



An
Bord
Pleanála

**Case Reference:
ABP-311959-21**

Planning and Development (Housing) and Residential Tenancies Act 2016

Notice of Pre-Application Consultation Opinion

Proposed Development: Demolition of all structures on site, construction of 346 no. residential units (293 no. Build to Rent apartments, 4 no. Build to Sell houses and 49 no. Build to Sell apartment), creche and associated site works. Former Bailey Gibson Site, 326-328 South Circular Road and Donore Avenue, Dublin 8.

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 of, and possible amendment to the documents submitted and justification for the proposed development with regard to compliance with the Development Plan zoning objectives relating to this site. In this regard a detailed statement of consistency and planning rationale, clearly outlining how

in the prospective applicant's opinion, the proposed development is compliant with local planning policies and in particular the Z4 - District Centres zoning objective, which aims 'To provide for and improve mixed-services facilities.' This may require possible amendment to the documents and/or design proposals submitted.

2. Further clarification of, and possible amendment to, the documents submitted with regard to the extent of the subject lands which fall within Strategic Development and Regeneration Area (SDRA) 12 as described in the Dublin City Development Plan 2016, and as outlined in Fig. 32 and Zoning Map E thereof. The application should address compliance with the relevant provisions of the plan in this regard, particularly with regard to land use and open space provision.

In providing clarity in relation to this matter, the prospective applicant should also refer to the provisions of the Development Framework for St. Teresa's Gardens and Environs (DCC June 2017) which describes the status of the Baily Gibson lands in this regard. (Map and annotation on page 5 of the Framework Plan and the table on Page 25 thereof, *Public Open Space Provision*).

This may require possible 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 response to the matters raised in the report of the Dublin City Council Transportation Department dated 7th December 2021. The response should include, inter alia:
 - (a) A car parking management plan and a Mobility Management Plan / Travel Plan.

- (b) An Operational and Service management plan which should have regard to the range of uses proposed across the site.
 - (c) A Quality Audit in accordance with Advice Note no. 4 of the Design Manual for Urban Roads and Streets (DMURS).
2. A comprehensive phasing plan for the proposed development which should address the timing of delivery of all services, infrastructure, community facilities and open space along with residential units across the site.
 3. Details of the areas intended to be taken in charge by the local authority.
 4. Detailed sections showing the relationship with adjoining properties. With regard to no. 1 Rehoboth Avenue, the application should clearly address the treatment of intervening lands and should avoid the creation of left-over / dead space.
 5. The application should be accompanied by additional photomontages / other visualisations illustrating the relationship of the proposed development with the adjoining streets to the west and in particular with no. 40 Rehoboth Place. The presence of this property should be clearly identified in plans, sections and elevation drawings accompanying the application.
 6. An analysis of wind microclimate and pedestrian comfort should be submitted, with reference to pedestrian occupation and usability of new public spaces in the context of the proposed and adjoining developments. The analysis should also address the safety and comfort of residential amenity spaces, including communal spaces and private 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 described and assessed in the study. The assessment should have regard to the interaction with future development on adjoining lands.
 7. The application should include a comprehensive daylight and sunlight assessment examining the proposed dwelling units and amenity / open spaces, as well as potential impacts on daylight and sunlight to adjoining properties. In preparing such assessment regard should be had to the provisions of section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities (2018) and to the approach outlined in guides like the BRE 'Site

Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'.

The assessment should provide a comprehensive view of the performance of the entire development in respect of daylight provision. Where any alternative, compensatory design solutions in respect of daylight are proposed, these should be clearly identified and justified, and their effect appropriately described and or quantified.

The results of the Daylight and Sunlight assessment should be clearly presented such that the potential effect or otherwise on individual adjoining properties can be easily identified.

8. A report that specifically addresses the proposed materials and finishes to the scheme, including specific detailing of external finishes, landscaping and paving, pathways, entrances and boundary treatments. Particular regard should be had to the requirement to provide high quality, durable and sustainable finishes which have regard to the context of the site.
9. A Building Lifecycle Report in accordance with section 6.13 of the Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning Authorities (2020) guidelines which should consider external materials on all elevations. The report shall also address the management and maintenance of public spaces and access routes to the development.
10. A report demonstrating that the proposed water supply and drainage arrangements can be implemented without any dependency on works permitted under separate planning permissions on adjoining lands. The report should also address the matters raised in report of the Dublin City Council Engineering Department – Drainage Division, dated 07/12/2022.
11. A historic building survey and an Industrial Heritage Statement of Significance in respect of any industrial features to be impacted by the development.
12. 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. Transport Infrastructure Ireland
3. National Transport Authority
4. Dublin City 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

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