



An
Bord
Pleanála

Case Reference:
ABP-310520-21

Planning and Development (Housing) and Residential Tenancies Act 2016

Notice of Pre-Application Consultation Opinion

Proposed Development: 115 no. residential units (56 no. houses and 59 no. apartments), and associated site works. Muirhevnamore, Dundalk, Co. Louth.

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. Flood Risk

Further consideration and / or justification of the documents as they relate to the potential flood risk arising from the development on the site. The further consideration and / or justification should address the following matters:

A Site Specific Flood Risk Assessment that addresses inter alia that the proposed development:

- a) is not at risk of flooding.
- b) will not exacerbate flooding in the immediate area or wider area.
- c) any residual risks to the area and/or development can be managed to an acceptable level.

- d) The assessment should also clearly demonstrate proposed management of any residual risks.

The response should include a response to the issues raised by Louth County Council Infrastructure Section contained in the Planning Authority's Opinion received by An Bord Pleanála on the 9th July 2021.

The further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

2. Irish Water

Further consideration and / or justification of the documents as they relate to the capacity of Irish Water network to accommodate the proposed development. This will require that prospective applicant reengage with Irish Water to confirm the feasibility of connecting 115 residential units to the Irish Water network.

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 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.
2. 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.
3. A contextual layout plan which indicates the layout of adjoining developments, photomontages and cross sections at appropriate levels, including details of how the proposed development interfaces with contiguous uses/lands (within and outside the applicant's control) and adjoining roads. The response should

also address the interface with existing uses bounding the site, as they relate to the layout of the proposed development and the desire to ensure that the proposal provides a high quality, positive intervention at this location. Particular regard should also be had to creating suitable visual relief in the treatment of boundaries and interface with adjacent lands. Detailed boundary proposals, specifications and cross-sections should be included.

4. 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.
5.
 - (a) Traffic and Transport Impact Assessment (TTIA) of the development, the scope of which is to be discussed in advance with Louth 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 for the apartments.
6. An Ecological Impact Assessment.
7. An Archaeological Impact Assessment.
8. A Tree survey and Arboricultural Assessment. The response should include a Tree Removal Plan, Tree Constraints Plan and Tree Replacement Plan.
9. 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.
10. A site layout plan showing which, if any, areas are to be taken in charge by the planning authority.
11. A draft Construction Waste Management Plan, draft Construction and Environmental Management Plan and a draft Operational Waste Management Plan.
12. Respond to issues raised in the Planning Authority Opinion received by An Bord Pleanála on the 9th July 2021.

13. 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.
14. 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.

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. **Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media.**
3. **Heritage Council.**
4. **An Taisce.**
5. **An Comhairle Ealaíon.**
6. **Relevant 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.

Tom Rabbette

Assistant Director of Planning

September, 2021