

COMHAIRLE CONTAE ÁTHA CLIATH THEAS SOUTH DUBLIN COUNTY COUNCIL



MEETING OF SOUTH DUBLIN COUNTY COUNCIL

Monday 13th June 2022

HEADED ITEM NO 10

Chief Executive's Report on Public Consultation for Proposed Development of a Traveller Accommodation Group Housing Scheme consisting of 7 units on undeveloped lands at Fonthill Road, Co. Dublin. (REF:SD228/0002)



1. Introduction

In accordance with the Planning and Development Act 2000 (as amended) (the Act) and Part 8 of the Planning and Development Regulations, 2001 (as amended) (the Regulations), South Dublin County Council is seeking planning consent for a Traveller accommodation development comprising seven group houses and all necessary associated works on an undeveloped site of approximately 0.36 hectares at Fonthill Road, Co. Dublin. (This current proposal modifies a prior Part 8 proposal, approved by the Elected Members of the Council

in July 2005, for proposed Traveller accommodation development comprising (comprising three bays with day units and three group houses at this location.)

The purpose of this Chief Executive's Report is to present the outcome of the consultation, to respond to submissions made during the consultation period and to make recommendations in relation to the proposed development where appropriate. This report also:

- Describes the nature and extent of the proposed development and is accompanied by an appropriate plan of the development and appropriate map of the relevant area;
- Evaluates whether or not the proposed development would be consistent with the proper planning and sustainable development of the area to which the development relates, having regard to the provisions of the development plan;
- Is accompanied by the screening determination on why an environmental impact assessment is not required and specifies the features of the proposed development and the measures to avoid or prevent adverse effects on the environment of the development;
- Is accompanied by the County Architects report on the public consultation in relation to the proposed development;
- Lists the persons or bodies who made submissions or observations;
- Summarises the issues, with respect to the proper planning and sustainable development of the area in which the proposed development would be situated, raised in submissions and observations, and gives the responses of the Chief Executive; and
- Recommends whether or not the proposed development should be proceeded with as proposed, or as varied or modified as recommended in this report.

2. Site Description

The subject site at Fonthill Road, which is currently undeveloped and relatively free of onsite services constricting development, is located circa 11km west of Dublin City Centre and 750 metres west of Liffey Valley Town Centre. The site is bounded to the south by temporary Traveller accommodation and lands subject to a permitted SHD scheme (ABP 305857-19) that is currently under construction, to the west by the Ballydowd Special School, to the east by the Fonthill Road (R113), N4 Slip Road and to the north by lands in the ownership of St. Loman's Hospital. It is accessed from the N4/Fonthill Road North slip-road in Palmerstown West, Co. Dublin and the development is proposed to replace the current, adjoining informal Traveller accommodation cluster whose resident households would ultimately be accommodated in the proposed group-housing scheme. The lands are currently zoned under South Dublin County Development Plan 2016-2022 Zoning Objective 'RES': 'to protect and/or improve residential amenity' under which Traveller accommodation is permitted in principle.

This proposal for Traveller-specific group housing is part of a wider, mixed-use neighbourhood development complete with retail and commercial facilities. In addition, existing primary and secondary schools, community, recreational, retail and other facilities are within easy travel distance with the location also well served by public transport.

3. Description of the Proposed Development

On 14th April 2022, the Council gave notice of a development proposal for a Traveller accommodation group house scheme consisting of seven (7) new homes on a site at Fonthill

Road, Co. Dublin, located off the the N4/Fonthill Road North slip-road in Palmerstown West, Co. Dublin, comprising:

- 5 no. detached, four-bedroom, two-storey houses
- 1 no. semi-detached, three-bedroom, two-storey-house
- 1 no. semi-detached, medically adapted, four-bedroom, two-storey house.

