



An
Bord
Pleanála

**Case Reference:
ABP-311617-21**

Planning and Development (Housing) and Residential Tenancies Act 2016

Notice of Pre-Application Consultation Opinion

Proposed Development: 1007 no. BTR apartment units (with associated balconies and terraces) in 3 no. blocks ranging in height from 2 to 22 storeys over one level basement. TC3, Cherrywood, 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 the proposed development:** Further consideration / justification of the documents as they relate to the principle of the proposed development which is inconsistent with the approved Cherrywood Planning Scheme (CPS) and UFDF objectives: residential quantum, density, plot ratio, building height, scale, physical infrastructure, social infrastructure and green infrastructure and environmental considerations and parameters. The further consideration / justification should address how the provision of social and physical infrastructure

will sustainably support the level of development proposed, interaction and integration with the wider area, creation of a sustainable neighbourhood, regard being had for the future residential population, inter alia, to the architectural treatment, the scale, height, mass, design, materials and finishes, also landscaping, quality public and communal open spaces, public realm, including access, car parking provision and bicycle parking. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

- 2. Intensity of Development:** Further consideration and / or justification of the documents as they relate to the height, scale, massing, plot ratio, tenure mix and tenure type and overall intensity of development given the provisions of the CPS and UFDF.
- 3. Residential Amenity:** Further consideration/justification of the documents as they relate to the quality of the proposed residential amenity. This consideration should have regard to, inter alia, the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual'); the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities' in particular with regard to number of single aspect and north facing units, and daylight and sunlight access to internal habitable areas and in particular to communal courtyards. Shadow Impact Assessment of communal open spaces, private open space and public open spaces. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted relating, inter alia, to layout of the proposed development, improving the quality and providing extended hours of daylight and sunlight to the internal courtyards and to the public open space.

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 detailed statement of consistency and planning rationale, clearly outlining how in the prospective applicant's opinion, the proposal is consistent with the zoning objectives of the Cherrywood SDZ Planning Scheme and the primary land use matrix, in light of the concerns raised in the Planning Authority's opinion.
2. A visual impact assessment of the proposed development that addresses, inter alia, the height, scale and massing of the proposal in the context of the nature of the receiving environment. Long range views / photomontages of the proposed development from the surrounding area.
3. A detailed statement, which should provide adequate identification of all such elements and justification as applicable, where the proposed development materially contravenes the Development Plan and CPS other than in relation to the zoning of the land, indicating why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.
4. An assessment on how the proposed scheme ties in with the expansion of the overall Cherrywood SDZ. The subject site represents an expansion of the existing Cherrywood 'TC' development (including permitted development). It is important that the proposed scheme should be highly visually and functionally connected to the town centre development to the north and north east. There needs to be strong permeability within the scheme and into adjoining lands.
5. Further consideration of the traffic and transportation infrastructure upgrades required, proposed entrances, pedestrian crossings at Cherrywood Avenue South and west, car parking and bicycle parking.

- 6.** A report that addresses issues of residential amenity, specifically with regards to potential overlooking, overshadowing and overbearing. The report shall include full and complete drawings including levels and cross-sections showing the relationship between the proposed development and any adjacent existing or permitted development.
- 7.** A Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.
- 8.** A full response to matters raised within the PA Opinion and addendum reports submitted to ABP on the 08.11.2021.
- 9.** Detailed landscape drawings that illustrate hard and soft landscaping, useable communal open space, meaningful public open space, quality audit and way finding. The public open space shall be usable space, accessible and overlooked to provide a degree of natural supervision. Details of play equipment, street furniture including public lighting and boundary treatments should be submitted.
- 10.** As per SPPR7 of the Sustainable Urban housing: Design Standards for New Apartments Guidelines for Planning Authorities, March 2020 the development must be described in the public notices associated with a planning application specifically as 'Build to Rent' housing development and a covenant/legal agreement is required at application stage for BTR development.
- 11.** A rationale or evidence based justification that the proposed resident support facilities and resident services and amenities are appropriate and accord with SPPR7 (b) of the Apartment Guidelines 2020.
- 12.** A Microclimate Impact Assessment.
- 13.** A detailed noise plan.

14. An up to date Ecological Impact Assessment, inclusive of a Bird and Bat Survey.
15. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.
16. Site Specific Construction and Demolition Waste Management Plan.

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 (IW)**
2. **Irish Aviation Authority (IAA)**
3. **Department of Defence**
4. **Dun Laoghaire Rathdown County Council Childcare Committee.**
5. **Transport Infrastructure Ireland (TII)**
6. **National Transport Authority (NTA)**

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.

Stephen O'Sullivan
Assistant Director of Planning
March, 2022