Retail Park and Blackrock Village are within these comfortable walking distances from the site. The Dundalk Town Centre, Xerox Technology Park, and Dundalk Institute of Technology are within a comfortable cycling distance of the site.

It is stated that both local and commuter bus services operate in the vicinity of the site including local route 169 run by Halpenny Travel, commuter routes 900 & 901, 902 & 903, and 904 operated by Matthews, and commuter route 100X operated by Bus Eireann. It is stated that the local route 169 operates on the R147 and there is an opportunity to provide a bus stop for this route near the entrance to the subject site and create a direct public transport link to Dundalk Town and Blackrock Village centres.

In respect of the existing road network, it is noted that the site will be accessed from the R172, which is the main link between Blackrock Village Centre and Dundalk Town Centre. The R172 provides direct access to residential, retail, amenity and employment lands both north and south of the site and connects to the N52 distributor road at three locations.

It is stated in the TTA that all construction activities will be managed and directed by a Construction Traffic Management Plan (CTMP), which will be agreed with the roads department of the Local Authority in advance of construction activities commencing on-site. The implementation of the CTMP and active management of traffic generated by construction worker and deliveries will reduce these potential impacts to have imperceptible impact on Dundalk Town Centre and key road corridors into the town and its environs.

In inform the TTA, junction turning counts were undertaken at 9 no. locations, and volume and speed surveys have also been undertaken in vicinity of R172, a trip rate estimation exercise was undertaken using the TRICS (Trip Rate Information Computer System) online system, and the findings of the Census 2016 were reviewed to establish the modal share in the area. To assess the impact of the proposed development site and to demonstrate that it can operate sustainably within the local road network, the following assessment years are considered in the TTA: Base Year: 2018; Opening Year: 2020; Opening plus five: 2025; Opening plus fifteen: 2035. Growth rates were applied to account for changes in background traffic using the 'Link Based Methodology' outlined within TII Project Appraisal Guidelines.

The TTA states that proposed development is predicted to have a slight to moderate effect at key junction locations, but would remain consistent with baseline trends. The main junction potentially impacted upon by the proposed development is at the Hoey's Lane / N52 Roundabout Junction. The assessment predicted that this junction is operated slighted over its theoretical capacity threshold in the 2035 'opening plus fifteen' assessment year. When compared with the 'Do Nothing Scenario' it was found that the impact of the proposed development is negligible at this junction. Notwithstanding, the assessment undertaken of all the modelled data indicates a maximum queue length of less than 6 Passenger Car Units (PCU) and a delay of

less than 21 seconds per vehicle at this junction. It is stated in the TTA that these results indicate that the junction is operating within acceptable limits in terms of Level of Service in the 'opening plus fifteen' design year.

The TTA also includes a junction assessment based on the proposed development in conjunction with potential future development on the adjoining residential zoned lands. It was found that in the 2025 'opening plus fifteen' assessment year there were potential delays at the proposed access junction during AM and PM peaks, however it is stated that the proposed junction will provide an adequate means of access and egress. It is stated that the proposed priority junction has been specifically design and will be constructed so as to efficiently allow for future upgrade to a signal-controlled junction in the future, if required.

The TTA concludes in stating the following:

*"This report concludes that the impacts of the proposed development in the context of the receiving environment, pedestrian, cyclist and public transport facilities and impact on the adjacent local road network constitutes both an appropriate and sustainable form of development."*

## **6.2 Statement of Consistency with Design Manual for Urban Roads & Streets**

A statement on consistency of the proposed scheme with the Design Manual for Urban Roads and Streets has been prepared by Tony Finn Consulting Engineer of Finn Design Partnership. This report illustrates that the scheme has been designed to comply with the requirements of the Design Manual for Urban Roads and Streets and therefore does not pose a traffic risk for future residents. It is stated in the report that central to the design of the scheme was the creation of a defined road hierarchy with features to establish desirable speed limits and improve legibility. The scheme utilises raised tables, home zones and uncontrolled crossing points at appropriate locations ensure that vehicle speeds are minimised and routes favour pedestrians and cyclists, where appropriate.

**APPENDIX A**

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**PART V:**

**CORRESPONDENCE CONFIRMING PART V CONSULTATION FROM LOUTH COUNTY COUNCIL**



Comhairle Contae Lú  
Louth County Council

Mr. Adam Simpson  
MRP Land Limited

14<sup>th</sup> December 2018

**Re: Lands at Blackrock**

Dear Sirs,

I refer to the development above and I wish to confirm that the net monetary value for the Part V has been agreed. We are not in a position to finalise the agreement until the planning process has been completed.

Please do not hesitate to contact me should you have any further queries.

Yours sincerely,

A handwritten signature in black ink that reads "Elaine Daly".

