



An
Bord
Pleanála

Case Reference:
ABP-307543-20

Planning and Development (Housing) and Residential Tenancies Act 2016

Notice of Pre-Application Consultation Opinion

Proposed Development: 2 no. Pastoral Residences to provide a total of 28 no. bedrooms, 215 no. apartments, creche and associated site works. Nullamore House, Richmond Avenue South and Milltown Road, Dartry, Dublin 6.

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. Development Strategy** - The documentation at application stage requires further justification with regards to how the proposal assists in securing the aims of the Z15 zoning objective; how it secures the retention of the main institutional and community uses on the lands; how it secures the retention of existing functional open space and the manner in which the nature and scale of the proposal integrates with surrounding lands.

- 2. Scale and Massing** - Further consideration/justification of the documents as they relate to the scale, form, visual impact, materials and finishes to the proposed buildings, in particular given the elevated position and change in levels across the site. The further consideration / justification should address the proposed scale and massing given, inter alia, the receiving transitional nature of the environment, including single storey and two storey development in proximity of the site to the west in South Hill and location of the site outside of a Major town centre or District centre zone. The further consideration of these issues may require an amendment to the documents and/or design proposals 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.** A detailed statement of consistency and planning rationale, clearly outlining how in the prospective applicant's opinion, the proposal is consistent with local planning policies having specific regard to the zoning objective of the site, Z15 Institutional and Community and its applicability to the development site in question having regard to the concerns raised in the tripartite meeting.
- 2.** A detailed statement, which should provide adequate identification of all such elements and justification as applicable, where the proposed development materially contravenes the Development Plan other than in relation to the zoning of the land, indicating why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.
- 3.** Further justification and explanation on the nature and use of 'Pastoral Residences' is required, having regard inter alia to the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, March 2018.

- Whether it is a commercial entity, how it fits within the legal definition of SHD (e.g. is it consistent with 'other uses' pursuant to Section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016).
 - What standards were used for the Pastoral Residence Accommodation
 - Detailed rationale for size and layout,
 - Clarification of the use and why, if appropriate, local or national residential standards should not apply to that block (Block H).
4. A detailed schedule of accommodation which shall indicate compliance with relevant standards in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' 2018. It is important that the proposal meets and preferably exceeds the minimum standards in terms of dual aspect and justification is required for compliance with dual aspect of 33%, should this be the case. In the interests of clarity clear delineation / colour coding of floor plans indicating which of the apartments are considered by the applicant as dual / single aspect and the number and location of single aspect north facing apartments.
5. A Construction Environmental Management Plan (CEMP) that addresses, inter alia, tree protection during construction phase and an Arborist Assessment required clearly indicating:
- monitoring of tree protection and mitigation measures;
 - adherence to tree protection measures;
 - supervision of works;
 - post construction assessment and measures to promote / assess regular health and condition of trees.
 - A full and detailed Green Infrastructure Plan,
 - Landscaping Plan,
 - Arboriculture drawings and engineering plans that take account of one another.
6. Clarification at application stage regarding connection to water and drainage infrastructure having regard to issues raised in the Irish Water submission dated 11.08.2020

7. Clarification at application stage how proposed pedestrian, cycle and vehicular links through the site and connectivity with the wider area; are to be delivered, in particular, give the change in levels across the site.
8. An Assessment which details the rationale for the proposed location and quantum of basement storage, car parking and cycle parking spaces, having regard to, inter alia, Chapter 4 (Communal Facilities in Apartments) of the 'Sustainable Urban Housing: Design Standards for New Apartments' (2018).
9. Detailed landscape drawings that illustrate hard and soft landscaping, useable communal open space, meaningful public open space, quality audit and way finding. The public open space shall be usable space, accessible and overlooked to provide a degree of natural supervision. Details of play equipment, street furniture including public lighting and boundary treatments should be submitted.
10. A response to matters raised within the PA Opinion and Appended City Council's departments comments submitted to ABP on the 07.08.2020.
11. Full and complete drawings, including levels and cross sections showing how the development will interface with adjoining lands (Milltown Road) to the south and residential lands particularly to the west (South Hill).
12. A report that addresses issues of residential amenity (both existing residents of adjoining development and future occupants), specifically with regards to potential overlooking, overshadowing and overbearing. The report shall include full and complete drawings including levels and cross-sections showing the relationship between the proposed development and adjacent residential development.
13. Views / photomontages of the proposed development from the surrounding area.
14. A report that specifically addresses the proposed building materials and finishes and the requirement to provide high quality and sustainable finishes and details.
15. A construction and demolition waste 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. Irish Water**
- 2. Department of Culture Heritage and the Gaeltacht**
- 3. An Taisce**
- 4. Heritage Council**
- 5. Fáilte Ireland**
- 6. An Chomhairle Ealaíonn**

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
December, 2020