

COUNTY ARCHITECTS REPORT

Proposed development consisting of the construction of Age Friendly Infill Housing Development on SDCC land at Sarsfield Park, Lucan, Co. Dublin. The proposed housing development is comprised of 5 Apartment Units and a and all associated site and development works necessary to facilitate the proposed development.

PROCESS PURSUANT TO SECTION 179A OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED).

NOTIFICATION STAGE

Issued April 2024

COUNTY ARCHITECTS REPORT – S179A NOTIFICATION STAGE

Project Title:	Proposed Age Friendly Infill Housing Development consisting of 5 Apartment Units and all associated site and development works at Sarsfield Park, Lucan, Co. Dublin.
County Architect:	Cian Harte MRIAI
Purpose of Report	<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>
Brief Outline of S179A Process	<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</p>

accelerate the delivery of housing supply, will be mandatory for local authorities in strictly defined circumstances where the following criteria are satisfied:

- 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

	<p>out from requiring the undertaking a full EIA or AA, the proposed development may proceed under the new exemption.</p> <ul style="list-style-type: none"> • 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. <p>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.</p> <p>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.</p> <p>The Planning and Development (Section 179A) Regulations 2023 are available to view or download at:</p> <p>S.I. No. 101/2023 - Planning and Development (Section 179A) Regulations 2023 (irishstatutebook.ie)</p>
Public Notice:	<p>PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED)</p> <p>PLANNING AND DEVELOPMENT (SECTION 179A) REGULATIONS 2023 (S.I. NO. 101 OF 2023) - (PART 8 TEMPORARY EXEMPTION)</p> <p>SOUTH DUBLIN COUNTY COUNCIL - NOTICE OF PROPOSED DEVELOPMENT PURSUANT TO SECTION 179A OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED).</p>

Location:

Site at 62 Sarsfield Park, Lucan, Co. Dublin.

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 an Age Friendly Housing Development on SDCC land at Sarsfield Park, Lucan, Co. Dublin.

The proposed housing development will consist of 5 apartment units and will include:

- I. Construction of 5 No. 1-bed apartment units in terraced block. The proposed development will be 2 storeys in height stepping down to one storey adjoining No. 33 Sarsfield Park.
- II. The proposed development units will be accessed off the existing pedestrian laneway, which is proposed to be retained.
- III. Construction of new boundary walls, upgrading of paths, hard and soft landscape works, lighting, 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 11th April 2024 up to and including 6th June 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.

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.

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).

Signed: Director of Housing and Community Development, SDCC.

Website: www.sdcc.ie

Date of Erection Notice: 11th April 2024

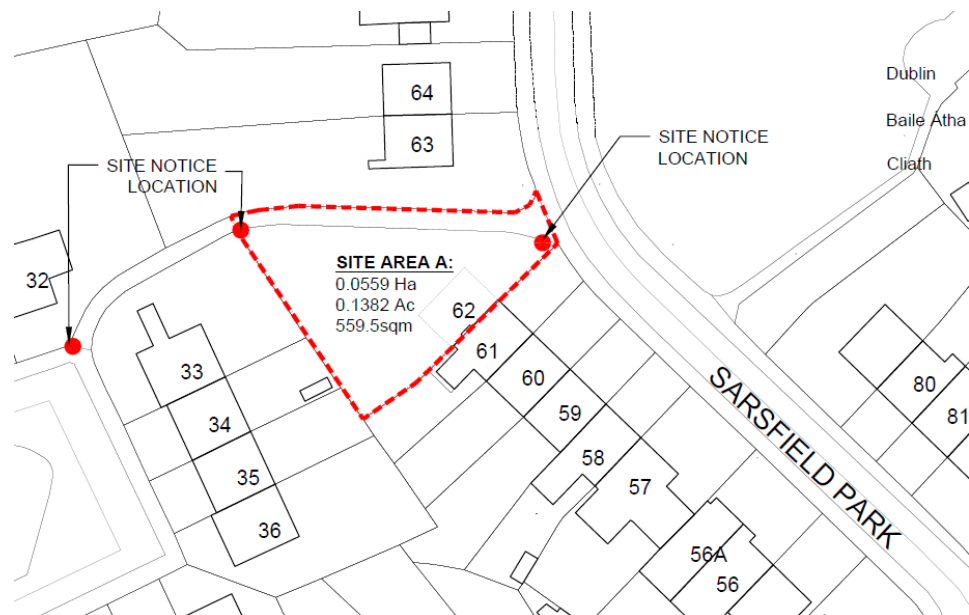
Overall Context:

The proposed development is located on lands at 62 Sarsfield Park, in Lucan, South Dublin.

To the south is Lucan Road and to the north is Chapel Hill. The proposed development will be spread over one plot, a brownfield site surrounded by existing housing, the pedestrian alleyway to the north and to the east by public green space. The site is approximately 0.056 Ha. Situated in the area zoned as residential area - objective RES

The site is well served by public transport and local facilities.

