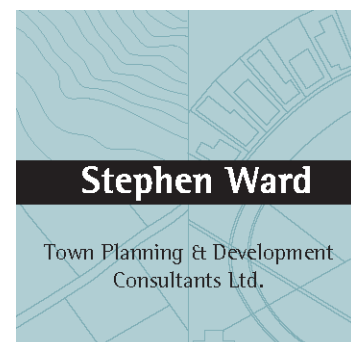


# Applicant's A.22(2A)(b) Response Statement to Louth County Council LRD009 Notice of Opinion

Residential Development with Crèche at Hill Street, Dundalk, Co. Louth



Prepared on behalf of  
Zirbac Dundalk Ltd



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## 1.0 INTRODUCTION

An LRD Meeting in accordance with section 32C of the Planning and Development Act 2000 (as amended) was held between the applicant Zirbac DLK Ltd and Louth County Council on the 11<sup>th</sup> of September 2024 (Ref.LRD009). This statement is prepared in accordance with Article 22 (2A) (b) of the Planning and Development Regulations 2001 (as amended) in response to the Notice of Opinion (NOP) issued under Section 32D of the Planning and Development Act 2000 (as amended) by Louth County Council dated the 8<sup>th</sup> of October 2024.

Article 16A (7) provides that when issuing an opinion in accordance with section 32D of the Act a planning authority, may, in addition to the requirements of section 32D, notify the prospective LRD applicant that specified information in addition to the requirements of Article 23, should be submitted with any LRD application for permission for the proposed development. These additional requirements are listed under the following headings-

- Daylight and Sunlight Assessment
- Boundary Treatment
- Phasing
- Car Parking
- Schedule of Documentation
- Traffic and Transport Issues, including Layout of Internal Streets
- Drainage, Water and Wastewater Issues

This response statement will follow the same order as the Notice of Opinion. O'Connor Sutton Cronin Consulting Engineers (OCSC) has prepared a stand alone response to the items under the heading 'Drainage, Water and Wastewater Issues' and NRB Consulting Engineers provide a response to 'Traffic and Transport Issues, including Layout of Internal Streets' as part of their Traffic & Transport Assessment Report under separate cover. This statement includes a summary of the responses detailed by OCSC and NRB in their respective reports.

## 2.0 RESPONSE OF THE APPLICANT TO S.32D ISSUES RAISED

A single issue was raised by the Opinion of Louth County Council that once addressed could result in the documents submitted constituting a reasonable basis for an application for large-scale residential development. This issue ‘Storm Water Offset’ is repeated below followed by the applicant’s response.

- 1. There are capacity constraints at the Coes Road Pumping Station. Uisce Éireann is unable to cater for any new connections to this pumping station until such time as the necessary upgrades are completed, estimated to be in 2029. The prospective applicant proposes to release capacity within the Uisce Éireann storm network, upstream of the proposed development by segregating an existing combined IW network within the Waterville Crescent housing scheme and offsetting this against the proposed developments storm water volume. This constitutes development which requires consent and development which is located outside the boundaries of the proposed LRD development envelope. The prospective applicant has not demonstrated that any such agreement in principle has been reached with Louth County Council and/or Uisce Éireann to carry out such works. The proposed development therefore is considered premature having regard to the existing deficiency in the capacity of sewerage facilities at the Coes Road pumping station and the lack of any such agreement for off-setting. The prospective applicant is advised to re-examine how it is intended to realistically connect to the existing foul network serving the area.*

### 2.1 APPLICANT’S RESPONSE

The applicant’s engineers OCSC met with Louth County Council following the LRD Meeting and reengaged with Uisce Éireann in order to find a solution to the capacity constraints on the network without using off-setting as previously proposed. Uisce Éireann has issued an updated Confirmation of Feasibility (COF) dated the 11<sup>th</sup> of November 2024. Uisce Éireann has confirmed that the connection to the foul water network is feasible in advance of the upgrade works schedule to be completed by Q4 2029. The COF states under Wastewater Connection;

*“Upgrade works are required to increase the capacity of the existing wastewater network. Uisce Eireann currently has a project on our current investment plan which will provide the necessary upgrade and capacity. This upgrade project is scheduled to be completed by Q4 2029 (this may be subject to change) and the proposed connection could be completed as soon as possible after these works. Customer to engage at Connection Application stage.”*

*“In order to accommodate the full buildout of this site the above noted project will need to be completed.”*  
(emphasis added)

