



An  
Bord  
Pleanála

**Case Reference:**  
**ABP-311243-21**

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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: 101 no. residential units (41 no. houses, 60 no. apartments) and associated site works. Ringfort View, Balrothery, Balbriggan, 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. Principle of Development**

Further consideration/justification of the documents as they relate to the planned development strategy for Balrothery, the absence of a masterplan and compliance with Objective PM14 of the Fingal County Development Plan 2017 - 2023. The applicant shall ensure the further consideration/justification includes the following detailed information:

- Justification for the non-provision of the school, having regard to the requirement for existing capacity and future need for school places within the entire Balrothery Village catchment area.
- The proposed vehicular access across lands zoned as Greenbelt (GB) and compliance Section 3 (a) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

## **2. Design and Layout**

Further consideration and/or justification of documents as they relate to the proposed strategy for the development of the site in respect of the design and layout of proposed development necessary to comply with the 12 criteria set out in the Urban Design Manual which accompanies the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (2009). The further consideration/ justification should address the matters of the configuration, the layout and the architectural approach with particular emphasis on the carparking strategy and open space design should be given further consideration. 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. 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 28th of September 2021) concerning the need to for all works and 3<sup>rd</sup> party consents necessary 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 short-range context and the potential impact on those proposed properties along the Old Coach Road.
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, design of basement parking and bicycle parking, road safety audit.
6. A response to the Drainage Department issues raised in the Fingal County Council submission in relation to the delivery of SuDS on the site.
7. In accordance with section 5(5)(b) of the Act of 2016, as amended, any application made on foot of this opinion should be accompanied by a statement that in the prospective applicant's opinion the proposal is consistent with the relevant objectives of the development plan for the area. Such statement should have regard to the development plan or local area plan in place or, likely to be in place, at the date of the decision of the Board in respect of any application for permission under section 4 of the Act.
8. 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.
9. 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.

10. 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. **Transport Infrastructure Ireland.**
3. **National Transport Authority**
4. **The 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.

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Tom Rabbette

Assistant Director of Planning

December, 2021