



An
Bord
Pleanála

S. 6(7) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report on Recommended Opinion ABP-301473-18

Strategic Housing Development	250 no. apartment units, crèche and all associated site works.
Location	Site comprising of the former residential properties of 'Tinagel', 'Auburn', Keelogues', 'Villa Nova' and 'Arda Lodge', Golf Lane, Glenamuck Road, Carrickmines, Dublin 18.
Planning Authority	Dun Laoghaire Rathdown County Council
Prospective Applicant	Bowbeck DAC
Date of Consultation Meeting	29 May 2018
Date of Site Inspection	17 May 2018
Inspector	Una Crosse

1.0 Introduction

Having regard to the consultation that has taken place in relation to the proposed development and also having regard to the submissions from the planning authority, the purpose of this report is to form a recommended opinion as to whether the documentation submitted with the consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016 - (i) constitutes a reasonable basis for an application under section 4, or (ii) requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

2.0 Site Location and Description

The application site has a stated area of 2.48 hectares with the prospective applicant's lands extending to c.1.8 ha with the remainder in the ownership of Local Authority. Lands to the north and northeast of the application site are within the ownership of the Local Authority. The application site comprises the sites of a number of former residential properties – previously known as Tintagel, Auburn, Keelogue, Villa Nova & Arda Lodge. These houses have been demolished with the site now overgrown. The site changes in level from south to north by c.10 metres.

The site is bounded to the north and north-east by the M50 Carrickmines Interchange. The Glenamuck Stream which is part culverted runs along the north/north east of the site. To the south east the site addresses Golf Lane which is currently a cul-de-sac which provides access to a number of existing one-off houses and a residential scheme known as Blackberry Estate. South of the site there are 3 existing residential properties Creggan, Shangran & Waterville. Further south of Golf Lane there are the Carrickmines Green and Carrickmines Manor residential developments which includes apartments in a number of blocks ranging up to 5 storeys in height. West of the site is the Park Carrickmines Retail Park and offices. The Luas Green Line from Cherrywood to the City Centre is located to the north with the Ballyogan stop c.900 metres from the subject site.

3.0 Proposed Strategic Housing Development

The proposal comprises a development of 250 apartment units in a series of 5 blocks with the Unit Type breakdown as follows:

Unit Type	No. of Units	%
1- bed	61	24.5
2- bed	133	53
3-bed	56	22.5

Other Uses

Uses	Area
Crèche (Block A)	280 sq.m
Gym (Block C)	195 sq.m
Residents Amenity Area (Block C) (conciierge, community room, office, meeting room)	276 sq.m
Substations/Switchrooms	52 sq.m

Blocks - Height

Block No.	Height
A	5 & 6
B	4
C	5 & 6
D	6
E	4, 5, 6 & 7

Other Parameters

Parameter	Site Proposal
Density	102 units p/h on 2.48 ha

	139 units p/h on 1.8ha
Car Parking	296 in total 284 spaces in 2 level basement car park 182 in level -1 (Zone A -71 & B-112) and 102 in level -2 (under Block E) 12 surface parking spaces
Bicycle Parking	321 – surface and basement
Part V	25 on-site units (12 no. 1-bed, 8 no. 2-bed, and 5 no. 3-bed) provided within Block D.
Vehicular Access	Proposed from Golf Lane
Application Site	Application site – 2.48ha - Includes c.1ha of lands within ownership of Council.
Open Space	6,900 sq.m (within 1.8ha)
Connectivity Infrastructure	Pedestrian/Cycle Bridge over stream Pedestrian/Cycle Crossing at Glenamuck Road

4.0 Planning History

On Site

Applicant notes that the previous applications in 2006/2007 were to be developed as a single scheme with the areas of the two sites combined generally reflective of the current application site save for the area of the residence known as Creggan to the southwest of the site (which proposed for the house to be retained with detached dwellings adjoining) which is no longer part of the site;

Ref. D06A/1157

Permission granted for 4 houses and 121 apartments with 3 blocks of 5-6 storeys over basement car parking (site area of 1.25ha);

Ref. D07A/1496

Permission refused for two apartment blocks of 6-8 storeys providing 109 apartments, crèche community room, medical centre, beauticians, 2 small retail units and 2 small offices with 2-3 storey commercial block providing gym and retail – reasons related to excessive density, overdevelopment by reason of excessive height, scale and bulk, inadequate mix of housing, impact on residential amenity of future residents;

Ref. D08A/0590 (PL06D.232551)

90 apartments in 3 blocks ranging from 6-8 storeys, 2 storey crèche, basement car parking with development reduced to 88 units within 6 storeys following FI.

