



**The Chairperson and Members  
North West Area Committee**

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**Report on the Part 8 for the construction of a residential development on lands at  
Balbutcher Lane, Ballymun, Dublin 11**

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The Housing and Community Services Department wishes to provide an update to the North West Area Committee regarding the Part 8 planning application concerning the following:

**Section 179 of the Planning and Development Act 2000 (as amended) and Part 8 of the Planning and Development Regulations 2001 (as amended) and in compliance with the provisions of the Local Government Act 2001**

<b>LOCATION</b>	Lands bounded to the North bounded to the North by Balbutcher Lane and to the South by Sandyhill Gardens and Holy Spirit National School, Ballymun, Dublin 11
<b>APPLICANT</b>	<b>DCC Housing &amp; Community Services Dept.</b>
<b>DATE LODGED</b>	<b>21st June 2024 APPLICATION NO.3892/24 LAW</b>

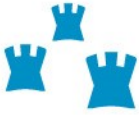
Proposed construction of a residential development comprising 138 no. dwellings (82 no. 3 bedroom two storey terraced houses and 56 no. 2 bedroom two storey terraced houses), public open space approx. 0.257 ha, associated site infrastructure works/supporting infrastructure, landscaping, public lighting, access roads/pavements, boundary treatments as follows:

- 82 no. three bedroom two storey terraced houses with private gardens to the rear and 56 no. 2 bedroom two storey terraced houses with private gardens to the rear. Associated internal roads providing vehicular, cycle and pedestrian access from Balbutcher Lane with traffic calming etc.
- Development of a public open space, 0.257 ha, to the east of the housing lands.
- On street public parking provision 34 no. spaces and 44 no. public bicycle parking spaces on the lands and provision for 9 no. additional public parking spaces (outside the site boundary) on Balbutcher Lane .
- Demolition of all existing structures on the site including existing fencing to facilitate the development and any necessary boundary treatments.

The Members of the North West Area Committee at its meeting on July 4<sup>th</sup> 2023 noted the proposed Part 8 for the development of housing at Balbutcher Lane, Dublin 11 prior to the commencement of the Part 8 process.

The pre part 8 consultation circulation of the plans and particulars to the relevant technical divisions and the Planning and Development Department etc., prior to submission of the part 8 application, commenced on 25<sup>th</sup> September 2023 and concluded on Friday 13<sup>th</sup> October 2023.

Pre validation Part 8 plans and particulars were submitted to Planning Registry on 23<sup>rd</sup> April 2024; the Housing Development Part 8 Agreement was signed on 06/09/2024.



The Part 8 Plans and particulars of the proposed development were submitted to Planning Registry on Friday 21<sup>st</sup> June 2024 along with the published copy of the Newspaper Advert which was published in the Irish Times on Friday 21<sup>st</sup> June 2024.

Plans and Particulars of the proposed development were available for inspection for a period of 4 weeks from 21/06/2024, during public opening hours at the offices of Dublin City Council, Public Counter, Planning and Property Development Department, Block 4, Ground Floor, Civic Offices, Wood Quay, Dublin 8, Monday - Friday 9.00 am to 4.30pm. The plans and particulars were also available for inspection during public opening hours at the offices of Dublin City Council North West Area Offices at Ballymun Civic Centre, Dublin 9 and online: <https://consultation.dublincity.ie> on the City Council's website [www.dublincity.ie](http://www.dublincity.ie).

Submissions or observations in relation to the proposed development, dealing with the proper planning and sustainable development of the area in which the development would be situated, made, in writing, to the Executive Manager, Planning and Property Development Department, Dublin City Council, Civic Offices, Wood Quay, Dublin 8, were accepted up to 4.30pm on 02/08/2024.

Submissions or observations could also be made online <https://consultation.dublincity.ie> on the City Council's website [www.dublincity.ie](http://www.dublincity.ie) up to 23.59hrs on 02/08/2024.

Third party submissions or observations were received in relation to the application within the prescribed period as follows:

1. Oliver Murray
2. John Maguire
3. Janice Connick
4. Owen McGrath
5. Brendan Buck, BPS Planning & Development Consultants LTD, on behalf of the Boards of Management of Holy Spirit Boys National School, Silloge Rd, Ballymun, Dublin 11, D11 N207 & Holy Spirit Girls National School, Sillogue Rd Ballymun Dublin 11

#### Key Issues Raised:

- *density of 53 dwellings per hectare (if you exclude public open space) is inappropriate for the area as it is located 500m from the proposed Northwood metro station and less than 1km from the Ballymun metro station. The sites very close proximity to the Ballymun town centre also warrants a higher density development.*
- *The loss of units here is unacceptable especially during shortages of housing*
- *It's understood that a diverse housing stock is also important, however the proposal should be reconsidered.*
- *Strongly support the development of more housing, although higher density (apartments) would be more desirable in this location given the proximity to a future MetroLink station.*
- *It is important to ensure permeability for pedestrian and cycle routes, and connections to Sandyhill Gardens should be included via footpaths/cycle paths to minimise exclusion.*
- *This development is being built on a small green space that the local community have enjoyed for over 40 years and another larger green area currently enjoyed for the last number of years since the demolishing of the Balbutcher flats. These areas are of local natural importance and the larger area contains a number of mature trees and ecological habitats which have become home to a number of wild foxes, badgers, many bird species and other wild life, all of whom have flourished in the area in recent times.*



