



An
Bord
Pleanála

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

Inspector's Report on Recommended Opinion ABP-302965-18

Strategic Housing Development	428 no. residential units, crèche, provision of distributor road and associated site works.
Location	Townland of Corke Little, Woodbrook, Shankill, Co. Dublin.
Planning Authority	Dun Laoghaire Rathdown County Council
Prospective Applicant	Aeval
Date of Consultation Meeting	17 December 2018
Date of Site Inspection	11 December 2018
Inspector	Una Crosse

1.0 Introduction

- 1.1. 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

- 2.1. The proposed application site has an area of 18.5 hectares and is located in Woodbrook which is located to the south of Shankill and north of Bray between the DART line to the east and the M11 corridor to the west. The Old Dublin Road which links Shankill Village and Bray is located immediately to the west with the Woodbrook Golf Club and DART line to the east. To the north the site is adjoined by Shanganagh cemetery which comprises two burial areas connected by an access road which runs along the northern boundary of the subject lands. Lands to the north of same and between the two burial areas is proposed to accommodate a crematorium which was approved under a Part 8 scheme in 2017. To the south of the site there is complex of protected structures including Woodbrook House. The site which is relatively flat, comprises a number of fields defined by hedgerows and mature trees with a line of mature trees and a stone wall adjoining its western boundary with the Old Dublin Road. It currently in agricultural use. An area of the site to the north east crosses what is currently part of the Woodbrook Golf Club.
- 2.2. The proposal includes an area of land of c. 4.5 hectares to the east of the DART line which are in the ownership of DLRCC and which is the subject of a concluded Section 183 procedure. The site area also encompasses a narrow strip of land to the north of the site through Shanganagh Park.

3.0 Proposed Strategic Housing Development

The proposal provides for the following development:

428 residential units comprising 222 dwellings, 143 apartments and 63 duplexes as follows:

Houses

House type	No.	% of overall 428 units
3-bed	148	34.5
4-bed	48	11
5-bed	26	6
Total	222	51.5%

Apartment & Duplex

Unit Type	No	% of overall 428 units
1-bed Apartment	55	13
2-bed apartment	86	20
3-bed apartment	2	0.5
2-bed duplex	16	4
3-bed duplex	47	11
Total	206	48.5%

Housing Mix – Overall

Unit Type	No	%
1-bed	55	13
2-bed	102	24
3-bed	197	46
4-bed	48	11

5-bed	26	6
Total	428	100

It is also proposed to construct Woodbrook Avenue, a distributor road through the site to the location of the proposed new DART station (not part of subject application) with a proposed signalised junction onto the Old Dublin Road with associated modifications to the road layout. It is proposed to provide a crèche facility of c.480 sq.m to the west of the site adjoining the entrance from the Old Dublin Road. Open Spaces including linear parks and green links with connecting routes to Shanganagh Park. It is proposed to provide a rising foul main connection from the site on lands within the control of the Local Authority, within a 10m wide corridor up to the existing sewer at St. Anne's Park. The proposal also provides for the provision of 2 golf holes on a site to the east of the Dart line.

4.0 Planning History

4.1. **Ref. D07A/1716** – Permission refused for a mixed use development of C.70,668 sq.m to include neighbourhood centre, 537 residential units (mix of apartments, duplexes and terraced houses and open spaces. The reasons were as follows: no DART station proposed and water and sewerage services were not in place, deficiencies in road network and inadequate access arrangements, architectural layout and detail and number of single aspect units.

5.0 National and Local Policy

5.1. 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') 2009
- Design Manual for Urban Roads and Streets'

- Sustainable Urban Housing: Design Standards for New Apartments (2018)
- Urban Development and Building Height Guidelines 2018
- Childcare Facilities – Guidelines for Planning Authorities
- Architectural Heritage Protection – Guidelines for Planning Authorities.

5.2. National Planning Framework

- 5.2.1. Chapter 4 of the Framework addresses the topic of ‘making stronger urban places and sets out a range of objectives which it is considered will assist in achieving same. National Policy Objective 13 provides that in urban areas, planning and related standards, including in particular building height and car parking, will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

5.3. Dun Laoghaire Rathdown County Development Plan 2016-2022

- 5.3.1. Woodbrook-Shanganagh is identified as a Future Development Area with the potential to deliver between 2,000-2,300 residential units. Objective of County Plan to prepare a LAP for Woodbrook-Shanganagh. Site zoned A1 in the CDP the objective of which is to provide for new residential communities in accordance with approved LAP’s. The corridor of the proposed foul rising main connecting to St. Anne’s Park is zoned F – to preserve and provide for open space with ancillary active recreational amenities. The site of proposed replacement golf holes is located on lands zoned GB – to protect and entrance the open nature of lands between urban areas.
- 5.3.2. Woodbrook-Shanganagh is specifically referenced in Section 1.3.4.1 of the Plan where it is stated that the Plan lands when fully developed, will accommodate an additional 5,000 to 6,000 persons in approximately 2,000 to 2,300 units. These figures are based on net densities of 80 to 100 units per hectare at Woodbrook and 65-75 units per hectare at Shanganagh Castle.