Permission refused by the Board for 1 reason which related to proximity of Blocks E and F to the M50 resulting in unacceptable substandard levels of residential amenity;

Adjoining Sites

To east - **Ref. D15A/0530** – permission granted for a single storey curved dwelling with sedum roof.

To south – **Ref. D11A/0197** permission refused for the demolition of bungalow known as 'Waterville' and construction of 19 no. apartments in 2 five-storey blocks for three reasons related to prematurity depending on proposed future road layout for the area, piecemeal development and undesirable precedent, residential amenities;

Site to West of Glenamuck Road

Ref. D18A/0257 – *Current Application* - Permission sought on a site of 105 ha at lands known as Quadrant 3, The Park for a neighbourhood centre (including retail, retail services and restaurant/café uses), retail warehouses, cinema and other leisure space, 130 residential units, crèche, office space, car showroom, medical centre, linear park with a gfa of 83,996 sqm, excluding the basement car parks, in four blocks varying in height from two to six storeys. The maximum height of the proposed development is 29.4 metres. The linear park is located on the northern part of the subject site, adjacent to the Ballyogan Stream and has total area of approximately 1.5 ha. A pedestrian and cycle bridge is proposed across the linear

park and links the neighbourhood centre (Blocks A, B and C) and the office building (Block D). The proposed bridge provides a direct commuter link between the neighbourhood centre and Ballyogan Road. The linear park includes a greenway link along the southern boundary of the park. A vehicular entrance is proposed off Glenamuck Link Road via Park Avenue, providing access to the surface car park and basement car park via a ramp. A dedicated access road is proposed for the residential units from Ballyogan Road. A further entrance and exist is proposed off the Ballyogan Road for the Office Building (Block D). The scheme includes a proposed new link road through an extension of Northfield Road to Ballyogan Road to the north of the site. This link road will be a two way c.10m wide road which will provide a direct pedestrian, cycle and vehicular link to Ballyogan Wood Luas stop. The extension of Northfield Road to Ballyogan Road will require the partial culverting and re-alignment of 90 metres of the Ballyogan Stream on the north western boundary of the site. A roundabout is proposed off the Northfield Road which will provide a customer and servicing access and exit to the basement car park. The proposal provides for upgrades to Ballyogan Road, upgrades to Park Avenue and Glenamuck Link Road, including a new inset bus bay and pedestrian crossing along the Glenamuck Road. An Environmental Impact Assessment Report is included. Further Information requested 17 May 2018.

5.0 National and Local Planning Policy

5.1. National Policy

5.1.1. Project Ireland 2040 - National Planning Framework

The recently published National Planning Framework includes a specific Chapter, No. 6, entitled 'People Homes and Communities'. It includes 12 objectives among which Objective 27 seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages. Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location. Objective 35 seeks to increase densities in settlements, through a range of measures including reductions in

vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

5.1.2. **Section 28 Ministerial Guidelines**

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant S.28 Ministerial Guidelines are:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual')
- Design Manual for Urban Roads and Streets'
- Sustainable Urban Housing: Design Standards for New Apartments (2018)
- Childcare Facilities – Guidelines for Planning Authorities
- The Planning System and Flood Risk Management (including associated Technical Appendices).
- Spatial Planning and National Roads Guidelines for Planning Authorities (2012).

5.2. **Local Planning Policy**

5.2.1. **Dun Laoghaire Rathdown County Development Plan 2016-2022**

The Dun Laoghaire - Rathdown County Development Plan 2016 applies. The site is zoned 'Objective A' (To protect and/or improve residential amenity). Residential and the ancillary uses proposed are all permitted uses.

The general lands contain an objective '*To Preserve Trees and Woodland*'.

