

Title: **STATEMENT OF RESPONSE TO PA OPINION**

In respect of

PROPOSED STRATEGIC HOUSING DEVELOPMENT

at

DUNLO & POLLBOY, BALLINASLOE, CO GALWAY

ABP-312236-21

Our Ref: **2521/WMG/RG**

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1. INTRODUCTION

This statement has been prepared in compliance with Item 11 of the Schedule of Specific Information set out in An Bord Pleanála's Opinion dated the 12th May 2022 in relation to the proposed development of 165 residential units at Dunlo, Ballinasloe, Co Galway .

It deals with the response to the PA Opinion which was issued by Galway County Council following the Section 247 SHD consultation meeting held on the 16th December 2021 at Stage 1 of the process.

Section A of the PA Opinion deals with relevant planning policy at that time, and sets out relevant Section 28 Ministerial Guidelines, as well as the local statutory planning policy.

It is to be noted that the PA Opinion was presented in the context of the local planning policy which was current at that date, namely Galway County Development Plan 2015-2021 and the Ballinasloe LAP 2015-2021.

However, it is the case that Galway County Development Plan 2022-2028 and the Ballinasloe LAP 2022-2028 came into effect on the 20th of June and the 6th of July 2022 respectively.

Accordingly, a response is now submitted to the matters raised in the PA Opinion with respect to corresponding policy and objectives as expressed in the current statutory plans.

Minor changes in the design and layout of the proposed development on the subject site have been undertaken as a result of a consideration of the matters raised in the PA Opinion.

These changes are explained in detail in the **Architectural Design Statement**.

2. (C.1) STRATEGIC ENVIRONMENTAL CONSIDERATIONS

Section (C.1) of the PA Opinion is concerned with strategic environmental considerations such as 1.Environmental Impact Assessment, 2. Appropriate Assessment, and 3. Flood Risk Assessment and Climate Change Management

(C.1)-1 ENVIRONMENTAL IMPACT ASSESSMENT

The PA Opinion confirms that the proposed development on the subject site is below the threshold which would trigger a mandatory EIAR, and advises that further analysis and screening is recommended.

A detailed analysis has been undertaken in this regard by Aster Environmental Consultants Ltd in support of this application.

An **Ecological Impact Assessment** was prepared in respect of this development and the main findings were transitional Annex I habitat on site will be protected and managed, where possible in “green areas” within the site boundaries. Badgers were found using the site but setts/entrances to setts were not found within the proposed development site. Use of the site boundary treelines were noted by bats and common birds and mitigation through additional planting and sensitive lighting is proposed. No significant ecological impact is expected, with mitigation, from this development .

A **Bat Survey Report** was prepared by VEON

An **EIAR Screening Report** is presented with this application.

(C.1)-2 APPROPRIATE ASSESSMENT

A screening process was undertaken whereby it was determined that a **Natura Impact Statement** should be prepared in respect of the proposed development on the subject site.

The proposed development application is accompanied by a **Natura Impact Statement** due to the presence of potential receptor pathways to the Natura 2000 network. The River Suck Callows SPA was selected as within the zone of influence. This Natura 2000 site is selected to protect wintering birds. No use of wintering birds of the development site was observed or suspected given the unsuitable habitat on site for these particular species. Potential impact on their associated wetland Suck callows was considered possible due to hydrological connection identified in the hydrological investigations. Mitigation is proposed to protect the wetland and River Suck. With mitigation no significant impact is predicted on the Natura 2000 network.

(C.1)-3 FLOOD RISK & CLIMATE CHANGE MANAGEMENT

A site specific flood risk assessment screening has been carried out by Hydros Hydrology Consultants Ltd.

A **Hydrological Impact Assessment Report** is submitted with this application.

3. (C.2) STRATEGIC ASSESSMENT: Planning & Development Strategy

Section (C.2) of the PA Opinion is concerned with STRATEGIC ASSESSMENT: Planning & Development Strategy considerations such as 1. Consistency With The GCDP Core Strategy, 2. Land Use Zoning, 3. Urban Density, and 4. Apartment Use.

