

Housing & Community Services Housing Development Section

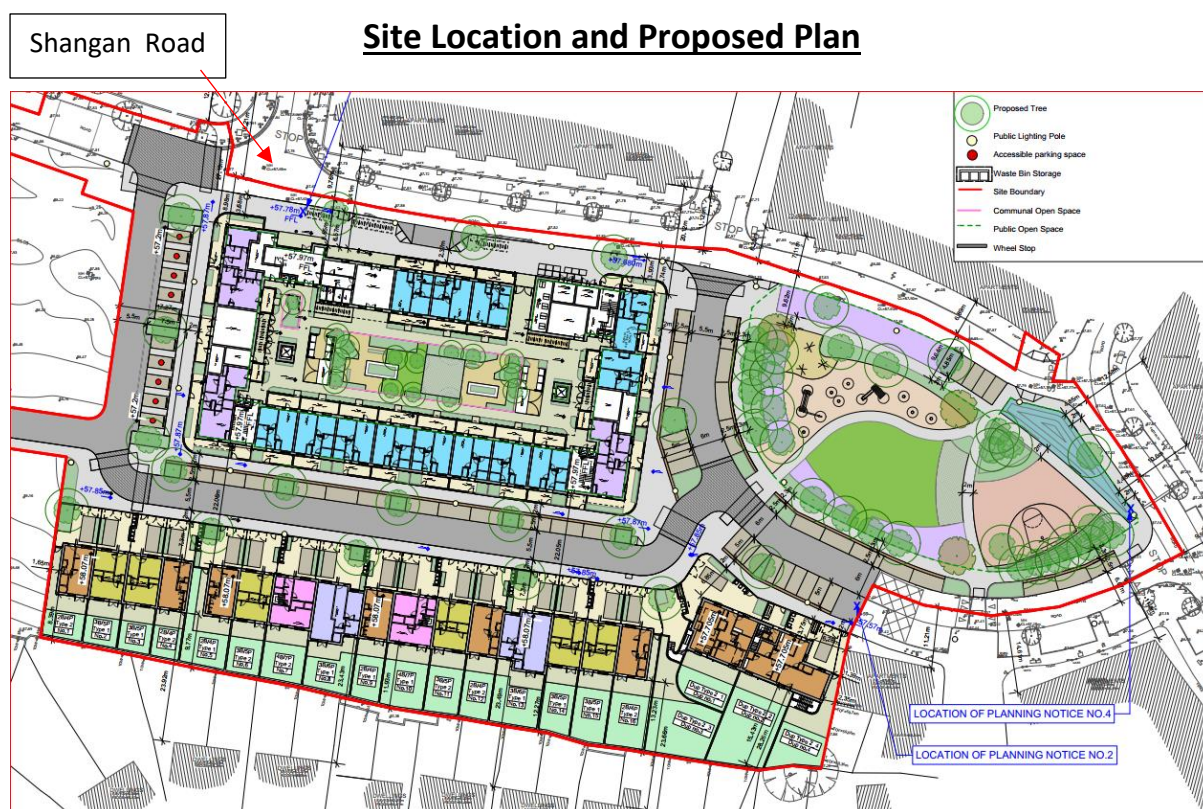


The Chairman and Members of
North West Area Committee.

Meeting: 19th July 2022

Item No: 6

Report under Part 8 Planning and Development Regulations 2001 Proposed development of Site at Shangan Road.



Planning Ref 3926/22

Following initiation of the Part 8 process at the North West Area Committee meeting on the 15th of February 2022, Housing and Community Services Department lodged a Part 8 application on the 10th of May 2022 for the development of the Site c. 1.77 ha at Shangan Road, Ballymun, Dublin 9.

Proposal:

LAW: Planning and Development Act 2000 (as amended) Planning and Development Regulations 2001 (as amended) - Part 8

Applicant: Dublin City Council, Housing and Community Services

Location: Site c. 1.77 ha at Shangan Road, Ballymun, Dublin 9

Pursuant to the requirements of the above, Notice is hereby given of the construction of 93 residential dwellings at a Site c. 1.77 ha at Shangan Road, Ballymun, Dublin 9, which will consist of the following:

- 73 no. elderly persons apartments (67 no. 1-bed units and 6 no. 2-bedunits) in a 3 and 4 storey high building, with community room (51.66 sqm) and an office (14.42 sqm)
- 4no. 2 bed duplex apartments in a 2-storey high building.
- 16 no. 2 storey terraced houses (6 no. 2-bed; 8 no. 3-bed and 2 no. 4-bed units).

The proposed development also includes 55 no. new surface car parking, the redistribution of 12 no. existing surface car parking spaces, Communal and public open space, boundary treatments, public lighting, site drainage works, internal road surfacing and footpath, ESB switchroom, bin and bicycle storage, landscaping, play area and all ancillary site services and development works above and below ground. Construction of a link road from Shangan Road to the Ballymun Road.

The PPP Project Team held an online information session for local residents on the 23rd of February 2022. The period for submission of observations ended on 21st of June 2022.

