

COUNTY ARCHITECTS REPORT

Proposed development consisting of the construction of a Housing Development on SDCC land at Alpine Heights, Clondalkin, Dublin 22. The proposed housing development is comprised of 13 Age-Friendly homes, single-storey shared facilities structure and associated open spaces and all site and development works necessary to facilitate the proposed development.

PROCESS PURSUANT TO SECTION S179A OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED).

NOTIFICATION STAGE

Issued April 2024

COUNTY ARCHITECTS REPORT – S179A NOTIFICATION STAGE

<p>Project Title:</p>	<p>Proposed development of 13 Age-Friendly homes, single-storey shared facilities structure and associated open spaces and all site and development works at Alpine Heights, Clondalkin, Dublin 22.</p>
<p>County Architect:</p>	<p>Cian Harte MRIAI</p>
<p>Purpose of Report</p>	<p>The purpose of this report is to set out some of the planning, development and statutory context underlying the proposed housing development which it is proposed to progress using the S179A (“Part 8” temporary exemption) process at the above site.</p> <p>This report provides additional information and description of the nature, extent and characteristics of the proposal to be read in conjunction with the associated plans and particulars on public display.</p> <p>This report will set out how the criteria for use of the S179A (“Part 8” temporary exemption) process are satisfied.</p>
<p>Brief Outline of S179A Process</p>	<p>The current proposed development is being progressed under the provisions of S179A of the Planning and Development Act 2000, (the Act) as amended and the Planning and Development (Section 179A) Regulations 2023 [S.I. 101/2023].</p> <p>The Planning and Development (Section 179A) Regulations 2023 provides for a temporary exemption for local authorities from the “Part 8” local authority “own development” approval process to construct housing developments on local authority and designated State-owned lands, zoned to include residential use. The temporary exemption applies subject to compliance with the requirements of section 179A of the Planning and Development Act 2000, as amended (the Act), and it’s supporting regulations. The measure will allow for accelerated delivery of social, affordable and cost-rental housing by local authorities and the regulations came into effect from 8th March 2023.</p> <p>Section 179A of the Act requires a Chief Executive to inform the elected members of a local authority of proposed housing developments which it is intended to progress under the exemption as well as to give public notice and enable public inspection of the proposals in a prescribed manner.</p> <p>This provision, which is a temporary, time-limited measure to help expedite the provision of housing by local authorities in the context of the need to accelerate the delivery of housing supply, will be mandatory for local authorities in strictly defined circumstances where the following criteria are satisfied:</p>

- The land is owned by the local authority or another specified State Body.
- The land is zoned for residential development.
- The proposed development does not materially contravene the development plan or local area plan for the area.
- The proposed development is in accordance with the relevant local authority's housing strategy.
- The land is serviced or will be serviced with the necessary supporting infrastructure or facilities within the timeframe of the development.
- The proposed development is not required to undergo environmental impact assessment (EIA) under the EIA Directive or appropriate assessment (AA) under the Habitats Directive; and the development works in question are commenced by no later than 31 December 2024.

The Planning and Development (S179A) Regulations 2023 set out the steps local authorities must take in order to comply with the new section 179A. These steps include inter alia:

- Local authorities to submit quarterly reports on the use of the exemption to the Minister.
- New article 81A: requires the Chief Executive to formally notify the elected members of the proposed housing development prior to issuing a site notice and newspaper notice, which must be issued at least eight weeks prior to the commencement of works.
- It is further recommended in this regard that the Chief Executive should informally signal in advance, the proposed development to the relevant local elected members prior to the formal notification of the placing of the site notice and the public advertisement.
- Sets out the information and details that must be included in the site notice and newspaper notice and where a site notice must be located.
- Requires local authorities to screen proposed developments for EIA and AA and that only where a proposed development is screened out from requiring the undertaking a full EIA or AA, the proposed development may proceed under the new exemption.

- New article 82A requires the local authority to notify the relevant prescribed bodies of proposed developments with the list of prescribed bodies being the same list as that used under the Part 8 approval process.
- New article 83A requires that the documents, plans and particulars of the proposed housing development must be entered in the planning register and made available for public inspection. Local authorities are further required to make the documents relating to the proposed housing development available for inspection on their website and in the offices of the local authority.