- *It is believed that these areas come under the Green Party's bill which is currently making its way through the Dail - The Urban Tree Protection and Sites Locally Important for Ecology Bill 2023 (Bill 39 of 2023) and these habitats should be protected and any development on the area should be of recreational use which co-exists with the wildlife, such as a city farm, football pitches, and park facilities.*
- *The small green space in front of Sandyhill Gardens is a community area historically utilised by many for recreation. The loss of this space, even during the construction of the development, would be of great detriment to the community. The larger green space on the former site of the Balbutcher flats has been used for local recreation and a confined dog walking space, in harmony with the natural wildlife, by many in the area, providing much needed natural sanctuaries. These areas proved to be a lifeline for all local residents during the pandemic and continue to provide an area to enjoy nature to our large population of older people with the Sandyhill Retirement Community in the neighborhood, many of whom can not venture much further than the local area.*
- *The development will have a large impact on the views and sunlight afforded to the old houses of Sandyhill Gardens. The residents of which have put up with years of construction during the demolishing of the flats and building of the existing new housing developments over the last number of years.*
- *The area is also chronically under facilitated - with rising anti-social behaviour in the wider community over the last number of years. We feel that introducing this level of housing whilst not introducing the required level of new facilities - which have been long promised but never delivered in the Ballymun Regeneration Schemes and not addressing the anti-social behaviour prior to the development of even more houses would be of great detriment to the community and lead to the repeating of mistakes made in the past.*
- *The plan indicates that houses J01-J05 will not have drive-ways for car parking; the lack of parking outside these houses will lead to a permanent presence of cars being parked partially on the pavement and partially on the road and will lead to difficulty for pedestrians, and for delivery and refuse collection vehicles. The only way to prevent this is to: a. Reduce the number of homes in the grouping J01-J05 and K01-K07, so, or b. Ensure that permanent bollards are placed along the pavement outside houses J01-J05*
- *It is noted that the bollards indicated on the Landscape plan 23D05-DR-200\_Landscape Plan-Rev\_P02 are to be of the removable type. It is contended that these will be removed by local car owners to facilitate on-pavement parking and it is strongly recommend that these bollards be of a type that cannot be cut down or knocked out.*
- *It is also request that the row of bollards currently depicted on the Landscape Plan across the road from house J01 (on the Sandyhill Gardens pavement), is extended to cover the full length of this pavement*
- *The siting of the shared boundary with the schools requires agreement.*
- *The proposed boundary treatment to the schools requires revision*
- *The trees south of Units L01 – L10 should form a protected tree buffer to the school which is public/communal/green open space*
- *The closest dwellings (Units L01 – L10) are too close to the schools' boundary and revisions are required to avoid overlooking in both directions*
- *The schools maintain a rear gate to the rear party boundary which is not in current pedestrian usage. The applicant drawings and reports need to be updated to acknowledge its existence*
- *The primary pedestrian rear gate to the schools does not appear to be acknowledged in many of the submitted drawings and details.*
- *The loss of a primary pedestrian path to the school from Balbutcher Lane that presently exists and is now historic should be retained and the scheme revised to ensure this. Its removal would be contrary to national, regional, and local planning and transportation policy. The scheme's terrace of houses to Balbutcher Lane needs to be amended to allow pedestrian permeability through it.*
- *There are significant concerns over the submitted TTA and Mobility Management Plan*



- *The internal estate road section north of Sillogue Crescent is not required and should be removed from the plans.*
- *No Community & Social Audit regarding school places is included*
- *Surface water and pluvial flooding concerns relative the schools have not been addressed in full*
- *Public lighting proposals need to be enhanced along walking routes to the schools.*
- *There are a range of construction phase concerns arising*
- *the schools consider that the scheme would cause depreciation in the amenities of the schools concerns arise that the proposal would adversely impact on the schools, on the area, on pedestrian access to the schools, and be contrary to the proper planning and sustainable development of the area.*

The content of these submissions have been taken into account in the Planning and Property Development Department assessment of the proposed development.

The Planning and Property Development Department have carried out a screening exercise and concludes that the project is not directly connected with or necessary for the management of a European Site and it can be concluded on the basis of objective scientific information that the project, individually or in combination with other plans or projects, will not have a likely significant effect on a European Site and, therefore, Appropriate Assessment AA ("Stage 2") is not required.

The Planning and Property Development Department have carried out a screening exercise and found that an Environmental Impact Assessment Report (EIAR) is not required for the Proposed Development.

The proposed development is considered consistent with the Dublin City Development Plan 2022-2028; the Ballymun Local Area Plan 2017 (as extended) and with the proper planning and sustainable development of the area. It is recommended that the proposed development be submitted for the approval of the elected members.

The Planning Authority recommends a decision be made by the Elected Members of the Council to proceed with the proposed development subject to a number of recommendations / conditions.

The Planner's Report will be made available to elected members on request.

As approval of a Part 8 application is a reserved function of the City Council, it is now the intention to bring the proposal to the October City Council meeting for formal approval.

**Michelle Robinson SEO**  
**Housing and Community Services Department**