



An
Bord
Pleanála

Case Reference:
ABP- 312261-21

Planning and Development (Housing) and Residential Tenancies Act 2016

Notice of Pre-Application Consultation Opinion

Proposed Development: Demolition of an existing derelict structure, construction of 125 no. residential units (71 no. houses, 54 no. apartments), creche and associated site works. Flemington Lane, 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. Further consideration of the status of the proposed development as a Strategic Housing Development, as defined in section 3 of the Planning and Development (Housing) & Residential Tenancies Act 2016, as amended, having regard to the land use objectives set out in the Fingal County Development Plan 2010-2016 relating to these lands.

In this regard a detailed statement of consistency and planning rationale should be provided, clearly outlining how, in the prospective applicant's opinion, the

proposed development is in compliance with local zoning objectives having specific regard to the location of elements of this development within lands zoned Public Open Space in the Fingal County Development Plan. Regard should also be had to the provisions of section 9(6)(b) of the Act in this regard. This may require amendment to the documents and/or design proposals submitted.

2. Further consideration of, and possible amendment to the documentation submitted, having regard to the lack of public transport, and safe and convenient pedestrian and cycle connections between the proposed development site and services and amenities in the local area. Consideration should provide a detailed planning rationale / justification for development at this location and may include specific proposals to overcome such deficiencies / improve connectivity and reduce dependency on private car journeys.

Further consideration of this issue 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. Plans clearly identifying areas intended to be taken in charge by the planning authority and proposals for the management of public open spaces.
2. A phasing plan for the proposed development, which should include the delivery of associated road and drainage infrastructure and public open spaces.
3. Details of permitted development, including active recreational spaces, on adjoining lands and their relationship with the proposed development. The application should describe how continuity in respect of landscaping, uses, pedestrian and cycle routes and connectivity can be achieved.
4. The application shall clearly describe the relationship with adjoining residential properties and any potential impacts thereon in terms of overlooking or

overshadowing. Detailed section drawings should be provided in this regard, indicating both existing and proposed ground levels.

5. In relation to access and transportation, the following should be submitted:
 - a) A response to the matters raised in the report of Fingal County Council Transportation Planning Section, dated 14/01/2022.
 - b) A Quality Audit in accordance with Advice Note 4 of the Design Manual for Urban Roads and Streets (DMURS) to include a Road Safety Audit.
 - c) A detailed Transport Impact Assessment, which should include a justification for any assumptions made regarding modal split.
 - d) A Travel Plan / Mobility Management Plan and a statement describing how the proposed development will contribute to sustainable travel patterns and a reduced dependency on private car journeys.
 - e) Proposals for secure cycle parking provision, which have regard to the provisions of the guidelines for Sustainable Urban Housing: Design Standards for New Apartments (2020).
6. A report addressing the matters raised in the report of Fingal County Council Water Services section dated 13/01/2022.
7. Documentation clearly demonstrating that the proposed development can connect to the water and waste networks of Irish Water. In particular, the application should provide evidence of any third-party consent / agreement necessary to connect to, or through, third-party infrastructure or lands.
8. A complete tree survey including an Arboricultural Impact Assessment, Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement in accordance with BS 5837: 2012, Trees in relation to Design, Demolition and Construction - Recommendations.
9. An assessment of the site for the presence of bats and/ or bat roosting sites.
10. An archaeological impact assessment report.
11. A report that specifically addresses the proposed materials and finishes to the scheme, including specific detail 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.

12. The prospective applicant should satisfy themselves in relation to whether the proposed development represents a material contravention of the Development Plan and satisfy any subsequent submission requirements in relation to this regard.
13. 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. **Fingal County Childcare Committee**
3. **National Transport Authority (NTA)**
4. **Minister for Housing, Local Government and Heritage**
5. **The Heritage Council**
6. **An Taisce**

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

May , 2022