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.



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.*



Aerial view – View from North towards the site (source: Google maps)



*View from green open space looking south-west, towards the site
(Source: Google maps).*



View from Sarsfield Park looking south-west (Source: Google maps).



View from Sarsfield Park looking north-west (Source: Google maps).



*View from west Sarsfield Park looking towards pedestrian alleyway
(Source: Google maps).*

<p>Project Description:</p>	<p>The proposed development consists of 5 No.'s of Age Friendly 1-bed apartment units in terraced block. The proposed development will be 2 storeys in height, stepping down to one storey adjoining No. 33 Sarsfield Park.</p> <p>The described development provides residential infill and strikes the balance between the reasonable protection of the existing amenities and character of adjoining dwellings in this established residential area, which character is defined by the low to medium density and low-rise architectural form.</p> <p>The proposed development units will be accessed off the existing pedestrian laneway, which is proposed to retain.</p> <p>Each ground floor unit is provided with a private front entrance along the laneway boundaries and private bin storage. The ground floor units have private back garden space.</p> <p>The two first floor apartments are accessed via a shared front patio, provided with private bin storage dedicated for each of the units, through a common staircase. Private open space for the first-floor apartments is provided with balcony spaces, designed in accordance with DHPLG guidelines.</p> <p>The scheme presents active ground floor to the public alleyway, with gated entrances to each unit and a planted low level front boundary wall / railing.</p> <p>The passive surveillance will be enhanced by the first-floor windows and balcony spaces, providing 'eyes on the laneway' along the public narrow alley.</p> <p>All ground floor units are designed to be fully accessible for wheelchair users. Level access is proposed throughout the scheme for all ground floor units. While first floor units are provided with staircase/steps, they are designed in compliance with TGD Part M Building Regulation.</p> <p>The works also include landscaping works to boundaries, upgrading of paths, ancillary works to hard and soft landscape housing areas, and all necessary associated ancillary works on the site and adjacent areas to facilitate the proposed development.</p>
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The proposed development is a response to social needs and aging population in the area.

The proposed development aligns with recent Age-Friendly housing developments undertaken by SDCC, some of which are already on-site, with others scheduled for 2024. These projects include developments at Little Arbour at Templeogue, Brady's Court at Oldbawn (both currently on site) and St. Ronan's Crescent, Pearse Brothers, St Aonghus Green. The proposed development types provide a high quality, safe environment for older residents while respecting existing residential and visual amenity.




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



Above: Image of Age-Friendly units at Little Arbour, Templeogue (currently at the construction stage).