Objective 131 relates to lands to the northwest of the site where it is an objective to provide for the development of a Neighbourhood Centre in the north-east 'quadrant of the Park, Carrickmines, with a net retail floorspace cap of 6000 sq.m. and a leisure facility, which will help meet the existing and future retail and leisure needs of the growth areas of Carrickmines, Stepside-Ballyogan and Kiltiernan-Glenamuck.

SLO 135 seeks to prepare a Local Area Plan for Ballyogan and Environs with the subject site within the area.

NE section of the site is designated as an area of archaeological potential, within the southern limit of the constraints area for Carrickmines Castle (RMP DU026-005). Carrickmines Castle which is located north of the M50 and is a national monument. Objective 161 states as follows: *'to conserve and protect Carrickmines Castle site and to proceed to implement the Carrickmines Castle Conservation Plan 2015-2025'*.

Southern portion of the site adjoining the public road is located within the Cherrywood SDZ and subject to Specific Local Objective 52 which states:

"To implement and develop the lands at Cherrywood in accordance with the approved Strategic Development Zone Planning Scheme."

The SDZ has identified the future widening of Golf Lane as part of a future connection (via bridge crossing) to the Cherrywood lands.

The Building Heights Strategy is included in Appendix 9 of the CDP.

6-year and long term roads objectives are outlined in Tables 2.2.5 & 2.2.6 which include the infrastructure related to the Cherrywood SDZ (necessary roads infrastructure as detailed in Cherrywood SDZ Planning Scheme).

5.2.2. **Proposed Ballyogan and Environs LAP**

The site is located within the areas subject to a future LAP for Ballyogan and Environs as per SLO 135. In relation to the proposed LAP the Development Plan states the following: *'Given that the Plan dates from 2000 it is considered that it would be timely to effect a review and preparation of a new statutory Local Area Plan during the lifetime of this Development Plan – particularly addressing the issues of provision of the second collector Loop Road off the Ballyogan Road, the need to ensure the maintenance of higher densities in close proximity to quality public transport corridors, further development of the central Greenway Spine (including addressing issues permeability to the planned Jamestown Park and beyond to the employment and retail areas at The Park, Carrickmines. The review may involve extending the area to include parts of Carrickmines and Glenamuck and the, as yet undeveloped, Horse Racing Ireland lands north of the M50 corridor. As such it is considered that any new LAP would be entitled 'Ballyogan and Environs LAP'.*

On 6th April DLRCC commenced a 6 week pre-draft public consultation process on a new LAP. The subject site is identified within the “Carrickmines Quarter”. It is stated by the PA that a draft Plan is expected by late Summer/early Autumn.

6.0 Prospective Applicant’s Case

The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017. This information included, inter alia, a Completed Application Form, Cover Letter including schedules, details of Part V, letter of consent from MCC, minutes of meetings with MCC and Irish Water COF, Statement of Consistency, A3 booklet of Architectural, engineering and Landscape Drawings, Architectural Drawings, Engineering Drawings, Architectural Design Statement, Engineering Assessment Report, Flood Risk Assessment, EIA Screening Report, AA Screening Report, Landscape Design Strategy, Arboricultural Assessment including Drawings, Cultural Heritage Assessment, Report on Archaeological Testing, Enfield Housing Market Report.

Section 5(5)(b) of the Act of 2016 requires the submission of a statement that, in the prospective applicant’s opinion, the proposal is consistent with both the relevant objectives of the development plan or local area plan concerned, and the relevant guidelines issued by the Minister under section 28 of the Act of 2000. These statements have been submitted, as required. The applicant’s case is summarised as follows:

- Planning history demonstrates precedent for suitability of the site for high density apartment development, buildings of height and scale, removal of gardens and vegetation and acceptability of single road access;
- Proposal addresses the most recent reason for refusal with significant mitigation measures in the design of the building to reduce noise impact, Block E positioned such that screens other development blocks and areas of external and private amenity space;
- Detailed Noise Impact Report confirms that with implementation of mitigation measures the noise impact can be controlled such that the impact of the worst

case scenario is not considered to be significant or of a level that would have a negative impact on the residential amenity of proposed dwellings and outdoor spaces;