Elaine Daly  
Snr. Staff Officer  
Housing Section

Comhairle Contae Lú  
Ionad Cathartha  
Sráid an Aonaigh  
Droichead Átha  
Contae Lú  
A92 P440

Louth County Council  
Civic Centre  
Fair Street  
Drogheda  
County Louth  
A92 P440

Locall 1890 202303  
T +353 42 9335457  
F +353 42 9334549  
E [info@louthcoco.ie](mailto:info@louthcoco.ie)  
W [www.louthcoco.ie](http://www.louthcoco.ie)

**APPENDIX B**

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**IRISH WATER CONFIRMATION OF FEASIBILITY AND  
STATEMENT OF DESIGN ACCEPTANCE**

Tony Finn  
Finn Design Partnership  
Blakestown  
Ardee  
Co.Louth



UISCE ÉIREANN  
Bosca OP 6000  
Baile Átha Cliath 1  
Éire

Irish Water  
PO Box 6000  
Dublin 1  
Ireland

T: +353 1 89 25000  
F: +353 1 89 25001  
[www.water.ie](http://www.water.ie)

10 February 2018

RECEIVED 20 FEB 2018

Dear Sir/Madam,

**Re: 1604905118 pre-connection enquiry - Subject to contract | Contract denied  
[Connection for 300 domestic units at Haggardstown, Blackrock, Dundalk, Co. Louth]**

Irish Water has reviewed your pre-connection enquiry in relation to water and wastewater connections at Haggardstown, Blackrock, Dundalk, Co. Louth. Based upon the details you have provided with your pre-connection enquiry and on the capacity currently available as assessed by Irish Water, we wish to advise you that, subject to a valid connection agreement being put in place, your proposed connection to the Irish Water network can be facilitated.

**Water:**

New connection to the existing network is feasible.

The site could be supplied from 700 mm watermain in Inner Relief Road.

In order to complete the proposed connection at the Premises, the IW water network will have to be extended and upgraded. A new DMA should be created and fed via an offtake from existing 700 mm watermain in Inner Relief Road. Estimated required upgrades are as follows: a new DMA meter with telemetry and power, approx. 440m of new 300mm main, approx. 410mm of new 200mm main and approx. 120m upsize of existing 100mm to 200mm.

**Wastewater:**

New connection to the existing network is feasible.

In order to complete the proposed connection at the Premises, the Irish Water wastewater network will have to be extended by approximately 1.5 km from existing 600mm DIA sewer in Inner Relief Road.

Irish Water currently does not have any plans to extend network in this area. Should you wish to consider extending your private water and wastewater infrastructure to a point to connect to the Irish Water network, please contact Irish Water.

Irish Water notes that the scale of this development dictates that it is subject to the Strategic Housing Development planning process. Therefore:

In advance of submitting your full application to An Bord Pleanála for assessment, you must have reviewed this development with Irish Water and received a Statement of Design Acceptance in relation to the layout of water and wastewater services.

The design has to be in accordance with published Irish Water Code of Practice and Standard Details for water and wastewater infrastructure.



You are advised that this correspondence does not constitute an offer in whole or in part to provide a connection to any Irish Water infrastructure and is provided subject to a connection agreement being signed at a later date.

A connection agreement can be applied for by completing the connection application form available at [www.water.ie/connections](http://www.water.ie/connections). Irish Water's current charges for water and wastewater connections are set out in the Water Charges Plan as approved by the Commission for Energy Regulation.

If you have any further questions, please contact Marina Byrne from the design team on 01 8925991 or email [mzbyrne@water.ie](mailto:mzbyrne@water.ie). For further information, visit [www.water.ie/connections](http://www.water.ie/connections)

Yours sincerely,

**Maria O'Dwyer**  
**Connections and Developer Services**

Sourthóir / Directors: Michael McNicholas (Chairman), Brendan Murphy, Michael O'Sullivan, Jerry Grant, Cathal Ní Mheallaigh  
Oifig: Chláirse / Registered Office: Teach Dóinín, 24-26 Sísíó Theodóir Baire Átha Cliath 1, D01 NP86 / Down House, 24-26 Teodóir Street, Dublin 1, D01 NP86  
Is cúideachta ghníomhaíochta ainmnithe aá faoi theoirann stáitseanna a luiscé Breann / Irish Water is a designated activity company limited by shares  
Uimhir Chláirse in Éirenn / Registered in Ireland No. 120252



Tony Finn,  
Finn Design Partnership,  
Blakestown,  
Ardee,  
Co. Louth

20 May 2019

**Re: Design Submission for Strategic Housing Development at Haggardstown, Blackrock, Dundalk, Co. Louth (the "Development") (the "Design Submission") / 1604905118.**

Uisce Éireann  
Bosca CP 448  
Oifig Sheachadta  
na Cathrach Theas  
Cathair Chorcaí

Irish Water  
PO Box 448  
South City  
Delivery Office  
Cork City

[www.water.ie](http://www.water.ie)

Dear Tony,

Many thanks for your recent Design Submission.

