



An  
Bord  
Pleanála

**Case Reference:  
ABP-302706-18**

---

**Planning and Development (Housing) and Residential Tenancies Act 2016**

**Notice of Pre-Application Consultation Opinion**

---

**Proposed Development: 265 no. build to let apartments, cafe, communal facilities and associated site works.**

**Lands at Former Dulux Factory Site, Davitt Road, Dublin 12.**

An Bord Pleanála has considered the issues raised in the pre-application consultation process and, having regard to the consultation meeting and the submission of the planning authority, 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. Design and Amenity**

Further consideration and/or justification of the documents as they relate to the proposed design and amenity of the proposed development specifically in relation to, the following: a comprehensive justification of the scale of the proposed development at this location; and the elevational treatment of the eastern and western elevations of the proposed development which are highly

visible along the Grand Canal. Furthermore, the documents should address, in detail, the potential impact on the residential amenity of adjoining residential properties to the east and west of the proposal as well as the amenity of the proposed ground floor units along Davitt Road. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted at application stage.

Also, pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

1. A report that specifically addresses the proposed materials and finishes of the proposed structures including specific detailing of materials and finishes, openings and privacy screening, landscaped areas, pathways, entrances and boundary treatment/s. The lighting of public spaces should also be addressed. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinct character for the development given its strategic location and the visibility of the site. The documents should also have regard to the long term management and maintenance of the proposed development.
2. A car park management plan which outlines in detail the level of parking proposed, how it is intended that it is assigned and managed and measures proposed to address visitor parking, bicycle parking and motorcycle parking.
3. A report that addresses residential amenity (both existing residents of adjoining development and future occupants of the proposed development), specifically how the development will limit the potential for overlooking and overshadowing. The report should include full and complete drawings including levels and cross sections showing the relationship between the development and adjacent residential units and adjoining public pathways. Details in relation to noise impact

and mitigation for same shall also be included. A daylight and sunlight analysis should also be included.

4. A proposed covenant or legal agreement further to which appropriate planning conditions may be attached to any grant of permission to ensure that the development remains in use as Build to Rent accommodation. There shall be a requirement that the development remains owned and operated by an institutional entity and that this status will continue to apply for a minimum period of not less than 15 years and that similarly no individual residents units are sold or rented separately for that period (Your attention is drawn to the provisions of Specific Planning Policy Requirement 7 of the ‘Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’ 2018).

Furthermore, Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. National Transport Authority
2. Minister for Culture, Heritage and the Gaeltacht
3. Heritage Council
4. An Taisce — the National Trust for Ireland
5. Irish Water
6. Dublin City Childcare Committee

**PLEASE NOTE:**

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

---

Tom Rabbette

Assistant Director of Planning

November, 2018