The eight-week notification period is consistent with the eight-week timeframe in section 50 of the Act within which a judicial review challenge against a planning decision must be initiated post the making of the decision. A person may question the validity of any decision of the planning authority by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No. 15 of 1986), in accordance with sections 50 and 50A of the Act.

the provisions under Section 179A of the Act and the supplementary regulations provide an exemption from the 'Part 8' process and, where a development is classed as exempted development, there is no public participation process. The notification process by means of site and newspaper notices will notify interested parties of the intention to undertake the proposed development.

The Planning and Development (Section 179A) Regulations 2023 are available to view or download at:

[S.I. No. 101/2023 - Planning and Development \(Section 179A\) Regulations 2023 \(irishstatutebook.ie\)](https://www.irishstatutebook.ie/eli/2023/si/101/2023-01-01/planning-and-development-section-179a-regulations-2023)

Public Notice:

PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED)

PLANNING AND DEVELOPMENT (SECTION 179A) REGULATIONS 2023 (S.I. 101/2023) - (PART 8 TEMPORARY EXEMPTION)

SOUTH DUBLIN COUNTY COUNCIL - NOTICE OF PROPOSED DEVELOPMENT PURSUANT TO SECTION S179A OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED).

Location:

Site at Alpine Heights, Clondalkin, Dublin 22

Nature & Extent of the Proposed Development:

Pursuant to the requirements of Section 179A of the Planning and Development Act, 2000 (as amended), South Dublin County Council (SDCC) hereby give notice to construct a Housing Development on SDCC land at Alpine Heights, Clondalkin, Dublin 22.

The proposed housing development will consist of 13 Age-Friendly homes, single-storey shared facilities structure and associated open spaces and will include:

- i. Construction of 13 Age-Friendly homes in one and two-storey blocks enclosing a shared courtyard space.
- ii. The proposed development will comprise 5 no. single-storey 2-bedroom homes, 4 no. 2-bedroom ground floor apartment units and 4 no. 1-bedroom first floor apartment units and a single-storey shared facilities structure (44m²).
- iii. New boundary treatment to existing public open space, associated upgrading of roadways and paths, provision of car and cycle parking spaces, all hard and soft landscape works, lighting, boundary structures and all associated infrastructure, site and development works necessary to facilitate the proposed development.

The plans and particulars of the proposed development will be available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy from 4th April 2024 up to and including 30th May 2024 during office opening hours at:

South Dublin County Council, County Hall, Tallaght, Dublin 24, D24 A3XC

The plans and particulars of the proposed development are available for inspection online during the same period on the Council's Public Consultation Portal website (<http://consult.sdublincoco.ie>).

A screening for Environmental Impact Assessment (EIA) has been carried out and concludes that there is no real likelihood of significant effects on the environment arising from the proposed development. A determination has been made that an EIA is not required.

	<p>A screening for Appropriate Assessment (AA) has been carried out in respect of the proposed development and concludes that there is no real likelihood of significant effects on a European site or sites. A determination has been made that an AA is not required.</p> <p>A person may question the validity of any decision of the planning authority by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No. 15 of 1986), in accordance with sections 50 and 50A of the Planning and Development Act 2000 (as amended).</p> <p>Signed: Director of Housing and Community Development, SDCC.</p> <p>Website: www.sdcc.ie</p> <p>Date Public Notice: 4th April 2024</p>
<p>Overall Context:</p>	<p>The proposed development is located on lands at Alpine Heights, Clondalkin, Dublin 22. The site currently consists of public open space located to the eastern end of rows of houses in the existing Alpine Heights estate. The site is bounded by the existing Alpine Heights estate to the west and south and public open space to the north and east.</p> <p>The site is adjacent to existing ESB, surface water, foul water and mains water services and the site itself is not constrained by underground or overhead services. The site is relatively flat and generally free from topographic constraints.</p>



Site Location – not to scale.

Site subject of current S179A outlined in red.



Aerial view – not to scale (source Google maps)

Site subject of current S179A outlined in red.



View from North of site - showing existing two-storey houses in Alpine Heights Estate.



View from South East of Site - showing existing two-storey houses in Alpine Heights Estate.