(C.2)- (1)- CONSISTENCY WITH THE GCDP CORE STRATEGY

The Core Strategy Table from the GCDP 2015-2021 allocated a population of 1,540 persons to Ballinasloe, and this was calculated, as part of the plan making process, as amounting to an expected housing yield of approximately 477 dwelling houses.

Having regard to the granting of planning permission for about 150 residential units over the term of the previous LAP, the PA Opinion concluded that the provision of a further 165 units on the subject site, as envisaged by the proposed development in this case, would not amount to an in-combination exceedance of the Core Strategy.

Accordingly, given that the Core Strategy allocation in the current GCDP has increased to 1999 persons, as shown in the extract table below, it follows that the provision of a further 165 units, as envisaged by the proposed development, does not now amount to an in-combination exceedance of the Core Strategy at this early stage of the period of the new GCDP 2022-2028.

Settlement Typology	CSO 2016	Core Strategy Allocation	Residential Units to be Delivered on Greenfield Sites	Density	Quantum of Greenfield Land Required for Residential Development	Residential Units to be Delivered on Infill/Brownfield Sites
Ballinasloe Key Town	6,662	1,999	805	35	23	345

Table 1: Core Strategy

The boundaries of the subject site have not been altered since the Stage 1 process six months ago, and the layout of the proposed development on the subject site has not changed to any significant extent.

Accordingly, it can be concluded that the provision of the 165 unit residential development on the subject site is substantially consistent with the Core Strategy of the GCDP 2022-2028.

(C.2)- (2) LAND USE ZONING

The general conclusion in the PA Opinion under this heading was that a comprehensive backlands housing development is an appropriate form of development in principle on R-Residential (Phase 1) Lands.

However, as required under Objective BKT 6 of the Ballinasloe LAP 2022-2028, a substantiated evidence based case must now be made for the provision of the proposed development on the subject site which now consists of lands zoned both R-Residential (Phase 1) and R-Residential (Phase 2).

This case has been made in Section 5.3 of the Planning Report & Statement Of Consistency which has been prepared in support of this application.

The PA Opinion refers to the inclusion of the land parcel zoned OS-Open Space/Recreation & Amenity and suggest that further details of proposed landscaping arrangements should be prepared.

A detailed treatment of this important element of public realm, both for the surrounding neighborhood and for the town of Ballinasloe itself, has been set out on the drawings and Landscape Design Report prepared by Cunnane Stratton Reynolds in support of this application.

The PA opinion conceded that there was no clear material contravention associated with the provision of a route through the eastern edge of the land zoned OS-Open Space/Recreation & Amenity.

Further, it is submitted that the expression of this opinion is confirmed by the granting of planning permission in the Dunlo area over the past 15 year period for developments which incorporate access roadways which are consistent with Transportation Objectives contained in Ballinasloe LAPs 2003-2009, 2009-2015, and 2015-2021. The initial phases of these access roadways have been constructed and are currently under construction.

However, in view of the non-prescriptive format of the Transportation Objective BKT 37 in the current LAP, a **Statement on Material Contravention** has been prepared by Planning Consultancy Services in support of this application.

(C.2)-(3) URBAN DENSITY

The total area of land zoned R-residential(Phase 1) within the subject site is 5.2331 ha. Accordingly, the proposal to locate 165 residential units on this site represents a density of 31.53, say 32 units/ha.

The requirement in this case is defined by *DM Standard 2: Multiple Housing Schemes (Urban Areas)* of the GCDP 2022-2028 as follows for Ballinasloe as a Key Town:

Key Town	Town Centre/Infill/Brownfield	35 or Site Specific
	Outer Suburban/Greenfield	15 – 25 (at locations adjacent to open rural countryside)

It is submitted that the proposed residential density is in excess of the minimum set out in the *Sustainable Residential Development in Urban Areas Guidelines 2009 & Urban Design Manual – A Best Practice Guide 2009*, namely 30 units/ha.

The site specific reasons for the provision of the stated residential density of 32 units/ha are set out in the **Planning Report & Statement Of Consistency** and the **Architectural Design Statement** which had been prepared in support of this application.

