

Statement of Response to An Bord Pleanála Opinion

In respect of

Proposed Strategic Housing Development

at

Dunlo & Pollboy, Ballinasloe, Co Galway,

ABP-312236-21

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A. INTRODUCTION

The pre-application consultation opinion from An Bord Pleanála (ABP) in relation to the proposed strategic housing development for residential development on lands at Dunlo, Ballinasloe, Co Galway was received on 12th May 2022- **Case Reference: ABP-3122636-21** (the “Opinion”).

The Opinion states that ABP *‘is of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development’*.

An Bord Pleanála considers that the following issues need to be addressed in the documents submitted that could result in them constituting a reasonable basis for an application for strategic housing development:

1. Development Strategy.

(a) Further clarity with regard to how requirements in the statutory plan and the specific objectives of the Ballinasloe LAP for an integrated, sequential development is to be delivered. Regard being had to the imminent change in statutory plans for the area and consequent impact to the subject lands.

(b) Further consideration and / or justification of the documents as they relate to visual amenity and future residential amenity, justification for the proposed development, having regard to, inter alia, urban design considerations, visual impacts, site context, the locational attributes of the area, linkages through the site, pedestrian connections and national and local planning policy.

(c) Further consideration of the development strategy for the site including urban design considerations such as building height and the bulk, scale and mass of blocks; architectural treatment; connection to the surrounding road network, pedestrian connectivity, proximity to boundaries, boundary treatments and interaction with the existing surrounding land-use pattern.

(d) Further justification / investigation of the public open space strategy and quantum and quality of communal open space. Further consideration of a legible and connected green (biodiversity) network, ideally providing a continuous biodiversity corridor through the site.

2. Residential Amenity

(a) Further consideration and / or justification of the documents as they relate to future residential amenity, having particular regard to the proportion of single aspect and north facing units and daylight and sunlight access. Particular regard should be had to the requirements of the Sustainable Urban Housing Design Standards for New Apartments Guidelines (2020) Section 3.16 – Section. 3.19 in relation to the dual aspect ratio and north facing units.

(b) Further consideration and / or justification of the documents with regard to Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.

3. Delivery of Roads Infrastructure

Clarification at application stage as to the provision of pedestrian and cycle connectivity from the development site to Ballinasloe town centre to the north and to adjoining existing and permitted developments to the east, west and south. Any impediments to such connections should be clearly identified and proposals submitted as to how such impediments are to be overcome.

Further to the Board’s Opinion noting that the proposals *‘require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development’*, a comprehensive response is provided to the issues raised , and this statement has thereby been prepared, as required by Article 297(3) of the Planning & Development Regulations 2001-2019, as amended.

Cognisance has been taken of the Opinion of both An Bord Pleanála and Galway County Council following Pre-Application Consultations, and amendments and refinements have been made to the proposal as now submitted to that layout which was reviewed at pre-application consultation Stage 1 & 2, in response to the concerns raised at that time.

The '*Further Consideration*' has been undertaken in conjunction with the following team of Specialists :

Ecology/Environment -Aster Environmental Consultants Ltd

Bat Survey - VEON

Hydrology – Hydros Hydrology Engineering Consultants

Material Contravention/Planning - Planning Consultancy Services

Landscape Design - Cunnane Stratton Reynolds Landscape Planning+Design

Daylight/Shadow Analysis -Integrated Environmental Solutions Ltd

Archeaology - Michael Gibbons, Archaeologist, MIAI,

Traffic & Transportation Assessment- CST Group Chartered Consulting Engineers

CGI & Photomontage - GNet-3D

Energy Statement & Building Lifecycle – A-Tech Energy engineering

1. DEVELOPMENT STRATEGY

a) Further clarity with regard to how requirements in the statutory plan and the specific objectives of the Ballinasloe LAP for an integrated, sequential development is to be delivered. Regard being had to the imminent change in statutory plans for the area and consequent impact to the subject lands.

RESPONSE : The **Galway County Development Plan 2022 – 2028** (referred to herein as the GCDP) is now the statutory land-use plan governing the subject site. A new Ballinasloe LAP 2022-2028 was also adopted on the 6th July 2022. The consistency of the proposed development on the subject site is considered in detail in Section 5.1, 5.2 and 5.3 of the **Planning Report and Statement of Consistency** which has been prepared in support of this application.

