



An  
Bord  
Pleanála

**Case Reference:  
ABP-308916-20**

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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 buildings, construction of 109 no. Build to Rent apartments and associated site works.**

**The Former Mall Shopping Centre, Quay Street and High Street, Balbriggan, Co. Dublin.**

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. Height and Design**

While the site may be considered suitable for high density development and may be able to absorb height and taller elements within it, the documents require further consideration and/or justification as they relate to the scale, bulk and mass of the building relating specifically to the visual impact on Quay Street and High Street and on the receiving environment of the Harbour Area,

all of which are within Balbriggan ACA. The further consideration of these issues may require an amendment of the documents and/or design proposal submitted.

## **2. Public Realm**

Further consideration/justification of the documents in relation to the public realm along Quay Street and maximisation of opportunities for activity at street level.

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.** Further consideration/justification of the documents in relation to sunlight, daylight and overshadowing, including impacts on neighbouring properties, as well as internally within the proposed development.
- 2.** Documentation to clearly indicate details of public realm improvements proposed to Quay Street, including consideration of consistent footpath widths at this location, in conjunction with PA plans in this regard. Details in relation to public realm improvements along High Street are also required.
- 3.** Further consideration/justification in relation to the Flood Risk Assessment and SUDS measures proposed.
- 4.** Detailed drawings, cross-sections, elevations and additional CGIs of the site to demonstrate that the development provides an appropriate interface with the adjoining lands and provides for a quality public realm. Additional photomontages/CGI's should include views showing trees when they are not in leaf.
- 5.** Details of the proposed materials and finishes to the scheme. Particular regard should be had to the requirement to provide high quality and

sustainable finishes and details which seek to create a distinctive character for the development.

6. Justification and analysis in relation to type of Resident Support Facilities and Resident Services and Amenities being provided and scale of such uses.
7. Ecological Impact Assessment.
8. Wind micro-climate study, including analysis of balconies and any upper level roof gardens.
9. Mobility Management Plan.
10. A detailed Construction Environmental Management Plan.
11. 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' 2020, including its specific planning policy requirements.
12. A building life cycle report shall be submitted in accordance with section 6.3 of the Sustainable Urban housing: Design Standards for New Apartments (2020). The report should have regard to the long term management and maintenance of the proposed development.
13. Response to issues raised by the Parks and Green Infrastructure Division (dated 15.01.21), Transportation Planning Section (dated 19.01.21), Water Services Division (dated 20.01.21) and Conservation Officer Section (dated 11.01.21) of FCC, as per the reports submitted in Appendix 3 of the Planning Authority Report, received on 27<sup>th</sup> January 2021.
14. Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective (s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format.

**15. An Appropriate Assessment screening report and/or Natura Impact Statement.**

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. Transport Infrastructure Ireland**
- 3. National Transport Authority**
- 4. Minister for Housing, Local Government and Heritage**
- 5. Heritage Council**
- 6. An Taisce**
- 7. Fingal 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.

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Tom Rabbette  
Assistant Director of Planning  
May, 2021