There was 1 no. Third party observations made to the planning authority regarding this Local Authority Works application. The main issues raised being;

- Great to see development of the site
- Some concern from residents in Oldtown re overlooking and overshadowing
- The security on the playground beside Longdale is queried
- The future plans for the rest of the site is questioned

These issues noted above are addressed in the Project Manager's summary below and outlined in further detail in the Planner's Report.

The conclusion and recommendation of the Planner's report is:

Conclusion

The Planning & Property Development Department considers that the proposal on completion will have a positive impact on the residential and visual amenities of the area. The proposed development complies with the policy provisions of the Dublin City Development Plan 2016 – 2022 and the Local Area Plan for Ballymun (2017). It is also noted that Irish Water have no objection subject to agreement to be reached on the diversion of the public foul sewer. Drainage and Transport Planning Divisions have recommended conditions,

In conclusion, the Planning & Property Development Department have no objections to the proposal.

Recommendation

It is recommended that a decision be made by Elected Members of the Council to proceed with the proposed development subject to the following recommendations:

1. Community Room

The community room shall be made available to the wider community. Details to be agreed with the planning authority in writing prior to the first occupation of same.

2. Materials

(i) All render proposed in the scheme shall be low maintenance with an anti-mould/anti-mildew additive included within (ii) Prior to the commencement of development, details of materials in the public realm shall be submitted to and agreed in writing by the Planning Department, having regard to the need to compliment and tie-in with the existing palette of materials in the area and in keeping with the Urban Form & Design objectives of the Ballymun Local Area Plan 2017.

3. Landscaping

(a) Development shall not commence until a landscape scheme prepared by a suitably Qualified person comprising full details of the size, species and location of all trees and shrubs to be planted and the treatment of all external ground surfaces, has been submitted to and agreed in writing with Dublin City Council's Parks Landscape and Biodiversity Services Division and implemented in the first planting season following completion of the development, and any trees and shrubs which die or are removed within 3 years of planting shall be replaced in the following planting season. (The landscaping scheme shall have regard to the Guidelines for Open Space Development and Taking in Charge, available from the Parks and Landscape Services Division).

Reason: In the interests of amenity, ecology and sustainable development.

(b) The landscape scheme shall be implemented fully in the first planting season following completion of the development, and any trees or shrubs which die or are removed within 3 years of planting shall be replaced in the first planting season thereafter. (The landscape scheme shall have regard to the Guidelines for Open space Development and Taking in Charge, copies of which are available from the Parks, Biodiversity and Landscape Services Division

Reason: In the interests of amenity, ecology and sustainable development.

2. Irish Water Full details of the proposed diversion of the public foul sewer shall be agreed in writing with Irish Water prior to the commencement of construction on site.

3. Transportation Planning

(i) The proposed site layout plan shall ensure compliance with the Design Manual for Urban Roads and Streets, 2013 as amended (2019) and in particular, all perpendicular car parking spaces shall incorporate a wheel stoppers to protect the pedestrian footway.

(ii) Prior to commencement of development, and on appointment of a main contractor, Construction Management Plan shall be submitted to the planning authority for written agreement. This plan shall provide details of intended construction practice for the development, including traffic management and construction mobility management plan, hours of working, noise and dust management measures and off-site disposal of construction waste and access arrangements for labour, plant and materials, including location of plant and machine compound. The Construction Traffic Management Plan shall seek to minimise impact on the public road and potential conflict with pedestrians, cyclists and public transport. The appointed contractor shall liaise with DCC Road Works Control Division during construction period. The developer shall be obliged to comply with the requirements set out in the Code of Practice.

(iii) Prior to commencement of development, the developer shall agree in writing with the Planning Authority's Environment & Transportation Department the proposed footpaths, hard landscaping areas and on-street car parking, including proposed car share spaces to be taken in charge. Details of all materials proposed in public areas shall be in accordance with the document Construction Standards for Roads and Street Works in Dublin City Council and agreed in detail with the Road Maintenance Division. Any proposed works to the public road shall be carried out by Dublin City Council and at the expense of the applicant/developer.

(iv) The applicant/developer shall undertake to implement the measures outlined in the Mobility Management Plan, and Car Parking Management Strategies to ensure that future occupants of the proposed development comply with these strategies. A Mobility Manager shall be appointed to oversee and co-ordinate the plan.

(v) The car parking spaces shall not be sold, rented or otherwise sub-let or leased to any parties. The car parking spaces shall be retained by and managed by the Operator for the development in accordance with the details outlined the submitted Mobility Management Plan and Car Parking Strategy.

(vi) Prior to occupation, each car parking space shall have ducting infrastructure (consisting of conduits for electric cables) installed to enable the subsequent installation of recharging points for electric vehicles.

(vii) Cycle parking shall be secure, conveniently located, sheltered, well lit and functional in line with manufacture specifications. Key/fob access shall be required to the resident bicycle parking stores. Cycle parking shall be in situ prior to the occupation of the proposed development.

(viii) The applicant shall liaise with the Roads Maintenance Division prior to completion in relation to the works within the public road.

(ix) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

4. Drainage

(i) The developer shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from www.dublincity.ie Forms and Downloads)

(ii) The developer shall submit an appropriate flood risk assessment for the proposed development, which identifies and proposes design solutions to mitigate the potential risks from all sources including coastal, fluvial, pluvial and groundwater.

