



An
Bord
Pleanála

Planning and Development (Housing) and Residential Tenancies Act 2016

Notice of Pre-Application Consultation Opinion

Case Reference: ABP-312209-21

Proposed Development: Demolition of existing structures, construction of 114 no. apartments and associated site works. 61 and 63 Fairview Strand and No. 3, No 19 and No. 21 Esmond Avenue and at rear No. 19, Philipsburgh Avenue, 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 constitute a reasonable basis for an application for strategic housing development.

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. An updated Architectural Design Statement. The statement should include a justification for the proposed development, having regard to, inter alia, urban design considerations, visual impacts, site context, the locational attributes of

the area, linkages through the site, pedestrian connections and national and local planning policy. The statement should specifically address finishes of the blocks, the design relationship between the individual blocks within the site, the relationship with adjoining development (in particular Richmond Gardens, No.'s 61 and 63 Fairview Strand, the Jewish Cemetery and Gate Lodge (Protected Structures)) and the interface along the site boundaries. The statement should be supported by contextual plans and contiguous elevations and sections, CGI's and photomontages.

2. A detailed statement, which should provide adequate identification of all such elements and justification as applicable, where / if the proposed development materially contravenes the statutory plan for the area 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.
3. A Housing Quality Assessment that provides details in respect of the proposed apartments set out as a schedule of accommodation, with the calculations and tables required to demonstrate compliance with the various requirements of the 2020 Guidelines on Design Standards for New Apartments. It is important that the proposal meets and preferably exceeds the minimum standards in terms of dual aspect and proportion of apartments which exceed the floor area by 10%. In the interests of clarity clear delineation / colour coding of floor plans indicating which of the apartments are considered by the applicant as dual / single aspect, single aspect north facing and which apartments exceeds the floor area by 10%.
4. A Traffic and Transportation Impact Assessment.
5. Details of a Green Infrastructure Plan, Landscaping Plan, Arboriculture Drawings, Tree Protection Plan and Engineering Plans that take account of one another.
6. Justification of layout, location and hierarchy and quantum of open space provision, both communal and public open space (POS). Clarity with regard to compliance with Development Plan standards, provision of diverse play spaces designed for younger children, teenagers and adults of all abilities, hard and

soft landscaping and planting details. Clarity with respect to any agreements in place with the PA in respect of a contribution in lieu of public open space.

7. An up to date Ecological Impact Assessment, inclusive of a Bird and Bat Survey.
8. A Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to:
 - (i) Impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.
 - (ii) A Shadow Impact Assessment of the proposed development on the wider area.
9. A report that addresses issues of residential amenity (both existing residents of adjoining development and future occupants), 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 adjacent residential development.
10. A response to matters raised within the PA Opinion submitted to ABP on the 25th January 2022, and appended conservation department, transportation department, parks department and drainage department reports.
11. A report on surface water drainage, surface water management strategy and flood risk which deals specifically with quality of surface water discharge.
12. An AA screening report which considers potential impacts on the Qualifying Interests of any Natura 2000 site.
13. Where an EIAR is not being submitted the applicant should submit all necessary information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 for the purposes of EIAR screening.
14. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.
15. Site Specific Construction and Demolition Waste Management Plan.

16. Details of public lighting.

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. The Minister for Housing, Local Government and Heritage
3. The Heritage Council
4. An Taisce
5. 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.

Stephen O'Sullivan
Assistant Director of Planning
April 2022