



An
Bord
Pleanála

**Case Reference:
ABP-310653-21**

Planning and Development (Housing) and Residential Tenancies Act 2016

Notice of Pre-Application Consultation Opinion

Proposed Development: Demolition of all existing structures on site and construction of 183 no. Build to Rent apartments and associated site works. No. 148 Richmond Road, Fairview, Dublin 3.

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. Further consideration, and a robust planning and design rationale for the height and massing of buildings proposed for the site, and possible amendment to achieve greater articulation and visual relief. The design response should reflect the specific characteristics of the site and its context, demonstrating how it achieves an appropriate relationship with surrounding development. Further assessment of the development in views from the north and south should be undertaken in this regard, including views from Grace Park Road and from

Richmond Road in proximity to the development site, and from residential roads to the south of the site.

This may require possible amendment to the documents and/or design proposals submitted.

2. Further consideration of, and possible amendment to the documents and/or design proposals submitted, having regard to the development potential of adjoining lands to the northeast (Leydens), which are understood to be in the control / ownership of the prospective applicant.

In this regard, an indicative masterplan should be submitted which should demonstrate how the development of the overall lands can be achieved having regard to the protection of residential amenity, potential for shared communal and/or public open space, and access arrangements. Such masterplan may have also regard to the matters raised under item no. 1 above.

3. The application should provide full and detailed design proposals in respect of access arrangements from Richmond Road. Such proposals should provide for safe vehicular, pedestrian and cycle access to the site and demonstrate that conflicting movements do not arise. An operational service management plan for the site should also be submitted in this regard. The design proposals should demonstrate how satisfactory access and egress to the site will be provided in both the current scenario and following completion of proposed future widening and improvement works on Richmond Road.

4. Further consideration and clarification in relation to the nature and extent of works required to address flood risk arising on the site. Application documentation should identify and assess alternative options for the design of such works, and provide a robust rationale for the solution proposed, having regard to the location of the site within an area identified as a Conservation Area in the Dublin City Development Plan 2016-2022 and potential impacts on existing trees and vegetation on the site.

Details to be provided should include detailed plan, section and elevation drawings describing all works and structures proposed along the riverbank and

identifying existing and proposed ground levels. The interaction between these works and delivery of the pedestrian / cycle greenway route along the River Tolka should be clearly described.

The works proposed in this regard should be included within the scope of other assessments undertaken in respect of this application including, but not limited to:

- Site Specific Flood Risk Assessment
- Landscape and Visual Impact Assessment
- Appropriate Assessment Screening Report
- Natura Impact Statement
- Ecological Impact Assessment Report
- Environmental Impact Assessment Report.
- Archaeological, Architectural and Cultural Heritage Impact Assessment
- Construction and Environmental Management Plan

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:

- a)** Clarity with regard to ownership of the site and where the applicant is not the legal owner of the land concerned, the written consent of the owner to make the application should be provided.
- b)** Application documentation should demonstrate how the proposed development and the mix of uses therein, complies with the Z10 land use zoning objective for the site under the current Dublin City Development Plan 2016-2022.
- c)** Demonstrate how consideration has been given to the issues of residential amenity raised in the report of the planning authority dated 26th July 2021 particularly in respect of privacy and overlooking between proposed dwelling units and the quality of private residential amenity spaces.

- d)** The application should clearly demonstrate how the development will limit the potential for overlooking of adjoining residential properties. Additional cross section and contextual elevation drawings should be provided to demonstrate the relationship with adjoining properties, particularly Deakins Court to the west.
- e)** The Microclimate assessment accompanying the application should address the safety and comfort of communal residential amenity spaces, including roof terraces and upper floor balconies, both within the site and on adjoining lands. Any required mitigation or other design measures arising from such assessment should be clearly detailed in the application.
- f)** Further clarification and justification for the type and level of communal residential facilities to be provided on the site having regard to the Build to Rent nature of the proposed development, in accordance with the provisions of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020) and SPPR 7 contained therein.
- g)** Detail regarding the provision of public open space and accessible, secure and usable communal residential open space within the development. Areas required for vehicular access and circulation space such as public footpaths, should not be included within defined amenity spaces. The treatment and landscaping of the site to define and delineate such spaces appropriate to their function, should be clearly set out and illustrated with appropriate plan and sections drawings.
- h)** Proposals for the management and operation of the proposed development as a 'Build-to-Rent' scheme in accordance with Specific Planning Policy Requirement No. 7 of the Guidelines on Design Standards for New Apartments, including detailed proposals for the provision and management of support facilities, services and amenities for residents. A Building Lifecycle Report in accordance with section 6.13 of the guidelines should also be submitted and shall detail the appropriate use of external materials on all elevations. The plan shall also address the management and maintenance of public spaces and access to the development.

- i)** Further 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 have due regard to the context of the site. The details to be provided should also include the treatment of roof terraces, courtyards, landscaped areas and the public realm.
- j)** The application should be accompanied by the following:
- i.** A Traffic Impact Assessment, a preliminary Construction Traffic Management Plan and a Mobility Management Plan.
 - ii.** A quality audit in accordance with Annex 4 of DMURS.
 - iii.** A rationale for the quantum of car parking proposed on the site having regard to the provisions of the SPPR8 of the *Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities*, in respect of Build-to-Rent developments. A Car Park Management Strategy Plan should be provided in in this regard.
 - iv.** A rationale for the proposed fire / emergency vehicle access arrangements having regard to the comments of the Dublin City Council Transportation planning section with regard to use of the proposed pedestrian / cycle greenway in this regard.
- k)** A Construction and Demolition Management Plan and an Operational Waste Management Plan should be provided having regard to the inner urban nature of the site. The Construction and Demolition Management Plan should consider the potential for the presence of hazardous materials within existing structures or contaminated soils within the site.
- l)** The application should clearly identify the areas intended to be taken in charge by the Local Authority and / or the National Transport Authority, where appropriate.
- m)** Address the issues and recommendations set out in the internal departmental reports of Dublin City Council, including, inter alia,
- The report of the Archaeology Section dated 19th July 2021.
 - The Engineering Department – Drainage Division, dated 22nd July 2021.

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. National Transport Authority**
- 2. Childcare Committee**
- 3. Inland Fisheries Ireland**
- 4. Waterways Ireland**
- 5. Irish Water**
- 6. Heritage Council**
- 7. An Taisce**
- 8. Minister for Housing, Local Government and Heritage**

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.

Rachel Kenny
Director of Planning
October, 2021