The scheme was initially designed for consistency with the various objectives of the Galway County Development Plan 2015 – 2021 and the Ballinasloe LAP 2015-2021, and a supporting Statement of Consistency was submitted to ABP for the Stage 1 of the SHD process, and a PA opinion was presented to ABP on the 21st January 2022 in response to the Stage 1 submission.

The principal impact on the subject lands arising out of the change in statutory plans is explained in detail in Section 5.1 and 5.2 of the Planning Report & Statement on Consistency, and is as follows:

- A total of 65.5% of the lands which constitute the subject site have been rezoned from **R- Residential(Phase 1)** to **R- Residential(Phase 2)**, and
- The Transportation Objectives TI 25 and TI 26 were eliminated and were replaced by the Ballinasloe Local Transport Plan , as prepared by SYSTRA Consultants. Accordingly, the stratagem upon which the consistency of the provision of an access roadway through the tract of land zoned Open Space was diluted and made more non-prescriptive.

However, the Core Strategy of the new GCDP identifies Ballinasloe as a ‘Key Town’ . Over the lifetime of the GCDP (i.e. 2022-2028), the Core Strategy now estimates that the settlement of Ballinasloe can accommodate an increase in population of 1999 people, with an associated requirement for 805 new homes.

Objective BKT 1 – Consistency with Core Strategy of the new LAP requires that developments permitted within the plan area are consistent with the zoned land allocations in the Core Strategy and associated provisions in the current Galway County Development Plan 2022-2028

Accordingly, in relation to the matter of meeting the needs of the Core Strategy, a development on the subject site consisting of 165 residential units would constitute

a significant contribution to the demand as identified in the Core Strategy and fully supports the integration of residential policy between the GCDP and the LAP.

A strong evidence based case is made in Section 5.2 of the Planning Report & Statement on Consistency, in response to Objectives BKT 2, BKT 6 and BKT 8 of the LAP, that a decision to grant planning permission for the provision of 165 residential units on the subject site is in accordance with the proper planning and development of the area as expressed through the statutory plans for the following reasons:

- The subject site is one of the most significant tracts of land most proximate to the Town Centre.
- A Masterplan was sought by Galway County Council, over the course of their consideration of granting permission for a development on the Applicants land (Planning Ref No 19/1978, and presently under construction). A residential scheme was shown on this Masterplan over the area which now constitutes the subject site and the access arrangements to the lands were as integrated into the current proposed development.
- The subject site can be readily connected to all essential services, which are already laid to the site boundary or are passing are through it, in the case of the water supply. A footpath, semi-completed roadbase, and surface water sewage system has already been laid along the western access roadway through the site. The eastern access roadway is presently under construction through the zoned OS lands up to the northern boundary of the subject site.
- A development on the subject site can avail of existing connectivity to the Town Centre and the adjoining commercial facilities for pedestrians, cyclists, and by vehicular means.
- A development on the subject site would be consistent with the phased development of residential development in accordance with the principles of the sequential approach, as required by Objective BKT 8 of the LAP. A development on the subject site would be an infill between existing established development to the east and west of the site and with residential development directly to the north of the site, which is under construction.

- A development on the subject site would facilitate connectivity and permeability for the established surrounding residential neighborhood on all sides through the site towards the Town Centre and the adjoining commercial facilities.

Accordingly, it is submitted that a residential development on the subject site, although originally designed during the term of the previous statutory plans, remains entirely consistent with the objectives of the current statutory plans.

(b) Further consideration and / or justification of the documents as they relate to visual amenity and future residential amenity, justification for the proposed development, having regard to, inter alia, urban design considerations, visual impacts, site context, the locational attributes of the area, linkages through the site, pedestrian connections and national and local planning policy.

RESPONSE : A scheme was designed for submission to ABP under Section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016 and was accompanied by a '*brief description of the nature of the development*', and supporting documentation as required under Section 5(5).

Accordingly, having regard to the commentary in the tripartite meeting, held on the 29th of April 2022, with ABP and the PA, further consideration and refinement has been undertaken during the detailed design stage of the scheme in the subsequent period to address the concerns raised at that time.

The Stage 1 Scheme is shown below:



This scheme consisted of 167 units. The primary concerns raised in the discussion related to the massing of the large blocks in the centre of the scheme, and concerns about the residential amenity of the layout in regard to these units which were dominated by roadways both to the front and to the rear.