Land ownership	The lands are in the ownership of South Dublin County Council.								
Land Zoning and Planning Context:	<p>The site is zoned Objective RES under the SDCC County Development Plan 2022-2028, to ‘protect and/or improve residential amenity.’</p> <p>The proposed development of 5 no of 1-bed housing units on the site is in compliance with the SDCC County Development Plan 2022-2028 – Residential is permitted in principle.</p> <p>The land use zoning table from the SDCC County Development Plan 2022-2028 (refer to below Table 13.2) indicates that the proposed residential land use is ‘Permitted in Principle’ and therefore acceptable subject to detailed assessment.</p> <p>Table 13.2: Zoning Objective ‘RES’: ‘To protect and/or improve residential amenity’</p> <table border="1" data-bbox="459 824 1374 1753"> <thead> <tr> <th colspan="2" data-bbox="459 824 1374 869">Use Classes Related to Zoning Objective</th> </tr> </thead> <tbody> <tr> <td data-bbox="459 869 671 976">Permitted in Principle</td> <td data-bbox="679 869 1374 976">Housing for Older People, Nursing Home, Open Space, Public Services, Residential, Residential Institution, Retirement Home, Shop-Local, Traveller Accommodation.</td> </tr> <tr> <td data-bbox="459 976 671 1424">Open for Consideration</td> <td data-bbox="679 976 1374 1424">Advertisements and Advertising Structures, Allotments, Agriculture, Bed & Breakfast, Betting Office, Camp Site, Car Park, Caravan Park-Residential, Cemetery, Childcare Facilities, Community Centre, Crematorium, Cultural Use, Doctor/Dentist, Education, Embassy, Enterprise Centre, Funeral Home, Garden Centre, Guest House, Health Centre, Hotel/Hostel, Home Based Economic Activities, Industry-Light, Live-Work Units, Motor Sales Outlet, Office-Based Industry, Offices less than 100 sq.m, Offices 100 sq.m - 1,000 sq.m, Off-Licence, Petrol Station, Place of Worship, Primary Health Care Centre, Public House, Recreational Facility, Recycling Facility, Restaurant/Café, Service Garage, Shop-Neighbourhood, Sports Club/Facility, Stadium, Veterinary Surgery.</td> </tr> <tr> <td data-bbox="459 1424 671 1753">Not Permitted</td> <td data-bbox="679 1424 1374 1753">Abattoir, Aerodrome/Airfield, Boarding Kennels, Concrete/Asphalt Plant in or adjacent to a Quarry, Conference Centre, Data Centre, Fuel Depot, Heavy Vehicle Park, Hospital, Industry-Extractive, Industry-General, Industry-Special, Nightclub, Offices over 1,000 sq.m, Outdoor Entertainment Park, Refuse Landfill/Tip, Refuse Transfer Station, Retail Warehouse, Rural Industry-Food, Science and Technology Based Enterprise, Scrap Yard, Shop-Major Sales Outlet, Social Club, Transport Depot, Warehousing, Wholesale Outlet, Wind Farm, Work-Live Units.</td> </tr> </tbody> </table> <p><i>* Extract from the SDCC County Development Plan 2022-2028</i></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.	Open for Consideration	Advertisements and Advertising Structures, Allotments, Agriculture, Bed & Breakfast, Betting Office, Camp Site, Car Park, Caravan Park-Residential, Cemetery, Childcare Facilities, Community Centre, Crematorium, Cultural Use, Doctor/Dentist, Education, Embassy, Enterprise Centre, Funeral Home, Garden Centre, Guest House, Health Centre, Hotel/Hostel, Home Based Economic Activities, Industry-Light, Live-Work Units, Motor Sales Outlet, Office-Based Industry, Offices less than 100 sq.m, Offices 100 sq.m - 1,000 sq.m, Off-Licence, Petrol Station, Place of Worship, Primary Health Care Centre, Public House, Recreational Facility, Recycling Facility, Restaurant/Café, Service Garage, Shop-Neighbourhood, Sports Club/Facility, Stadium, Veterinary Surgery.	Not Permitted	Abattoir, Aerodrome/Airfield, Boarding Kennels, Concrete/Asphalt Plant in or adjacent to a Quarry, Conference Centre, Data Centre, Fuel Depot, Heavy Vehicle Park, Hospital, Industry-Extractive, Industry-General, Industry-Special, Nightclub, Offices over 1,000 sq.m, Outdoor Entertainment Park, Refuse Landfill/Tip, Refuse Transfer Station, Retail Warehouse, Rural Industry-Food, Science and Technology Based Enterprise, Scrap Yard, Shop-Major Sales Outlet, Social Club, Transport Depot, Warehousing, Wholesale Outlet, Wind Farm, Work-Live Units.
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	 <p>Objective RES To protect and/or improve residential amenity</p> <p><i>* Extract from the SDCC County Development Plan 2022-2028 map</i></p>
<p>Contravention of Development Plan</p>	<p>The proposed development does not represent a material contravention of the Development Plan</p>
<p>Housing Strategy</p>	<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 the established communities, to give security and protection of the overall community. This site has many of these qualities, that are recognised for age friendly housing. Local shops, and a wider range of services including church, health centre, food establishments and convenience stores are available within 200m of the site at the Main Street of Lucan village (refer to figure below – extract from Google map).</p>



Aerial View indicating the 200m walk distance radius from the site (source: Google maps)

Public transport services are well served and buses (routes L52, C3, C4, C5, C6, L54, X30, X31, X32, 767), are easily accessible and run regularly from Lucan Village (stops at Lucan Road, Sarsfield Park, Main St Lucan, St. Andrew's Lodge), taking 30mins to reach to the Dublin city centre.

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, and Departmental guidelines.

Availability of Services

All major existing services runs have been identified insofar as practicable for the design. Local alterations to layout are not anticipated as no services appear to be located under or over the subject site. Further investigations and surveys will be carried out at tender establish precise underground service locations.

Foul drainage will be designed in compliance with IW standards and will be fully scoped to ensure capacity of the existing network. An Irish Water pre-application will be submitted at the appropriate stage of the project development.

There are currently no known diversions required.

ESB networks have been identified insofar as practicable for the design.

The proposed development includes a surface water drainage strategy to include SUDS measures and adopting nature-based solutions in accordance with *SDCC Sustainable Drainage Explanatory Design & Evaluation Guide*

	(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	<p>A screening for Environmental Impact Assessment (EIA) has been carried out and concludes that the potential environmental impacts as a result of the proposed development are unlikely to be significant and are easily mitigated.</p> <p>There are similarly sized residential developments in the surrounding area, and the development will include landscape planting and SUDS measures.</p> <p>The proposed development is partially within Flood Zone B of the South Dublin SFRA. A Site-Specific Flood Risk Assessment must be carried out in order to fully assess the risk of flooding associated with the development. Any mitigation measures included in the FRA will be incorporated into the design of the development.</p> <p>It has been determined that an EIAR is not required for the proposed development.</p>
Timescale and Contract:	<p>It is intended to proceed to tender in Q2 2024 and to commence works on site before in 2024.</p> <p>The project will be carried out under The Capital Works Management Framework (CWMF) Public Works Contract. Performance Bond will be retained to appropriate level as required under the contract.</p>
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 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	March 2024