***“The initial phases of this development can be accommodated in advance of the completion of this project.”***

*“There are also sewer cleaning and infiltration reduction works ongoing in the catchment which will likely increase capacity in the intervening time.”*

***We would like to clarify that the COF responds to the original pre-connection enquiry for a larger development of 319no. units. It is now proposed to construct 194no. residential units. The reference to the “initial phases” in the COF refers to the proposed LRD (i.e. the 194 dwellings).***

2. *The proposal to segregate the existing combined sewer within the area of Waterville Crescent has not been included within the application boundary of the proposed and as such, it cannot be considered. Furthermore, the exclusion of this substantial works programme from the development description, the AA screening report, the EIA preliminary screening and the EcIA has resulted in those documents being incomplete/not accurately reflecting the nature of the development proposal. There are also considerations of project splitting, whereby the proposed LRD development and the storm water offset development proposal taken individually may be determined not to have significant environmental effects and thus escapes the obligations set out by the EIA directive. The prospective applicant is required address these concerns prior to making an LRD planning application.*

## 2.1 APPLICANT’S RESPONSE

***Surface water offsetting is no longer proposed to facilitate the proposed LRD.***

### 3.0 RESPONSE OF THE APPLICANT TO INFORMATION SPECIFIED UNDER ARTICLE 16A

The following specific information was requested by Louth County Council with any application for permission.

#### 3.1 DAYLIGHT AND SUNLIGHT ASSESSMENT

*The prospective applicant is advised to undertake a comprehensive Daylight and Sunlight Assessment.*

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#### RESPONSE OF THE APPLICANT

The applicant engaged IES to assess the proposed LRD with regard to Daylight, Sunlight and Overshadowing. A report is submitted as part of the LRD planning application under separate cover. This report contains the results of the assessments undertaken on both existing daylight and sunlight available to existing residential properties as well as the assessment of the proposed development.

#### 3.2 BOUNDARY TREATMENT

*There is limited information on boundary treatment, save for the small-scale cross-sections included in the landscape and public realm strategy prepared by BDP. The prospective applicant is advised to provide further details on the proposed boundary treatments for the entire scheme, including a palette of materials report and elevational plans to a suitable scale. All boundaries shall be compliant with Section 13.8.11 of the Development Plan.*

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#### RESPONSE OF THE APPLICANT

Please refer to BDP landscape architect drawing no. HSD-BDP-01-00-SE-L-975105 for details of boundary treatments in plan and elevation format. Drawings HSD-BDP-01-00-SE-L-975103 and HSD-BDP-01-00-SE-L-975104 provide section details on landscape interfaces. Indicative hard landscaping materials and boundary treatments are provided in the Landscape and Public Realm Report by BDP.

#### 3.3 PHASING

*The prospective applicant shall prepare a phasing strategy for the scheme, ensuring the proposed crèche building falls within Phase 1 or early Phase 2 to facilitate early delivery of key infrastructure associated with this large residential development*

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#### RESPONSE OF THE APPLICANT

It is envisaged that the western section of the site will be developed first (Blocks E to H) with a total of 75no units. Excluding one-bedroom apartments, blocks E-H would provide 62no. apartments. The crèche is located at ground floor level in Block A. The likely construction programme is for this block to be the first building to be constructed as part of the next construction phase. However this phasing is not time restrictive and should the eastern section of the site be constructed first, the crèche will be provided earlier in the programme. The applicant confirms that the crèche will be constructed prior to the occupation of 75no. of the two and three bedroom housing units in line with the Childcare Facilities Guidelines (2001).

### 3.4 CAR PARKING

*This site is considered as “Area 2” Lands – 1 space per apartment unit and 1 space per 6 children for the crèche, as per 13.16.12 of the CDP. The prospective applicant has stated that application site represents a sustainable location where walking and cycling are realistic modes of transport for everyday journeys and has applied a reduced car parking standard to the proposed development, with the overall number of parking spaces being 124.*

*This has resulted in a shortfall of 76 spaces in relation to the 193 apartments and the 44-space childcare facility. In addition, the spatial layout of the proposed parking spaces does not appear to be uniformly spread throughout the development, with a greater proportion of spaces provided around Block E and Block H. The CDP does allow for a reduction in parking provisions where it is supported by a Transport Mobility Management Plan (TMMP). While there is a Traffic and Transport Assessment report, it is not the same as a TMMP. The prospective applicant is therefore advised to either provide 200 parking spaces or to further justify the reduction in carparking by way of a TMMP.*

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#### RESPONSE OF THE APPLICANT

In accordance with Section 13.16.12 of the Louth County Development Plan 2021-2017 (as amended) a preliminary mobility management plan has been prepared by NRB and is submitted under separate cover in support of the reduced car parking provision on site.