- Proposal will result in generally positive long term impact providing residential units, childcare and significant areas of open space with mitigation measures recommended to minimise impact on flora and fauna;
- North-eastern portion of the site located within southern limit of the constraints area for Carrickmines Castle (RMP DU026-005) with 6 test trenches opened in 2007 (ref. D08A/0590) with no features, artefacts or deposits of significance identified with a condition recommended requiring archaeological monitoring;
- Topography of the site falls from south to north ranging from 80m AOD in south to 75m AOD at top of the river embankment with valley being at 70m AOD at its lowest;
- Irish Water PCE states that proposed connection to IW network can be facilitated;
- Carrickmines River enters and exits the northwest corner of the site with Golf Stream runs within the site parallel to the Glenamuck Road and the two watercourses converge in the northwest corner of the site;
- OPW CFRAM flood extents maps indicate subject site is particularly in Flood Zone A & B with majority of proposed site within Flood Zone C;
- Eastern CFRAM maps predict a 10%, 1% and 0.1% AEP storm to cause flooding to a small area of the subject site with the 1% and 0.1% AEP events causing an overland flow onto the M50;
- Flooding is related to backwatering effects of the downstream culvert causing the river level to rise and overtop causing an over-land flow across the north of the site with OPW floodmaps showing that site has not suffered from known flooding in the past;
- Following hydraulic modelling of the existing flood risk it is confirmed that the residential development will be located outside Flood Zone A & B extents with all units to be located above the 0.1% AEP plus min. 500m freeboard with blocks A & E to be made flood resilient to ensure building and basement car park is protected;

- Emissions from construction to be appropriately mitigated through implementation of CMP;
- Scheme will be visible above treelines and will significantly change the landscape of the immediate area but will not negatively impact the character of the area which is characterised by a number of highly visible schemes;
- AA screening report concludes no impacts on integrity or conservation objectives of Natura 2000 sites;
- Proposal is consistent with relevant national, regional and local planning policies and guidelines;
- Planning application is accompanied by a Tree Survey and Arboricultural Impact Assessment and Drawing and a Tree Removal, Retention and Protection Plan.

7.0 Planning Authority Submission

A submission was received by An Bord Pleanála on the 17th of May 2018 from Dun Laoghaire Rathdown County Council. The 'opinion' of the planning authority included, inter alia, the following:

- Pre-planning meetings held on 27th April and 28th June 2017;
- Reference to Building Heights Strategy and noted that site has a significant change in levels with a slope of approx. 10m. Considered that given site context in principle 6-storeys (3-4 storey with upward modifier of 2-storeys) could be accommodated with residential amenity of adjoining properties requiring protection with sections required to show impact on existing and permitted dwellings;
- Density of 138 per ha based on site within applicants ownership (1.8ha) which accords with Guidelines with slight discrepancy noted in site area outlined in documents and noted previous refusal on density referred to 1999 Guidelines;
- Apartment sizes and private open space appear to meet minimum standards in Guidelines with scale of drawings submitted not acceptable at application stage;
- Concern expressed at similarity of the blocks proposed with proposed finishes requiring amendment to distinguish the blocks and provide a high quality with more variety in finishes and breaking up massing of blocks required;

- While PA understand inclusion of metal screen for noise and visual impact, concern at absence of natural surveillance of public open space;
- Concern proposal lacks variety in finishes and height when viewed from outside the site (views 2 & 4) with 6-storey flat roof buildings appearing as a continuous block with slight step up in Block E with more variety in heights, massing and finishes welcomed;
- Site falls within a number of areas (LAP, SDZ, current application across site, road objective along site) with opportunity to create walkway/cycletrack through the site would benefit the site and wider area;
- Concern at legibility of connections within the site with further details and wayfinding required, given topography concern re. universal access with steps shown linking areas of open space with details of gradients and universal access required;
- Proposed new bridge link and pedestrian crossing welcomed and proposal also shown on Ref. D18A/0257 but discrepancy when overlaid which should be addressed to ensure correct location of pedestrian crossing with no clear pathway from this connection through the site to Golf Lane;
- Proposed open space within applicants ownership (1.8ha) at 6,900 sq.m falls short of CDP requirement (7,305-9,740 sq.m) with PA requiring an absolute default minimum of 10% of overall site to be reserved for open space with 38% of site open space with parkland proposed adjacent linked to proposed Carrickmines Park with PA satisfied with open space provision;
- Discrepancies noted in documents in areas of open space;
- Concern at amount of sunlight the courtyard area behind Block D will receive and needs to be addressed including how level of daylight for this area can be increased;
- Contextual elevations showing proposed relationship with existing dwellings and separation distances required with proposed balconies on eastern elevation of Block D within 8m of boundary;
- Conclusions on internal and external acoustic environments welcomed given previous reason for refusal;

