



An
Bord
Pleanála

Case Reference:
ABP-309038-20

Planning and Development (Housing) and Residential Tenancies Act 2016

Notice of Pre-Application Consultation Opinion

Proposed Development: Demolition of structures, construction of 107 no. apartments, creche and associated site works.

Tinnahinch and Larch Grove, Plunkett Avenue, Westminster Road, Foxrock, Dublin 18.

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:

Design and Layout

1. Further consideration / amendment or justification of the design and layout of proposed scheme having regard to the potential negative impact on existing and future residential amenities with regard to overlooking, overshadowing and overbearing impact. In particular, regard should be had to the limited separation distances between the proposed development and the adjoining properties,

and the limited separation distance between Blocks A and B. Regard should also be had to the proximity to a significant number of mature trees, which may impact on access to daylight / sunlight for the proposed residential units.

2. Further consideration / amendment or justification of the design and layout having regard to the significant number of trees to be removed within the site. Further consideration / amendment of trees to be retained within the site having regard to the concerns raised in the planning authority's Parks and Landscape Services report. Documentation submitted should address any potential risk to the retention of trees, having particular regard to the proximity of the development to the trees to be retained, and the construction works required to facilitate the development, in particular the construction of the basement level.

Water Services

3. Further consideration / amendment of the design of surface water management proposals within the site, having regard to the concerns outlined in the report of the planning authority's Drainage Planning Section. A site-specific Flood Risk Assessment should be submitted.
4. Further consideration / amendments of the documents as they relate to foul water drainage proposals to service the development. The documents should provide details of necessary upgrade works required to facilitate the development to include, *inter alia*: plans and particulars, having regard to the wastewater network constraints raised by Irish Water in their report dated 8th February 2021.

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 report that addresses and provides a clear design rationale for the proposed height, density, design and character of residential units and details of the materials and finishes of the proposed development, having regard to the proximity to Foxrock Architectural Conservation Area. In particular regard should be had to the requirement to provide high quality, robust and sustainable finishes and details which seek to create a distinctive character for the development.
2. A report that addresses and provides a clear design rationale for the layout of the communal open space having regard to, inter alia, Inland Fisheries Ireland: *'Planning for Watercourses in the Urban Environment: A Guide to the Protection of Watercourses through the use of Buffer Zones, Sustainable Drainage Systems, Instream Rehabilitation, Climate / Flood Risk and Recreational Planning'*.
3. A report that addresses and provides a justification for the proposed housing mix.
4. A building life cycle report in accordance with section 6.13 of the Sustainable Urban Housing: Design Standards for New Apartments (2020).
5. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority, and the phased delivery of public open spaces.
6. Childcare demand analysis, including but not restricted to the justification for no childcare facility on site, having regard to the existing childcare facility in the vicinity of the site, the likely demand and use for childcare places resulting from the proposed development.
7. School Demand and Concentration Report, which identifies demand for school places likely to be generated by the proposal and the capacity of existing schools in the vicinity to cater for such demand.
8. A landscape and permeability plan of the proposed open spaces within the site clearly delineating public, semi-private and private spaces, areas to be gated and proposed boundary treatments, in particular the boundary of the public open space area, adjacent to Plunkett Avenue.
9. 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. The notice and statement should clearly indicate which Planning Authority statutory plan it is proposed to materially contravene.

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. Inland Fisheries Ireland
3. Dun Laoghaire Rathdown 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

April, 2021