



An  
Bord  
Pleanála

**Case Reference:  
ABP-306945-20**

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

**Notice of Pre-Application Consultation Opinion**

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**Proposed Development: Demolition of existing structures, construction of 363 no. shared accommodation bedrooms and associated site works.**

**Site is situated to the north of the Fruit Market, Dublin 7.**

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. Architectural Heritage Impact Assessment**

Further consideration and/or justification of the documents as they relate to the impact of the proposed development on the character and setting of the features of conservation interest in the vicinity including the protected structures on the site and St Michan's Church which adjoins the site to the north. The documentation should demonstrate that the design, scale and massing of the

proposed development would not have an adverse impact on the architectural heritage of the area. In particular the documentation should fully address the requirements of the criteria as set out in Section 6.4.15 and Appendix B of the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and those relevant policies and objectives for the site relating to the built heritage in the development plan.

## **2. Height and Design**

Further consideration and/or justification of the documents as they relate to the scale, form, visual impact, and materials of the proposed buildings, relating specifically to the justification for the height and design of the 4 no. buildings in particular the 14 storeys proposed for Block A. The further consideration/justification should address the proposed design and massing, inter alia the visual impact of Block A on the existing receiving environment around the Fruit Market area and the area of conservation interest to the north of the site. The further consideration of these issues may require an amendment of the documents and/or design proposal submitted.

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. An updated sunlight and daylight analysis to include an assessment of the available sunlight and daylight to the communal areas, bedrooms and open spaces with reference to the BRE Guidance on the subject site, as well as the impact of the proposed development on the adjoining sites.
2. A quantitative and qualitative assessment which provides a breakdown of the number of proposed bed spaces and the details for the provision of residential support facilities and amenity areas used to offset the standards and/or compensatory measures proposed within each of the Blocks A-D. The submitted

information should demonstrate compliance of those details with the various requirements of the 2018 Guidelines on Design Standards for New Apartments including its specific planning policy requirements, in particular SPPR 9.

3. A Construction Environmental Management Plan (CEMP) that addresses, inter alia, the impact of the basement construction on the Bradogue River including any dewatering proposed during construction and the impact of the construction traffic on the Fruit Market Area.
4. Detailed consideration of Dublin City Council proposals for upgrade of public realm for the Fruit Market Area and integration of these requirements into any proposed development.
5. Detailed landscape plan including the provision of any residential amenity facilities within the open space areas and SuDS proposals in relation to roof gardens.
6. A specific impact assessment of the micro-climatic effects such as down-draft which shall include measures to avoid/ mitigate such micro-climatic effects.
7. An Operational Service Management Plan.

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. Minister for Culture, Heritage and the Gaeltacht
2. The Heritage Council
3. An Taisce
4. An Comhairle Ealaíon
5. Fáilte Ireland
6. Irish Water

**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.

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Tom Rabbette

Assistant Director of Planning

June, 2020