- Crèche facility appears small given proposal is for 250 units with justification of size of crèche required;
- Wind impact to balconies at upper floor levels need to be addressed;
- Applicant advised to consult with National Monuments Service;
- Details of areas to be taken in charge and managed by management company to be submitted;

Transportation Section Report

- Proposal identified the Kiltiernan Link Road proposal but has not adequately demonstrated set back of proposed development at existing Golf Lane to facilitate KLR;
- Proposed pedestrian crossing welcomed;
- Provision of min. 4m wide greenway recommended to provide adequately for segregated pedestrian and cycle routes in accordance with Green Infrastructure Strategy;
- Distribution of existing traffic base flows to and from the existing Park, Carrickmines Retail Development not included in the submitted TTA;
- Shortfall of 88 car parking spaces as per Table 8.2.3 of CDP;
- Proposal should have regard to Government Apartment Guidelines for bicycle parking and storage (Sections 4.15-4.17);
- Travel Plan required as per Section 8.2.4.3 of CDP;
- Applicant requested to submit detailed plans indicating:
 - Front boundary of the proposed development shown to be set back behind the line of the Kiltiernan Link Road (KLR) reservation;
 - Line of the back of future footpath (front face of new boundary) and suitable boundary delineator at the Golf Lane frontage to KLR to be agreed;
 - Construct a temporary 3m wide footpath in macadam along line of the future back of footpath;
 - Grass area between temporary footpath and existing road edge at Golf Lane;

- Confirm in writing that area of land to be reserved free of development along the frontage of Golf Lane will be taken in charge by the PA and ceded to PA to facilitate KLR;
- Dimensioned revised details of proposed vehicular access clearing demonstrating an interim temporary and future permanent arrangements with the KLR in place including pedestrian crossing and junction details, provision of adequate visibility and sightlines;
- Detailed drawings showing a 4m wide greenway throughout development including provision of a 4m wide pedestrian and cycle bridge crossing and continuous 4m wide pedestrian and cycle link from the proposed Glenamuck Road signalised toucan crossing to proposed development entrance (Golf Lane) with concerns of TII to be taken into account with greenway indicated within applicants boundary at northern site boundary;
- Detailed plan layout showing permeability and access to adjacent sites (east and west) to accommodate future development with no grass strips between connections;
- Detailed quality audit (including Road safety audit, access audit, cycle audit and walking audit) to demonstrate consideration given to relevant aspects of DMURS;
- Details and adequacy of street lighting;
- Details of proposed resident and visitor cycle parking areas;
- Details of car parking spaces to be designated for the relevant apartment unit occupiers and residential development visitors (min 10% recommended) with spaces to be sold with the units with 4% of spaces to be reserved for use by disable persons;
- Turning arrangements and vehicle manoeuvres required for emergency/tender vehicles;
- Construction Management Plan indicating construction access to the site and proposed measures to minimise/eliminate noise and dust, proposed working hours etc;

TII email (dated 15 August 2017)

- M50 corridor part of TEN-T core network;

- Proposal as indicated is unacceptable and inappropriate;
- No part of any proposal including drainage, open space, noise attenuation shall be permitted within TII's M50 land take or impact adversely on the operation of this critical national route with any infrastructure required to service third party proposed incorporated appropriately within the developers own lands at their own expense;
- Cognisance to be taken of requirements of Chapter 3 of the Spatial Planning and National Roads Guidelines for PA's and in particular section 3.7 'avoiding adverse impacts from existing and future roads';
- Concern at precedent such a proposal would set as it could lead to a proliferation of such developments which would adversely affect the management, operational efficiency and safety of national road network;