We have reviewed your proposal for the connection(s) at the Development. Based on the information provided, which included the documents outlined in Appendix A to this letter, Irish Water has no objection to your proposals.

This letter does not constitute an offer, in whole or in part, to provide a connection to any Irish Water infrastructure. Before you can connect to our network you must sign a connection agreement with Irish Water. This can be applied for by completing the connection application form at [www.water.ie/connections](http://www.water.ie/connections). Irish Water's current charges for water and wastewater connections are set out in the Water Charges Plan as approved by the Commission for Regulation of Utilities (CRU) ([https://www.cru.ie/document\\_group/irish-waters-water-charges-plan-2018/](https://www.cru.ie/document_group/irish-waters-water-charges-plan-2018/)).

You the Customer (including any designers/contractors or other related parties appointed by you) is entirely responsible for the design and construction of all water and/or wastewater infrastructure within the Development which is necessary to facilitate connection(s) from the boundary of the Development to Irish Water's network(s) (the "Self-Lay Works"), as reflected in your Design Submission. Acceptance of the Design Submission by Irish Water does not, in any way, render Irish Water liable for any elements of the design and/or construction of the Self-Lay Works.

If you have any further questions, please contact your Irish Water Representative

Name: Marina Byrne  
Phone: 01 8925991  
Email: [mzbyrne@water.ie](mailto:mzbyrne@water.ie)

Yours sincerely,

**Maria O'Dwyer**

**Connections and Developer Services**

**Stiúrthóirí / Directors:** Mike Quinn (Chairman), Eamon Gallen, Cathal Marley, Brendan Murphy, Michael G. O'Sullivan  
**Oifig Chláraithe / Registered Office:** Teach Colvill, 24-26 Sráid Talbóid, Baile Átha Cliath 1, D01 NP86 / Colvill House, 24-26 Talbot Street, Dublin 1, D01 NP86  
Is cuideachta ghníomhaíochta ainmnithe atá faoi theorainn scaireanna é Uisce Éireann / Irish Water is a designated activity company, limited by shares.  
**Uimhir Chláraithe in Éirinn / Registered in Ireland No.:** 530363

000007

**Appendix A****Document Title & Revision**

- 1703-121-A Foul Drainage Layout Zone 1
- 1703-122-A Foul Drainage Layout Zone 2
- 1703-123-A Foul Drainage Layout Zone 3
- 1703-124-A Foul Drainage Layout Zone 4
- 1703-125-A Overall Site Foul Drainage Layout
- 1703-127-A Foul Drainage Longitudinal Sections
- 1703-128-A Foul Drainage Longitudinal Sections
- 1703-129-A Foul Drainage Longitudinal Sections
- 1703-130-A Watermain Layout Main Entrance
- 1703-131-A Watermain Layout Zone 1
- 1703-132-A Watermain Layout Zone 2
- 1703-133-A Watermain Layout Zone 3
- 1703-134-A Watermain Layout Zone 4
- 1703-137-A Watermain Details (Sheet 1 of 3)
- 1703-138-A Watermain Details (Sheet 2 of 3)
- 1703-139-A Watermain Details (Sheet 3 of 3)

- 1703-143-A Foul Drainage Details (Sheet 1 of 3)
- 1703-144-A Foul Drainage Details (Sheet 2 of 3)
- 1703-145-A Foul Drainage Details (Sheet 3 of 3)

**Standard Details/Code of Practice Exemption: N/A**

For further information, visit [www.water.ie/connections](http://www.water.ie/connections)