All the proposed homes will have a minimum A3 Building Energy Rating (BER) and are orientated to face each other within a small cul-de-sac with a landscaped strip to reduce the impact of the slip-road and increase amenity. The design and placement of the homes reflect family arrangements following consultation with the extended family grouping who are intended to occupy the development and and car-parking is provided within the curtilage of the homes. Associated works include a new vehicular access road and pedestrian access steps off the N4/Fonthill Road North slip-road, boundary walls, landscaping works to boundaries, all necessary associated drainage and utilities works and ancillary works to landscape housing areas, and on the site and adjacent areas.



Detailed plans, drawings, and reports in relation to the proposed development were provided on the Council's online consultation portal <https://consult.sdublincoco.ie/> as follows:

[Sheet 1- Site Location Map](#)
[Sheet 2- Proposed Site Plan Layout](#)
[Sheet 3- Aerial Views](#)
[Sheet 4- Site Context Elevations and Sections](#)
[Sheet 5- Proposed 3D Views](#)
[Sheet 6- Proposed House Type A](#)
[Sheet 7- Proposed House Types B & B1](#)
[Screening for Appropriate Assessment](#)
[Screening for Appropriate Assessment Determination](#)
[Screening for Environmental Impact Assessment Report](#)
[Environmental Impact Assessment Determination](#)
[Traffic Report](#)
[County Architects Report](#)

4. National & Local Policy Context

South Dublin Traveller Accommodation Programme 2019- 2024 (TAP)

The TAP sets out Council policy regarding the provision of Traveller accommodation including to deliver the programme in accordance with the principles of proper planning and sustainable development. The proposed development at Fonthill Road is signalled in the current TAP.

National: Housing for All- A new Housing Plan for Ireland

The current national Housing for All plan, under its Housing Policy Objective 8, specifically aims to increase and improve accommodation for the Traveller community through local authorities and approved housing bodies.

Local: South Dublin County Development Plan 2016-2022 (SDCDP)

The proposed development is consistent with Housing Policy 5 for Traveller Accommodation as set out in the objectives within SDCDP as follows:

H5 Objective 2: To ensure that Traveller Accommodation is located in proximity to services, including public transport.

H5 Objective 3: To provide long term sustainable Traveller accommodation developments, while ensuring proper provision of infrastructure.

H5 Objective 4: To ensure that Traveller accommodation is provided to the highest standard following detailed consultation with local communities and Traveller advocacy groups.

5. Public Consultation

Plans and particulars of the proposed development were on public display for six weeks from 14th April 2022 to 31st May 2022 inclusive. During this period for public consultation, information on the proposed development was disseminated to the public and submissions were invited. The public consultation on the proposed group housing development included the following statutory and non-statutory elements:

- Newspaper notices in The Echo newspaper on 14th April 2022
- Public consultation via the Council's online consultation portal from 14th April to 31st May 2022

- Briefings and consultation meetings in November 2021 for both the local Elected Members at the Lucan Palmerstown/Fonthill Area Committee and for the members of the Local Traveller Consultative Committee.
- Engagement and consultation with representatives of the Traveller households resident adjacent to site before and during the formal public consultation period.

6. Legislative Background

Section 179 (3) (a) of the Act, requires that the Chief Executive shall, after the end of the public consultation period, prepare a written report in relation to the proposed development and submit the report to the members.

Section 179 (3) (b) of the Act outlines that a report shall:

- Describe the nature and extent of the proposed development and the principal features thereof and shall include an appropriate plan of the development and appropriate map of the relevant area.
- Evaluate whether or not the proposed development would be consistent with the proper planning and sustainable development of the area to which the development relates, having regard to the provisions of the Development Plan and giving the reasons and the considerations for the evaluation.
- List the persons or bodies who made submissions or observations with respect to the proposed development.
- Summarise the issues, with respect to the proper planning and sustainable development of the area in which the proposed development would be situated, raised in any such submissions or observations, and give the response of the Chief Executive thereto.
- Recommend whether or not the proposed development should be proceeded with as proposed, or as varied or modified as recommended in the report, or should not be proceeded with, as the case may be.