View from North West corner of site



View from existing path along western boundary of site.

**Project
Description:**

The proposed development consists of 13 Age Friendly homes consisting of 5 no. single-storey, 2-bedroom houses, and a two-storey block of 4 no. 2-bedroom ground floor apartment units and 4 no. 1-bedroom first floor apartment units. The blocks are arranged to enclose a communal courtyard bounded to the west by houses in the existing Alpine Heights estate.

The proposed development type is similar to recent Age-Friendly courtyard developments carried out By SDCC which are either on-site or will be on-site in 2024. These projects include developments at St. Ronan's Crescent, St Aonghus Green and Brady's Court, Oldbawn. The proposed courtyard development type provides a high quality, safe environment for older residents, while respecting existing residential and visual amenity.

The passive surveillance of the existing open space will be enhanced due to the presence of the new homes overlooking the space, where previously only the gable ends of the existing houses overlooked the space. The open space will also benefit from SUDS features which will improve drainage / attenuation and enhance local amenity.



Above: Images of recently completed Age-Friendly homes at Brady's Court, Oldbawn.

Land ownership	The lands are in the ownership of South Dublin County Council.										
Land Zoning and Planning Context:	<p>The lands subject of the current S179A process consist of two Zoning Objectives in the South Dublin County Council County Development Plan 2022- 2028 as follows:</p> <p>1 - Zoning Objective ‘RES’ - with an objective to <i>‘protect and/or improve residential amenity.’</i> The substantial portion of the subject site is covered by this designation including the area within which all the proposed age-friendly dwellings and shared facility are located.</p> <p>The land use zoning table (table 12.2 below) from the SDCC County Development Plan 2022-2028 indicates that the proposed land use as Housing for Older People (age friendly housing) is ‘Permitted in Principle’ under Zoning Objective ‘RES’ and therefore acceptable subject to assessment.</p> <p>Table 12.2: Zoning Objective ‘RES’: ‘To protect and / or improve residential amenity’</p> <table border="1" data-bbox="421 855 1401 1021"> <thead> <tr> <th colspan="2">Use Classes Related to Zoning Objective</th> </tr> </thead> <tbody> <tr> <td>Permitted in Principle</td> <td>Housing for Older People, Nursing Home, Open Space, Public Services, Residential, Residential Institution, Retirement Home, Shop-Local, Traveller Accommodation.</td> </tr> </tbody> </table> <p>2 – Zoning Objective ‘OS’ - with an objective to <i>‘preserve and provide for open space and recreational amenities’.</i> The perimeter of the site is covered by this zoning objective. Housing for older persons is a land use class which is ‘open for consideration’ under this zoning designation as set out in table 12.15 below.</p> <p>Table 12.15: Zoning Objective ‘OS’: ‘To preserve and provide for open space and recreational amenities’</p> <table border="1" data-bbox="421 1357 1401 1733"> <thead> <tr> <th colspan="2">Use Classes Related to Zoning Objective</th> </tr> </thead> <tbody> <tr> <td>Permitted in Principle</td> <td>Allotments, Community Centre, Cultural Use, Open Space, Recreational Facility, Sports Club / Facility.</td> </tr> <tr> <td>Open for Consideration</td> <td>Agriculture, Bed & Breakfast^a, Camp Site, Car Park^b, Cemetery^c, Childcare Facilities, Crematorium, Education, Garden Centre, Guest House^a, Home Based Economic Activities^a, Hotel / Hostel, Housing for Older People*, Outdoor Entertainment Park, Place of Worship^a, Public Services, Recycling Facility, Residential*, Restaurant / Café, Shop-Local, Stadium, Traveller Accommodation.</td> </tr> </tbody> </table> <p>In the current proposal it is proposed that some development ancillary to the age-friendly dwellings are located with ‘OS’ zoned lands to include access roadways, footpaths, open spaces associated with the proposed dwellings, landscape upgrades and SUDS features.</p> <p>Recent SDCC age-friendly developments – such as those at Brady’s Court, Oldbawn - have established a clear precedent that housing for older</p>	Use Classes Related to Zoning Objective		Permitted in Principle	Housing for Older People, Nursing Home, Open Space, Public Services, Residential, Residential Institution, Retirement Home, Shop-Local, Traveller Accommodation.	Use Classes Related to Zoning Objective		Permitted in Principle	Allotments, Community Centre, Cultural Use, Open Space, Recreational Facility, Sports Club / Facility.	Open for Consideration	Agriculture, Bed & Breakfast ^a , Camp Site, Car Park ^b , Cemetery ^c , Childcare Facilities, Crematorium, Education, Garden Centre, Guest House ^a , Home Based Economic Activities ^a , Hotel / Hostel, Housing for Older People*, Outdoor Entertainment Park, Place of Worship ^a , Public Services, Recycling Facility, Residential*, Restaurant / Café, Shop-Local, Stadium, Traveller Accommodation.
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	<p>persons is considered to be an appropriate development type on 'OS' zoned lands and acceptable to the Planning Authority.</p> <p>For the above reasons the proposed development of age-friendly housing and associated works on this site is considered acceptable based on detailed assessment against the principles of proper planning and sustainable development, and the relevant policies, objectives and standards set out in the SDCC County Development Plan 2022- 2028.</p>
Contravention of Development Plan	The proposed development does not represent a material contravention of the Development Plan
Housing Strategy	<p>There is an identified need for suitable age-friendly housing in the county. It is desirable that the age friendly housing is developed in established communities, to give security and protection of the overall community. This site has many of the qualities that are recognised as desirable for age-friendly housing: a range of local shops and services, including a church, are available within 250m of the site off Bawnogue Road, with a medical centre 5-7 mins walk from the site at Ashwood Road.</p> <p>The Site is well served by public transport. Bus routes 51D (Aston Quay to Clondalkin) and L54 (River Forest to Red Cow Luas) are available to the east on Fonthill Road, approximately 100m from the site. Further bus routes 13 (Harristown to Grange Castle) and 151 (Docklands to Foxborough) are available to the south on Nangor Road, approximately 400m from the site.</p> <p>The proposed development is in-line with policies and objectives for sustainable housing included in the County Development Plan 2022-2028, County Age Friendly Strategy and County Housing Strategy.</p>
Availability of Services	<p>All major existing services runs have been identified insofar as practicable for the design. Some minor alterations to existing service layouts may be required to accommodate existing underground services on the western boundary of the site. Further investigations and surveys will be carried out at tender stage to establish precise underground service locations. There are no known services located over the subject site.</p> <p>Foul drainage will be designed in compliance with Uisce Éireann standards and will be fully scoped to ensure capacity of the existing network. An Uisce Éireann pre-application will be submitted at the appropriate stage of the project development.</p> <p>There are currently no known diversions required.</p>