(C.2)- (4) APARTMENT USE

It is noted that the provision of apartments on R zoned lands is stated as being 'Open for Consideration' in the Land Use Matrix Table of the Ballinasloe LAP 2022-2028, subject to Policy Objective BKT 6.

The provision of apartments within the proposed development has arisen from consideration of the housing mix as determined in *Chapter 2 of the GCDP 2022-2028*, and the requirements of the advice in *Sustainable Residential Development in Urban Areas Guidelines 2009 & Urban Design Manual – A Best Practice Guide 2009*.

The proposed development consists of 42 No units which are described as apartments. This represents 25.45% of the total units proposed in this case.

The apartments categories to be provided can be further broken down into or 'own-door access' at ground floor within duplex units - 8.5% , and 'Common area access' within blocks – 16.95%.

A justification statement for the provision of apartments within the development is presented in the **Planning Report & Statement Of Consistency** and the **Architectural Design Statement** which have been prepared in support of this application.

4. (C.3) OTHER KEY PLANNING ISSUES

Key planning considerations are raised in the PA Opinion under the following headings and the following responses are presented herein:

(C.3)-1 PLACE MAKING ARCHITECTURE AND URBAN DESIGN

The Objectives of the current LAP in relation to placemaking architecture and urban design are considered in the **Planning Report & Statement Of Consistency** and the **Architectural Design Statement** which have been prepared in support of this application.

(C.3)-2 MOBILITY

The proposed development on the subject site is located on the fringe of the existing serviced infrastructure which extends southwards from the town centre.

Existing footpath connectivity extends into the subject site on the western side. Footpath connectivity is under construction along the eastern access road up to the boundary of the subject site.

The existing roads which adjoin the site on the eastern and western site are provided with cycle lanes, and these can readily be extended into the roadways which service the proposed development.

A **Mobility Management Plan** has been prepared by CST Consulting Engineers in support of this application.

Car parking provision throughout the development has been provided in accordance with the requirements of *DM Standard 31: Parking Standards* of the GCDP 2022-2028 as explained in Section 3.4 of the Planning Report & Statement Of Consistency and as set on the Schedule of Accommodation & Site Analytics.

The distribution and location of parking spaces is illustrated on the accompanying layout drawings on the basis of :

- Residential 1-3bed -1.5 space per dwelling , 108 units x 1.5 = **162 Spaces**. (163 Provided).
- Residential Houses 3bed – 2 spaces per dwelling , provided in form of on-site parking - 59 units x 2 = **118 Spaces**

Accordingly, the total number of spaces provided = 163+118 = **281 Spaces**.

All of the detached, semi detached and triplet dwellings shall be provided with on-site parking.

(C.3)-3 SUSTAINABLE ENERGY,CARBON USAGE EFFICIENCY & BIODIVERSITY

An **Energy Statement & Building Lifecycle Report** has been prepared by A-Tech Energy Engineering in support of this application.

An analysis has been carried out of each of the unit types with respect to energy efficiency. The calculated Rating for each dwelling in this project is BER-A2.

Biodiversity corridors have been integrated into the landscaping layouts and Report which has been prepared in support of this application by Cunnane Stratton Reynolds.

(C.3)-4 COMMUNITY FACILITIES AND SERVICES

The construction of a creche was approved under Planning Ref No 19/1978 and this facility is to be constructed under the contract which is presently underway for the construction of a residential development on the applicant's lands adjacent to the subject site.

This creche facility is located at a distance of about 300 metres from the centre of the subject site and would be interconnected directly for pedestrian ,cyclist, and vehicular means of travel.

It is submitted that the proposed creche, upon which construction is at commencement stage, will satisfy the requirements of the Childcare Facilities-Guidelines for Planning Authorities (2001) for the development proposed on the subject site in this case.

A photomontage view of the proposed creche is shown below, where it will be located on the left side at the entrance roadway to the approved residential development which is currently under construction.



A justification for the above strategy is presented in detail in the **Childcare Demand Analysis Report** which has been prepared for submission with this application by Planning & Consultancy Services.