Under Section 179(4) of the Act, the Elected Members shall, as soon as practicable, consider the proposed development and the report of the Chief Executive. Following the consideration of the Chief Executive's report, the proposed development may be carried out as recommended in the Chief Executive's report, unless the local authority, by resolution, decides to vary or modify the development, otherwise than as recommended in the Chief Executive's report, or decides not to proceed with the development. A resolution must be passed not later than six (6) weeks after receipt of the Chief Executive's report.

7. Environmental Impact Assessment and Appropriate Assessment

The proposal has undergone an Appropriate Assessment Screening under the Habitats Directive (92/43/EEC) and it has been determined by the Council that the implementation of the proposed development would not be likely to have significant adverse effects on the integrity or conservation objectives of any Natura 2000 network of sites. The proposal has also undergone screening for an Environmental Impact Assessment and the Planning Authority has determined that there will be no real likelihood of significant effects on the environment arising from the proposed development and therefore an Environmental Impact Assessment is not required. Both screening determinations accompany this report and are available in the links provided above. Therefore, in accordance with Part XI of the Act, the

Elected Members of the Council can consider the proposed development of Traveller specific accommodation comprising seven group houses on undeveloped lands at Fonthill Road, County Dublin.

8. Outcome of Public Consultation Programme

A total of seven (7) submissions/observations were received and have been considered for this report. A list of all the persons, organisations and bodies that made submissions is provided in the table below together with a link to the copy of the submission received. The submissions can be viewed individually by clicking on the links embedded in the table. (For reasons of data protection, these documents have the personal addresses of submitters redacted.)

Table 1 List of Persons/Prescribed Bodies that made submission

Person/Prescribed Body	Submission
Submission of Transport Infrastructure Ireland (TII)	Link
Geological Survey Ireland	Link
Department of Housing, Local Government and Heritage	Link
Proinsias Mac Fhlannchadha	Link
Hang Tran	Link
Bartosz Kierklo	Link
Jelena Kilnceviciene	Link

A breakdown of the number and category of issues raised in the submissions received is shown in the table below (summary and responses to issues raised is provided in Section 8 of this report):

Category of Submission	Count
Road Safety/Traffic	1
Geological	1
Archaeological	1
Design/Density	1
Non-Planning issues	3
Total	7

9. Summary of Issues Raised and Chief Executive's Responses and Recommendations

9.1 Road Safety/Traffic

Transport Infrastructure Ireland (TII), in their submission, note that there have been significant changes in transport policy since the original Part 8 approval a number of years ago, citing section 2.7 of the Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, January 2012) and the view that the proposal in its current form would create an adverse impact on the national road and associated junction. They also submit that insufficient evidence has been presented in the documentation to demonstrate that the proposed development will not have such a detrimental impact on the capacity, safety or operational efficiency of the national road network in the vicinity of the site. TII further state their opinion that the development would endanger public safety due to the location and nature of the proposal and movement of the extra traffic generated and propose alternative access through the lands to the south of the site.

Response:

The proposed development site has an area of 0.36 hectares and is located to the west of the Fonthill Road and to the south of the N4 national primary route connecting Dublin with the west of the country. Access is proposed from the N4/Fonthill Road North slip road, similar to the existing access for the current, temporary Traveller accommodation site that has been in existence for a considerable number of years. The proposed site access, taking the form of a simple T-junction from the adjacent slip road located midway along the eastern boundary of the site, is in a similar location to both the vehicular access approved in the historic Part 8 proposal, and the pertaining vehicular access that has been in operation for over 20 years for the temporary, existing accommodation site.

Detailed consultation with the local residents of the existing Traveller accommodation, who have utilised the current vehicular access for a number of years, and with the adjoining landowner, has resulted in the proposed access arrangements being determined as the most feasible for the new development. The proposed development is also not considered to be likely generate any material change in volumes of vehicular usage at this location and the site layout has been designed to provide appropriate setback and maximise approaching visibility for vehicular egress. The design also places a priority on sustainable travel forms with provision for a dedicated pedestrian route connecting the various residential units with the public routes, which can also be used by cyclists, maximising the connectivity between the application site and the public realm. This priority can be further supported using appropriate materials and finishes, promotion of shared areas and pedestrian priority within the various internal links within the site.

