



An
Bord
Pleanála

Case Reference:
ABP-310125-21

Planning and Development (Housing) and Residential Tenancies Act 2016

Notice of Pre-Application Consultation Opinion

Proposed Development: 102 no. residential units (56 no. houses, 46 no. apartments), creche and associated site works. Lamorlaye, Back Road, Malahide, 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.

Development Strategy:

Further consideration and / or justification of the documents as they relate to the development strategy for the site. The further consideration and / or justification should address the following matters:

- (i) The proposed residential layout and urban design response with particular regard to the creation of active and architecturally appropriate road frontages

having regard to the site context. How the proposed elevational treatments ensure a qualitative design response with optimal passive surveillance of public open spaces throughout the scheme, the creation of strong edges within the scheme and interface with Back Road and cul-de-sac road to the west and south.

- (ii) The hierarchy, function and usability of public open spaces including the use/linking of green areas throughout the scheme and boundary treatment. Computer Generated Images and cross-sections through the streets and open spaces should be submitted to show changes in levels and inter alia, the interface of boundary treatments and to public open spaces/streetscape.
- (iii) Treatment of the Hazelbrook stream along the southern boundary.
- (iv) The layout of the development, compliance with DMURS and provision of connections with adjoining lands and surrounding area
- (v) The location of the creche within the proposed development.

The response should also include a Materials Strategy that details all materials proposed for buildings, open spaces, paved areas and boundaries. The statement should present a justification/rationale for the materials being used having regard to the need for high quality and sustainable finishes that create a distinctive character for the development overall, whilst also responding to the character of the area. The documents should also have regard to the durability of materials and the long-term management and maintenance of the proposed development.

The further consideration / justification should have regard to, inter alia, the guidance contained in the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2020 (including the locational criteria in Chapter 2 and the guidance on car parking provision in Chapter 4), the Urban Development and Building Height Guidelines for Planning Authorities 2018; the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and the accompanying Urban Design Manual; the Design Manual for Urban Roads and Streets 2013; and the Dun Laoghaire Rathdown Development Plan 2016-2022.

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. The prospective applicant is advised to address issues raised the Planning Authority's Opinion received by An Bord Pleanála on 15th June 2021. In particular, the prospective applicant should address the following in the documents submitted:
 - a) Provide additional details in relation to the wastewater connection. The details should address the matters set out in the submission received from Irish Water, dated 8th June 2021 in relation to the need for network upgrades.
 - b) Provide additional drainage details. The details should address the matters raised in the Report of the Water Services Department.
 - c) Provide additional traffic and transportation details. The details should address the matters raised in the Report of the Transportation Planning Division of Fingal County Council.
 - d) Provide a response to matters raised in the Report of the Parks and Green Infrastructure Division.
2. Detailed rationale/justification for compliance with the Core Strategy, Objective SS02, the proposed residential density and housing mix with regard to the provisions of the Fingal County Development Plan 2017-2023 and relevant national and regional planning policy including the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual'); The 'Design Standards for New Apartments – Guidelines for Planning Authorities' (2020) and the 'Urban Development and Building Heights – Guidelines for Planning Authorities' (2018).

3. A housing quality assessment which provides the specific information regarding the proposed apartments required by the 2020 Guidelines on Design Standards for New Apartments. The assessment should also demonstrate how the proposed apartments comply with the various requirements of those guidelines, including its specific planning policy requirements. A building lifecycle report for the proposed apartments in accordance with section 6.13 of the 2020 guidelines should also be submitted.
4. A report that addresses issues of residential amenity (both existing residents of adjoining development and future occupants). Full and complete drawings including levels and cross sections showing the relationship between the development and nearby residential properties should be submitted.
5. A 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.
6. A Masterplan showing the relationship between the site which is the subject of this consultation and the potential development of the remainder of the landholding associated with Lamorlaye.
7.
 - (a) Traffic and Transport Impact Assessment (TTIA) of the development, the scope of which is to be discussed in advance with Fingal County Council.
 - (b) A report demonstrating compliance with the principles and specifications set out in DMURS and the National Cycle Manual in relation to the proposed housing and the works along public roads.
 - (c) A Carparking Strategy and Mobility Management Plan.
8. An Ecological Impact Assessment.
9. An Archaeological Impact Assessment.
10. A Tree survey and Arboricultural Assessment. The response should include a Tree Removal Plan, Tree Constraints Plan and Tree Replacement Plan.

11. A Landscape Impact Assessment and a Visual Impact Assessment including CGIs and details of proposed materials and finishes that would address the impact of the proposed development on Malahide Castle Demesne and Back Road. Key locations identified include the woodland boundary walk associated with Malahide Castle, the Castle building, Back Road entrance and field paths together with a point along the access road serving the development to the south of the site and from Connolly Crescent, Kinsealy Lane where the site is visible. The assessment should include cross sections.
12. A report identifying the demand for school and crèche places likely to be generated by the proposal and the capacity of existing schools and crèches in the vicinity to cater for such demand.
13. A site layout plan showing which, if any, areas are to be taken in charge by the planning authority.
14. A draft Construction Waste Management Plan, draft Construction and Environmental Management Plan and a draft Operational Waste Management Plan.
15. Where the prospective 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.

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 Tourism, Culture, Arts, Gaeltacht, Sport and Media.**
- 2. Heritage Council.**
- 3. An Taisce.**
- 4. An Comhairle Ealaíon.**
- 5. Fáilte Ireland.**
- 6. Irish Aviation Authority.**
- 7. Dublin Airport Authority.**
- 8. Irish Water.**
- 9. Relevant 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.

Stephen O'Sullivan
Assistant Director of Planning
August, 2021