5.3.3. **Specific Local Objectives and Other LAP Objectives**

SLO54 – Implement and develop in accordance with an LAP;

SLO61 – Crematorium at Shanganagh cemetery;

SLO76 – Shanganagh Park – masterplan including sports facilities etc.

SLO127 – provide a DART station at Woodbrook

Primary School Objectives – provide a primary school on a site east of St. James Church

Six Year Road Objectives – deliver the Woodbrook/Shanganagh access road connecting Old Dublin Road with proposed new DART Station and carry out improvement works to Old Dublin Road south of subject site from Wilford Interchange to Wicklow boundary;

Cycling Objectives – proposed route of National East Coast Trail Cycle route – runs along western boundary of site of proposed replacement golf holes;

Views and Prospects – site in middle ground of views from Ferndale Road and Quarry Road to the coast (Map 14), also objective to preserve prospects of Carrickgollogan from the Bray Road;

Landscape Character Areas – site within Shanganagh Character area – sylvan character of the area;

Trees and Woodland – objective (Map 14) to protect trees and woodlands;

Archaeology and Architectural Heritage – Shanganagh Castle to the north RMP (026-120) and RPS (No. 1845), St. James Church to northwest RPS (No. 1863) and Corke Lodge to south RPS (No. 1482).

5.4. **Shanganagh Woodbrook Local Area Plan 2017-2023**

- 5.4.1. The LAP was adopted in August 2017 with the overall vision for the area, to create a new compact sustainable residential community. The development strategy includes policies and objectives which inform framework strategies for the development parcels with an implementation and phasing schedule with a masterplan required for each parcel to demonstrate how the objectives are achieved. The LAP seeks to provide for the coherent and integrated development of the overall LAP area

including Shanganagh Park and cemetery primarily by way of a Green Axis and Linear Park with pedestrian and cycle connections.

- 5.4.2. Section 3 of the Plan outlines the proposed development strategy where reference is made to the 31 hectares of land which at sustainable density levels have the potential to deliver c.1600-2300 homes across a range of tenure types and typologies. Sustainable densities are specifically addressed at section 3.1.4(ii) with reference to the 'Kick-Start' incremental development approach which was a response to the challenging market and funding conditions outlined in a 2013 programme which allowed for initial residential development at a lower density with a commitment that subsequent phases would deliver higher densities in order to support high capacity public transport infrastructure. Reference is also made to inclusive and socially balanced residential communities (iii) and residential typologies (iv). Section 3.7 refers to urban structure, design and public realm qualities including building heights at section 3.7.2 (ii) where heights are proposed to be concentrated in the centre of the site with heights of 4-6 storeys envisaged with a landmark element at the neighbourhood centre. Lower heights are considered more appropriate along the site boundaries particularly along the coastal sweep and the southern edge. Density and urban form and open space are outlined. The Plan includes an Urban Design Framework for the lands.
- 5.4.3. Section 5 of the LAP outlines the implementation and phasing with a phasing schedule for the lands set out in Section 5.5. with the infrastructure required outline in addition to the timeframe and the responsibility for delivery of same.

6.0 Forming of an Opinion

6.1. Documentation Submitted

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, Letters of Consent, Cover Letter, Details and Minutes of S.247 meetings, Irish

Water Confirmation, Part V proposal, layout and schedule, Planning Report, Site location Plan, Site Layout Plan, Architectural Drawings and Apartment & Housing Type Drawings brochure, Schedules of Accommodation, Housing Quality Assessment, Planning Statement (OMP), Verified Views Landscape Drawings and Landscape Design Statement, Outline Engineering Infrastructure Drawings and Environmental Infrastructure Statement, Flood Risk Assessment, Transport Statement, Statement of Consistency with Section 28 Guidelines, Statement of Consistency with Development Plan and LAP, Statement of Consistency with Flood Risk, Statement of Consistency with DMURS.