In response to the concerns raised by TII, it is proposed to assess the safe operation of the proposed access in a road safety audit process by external consultants. The findings and recommendations of this audit will be considered by the Council's Transportation section to inform the final detailed design of the scheme if approved, with findings and proposed outcomes to be provided to TII.

Chief Executive's Recommendation

The submission and concerns raised by Transport Infrastructure Ireland are noted and a detailed road safety audit of the potential impact of the proposed site access will be undertaken with all necessary recommendations resulting from this audit to be incorporated at the detailed design stage of development and implemented as appropriate.

9.2 Density and Design

A submission queried the low density of housing on the site and the house types proposed, noting the absence of three-storey or duplex-type homes in the development.

Response

There are seven homes in the proposed development on a site area of 0.36 hectares [3,600m²], at a density of just under 20 units per hectare. The scheme is an infill project consolidating a marginal location in the context of a wider, higher density development, and seeks to modify an historic Part 8 approval with an increase in the number of homes proposed in the development from seven group houses from three group houses and three bays with

day units. The zoning for the area allows medium density development subject to various factors stipulated in the current County Development Plan. The proposal is also in compliance with the County Development Plan objectives for Traveller-specific accommodation.

There is an established housing need for Traveller households locally and a lack of available sites for such development. The proposed layout utilises the land holding effectively to create high-quality, sustainable Traveller-specific accommodation.

Chief Executive's Recommendation

No variation or modification is required to the proposed development.

9.3 Geology

In their submission, Geological Survey Ireland (GIS) encourage use of and reference to their publicly available datasets in relation to geo-heritage, groundwater and geochemistry to assist the environmental assessment and planning process. They also requested copies of any site investigations carried out which would be added to the GIS national database of site investigation boreholes to enhance the service to the civil engineering sector.

Response

The submission is noted and requests agreed.

Chief Executive's Recommendation

No variation or modification is required to the proposed development.

9.4 Archaeology

Department of Housing, Local Government and Heritage (DHLGH): In their submission, DHLGH advised that an Archaeological Impact Assessment should be prepared to assess any impact on archaeological remains within the proposed development site.

Response:

The submission is noted. An Archaeological Impact Assessment will be undertaken, and any resulting requirements will be implemented as necessary.

Chief Executive's Recommendation

Any variation or modification required as a result of the Archaeological Impact Assessment will be incorporated into the proposed development at detailed design stage.

9.5 Non Planning Issues

Three submissions were received from persons expressing an interest in being considered for a social/affordable home in development.

Response:

The submissions containing expressions of interest in the proposed development are outside the scope of the planning application. The proposed new homes will be designated as Traveller accommodation for allocation only to applicants on the Council's Traveller specific accommodation list.

Chief Executive's Recommendation

No variation or modification is required to the proposed development.

10. Conclusion and Recommendation

It is considered that the proposed development, on appropriately zoned lands, is consistent with the provisions of the South Dublin County Development Plan 2016-2022 and Traveller Accommodation Plan 2019-2024 and is in accordance with the proper planning and sustainable development of the area. Accordingly, it is recommended that the development proceeds as proposed in the scheme documentation, except as may otherwise be necessary in order to comply with the requirements arising from the Archaeological Impact Assessment and/or the Road Safety Audit to be undertaken prior to the commencement of development.

Therefore, it is recommended that the Council adopts the following Motion:

“That this Council approves the proposed development of Traveller accommodation comprising seven group houses and all necessary associated works on undeveloped lands at Fonthill Road, Co. Dublin, it being in accordance with the proper planning and sustainable development of the area.”

Daniel McLoughlin

Chief Executive

7th June 2022