These matters were considered in detail and the layout of the scheme was refined to improve visual amenity and residential amenity as well as enhancing linkages and pedestrian connectivity through the site and the adjoining existing developments.

The refined scheme layout is shown below:



The basic layout of the scheme was retained having regard to its consistency with both the site context and the objectives of the LAP in regard to the provision of access to residentially zoned lands in the southern environs of the town. It is also the case that the site layout affords full connectivity and permeability with adjoining existing residential development as well as access for potential future connections in all directions.

The development on the subject site is linked to the Town Centre to the north by means of two independent access roadways. This road system has evolved from long term transportation objectives, as expressed in successive LAPs, and the subsequent approved construction of these roadways to the boundary of the subject site. Although the ultimate intention was that these roadways would be linked at a location to the southwest ,outside the curtilage of the subject site, it was considered necessary that an internal link should now be incorporated into the scheme at this stage to improve linkage and connectivity through the site .

The primary refinement of the content of the scheme is concerned with the decoupling of the former large blocks in the central portion of the scheme. The basic unit duplex typology was retained. The primary effect of this change was that the apparent massing of the large blocks was eliminated and permeability within the scheme was improved.

The residential amenity of this element of the scheme was also significantly enhanced by the removal of roadway dominated space behind the blocks. Parallel parking is now arranged along the central roadway and in selected parking courts adjacent to the blocks in central non-dominating locations.

This refined arrangement creates active street fronts with own door access to the duplex units along the central streetscape.

The residential amenity throughout the entire development was significantly enhanced by a landscaping scheme design in which community gardens are located at each block to impart a high quality of public realm.



The improvements of residential amenity and public realm, as a result of the refinements outlined above, has caused the overall content of the scheme to be reduced from 167 to 165 units.

It is submitted that the further consideration of the documents, as has been set out above and as explained in all of the associated documentation which has been submitted with this application, is a sufficient justification of the scheme and its consistency with national and local planning policy. Further detailed consideration of the consistency of the scheme with national and local planning policy is explained in the **Planning Report & Statement Of Consistency** which has been prepared in support of this application.

(c) Further consideration of the development strategy for the site including urban design considerations such as building height and the bulk, scale and mass of blocks; architectural treatment; connection to the surrounding road network, pedestrian connectivity, proximity to boundaries, boundary treatments and interaction with the existing surrounding land-use pattern

RESPONSE : Traditional forms of residential development in Ballinasloe to date, in common with most provincial towns, is based on the mono typology of the housing estate.

However, having regard to the current government policy on the provision of housing, and publication of the guidelines on the sustainable use of serviced land resources, alternative more traditionally 'urban forms' of residential development must now be considered.

The **Urban Development and Building Heights Guidelines 2018** (Building Height Guidelines)(updated in 2020) 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.

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

"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 "Sustainable 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.

Accordingly, a mix of two and three storey building height has been proposed to develop a sense of place and to confer street definition to this emerging suburb of Ballinasloe town.

The overall density and height of the development is considered appropriate for the location of the site and the scheme will ensure the delivery of a suitably scaled new housing development.

Taller elements have been sensitively located at the corners along the principal routes through the site, and assist in creating a strong sense of modern urban neighbourhood.



The site is enclosed within existing residential development to the east and west and partly to the south, and a commercial park to the north. However, the scheme is also enclosed, particularly from the south and west, by mature natural boundaries which provide a screen to the surrounding environs.

The scheme has been designed around 4 separate character areas which are set against these mature boundaries. The boundary treatment scheme, as set out on Drawing No 2521- 005, has been designed to protect these boundaries.

External views of the site will only be available at discrete locations such as looking northwards from the open space in Beechlaw Heights.



The above view shows the subdued impact of the proposed development from the open space in Beechlawn Heights. It is submitted that the open space on this estate can be merged with the subject site in due course to improve connectivity and permeability towards the Town Centre directly to the north.

It is submitted that the development strategy for the provision of a residential scheme on the subject site is consistent with the existing surrounding land use pattern- which is residential development estates.

It is further submitted that the layout of the scheme it does not negatively impact on the residential amenity of this existing development.

(d) Further justification / investigation of the public open space strategy and quantum and quality of communal open space. Further consideration of a legible and connected green (biodiversity) network, ideally providing a continuous biodiversity corridor through the site.

RESPONSE : The quantum of open space and community space to be provided under the scheme is explained in detail in Section 3.3 of the **Planning Report & Statement Of Consistency**, and is also set out in the **Schedule Of Accommodation & Site Analytics** which has been prepared in support of this application.