Reference should be made to the DEHLG/OPW Guidelines on the Planning Process and Flood Risk Management published in November 2009 and the Dublin City Development Plan 2016-2022 Strategic Flood Risk Assessment. The developer shall confirm in writing to the Drainage Division that the development has been designed such that the risk of flooding to the development has been reduced as far as is reasonably practicable, and that the proposals do not increase the risk of flooding to any adjacent or nearby area.

(iii) Records of public surface water sewers are indicative and must be verified on site. The Developer must carry out a comprehensive site survey to establish all public surface water sewers that may be on the site. If surface water infrastructure is found that is not on public records the Developer must immediately contact Dublin City Council's Drainage Division to ascertain their requirements. Detailed "as-constructed" drainage layouts for all diversions, extensions and abandonment of public surface water sewers; in both hard and soft copy in an approved format are to be submitted by the Developer to the Drainage Division for written approval. Please refer to Section 5 of the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

(iv) The development is to be drained on a completely separate system with surface water discharging to the public surface water system.

(v) A connection from this development to the public surface water sewer network will only be granted when the developer has obtained the written permission of the Drainage Division and fulfilled all the planning requirements including the payment of any financial levies. All expense associated with carrying out the connection work are the responsibility of the developer. Developers are not permitted to connect to the public surface water network system without written permission from the Drainage Division. Any unauthorised connections shall be removed by the Drainage Division at the developer's expense. A licence will be required from the Drainage Division to allow the connection work to be carried out. Permission of the Roads Dept must also be obtained for any work in the public roadway.

(vi) Where pipelines are to be taken-in-charge by Dublin City Council, as-constructed drawings of all pipelines complete with CCTV surveys, to a standard specified by Drainage Division, must be submitted to Drainage Division for written sign-off. This must be submitted no later than the completion of each phase of the development works on site. Please refer to Section 5 of the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

(vii) New public surface water sewers shall have minimum clear distance of 3 metres between the sewer and any new structures on site.

(vii) All surface water discharge from this development must be attenuated to two litres per second.

(viii) The development shall incorporate Sustainable Drainage Systems in the management of surface water. The Suds devices outlined in the RPS Drainage and Watermain Design Report, dated March 2022, including Green Roofs, permeable paving and on-plot SuDS devices shall be implemented in full. Full details of these shall be agreed in writing with Drainage Division prior to commencement of construction.

(ix) An appropriate petrol interceptor shall be installed on the internal drain from the car park. Please refer to section 20 of the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

(x) Full details and maintenance requirements of the attenuation storage facility, flow control device and petrol interceptor intended to be taken in charge by Drainage Division shall be submitted for agreement with Drainage Division prior to the commencement of construction.

(xi) The outfall surface water manhole from this development must be constructed in accordance with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

(xii) All private drainage such as, downpipes, gullies, manholes, armstrong junctions, etc. are to be located within the final site boundary. Private drains should not pass through property they do not serve.

Project Manager Summary Report

The PPP Project Manager can confirm consideration was given to the observations raised during the online information session for local residents on the 23rd February 2022.

The planners report also addresses the issues raised during the public consultation and outlines same in the comprehensive planners report.

The summary below outlines the issues raised and the response to same.

- Some concern from residents in Oldtown re overlooking and overshadowing

It is considered that the most sensitive properties in relation to any potential overlooking would be the established two-storey houses on Oldtown Avenue, located immediately to the south of the site, where the rear gardens of same back onto this application site. It is noted that minimum 22 metre separation distances are proposed between the rear elevations of the new two-storey dwellings and the elevations of the proposed duplex units and the rear of the existing two-storey dwellings along Oldtown Avenue i.e. nos. 43 – 73a (odd only). The dwellings proposed are two-storey. The separation distances are adequate and comply with development plan requirements to ensure privacy levels are not unduly impacted upon. As the proposed development is located to the north of these established dwellings. The closest dwellings, two-storey in nature, will not lead to overshadowing of existing rear gardens on Oldtown Avenue. Site 10 is at a higher level to the rear gardens of Oldtown Avenue however it is proposed to install a 2.0m high post a panel fence on the high side to eliminate potential overlooking. Discussion will take place with residents closer to construction to resolve any possible boundary concerns.

- The security on the playground beside Longdale is queried

The park will be a public open space managed and maintained by Dublin City Council, Parks Dept in partnership with the Local Area Office.

- The future plans for the rest of the site is questioned

The Ballymun Lap stipulates that the western half of this site to the rear of the Civic Centre shall accommodate increased heights and densities given proximity to Main Street and should be in keeping with the urban form of Shangan Hall and Gateway Student housing. Additional student housing could be provided on this site, with heights of five storeys achievable. This proposal does not compromise the development potential of the balance of the site.

End.

Accordingly, the City Council is advised to approve the development of the site subject to the recommendations set out above.

As approval of a Part 8 application is a reserved function of the Elected Members of the Council, it is our intention to bring the proposal to the September 2022 Council Meeting for formal approval.

David Dinnigan

Executive Manager