Applying the maximum car parking requirements as set out by Table 13.11 would result in 205no. car parking spaces to serve the proposed development. Having regard to the Apartment Design Guidelines (2023) and Sustainable Residential Development and Compact Settlement Guidelines (2024), it is considered appropriate to apply a reduced car parking standard to the proposed development due to its central location, proximity to public transport links and opportunities for walking and cycling. The parking provision is set on a ratio of 0.6 parking spaces per unit in the apartment blocks (Blocks A-D) resulting in 71no. parking spaces. In the duplex buildings (Blocks E-G) and Block H which contains four duplex apartments, the parking provision is set at the ratio of 0.86 spaces per unit resulting in 65no. parking spaces. The average residential car parking ratio across the site is 0.7. There are 7no. parking spaces provided for the childcare facility. Overall number of parking spaces is 143.

It is considered that this location offers real opportunities for sustainable modes of transport to be used on a daily basis instead of the private car. The proposal includes provision of a new bus stop that can be served by existing bus services as well as bicycle parking for the Dundalk Bike Share Scheme due to become operational in February 2025.



### 3.5 SCHEDULE OF DOCUMENTS

*The prospective applicant shall confirm that the schedule of documentation fully reflects the suite of drawings and documentation submitted at LRD application stage. Any reference to “Lagan Homes Tullyallen Ltd” and “Slane Road Drogheda, Co. Louth” shall be removed to avoid confusion.*

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#### RESPONSE OF THE APPLICANT

The error in the schedule template has been rectified.

### 3.6 TRAFFIC AND TRANSPORT ISSUES – BUS STOP

*The prospective applicant shall accommodate a Bus Stop where the development fronts onto the Regional Road R132 (Dublin Road) along Blocks G & H, as per NTA requirements. There is a requirement also to provide a Bus Shelter at the location of the Bus Stop.*

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#### RESPONSE OF THE APPLICANT

Provision has been made for a bus stop and bus shelter on the western boundary of the application site between Blocks G & H fronting onto the R132 Dublin Road. Please refer to NRB drawing NRB-TA-001 and proposed site layout plans for details of the location. The proposed bus stop is fully in keep with in-line Bus Stop details TL204 of the NTA Cycle Design Manual (September 2023).

### 3.7 TRAFFIC AND TRANSPORT ISSUES – ACTIVE TRAVEL PROPOSAL

*LCC’s Active Travel Unit currently has a Part 8 Proposal for proposed works on the R132 from the location of the proposed development all the way south to the Xerox Junction. The prospective applicant should make reference to same in any future application*

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#### RESPONSE OF THE APPLICANT

The applicant is aware of the plans under LCC’s Active Travel Scheme which extend to the south eastern boundary of the application site where the existing greenway commences. The proposed development will not impede any of the plans that were on public display as illustrated below.