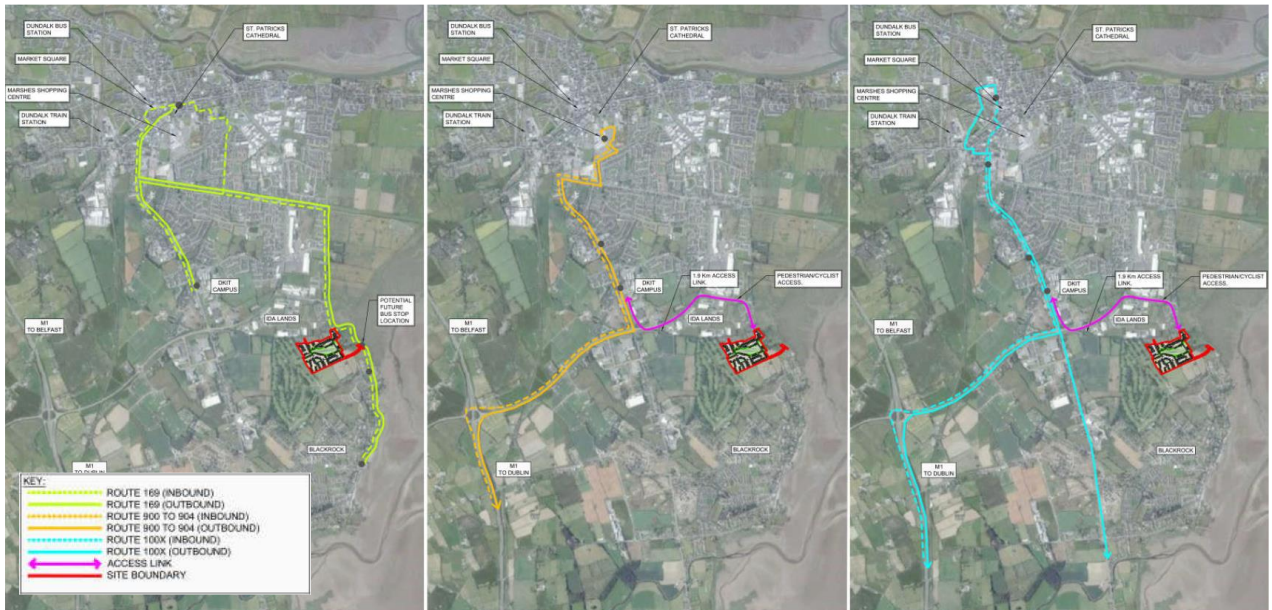
*Notwithstanding any matters listed above, the Customer (including any appointed designers/contractors, etc.) is entirely responsible for the design and construction of the Self-Lay Works. Acceptance of the Design Submission by Irish Water will not, in any way, render Irish Water liable for any elements of the design and/or construction of the Self-Lay Works.*

APPENDIX C

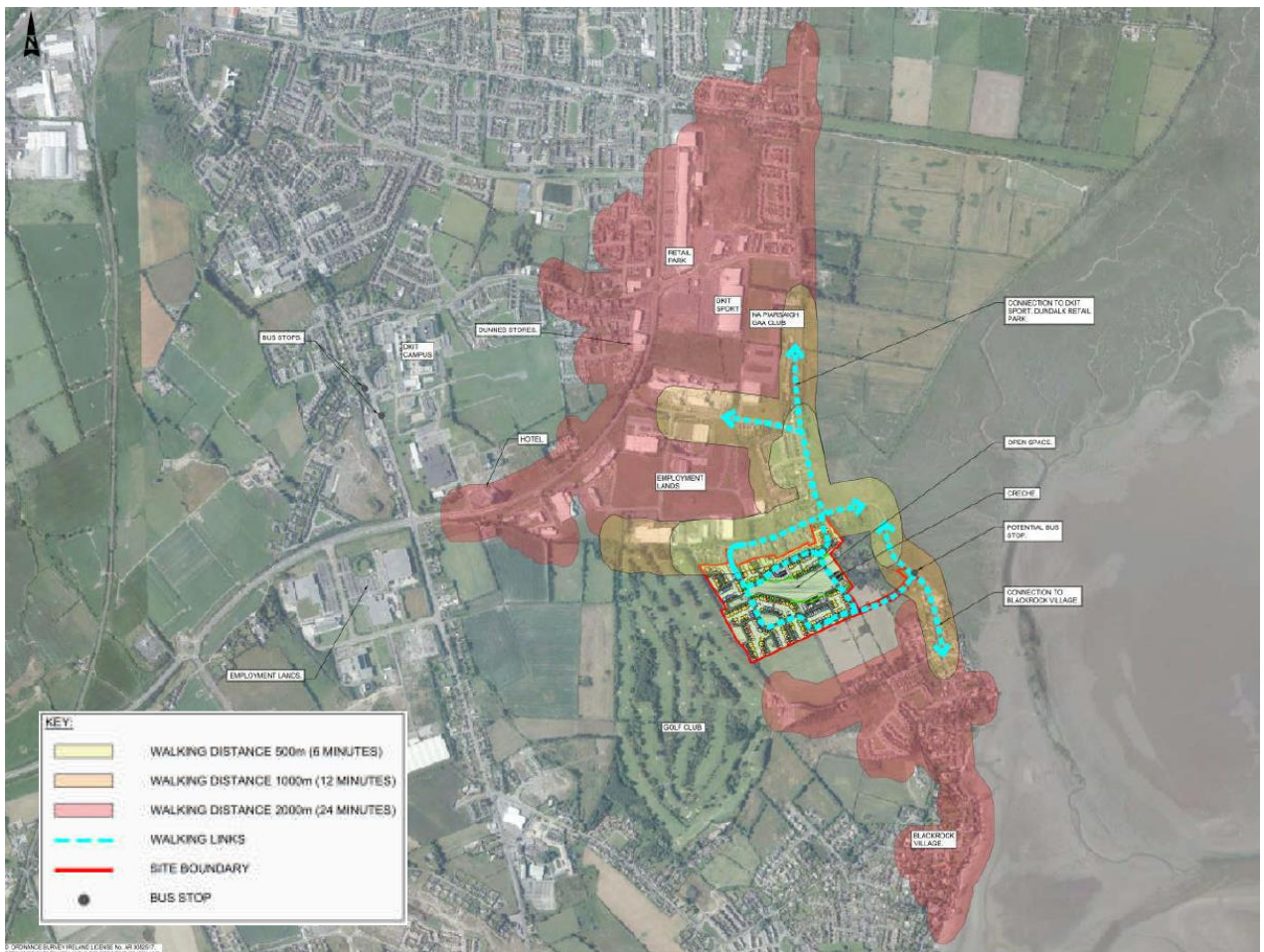
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EXTRACTS FROM TRAFFIC AND TRANSPORT ASSESSMENT PREPARED BY AKTINS