The area of open space to be provided under the scheme is in compliance with the LAP requirements.

The strategy for the development of the site incorporates the development of the large tract of zoned open space which is within the lands at Dunlo in the ownership

2. RESIDENTIAL AMENITY

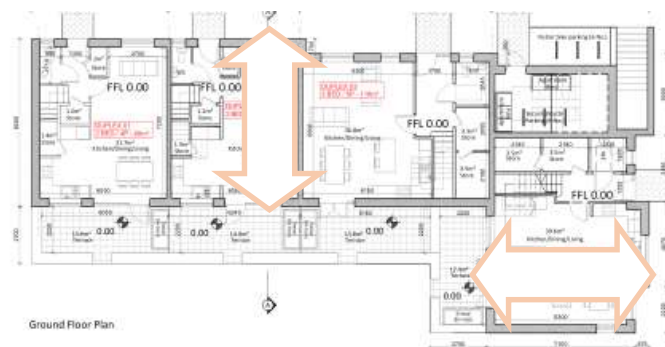
(a) Further consideration and / or justification of the documents as they relate to future residential amenity, having particular regard to the proportion of single aspect and north facing units and daylight and sunlight access. Particular regard should be had to the requirements of the Sustainable Urban Housing Design Standards for New Apartments Guidelines (2020) Section 3.16 – Section. 3.19 in relation to the dual aspect ratio and north facing units.

RESPONSE : A total of 100% of the apartment and duplex units to be provided within the development have been designed with dual aspect ratio, as demonstrated on the key plans below.

Block A- South-East Facing



Block B1-13





(b) Further consideration and / or justification of the documents with regard to Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.

Response: A Daylight, Sunlight and Overshadowing Study has been prepared by IES Ltd in support of this application.

The concluding remark in the report, in relation to their study of daylight and shadow impact assessment, both within the development and on adjoining properties, is as follows:

".....Taking all of the above information into account and based on the results from each of the assessments undertaken, the proposed development performs well when compared to the recommendations in the BRE Guide 2nd Edition/ BS 8206-2:2008 and the BRE Guide 3rd Edition / IS EN 17037:2018 /BS EN 17037:2018 National Annex. With regards to the existing properties there is a negligible impact when considering sunlight and daylight as a result of the proposed development and the proposed development itself performs well with the same regard...."

Accordingly, it is submitted that the further consideration and refinement of the design of this scheme now demonstrates consistency with the objectives for the provision of adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies, and that the scheme will not have a negative impact or cause overshadowing of adjoining properties.

3. DELIVERY OF ROADS INFRASTRUCTURE

Clarification at application stage as to the provision of pedestrian and cycle connectivity from the development site to Ballinasloe town centre to the north and to adjoining existing and permitted developments to the east, west and south. Any impediments to such connections should be clearly identified and proposals submitted as to how such impediments are to be overcome.

RESPONSE : Provision has been made for pedestrian and cycle connectivity throughout the layout of the proposed development on the subject site in accordance with the requirements of DMURS and the National Cycle Manual, as generally shown on the overall site layout below:



It is also the case that this connectivity has been provided up to the edge of adjoining estates to the south of the subject site. The existing estates to the west of the subject site are separated from it by means of a mature overgrown track/boreen.

However, provision has been made for future pedestrian and cycle connectivity midway along the western access road to the proposed development.

Pedestrian and cycle connectivity has already been provided along each side of the internal access roadway from the roundabout on Harbour Road into the applicants lands .



PHOTOGRAPH No 1 shows a view from the roundabout on Harbour Road looking in along the access roadway into the applicant lands. This roadway, together with its pedestrian and cycle connectivity infrastructure, was constructed in 2009.



Pedestrian and cycle connectivity is being extended into the residential development which is presently under construction, as shown in the extract of the site layout shown above.

Accordingly, it is submitted that pedestrian and cycle connectivity will be available for the use of all residential development on the subject site, the residential development currently under construction, and the existing residential developments to the south and east of the subject site, namely Dun Esker and Beechlawn Heights.

Pedestrian connectivity extends beyond the entrance should the applicants land at Harbor Road and into the town centre of Ballinasloe by means of the normal existing public footpath system.

However, cycle connectivity presently terminates at the roundabout on Harbor Road, and the extension of this infrastructure is a matter for the local authority in due course.