



An
Bord
Pleanála

**Case Reference:
ABP-310654-21**

Planning and Development (Housing) and Residential Tenancies Act 2016

Notice of Pre-Application Consultation Opinion

Proposed Development: 328 no. residential dwellings (209 no. houses, 119 no. apartments), creche and associated site works. In the townland of Regles, Minister's Road, Lusk, 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.

1. Further consideration and/or justification of the documents as they relate to the delivery of public and communal open space throughout the proposed development. Further justification of the documentation should include plans and particulars clearly delineating the public open space and communal open space in conjunction with the proposed treatment of surface water and include, *inter alia*, a statement of compliance with Table 12.5 of the Fingal

County Development Plan 2017-2023 and associated objectives (PM52, DMS57, DMS 57A & DMS 57B).

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. Clarification in the documents with regards to the proposed wastewater services. In particular, the consideration/clarification should address the contents of the submission from Irish Water (dated 31st of May 2021) concerning the need to upgrade the Chapel Farm wastewater pumping station to facilitate the connection of the development to wastewater infrastructure. Clarity is required at application stage as to what upgrade works are required, who is to deliver these works, when are the works to be delivered relative to the completion of the proposed housing development and whether such upgrade works are to be the subject of separate consent processes.
2. A site layout plan indicating what areas are being proposed to be taken in charge by the local authority. In that regard, all routes of connectivity (pedestrian, cycle and vehicular) to adjoining lands, where proposed, should be indicated going right up to the shared boundary with adjoining lands.
3. A detailed site layout plan clearly illustrating the proposed development and the land use zoning for the site from the statutory development plan.
4. Additional GCIs illustrating the overall scale and mass of Apartment Block E and the potential impact on those proposed properties along the east of the proposed apartments.
5. A response to the Traffic and Transport issues raised in the Fingal County Council submission in relation to, *inter alia*, parking layout, road markings,

surface treatment, drop of spaces for the creche, updated TTA, design of basement parking and bicycle parking.

6. A report which specifically addresses the treatment of hedgerows along the north of the site, mitigation measures necessary to protect any hedgerows and the boundary treatment proposed adjoining any hedgerows to be retained.
7. 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.
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. 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. Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs**
- 3. Heritage Council**
- 4. An Taisce – the National Trust for Ireland**
- 5. The relevant Childcare Committee**
- 6. Transport Infrastructure Ireland**
- 7. National Transport Authority**

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.

Rachel Kenny

Director of Planning

November, 2021