### Access to Public Transport Networks



### Pedestrian Connectivity and Walking Times



### Cycle Times



APPENDIX D

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RESIDENTIAL POLICIES OF THE LOUTH COUNTY DEVELOPMENT PLAN 2015-2021



RES 1 It is the policy of Louth County Council to ensure compliance with the Housing Strategy and to facilitate the provision of housing units to sufficiently cater for social and specialist housing needs as identified in the Housing Strategy over the Plan period.

RES 2 It is the policy of the Council to enable every household to have available an affordable dwelling of good quality, suited to its needs, in a good environment and, as far as possible, at the tenure of its choice.

RES 3 Provision of social and specialist housing shall be progressed through partnership working with voluntary and co-operative housing organisations, the HSE and through agreements with private developers.

RES 4 Require that 12% of all private residential development on lands zoned for residential or mixed uses (where residential is included) be provided for social /and or specialist housing under the provisions of Part V of the Planning Acts.

RES 5 Within the overall 12% requirement, criteria to be taken into account will include the type and location of the housing units required by the Planning Authority at a given time, as defined by the Priority Housing List of the Housing Section.

RES 6 To encourage and promote the creation of attractive mixed use sustainable communities which contain a variety of housing types and tenures with supporting community and residential amenities, and where Part V is visually and otherwise integrated into the overall development, thus counteracting undue segregation.

RES 7 Continue to cater for the needs of persons with special requirements including persons with disabilities and the elderly, including the concept of independent living and the development of 'lifecycle housing' i.e. housing that is adaptable for people's needs as they change over their lifetime.

RES 8 The preferred option for the delivery of social/and or specialist housing under Part V is through financial contribution.

RES 9 In seeking to provide appropriate accommodation, the Council will implement the following:

- The National Housing Strategy for People with Disabilities 2011-2016,
- North-East Homelessness Action Plan 2014-2017,
- Time to move on from Congregated Settings: A Strategy for Social Inclusion (HSE),
- Traveller Accommodation Programme 2014-2018.

RES 10 To ensure all new residential developments are consistent with the guidelines and best practice manuals issued by the DECLG in the planning for and provision of sustainable communities within new residential areas.

RES 11 To ensure that all applications comply with the guidelines outlined in Section 4.4

RES 12 To encourage developers to provide for a mixture of housing types and sizes within residential development including single storey units to create sustainable balanced communities

RES 13 To encourage developers to provide for a mixture of housing types and sizes thereby creating visual variety and preventing residential developments that are homogenous in character

RES 14 To encourage the use of homezone design principles in the design of residential layout having regard to the Design Manual for Urban Roads and Streets (DMURS).

RES 15 To require that master plans and planning applications for residential developments identify where appropriate, pedestrian and cycle paths within the site and externally to adjoining residential areas, existing services and community facilities.

RES 16 To require that master plans and planning applications for large scale residential developments identify where appropriate, bus routes, the location of bus stops and lay-bys in such a manner as to ensure that the majority of residents are no more than 400 metres from a stop.

RES 17 To ensure the provision of safe and viable alternatives to the car for school traffic, in any major planned housing development and in town and village centres.

RES 18 To apply density standards in respect of the County's towns and villages as set out in Table 4.3 and to carry out further refinement where necessary as part of the review of the local area plans.

RES 19 To require that residential buildings shall not exceed 3 storeys, including roof space development except in exceptional circumstances where the planning authority considers that the site can adequately accommodate 4 storeys (including roof space development) and where provision for higher buildings is provided for in any local area plan.