Drainage Report

- As SHD does not provide for FI applicant strongly advised to consult and reach agreement with the Drainage Planning Section in advance of lodgement (subject to consent of ABP);
- Site investigation report supporting chosen figures required with information on depth of standing water would be of benefit with sites subject to flooding required to adhere to a more conservative outfall discharge;
- Unclear what area of the site is drained to the rainwater harvesting system with drawing required showing what areas of the site drain to various SuDS components proposed;
- Justification of suitability of locations of bioretention areas based on actual site investigation results;
- Easement of proposed planting of trees in bioretention areas to demonstrate functionality;
- Supporting documentation to demonstrate bioretention areas designed in accordance with SuDS manual;
- Details of each SuDS measures and confirm if lined/tanked or not with rationale;
- Fully dimensioned plans and sections of the storage system with preferred attenuation storage solution the proposed Stormtech system;

- Calculation and representation of green roof extent;
- Cross sections detailing all utilities and showing vertical and horizontal separation distances to be provided at critical locations;
- Options being proposed for interception and treatment volume storage with contributing areas to be shown on a drawing and accompanying text;
- Stormwater audit required;
- Flood Risk Assessment based on a 1D model and outputs of CFRAM and normally sufficient, FRA on adjacent site (D18A/0257) indicates more extensive flood extents for Golf Lane than those depicted with applicant advised to consult with PA to agree appropriate flood extents and depths for the site;
- Required to demonstrate that profile of flood plain in vicinity of pedestrian bridge and that no obstructions should be located in the flood plain;
- Model the proposed surface water drainage systems commenting on any surcharging or flood risk that may be identified from this analysis;

Housing Report

- Accepted proposal for on-site delivery of 25 units in Block D;
- Initial and revised costs submitted with gross floor areas different which should be addressed;

7.1. Other Prescribed Bodies

Submissions were received from the National Transport Authority, Transport Infrastructure Ireland, Irish Water and **National Monuments** in relation to the proposal and are appended to this report.

8.0 The Consultation Meeting

A Section 5 Consultation meeting took place at the offices of An Bord Pleanála on the 29th May 2018, commencing at 11.00 AM. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

The main topics raised for discussion at the tripartite meeting were based on the Agenda that issued in advance and contained the following issues:

1. Height strategy for the site in context of inter alia, strategic location and key national policy including the National Planning Framework and Sustainable Urban Housing: Design Standards for New Apartments March 2018
2. Design and Finishes
3. Traffic Impact, Access and Sustainable Parking
4. Pedestrian/Cycle Connectivity & Legibility
5. Residential Amenity
6. Surface Water Management and Flooding
7. Any other matters

In relation to the height strategy for the site An Bord Pleanála sought further elaboration/discussion/consideration of the following: monotony of height proposed, the potential for the inclusion of a landmark/gateway structure within the development given its strategic location, details of the proposed Ballyogan LAP, the current building height strategy.

In relation to Design and Finishes, An Bord Pleanála sought further elaboration/discussion/consideration of the following: proposed finishes, design of fenestration on Block E, requirement for exemplar design on the site, use of materials to address massing;

In relation to Traffic Impact, Access and Sustainable Parking, An Bord Pleanála sought further elaboration/discussion/consideration of the following: pedestrian crossing on Glenamuck Road, impact on M50, sustainable parking, Kiltiernan Link Road and reservation for same including interim treatment of reservation;

In relation to Pedestrian/Cycle Connectivity & Legibility, An Bord Pleanála sought further elaboration/discussion/consideration of the following: connectivity to Carrickmines Park and Luas stops, legibility through the site and provision of an appropriate and legible pedestrian/cycle pathway through the site from Glenamuck Road to Golf Lane.

In relation to residential amenity An Bord Pleanála sought further elaboration/discussion/consideration of the following: daylight/sunlight within open spaces, impacts and distances to adjoining properties and sites.