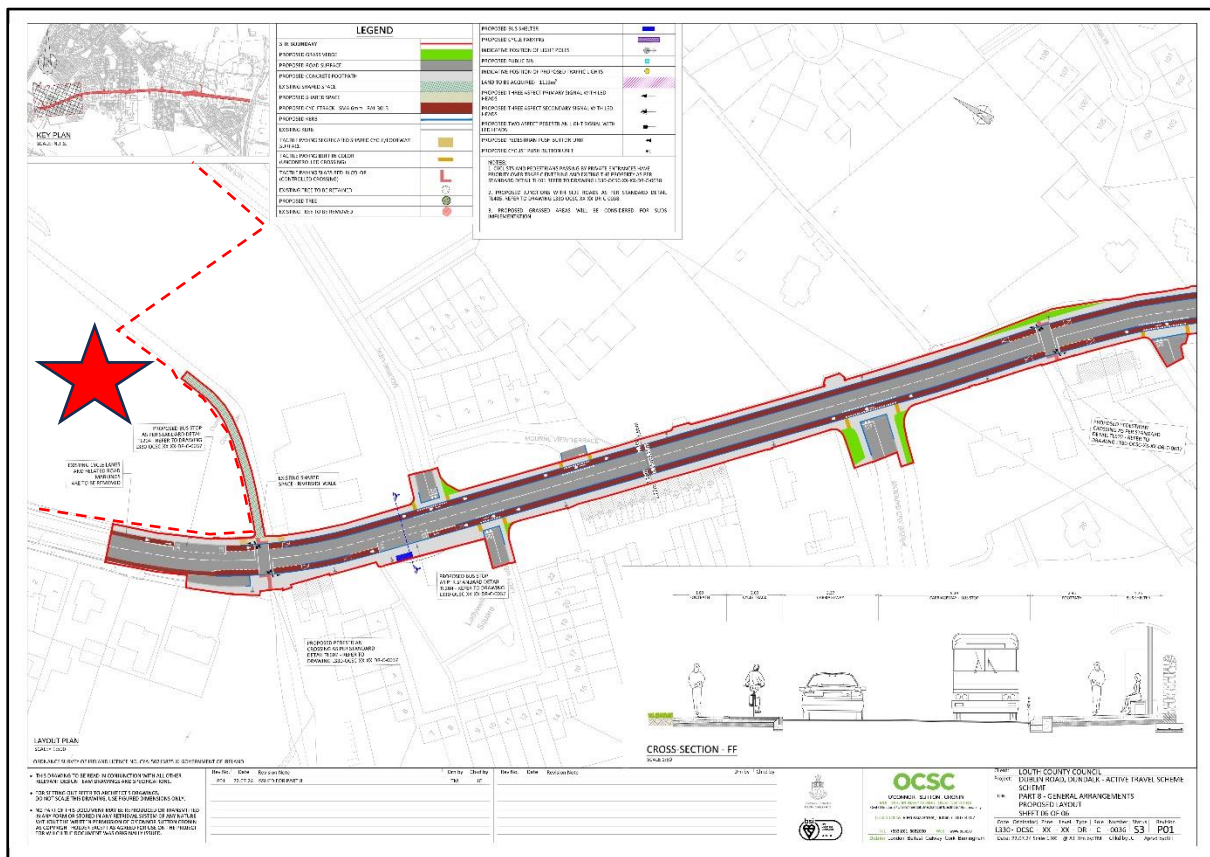


Figure 1 Dundalk Active Travel Project Drawing L330 OCSC XX XX DR C 0111

(Red star inserted to identify the application site. Approximate application site boundary shown by dashed red line.)

### 3.8 TRAFFIC AND TRANSPORT ISSUES – RIGHT TURN JUNCTIONS

*The prospective applicant shall demonstrate right-turn pockets at both of the proposed junctions serving the development.*

#### RESPONSE OF THE APPLICANT

Traffic Consultants NRB have reviewed the above request of Louth County Council with regard to the proposed development taking into account the findings of the Traffic and Transportation Assessment which is provided under separate cover and demonstrates that the proposed development will not generate a significant volume of car movements. There is no requirement under DMURS to provide a ghost island with right-turn pockets to facilitate the proposed development. As stated in the response by NRB under separate cover, DMURS promotes reduced road widths and shorter crossing distances for Vulnerable Road Users (VRUs) in town centre environments which the provision of right turn pockets would work against. As detailed by figure 1 above, Louth County Council propose to provide an uncontrolled crossing to the south of the existing riverside walk to facilitate pedestrian crossing.

### 3.9 TRAFFIC AND TRANSPORT ISSUES – CRÈCHE LOCATION

*There are concerns in relation to the proposed location of the crèche at the most northern point of the site. A location closer to the main road R132 is considered desirable.*

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#### RESPONSE OF THE APPLICANT

The crèche has been relocated to Block A which is closer to the R132 as advised.

### 3.10 TRAFFIC AND TRANSPORT ISSUES – DMURS COMPLIANCE

*Junctions must comply with DMURS standards, inclusive of the existing Avenue Road Junction. Sightlines shall be achieved, inclusive of the public Bus Stop, that do not adversely affect visibility splays.*

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#### RESPONSE OF THE APPLICANT

All internal junctions and the proposed new access junction comply with DMURS standards. The appropriate sightlines of 2.4m x 45m for a 50km/h speed limit are achieved for the two vehicular entrances onto Dublin Road/Hill Street in accordance with DMURS. Please refer to NRB drawing nos. NRB-TA-003 and NRB-TA-005 under separate cover which also demonstrate that the proposed bus stop is outside sightlines for both junctions.

### 3.11 TRAFFIC AND TRANSPORT ISSUES – ROAD SAFETY AUDIT

*A comprehensive Road Safety Audit should be submitted as part of any LRD application.*

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#### RESPONSE OF THE APPLICANT

Burton Consulting Engineers were appointed to undertake an independent Stage 1 Road Safety Audit of the proposed development. The designer's response has been completed and the final report is submitted under separate cover.