RES 20 To require that in all new residential development that the quantitative public open space standards as set out in Table 4.4 and the qualitative requirements of Section (4.9.3.1) described above are adhered to unless otherwise provided for in any local area plan.

RES 21 In small housing schemes where the 15% requirement is less than 200 square metres the assessment of public open space shall be on a qualitative basis or as agreed with the planning authority.

RES 22 To ensure that no area of public open space is less than 200sqm in area and no boundary is less than 10 meters in length.

RES 23 To co-operate, where appropriate, with development agencies and community groups in carrying out schemes designed to improve the stock of amenity and recreational facilities in the County.

RES 24 To encourage planning applications for residential schemes in excess of seventy-five dwelling units to incorporate works of public art.

RES 25 To require that all proposed residential developments including apartments comply with the internal space provisions as set out in Tables 4.5 to 4.8 (inclusive).

RES 26 To ensure that a high degree of building flexibility is incorporated into the design of new dwellings within the County including adaptability to lifetime housing needs and provision of accessibility for the elderly and those with impaired mobility.

RES 27 To require that private amenity space is in accordance with the quantitative standards as set out in Table 4.9 above.

RES 28 To provide at least 22m between windows of habitable rooms above ground floor level which face those of another dwelling.

RES 29 To ensure residential car parking provision as set down in Table 7.6 (in relation to residential development) is adhered to, with the exception of infill development in town and village centres where a financial contribution in lieu may be acceptable.

RES 30 To require all applications for residential development including one off houses to demonstrate that a minimum of 25% of the energy requirements of the building is from renewable sources.

RES 31 To ensure that provision is made for the storage, segregation and recycling of waste and for convenient access for its deposit and collection

RES 32 To ensure that refuse enclosures are designed in such a manner as to ensure their integration with the associated building or boundary enclosure and should be appropriately and adequately screened.

RES 33 To require the preparation of Master Plans to ensure integrated and coherent development of lands identified in the relevant local area plan or through the development management process.

RES 34 To require the preparation of a Design Statement for sites or locations where there are specific issues to be addressed, including, but not limited to those as outlined above in Section 4.14

RES 35 To require that the naming of residential developments is in accordance with the DECLG Circular 'Naming of Streets and Roads, Numbering of Houses and the Use of Irish'. The naming of all residential developments shall be subject to approval of Louth County Council Place Names Committee.

RES 36 To Take in Charge on request, housing developments of two or more houses where the development has been completed to the satisfaction of the Council in accordance with the permission and any conditions to which the permission is subject and having regard to the Policy document: Louth County Council: Taking in Charge Policy/Release of Bond for Completed Private Housing Developments.

RES 37 All new lighting in residential developments shall be high performance low energy lanterns with electronic gear requiring energy efficiency and effectiveness, with lowest whole life cost, and will thus require the use of LED lights (or any subsequent technical upgrade as agreed with the planning authority).

RES 38 To require applications for residential developments on sites of one hectare or over (excluding Level 4) or for more than 50 residential units, provide an audit of existing community facilities in the locality and where a shortfall in facilities exist, demonstrate how this will be made good, either through provision on site or such other means as is acceptable to the Council.

RES 39 To identify and zone land within local area plans and settlements for the purposes of providing or extending community facilities where a demonstrated need exists.

RES 40 To co-operate with the Department of Education and Skills (DES) in the identification of need and provision of school sites and in accordance with relevant national guidance.

RES 41 To identify and zone lands as required in local area plans and settlements for schools and educational infrastructure as required.

RES 42 To facilitate and encourage multi-school campus arrangements incorporating both primary and secondary levels.

RES 43 To ensure that adequate and suitable childcare facilities are provided having regard to DECLG Childcare Facilities Guidelines for Planning Authorities 2001. Creche/childcare facilities shall locate in settlements contained within Level's 1, 2, 3 and 4 and will not generally be permitted in the open countryside.

RES 44 To seek the provision of additional community benefits by way of direct provision or financial contribution in lieu of the provision of childcare facilities where it is demonstrated to the satisfaction of the Council that there are sufficient childcare spaces available in the locality.

RES 45 To require that nursing homes/analogous services are located within Dundalk, Drogheda, Ardee, Dunleer and Level 3 Settlements. In exceptional circumstances where suitable, the re-use of existing buildings shall be considered.

RES 46 To ensure that all applications for nursing homes/analogous services comply with the guidelines outlined in Section 4.18.3 above.

RES 47 To facilitate the provision of primary health facilities within Dundalk, Drogheda, Ardee and Dunleer, Level 3 and Level 4 settlements and within new large scale residential developments.