	The proposed development includes a surface water drainage strategy to include SUDS measures and adopting nature-based solutions in accordance with <i>SDCC Sustainable Drainage Explanatory Design & Evaluation Guide</i> (2022). All surface water drainage will be subject to SDCC review and detailed design and evaluation by a suitably qualified and competent engineer and based on appropriate site, ground and flood-risk investigations.
Screening for Appropriate Assessment	A screening for Appropriate Assessment (AA) has been carried out in respect of the proposed development and concludes that there is no real likelihood of significant effects on a European site or sites. A determination has been made that an AA is not required.
Screening for Environmental Impact Assessment	A screening for Environmental Impact Assessment (EIA) has been carried out and concludes that there is no real likelihood of significant effects on the environment arising from the proposed development. A determination has been made that an EIA is not required.
Timescale and Contract:	It is intended to proceed to tender in Q3 2024 and to commence works on site in Q4 2024. The project will be carried out under The Capital Works Management Framework (CWMF) using the appropriate GCCC form of Public Works Contract. A performance bond will be retained to appropriate level as required under the contract.
Other	Any alterations as required to meet Housing Department, housing allocations, medical conditions, to address specific issues raised or to address site conditions, Building Regulation and other statutory or technical requirements are deemed to be approved.
Notification to Certain Bodies	SDCC will send notice of the housing development under Section 179A of the Act to any relevant body or bodies specified in sub-article 82(3).
Project Partners	SDCC Architects Department SDCC Housing and Community Development Directorate Department of Housing, Planning and Local Government
Signed	Cian Harte MRIAI County Architect SDCC
Date	April 2024