### 3.12 TRAFFIC AND TRANSPORT ISSUES – CAR PARKING LAYOUT

*The entrance at the proposed duplexes is lined with perpendicular parking, which is not satisfactory, resulting conflict in traffic movements. The prospective applicant is advised to amend the parking layout in this area.*

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#### RESPONSE OF THE APPLICANT

The entrance road has been amended as suggested, with the removal and relocation of previously proposed parking. Please refer to NRB report under separate cover for full details.

### 3.13 TRAFFIC AND TRANSPORT ISSUES – CAR PARKING LAYOUT

*The applicant is advised to make provision for the Bike Share Scheme which is due to become operative in February 2025.*

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#### RESPONSE OF THE APPLICANT

Provision has been made for the Bike Share Scheme at the front entrance to the site north of Block H which is also in proximity to the proposed bus stop.

### 3.14 TRAFFIC AND TRANSPORT ISSUES - AUTO-TRACKING

*Auto-Tracking for refuse vehicles needs to be compliant.*

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#### RESPONSE OF THE APPLICANT

Autotracking is detailed on NRB drawing no. NRB-TA-006 in the case of refuse vehicles and drawing no. NRB-TA-007 for fire tender.

### 3.15 TRAFFIC AND TRANSPORT ISSUES – TRAFFIC CALMING MEASURES

*Speed ramps/cushions within the development should be ideally spaced for 30k.p.h., as per DMURS. Horizontal alignment is not a possibility*

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#### RESPONSE OF THE APPLICANT

According to the NRB report under separate cover, Appropriate raised table junctions are provided internally, with junction geometry and radii tightened consistent with the requirements of DMURS

### 3.16 DRAINAGE, WATER AND WASTEWATER ISSUES

*In relation to CFRAM considerations, the OPW has identified Dundalk as a Flooding Hotspot. The subject site is vulnerable to fluvial flooding owing to its proximity to the Ramparts and Blackwater Rivers. It is important that the prospective applicant actively engages with LCC's Flood Risk Management Team prior to submission of any Planning application.*

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#### 3.8.1 RESPONSE OF THE APPLICANT

Project Engineers OCSC engaged with Louth County Council's Flood Risk Management Team on the 22<sup>nd</sup> of October 2024 in relation to the proposed development and discussed the fluvial flooding affecting the application site. As detailed in the letter prepared by OCSC under separate cover, LCC indicated development would not be allowed in any areas affected by any fluvial flooding. OCSC in response indicated that proposed building levels had been raised significantly to ensure that a minimum of 500mm float would be provided against any flooding risk and as part of the Site-specific flood risk assessment, justifications tests had been included that

provided mitigation measures against any flooding. The OCSC site specific flood risk assessment is provided under separate cover.

LCC also advised that any Storm Attenuation Tanks should be located outside the area of flood risk. As detailed by OCSC drawing no. W369 OCSC XX DR C 0504 S4 P04, no storm attenuation tanks are located in the area of flood risk.

### 3.16 DRAINAGE, WATER AND WASTEWATER ISSUES

*It is a preference for the culvert to be opened up (“Daylighting”)*

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#### 3.9.1 RESPONSE OF THE APPLICANT

OCSC examined the area where the Ramparts River is culverted. The existing greenway follows the line of the culverted river which has been central to the design of the proposed development and a popular pedestrian and cycle route for the area. It is not possible to daylight this section of the Ramparts River without the loss of the greenway which is a significant amenity.

### 3.17 DRAINAGE, WATER AND WASTEWATER ISSUES

*The existing Flood Defence structure running through the Northern section of site is not to modern standards and is deemed to be porous. The prospective applicant is advised to submit details to upgrade the existing defence structure.*

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#### RESPONSE OF THE APPLICANT

The flood defence structure referred to above is north of the application site located to the north of the Blackwater River and is outside of the control of the applicant.

### 3.18 DRAINAGE, WATER AND WASTEWATER ISSUES

*Surface water permeability appears to be at a higher rate on the subject site than for adjacent land holdings. The prospective applicant is advised to re-examine the SuDS proposals for the LRD scheme to ensure that the SuDS calculations as outlined in Section 3 of the OCSC Engineering Services report accurately reflect the drainage characteristics of the proposed development site*

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#### RESPONSE OF THE APPLICANT

OCSC have reviewed the SuDS calculations and full details are provided in the OCS Engineering Services Report under separate cover.