RES 48 To ensure that adequate provision is made for community buildings, sports and recreational facilities, including playing fields and children's play areas in master plans and residential proposals, having regard to the Louth Local Authorities Sports and Recreation Strategy 2006-2012 and /or any revised Strategy prepared during the lifetime of the Development Plan.

RES 49 To resist the loss of existing social and community facilities and playing fields.

RES 50 To assist the implementation of the Louth Local Authorities Disability Implementation Plan 2008 - 2015.

RES 51 To support the continued improvement to the library service in County Louth to meet the current and future needs of all members of the community and to strengthen links with socially excluded members and groups of our society.

RES 52 To support continued improvement to the delivery of the fire and emergency services within the County and to review the Major Emergency Plan as required.

RES 53 To support the Community Fire Safety Strategy 2013-2018.

RES 54 All new residential development (including houses and apartments) shall be required during construction phase to be hard wired for a smoke/heat/CO alarm.

**Table 4.5: Space Provision and Room Sizes for Typical Dwellings**

Dwelling Type	Target Gross Floor Area	Minimum Main Living Room	Aggregate Floor Area of living/ dining/ kitchen area*	Aggregate Bedroom Area	Storage
	(m <sup>2</sup> )	(m <sup>2</sup> )	(m <sup>2</sup> )	(m <sup>2</sup> )	(m <sup>2</sup> )
<b>Family dwellings for 3 or more persons (P)</b>					
4 bed / 7P House (3 storey)	120	15	40	43	6
4bed / 7P House (2 storey)	110	15	40	43	6
4bed / 7P House (1 storey)	100	15	40	43	6
4bed / 7P Apartment	105	15	40	43	11
<b>3bed / 6P House</b>					
3bed / 6P House (3 storey)	110	15	37	36	6
3bed / 6P House (2 storey)	100	15	37	36	6
3bed / 6P House (1 storey)	90	15	37	36	6
3bed / 6P Apartment	94	15	37	36	10
<b>3bed / 5P House</b>					
3bed / 5P House (3 storey)	102	13	34	32	5

Dwelling Type	Target Gross Floor Area	Minimum Main Living Room	Aggregate Floor Area of living/ dining/ kitchen area*	Aggregate Bedroom Area	Storage
3bed / 5P House (2 storey)	92	13	34	32	5
3bed / 5P House (1 storey)	82	13	34	32	5
3bed / 5P Apartment	90	13	34	32	9
3bed / 4P House (2 storey)	83	13	30	28	4
3bed / 4P House (1 storey)	73	13	30	28	4
3bed / 4P Apartment	90	13	30	31.5	9
2bed / 4P House (2 storey)	80	13	30	25	4
2bed / 4P House (1 storey)	70	13	30	25	4
2bed / 4P Apartment	73	13	30	25	7
2bed / 3P House (2 storey)	70	13	28	20	3
2bed / 3P House (1 storey)	60	13	28	20	3
2bed / 3P Apartment	73	13	30	25	6
1bed / 2P House (1 storey)	44	11	23	11	2
1bed / 2P Apartment	45	11	23	11.4	3

\*An enclosed (separate) kitchen should have a minimum floor area of 6.5sq.m. In most cases, the kitchen should have an external window

**Table 4.6: Minimum Widths for the Main Living / Dining Rooms**

<i>Apartment Type</i>	<i>Width of living / dining room</i>
One bedroom	3.3m
Two bedrooms	3.6m
Three bedrooms	3.8m

Source: Sustainable Urban Housing Design Standards for New Apartments 2007.

**Table 4.7: Minimum Bedroom Widths**

<i>Type</i>	<i>Minimum width</i>
Single bedroom	2.1 m
Double bedroom	2.8 m
Twin bedroom	2.8m

Source: Sustainable Urban Housing Design Standards for New Apartments 2007

**Table 4.8 Minimum Floor Areas for Main Apartment Balconies**

One bedroom	5 sq m
Two bedrooms	7 sq m
Three bedrooms	9 sq m

Source: Sustainable Urban Housing Design Standards for New Apartments 2007

APPENDIX E

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RESIDENTIAL POLICIES OF THE DUNDALK AND ENVIRONS DEVELOPMENT PLAN 2009-2015



Policy HC 1: Ensure that all applicable development complies with the requirements of the Louth Housing Strategy.

Policy HC 2: Secure the provision of residential sites for social and affordable housing developments except within the areas delineated on map 6.1.

Policy HC 3: Secure greater social integration and preservation and community ties through the provision of an appropriate mix of house types within residential areas.

Policy HC 4: Require the provision of special needs' housing as part of the implementation of the Housing Strategy and to ensure that such provision is located close to local facilities and services that are appropriately landscaped and wheel chair accessible.