In relation to surface water management and flooding, An Bord Pleanála sought further elaboration/discussion/consideration of the following: the soil type proposed and flood risk;

In relation to any other matters An Bord Pleanála sought further elaboration/discussion/consideration of the following: proposed crèche, archaeology, residents area and phasing.

Both the prospective applicant and the planning authority were given an opportunity to comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the 'Record of Meeting 301473' which is on file. I have fully considered the responses and comments of the prospective applicant and planning authority in preparing the Recommended Opinion hereunder.

9.0 Conclusion and Recommendation

Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

I have examined all of the information and submissions before me including the documentation submitted by the prospective applicant, the submissions of the planning authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, via the s.28 Ministerial Guidelines, and local policy, via the statutory plan for the area.

Having regard to all of the above, I recommend that further consideration and/or possible amendment of the documents submitted are required at application stage in respect of the following elements: height & design, layout & permeability and surface water management and flooding which are set out in the Recommended Opinion below.

Having regard to the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the

Act requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application.

10.0 Recommended Opinion

An Bord Pleanála refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála is of the opinion that the documentation submitted requires further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála.

In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could result in them constituting a reasonable basis for an application for strategic housing development:

Height and Design

1. Further consideration of the documents as they relate to the height strategy for the site and the design of the proposed development. In this regard, the prospective applicant should satisfy themselves that the design strategy for the site as it

relates to height provides the optimal architectural solution for this strategic gateway site. The proposed development shall have regard to inter alia, national policy including the National Planning Framework and Sustainable Urban Housing: Design Standards for New Apartments March 2018 and local planning policy, the sites context and locational attributes.

Layout and Permeability

2. Further consideration of documents as they relate to the layout of the proposed development particularly in relation to permeability and the criteria set out in the Urban Design Manual relating to 'Connections' which accompanies the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' and the Design Manual for Urban Roads and Streets. The configuration of the layout particularly as it relates to the creation of a legible pedestrian/cycle pathway from the Glenamuck Road to Golf Lane should be given further consideration. Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

Surface Water Management and Flooding

3. Further consideration of the documents as they relate to surface water management for the site. This further consideration should have regard to the requirements of the Drainage Division as indicated in their report received by the Board on 17 May 2018 and contained in Appendix B of the Planning Authority's Opinion. Any surface water management proposals should be considered in tandem with any Flood Risk Assessment, which should in turn accord with the requirements of 'The Planning System and Flood Risk Management' (including the associated 'Technical Appendices'). Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

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:

- A report that specifically addresses the proposed materials and finishes and the requirement to provide high quality and sustainable finishes and details.

Particular attention is required in the context of the strategic location and visibility of the site and to the long term management and maintenance of the proposed development.

- A life cycle report shall be submitted in accordance with Section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2018).
- In the context of the information required above, a detailed photomontage report which includes the detailing of the finishes of the proposed structures and additional photomontages from strategic viewpoints along the M50 and elsewhere.
- The Transport and Transportation Assessment and other documentation related to Traffic and Transportation shall respond to the comments raised by both the National Transport Authority and Transport Infrastructure Ireland in the responses received by the Board which are attached.
- An Archaeological Impact Assessment shall be submitted which responds to the comments outlined in the report received by the Board from the National Monuments Service which is attached.
- A report that addresses issues of residential amenity (both existing residents of adjoining properties and future occupants), specifically how the development will limit the potential for overlooking and overshadowing. The report should include full and complete drawings including levels and cross sections showing the relationship between the development and adjacent residential units and adjoining traffic routes. Details in relation to noise impact and mitigation for same shall also be included. Furthermore, landscape and architectural drawings that clearly detail the relationship between wind impact mitigation measures and the design of pedestrian pathways and public and private open spaces shall be included.
- Details of the uses proposed for the tenant amenity space.
- A layout plan that details the location and appropriate quantity of bicycle parking spaces.
- Visually appropriate safety measures in the vicinity of the stream on site.

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. National Transport Authority
2. Transport Infrastructure Ireland
3. Minister for Culture, Heritage and the Gaeltacht
4. Heritage Council
5. An Taisce — the National Trust for Ireland
6. Irish Water
7. Dun Laoghaire Rathdown County 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.

Una Crosse
Senior Planning Inspector

June 2018