



An  
Bord  
Pleanála

**Case Reference:**

**ABP-309630-21**

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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 on site, construction of 120 no. Build to Rent apartments and associated site works.  
43-50 Dolphin's Barn Street, Dublin 8.**

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.

**Residential Amenity**

1. Further consideration and/or justification of the documents as they relate to design and layout and how it relates to the potential impact on any residential amenity. Further justification of documentation should include the submission of additional CGIs illustrating the overall scale and mass and the potential impact on those existing properties in relation to Reuben Avenue and Emerald Square. The justification of the documents may require the submission of

amended drawings to ensure there is no potential to negatively impact on the residential amenity of the occupants to the neighbouring dwellings by way of overbearing and overshadowing.

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. The proposed development shall be accompanied by a detailed report providing a justification and rationale for the commercial/retail use proposed on the site, having regard to, *inter alia*, the Z4, District Centre Zoning, the need to provide a mix of uses on the site and the impact on the vitality and viability of the surrounding area. The report shall address the provision of services in the vicinity and the impact of the proposed development on the surrounding area.
2. A Wind micro-climate study, including analysis of impact on pedestrian comfort in the vicinity of the site.
3. A report that specifically addresses the urban design rationale including the proposed materials and finishes of the frontages along Dolphin's Barn Street. Particular regard should be had to the requirement to provide high quality design and sustainable finishes and include details which seek to create a distinctive character for the overall development. The documents should also have regard to the long-term management and maintenance of the proposed development
4. A Community and Social Infrastructure Audit.

5. An Operational Waste Management Plan and report detailing compliance with Dublin City Council Construction and Demolition Good Practice Guide.
6. An Updated Sunlight/Daylight/Overshadowing analysis showing an acceptable level of residential amenity for future occupiers and existing residents, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable.
7. A Response to issues raised in Appendix B of Planning Authority Report, received 06<sup>th</sup> of April 2021, which includes the internal reports of the Transportation Planning Division relating to the location and design of the vehicular access along Dolphin's Barn Street, upgrade works required along the public road and justification for car parking ratio proposed.
8. The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, unless it is proposed to submit an EIAR at application stage.
9. 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, as amended:

1. Irish Water
2. Transport Infrastructure Ireland
3. National Transport Authority
4. Dublin City Childcare Committee

**PLEASE NOTE:**

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, 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 2020 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

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Rachel Kenny  
Director of Planning  
June, 2021