Policy HC 5: Implement Louth Local Authorities Housing Action Plan so as to ensure that all who are in need of housing are provided with suitable accommodation.

Policy HC 6: Implement the Traveller Accommodation Programme 2009.

Policy HC 7: Support and promote the regeneration of Cox's Demesne and Muirhevnamor and the implementation of the RAPID programme in the designated areas.

Policy HC 8: Promote the regeneration of the Coxes Demesne and Muirhevnamor by enhancing the quality of the environment and access to community services and facilities, thereby improving the quality of life for the residents of the areas.

Policy HC 9: Implement the guidelines and best practice manuals issued by the Department of Environment, Heritage and Local Government in the planning for and provision of sustainable communities within new residential areas.

Policy HC 10: Require developers and landowners to prepare master plans to ensure integrated and coherent development of large scale development sites and areas.

Policy HC 11: Encourage the use of homezone principles in the design of residential layouts, particularly where higher density developments are proposed.

Policy HC 12: Require applicants for residential developments to demonstrate that a minimum of 25% of the energy requirements of the building is from renewable sources.

Policy HC 13: Ensure that a high degree of building flexibility is incorporated into the design of new dwellings, including adaptability to lifetime housing needs and provision of accessibility for people with impaired mobility.

Policy HC 14: Facilitate the provision of accommodation for older people and dependant relatives within the curtilage of the existing family home subject to the compliance with the above criteria.

Policy HC 15: Require that master plans and planning applications for large scale residential developments design and provide bus routes, bus stops and lay-bys in such a manner as to ensure that the majority of residents are no more than 400 metres from a stop.

Policy HC 16: Require that master plans and planning applications for large scale residential developments identify pedestrian and cycle paths within the site and externally to adjoining residential areas, existing

services and community facilities.

Policy HC 17: Encourage the provision of safe and viable alternatives to the car for school traffic such as walking buses and dedicated cycling routes.

Policy HC 18: Ensure proposed development complies with the provisions of 'Sustainable Residential Development in Urban Areas 2008' and other DoEHLG guidelines.

Policy HC 19: Require that private amenity space is provided in accordance with the quantitative standards set out in table 6.6.

Policy HC 20: Require that the quantitative standard of a minimum of 14% of the gross site area is provided as public open space in all new residential developments and that the qualitative requirements described above are adhered to. Ensure that no area of public open space is less than 200 square metres in area and no boundary is less than 10 metres in length.

Policy HC 21: Ensure that car parking is proposed in residential areas in accordance with the standards set down in table 6.9, except within certain town centre developments where a financial contribution in lieu may be acceptable.

Policy HC 22: Require that all proposed residential developments, including apartments, comply with the internal space provisions as set out in appendix 4. Require that the minimum apartment sizes set out in appendix 4 are exceeded by at least 20% in respect of not less than 50% of the total number of units in the scheme. Ensure that in any apartment development of 30 or more units, 40% of the units should exceed 80sqm in floor area.

Policy HC 23: Ensure that provision is made for the storage, segregation and recycling of refuse and for convenient access for its deposit and collection.

Policy HC 24: Take in charge, on request, housing developments where the development has been completed to the satisfaction of the planning authority in accordance with the permission granted and any conditions to which the permission is subject.

Policy HC 25: Require applicants for residential developments on sites of 1 hectare or over or for more than 50 residential units to provide an audit of existing community facilities in the locality and where a shortfall in facilities exist, demonstrate how this should be made good, either through provision on site or such other means as are acceptable to the planning authority.

Policy HC 26: Co-operate with the Department of Education in the identification of need and provision of school sites. Facilitate and encourage multi-school campus arrangements incorporating both primary and secondary level.

Policy HC 27: Support the expansion and development of Dundalk Institute of Technology and its elevation to full university status.

Policy HC 28: Ensure that adequate and suitable childcare facilities are provided as required within new residential development having regard to DoEHLG guidelines and the Louth Childcare Strategy. Seek the provision of additional community benefits by way of direct provision or financial contribution in lieu of the provision of childcare provision where it is demonstrated to the satisfaction of the planning authority that there are sufficient childcare spaces available in the locality.

Policy HC 29: Support the provision of nursing homes.

Policy HC 30: Promote the development of healthcare facilities within the town and local centres and at public transport nodes.

Policy HC 31: Ensure that adequate provision is made for community buildings, sports and recreational facilities, including playing fields and children play areas in master plans and residential proposals, having regard to the Louth Local Authorities Sports & Recreation Strategy 2006-2012. Resist the loss of existing social and community facilities and playing fields.

Policy HC 32: Seek to ensure that public buildings include rest facilities for those with special needs and public toilets at main public entrance/ exit.

Policy HC 33: Support the continued development of library service in Dundalk and Environs Area.