(C.3)-5 SERVICING

A bespoke Pre-Connection Confirmation of Feasibility CDS21008081 was issued by Irish Water on the 15th December 2021 in respect of the proposed development on the subject site in relation to a water and wastewater connection.

The outcome of this pre-connection inquiry was that a water connection was feasible without infrastructure upgrade by Irish Water.

The outcome of this pre-connection inquiry was that a wastewater connection was feasible subject to upgrades of infrastructure on lands in the ownership of the applicant. A design for an upgrade to the pumping station is required for this proposed development but the rising main to the Ballinasloe WWTP is has sufficient capacity to cater for the entire development.

The layout and design of the above elements of infrastructure were submitted to Irish Water and a Confirmation of Design Acceptance was issued in August 2022.

A surface water collection system has been designed for the proposed development on the subject site in accordance with SUDS principles. The chosen method of disposal of surface water is by means of soakpits on site. A detailed description of the system with design calculations he set out in the Engineering Services Report which accompanies this application.

(C.3)-6 PART V

The subject site is located on lands to which the transitional arrangements under Section 96(j) of the Planning and Development Act 2000-2020(as amended by the Affordable Housing Act 2021) applies.

Accordingly, the applicant has currently entered into an arrangement with Galway County Council In relation to the provision of 10% of the residential units which are under construction on the site adjoining the subject lands of this case.

It shall be similarly the case that 10% of the residential units to be provided under the proposed development on the subject site shall be made available under the provisions of Part V as it applies to the lands.

In this regard, following recent engagement with the Housing Section of Galway County Council, a Letter of Understanding was issued in August 2022 which outlined the 16 Units which would be provided under the scheme.

Full details and cost methodology in relation to Part V have been prepared by CuddyQS in support of this application.

(C.3)-7 ARCHITECTURAL,CULTURAL & ARCHAEOLOGICAL HERITAGE

An Archaeological Impact Assessment Report was prepared by Michael Gibbons Archaeologist in support of this application.

No recorded monuments, protected structures or NIAH structures are located within the proposed development site and no impacts to the recorded archaeological resource have been identified.

A potential direct impact to sub-surface archaeological finds, features or deposits, should they exist within the site, has been identified. Mitigation in the form of pre-development archaeological testing of the proposed development site has been recommended in order to ameliorate this potential impact.

(C.3)-8 PHASING

The construction of the 165 No residential units within the development would be phased in the following manner:

- **Phase 1-** Completion of construction of western access roadway to the site together with the construction of the Block A1 & A2, and Block B1 to B5 inclusive together with all associated site development services, including roads , pathways, pedestrian links and site boundaries. A total of 58 No. units would be provided under this phase and encompass a broad range of typologies.



- **Phase 2-** Completion of internal roadway together with the construction of the Type C semi-detached dwellings on sites 59 to 80 inclusive together with all associated site development services, pathways, pedestrian links, and site boundaries to include retaining wall along rear boundary with the Tesco property. A total of 22 No. units would be provided under this phase.



- **Phase 3** - Completion of eastern access roadway through the open space and the main internal east-west roadway through the site for interconnection with the previously developed western phases of the scheme. This phase would also include the provision of Block B11- Block 13 inclusive and the construction of the Type C semi-detached dwellings and Type E dwellings on sites 129-165 inclusive together with all associated site development services, pathways, pedestrian links, and site boundaries . A total of 55 No. units would be provided under this phase and encompass a broad range of the typologies within the scheme.

- **Phase 4**- This phase would include the provision of Block B6- Block 10 inclusive and the construction of all associated site development services, pathways, pedestrian links, and site boundaries . The full development of the area of zoned open space , including the provision of all public realm facilities, would be fully developed under this phase and integrated into the existing neighbourhood developments. A total of 30 No. units would be provided under this phase .



An overview of the phasing scheme for the entire development is set out on **Drawing No 2521- 009** which accompanies this application.

(C.3)-9 REGULATION OF COMMERCIAL INSTITUTIONAL INVESTMENT IN HOUSING

The applicant has indicated that residential units within the development shall be made available for first time buyers.

Residential units shall not be developed for build-to-rent purposes.