



An
Bord
Pleanála

**Case Reference:
ABP-304374-19**

Planning and Development (Housing) and Residential Tenancies Act 2016

Notice of Pre-Application Consultation Opinion

Proposed Development: 144 no. apartments, creche and associated site works.

Lands that formerly formed part of Santa Sabina Dominican College and Convent Complex, Greenfield Road, Sutton, Dublin 13.

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.

In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could result in them constituting a reasonable basis for an application for strategic housing development:

1. Further consideration of the documentation as it relates to the use zoning objective CI for community infrastructure that applies to part of the site under Fingal County Development Plan 2017-2023, having regard to the definition of 'strategic housing development' in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 which refers to 'land zoned for

residential use or a mixture of residential and other uses' and the prohibition at section 9(6)(b) of that act against the board granting a permission under the SHD procedure that materially contravened a development plan in relation to the zoning of land.

2. Further consideration of the documentation as it relates to the Natura 2000 network and the sites designated as part of it, having regard to the existing condition of the application site and that which would be authorised under the extant planning permissions that apply to it, and also having regard to the evolving interpretation of the law implementing the Habitats Directive in Ireland.

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. A site layout plan showing the proposed development in relation to the zoning objectives that apply to the site under the county development plan.
2. An analysis of daylight and sunlight available to the proposed apartments adjoining properties after completion of the development, including the open spaces serving them.
3. An assessment of the impact of the proposed development, with appropriate visualizations, on the character of the surrounding area including the setting of the protected structure at St. Fintan's Church.
4. A housing quality assessment which provides the specific information regarding the proposed apartments required by the 2018 Guidelines on Design Standards for New Apartments. The assessment should also demonstrate how the proposed apartments comply with the various requirements of those guidelines, including its specific planning policy

requirements. A building lifecycle report for the proposed apartments in accordance with section 6.13 of the 2018 guidelines should also be submitted.

5. A report demonstrating compliance with the Guidelines for Planning Authorities on Urban Development and Building Heights issued by the minister in December 2018 in accordance with SPPR3 of those guidelines
6. A Site Specific Flood Risk Assessment Report. The prospective applicant is advised to consult with the relevant technical section of the planning authority prior to the completion of this report which should describe this consultation and clarify if there are any outstanding matters on which agreement has not been reached with regard to surface water drainage.

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. Irish Water
2. The Minister for Culture, Heritage and the Gaeltacht
3. The Heritage Council
4. An Taisce

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

June, 2019