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:

- Proposal has the benefit of LIHAF funding for certain infrastructure with bi-monthly meetings on going co-ordinating relevant agencies with detailed design of Woodbrook Avenue discussed and co-ordinated and agreed that while Aeval application would incorporate the proposals for the road that a separate application would also be made to DLRCC for the road in isolation from the remainder;
- LIHAF funding target is to provide 750 units by end of 2021 with application for further phase of Woodbrook envisaged for Q4 2019;
- While not part of Phase 1, the masterplan demonstrates a preferred solution for the DART gateway lands which form a future phase with final solution emerging as discussions on DART station take place;
- Prior to arriving at this point of the design, applicant has engaged with DLRCC to develop a masterplan based on the LAP requirements with multiple meetings over several months with proposal part of the lands covered by the overall masterplan which provides for c.1010 units at c.68 units p/h;

- Proposal has been carefully considered and co-ordinated in the context of the wider development of the lands and required the implementation of a range of infrastructure for the full implementation of the LAP including the Woodbrook Distributor Road which forms part of this proposal (and proposed as a separate application given its inclusion for funding under LIHAF);
- Acknowledged by all agencies that DART station is not a requirement for Phase 1 but its delivery as soon as possible is acknowledged to be a reasonable objective (application lodgement target mid-2019);
- DART gateway lands (6 acres) currently occupied by Golf Club as part of long planned tripartite exchange of lands the Golf Club will acquire the Council owned 11 acres on eastern side of DART line with Aeval controlling DART Gateway and DLRCC acquiring Shanganagh Castle and some land within Woodbrook with permission for the proposed golf holes fundamental to the applicant securing vacant possession of the DART gateway site, provide that new golf holes are constructed and ready to play which is why they are included to facilitate construction of Woodbrook Avenue;
- Proposal for phase 1 provides for a density of 52 units p/h (net) which is above minimum 50 units p/h in policy RES3 of CDP with overall masterplan lands providing density of at least 68 units is achieved;
- Compliance with LAP phasing requirements outlined with proposal facilitating the provision of the necessary infrastructure to assist in providing the DART station;
- Proposed connections with Shanganagh public park provided, 30 foot corridor retained by Council on lands to east of DART to be transferred for the East Coast Cycle trail, set back from Old Dublin Road to retain existing mature trees, proposed Coastal Park provides adequate buffer adequate buffer between the pavilion blocks and the golf course with houses on southern boundary stepping down to 2-storey;
- Decision made to prepare an EIAR in this case;
- Proposed to provide 47 Part V units with details provided;
- Proposal complies with County Development Plan zoning and specific objectives, national guidance and local area plan policy including density, open space,

overall vision of the LAP, residential content, building height, landscape strategy as outlined in individual statement of consistency documents;

- Noted that final surface water details are to be agreed with the Drainage Department prior to the planning submission with SuDs measures proposed with surface water from the proposed to be conveyed through a new surface water network including SuDs and attenuated at the agreed Qbar greenfield run-off rate of 141l/s prior to discharge to ditch at southern boundary of the site with site investigations confirming a soil type 4 (clay);
- Flood risk assessment confirms site is not at risk of flooding;
- Meetings held with IW to discuss onsite pumping station and possible connection locations to existing foul drainage network with IW confirming that a final solution to provide a rising main for the LAP area is at design stage and that an interim solution to discharge to the St. Anne's Park development to the north of the LAP is feasible;
- Proposed to gravitate foul flows to a new foul pumping station located at the southern boundary of the site which will cater for all the LAP lands with a 150mm diameter rising main to convey flows north from the pumping station to an existing 375mm diameter combined sewer located at St. Anne's Park with a final design to be submitted as part of the final planning submission;
- Proposed to provide a water supply to the site by connecting into the IW network extension project 250mm diameter watermain on the Old Dublin Road to the NW of the site (due for completion Q4 2019) with final design to be submitted to IW;
- Proposed to provide a signalised junction onto the old Dublin Road with changes to the road layout with minimal impact on trees and wall proposed, with the car parking strategy for the units outlined (1.5 per 3 bed house and 2 per 4 & 5 bed);
- Upgrades to the Wilford roundabout junction is also subject to LIHAF funding with the design being progressed by DLRCC and will form a separate application with the proposed Bus Connects upgrading the Old Dublin Road (R119) carriageway and associated junction to facilitate a widened road corridor;
- Proposed DART station being delivered by the NTA and Irish Rail and agreed it will be completed subsequent to the completion of Phase 1 of the Woodbrook

Lands and will include a 150-200 park and ride facility with a planning application to be lodged by mid-2019;

- Proposal complies with County Development Plan zoning and specific objectives, national guidance and local area plan policy as outlined in individual documents;

6.2. Planning Authority Opinion

A submission was received by An Bord Pleanála on the 6th of December 2018 from Dun Laoghaire Rathdown County Council. The 'opinion' of the planning authority included, inter alia, the following:

- It is noted that four pre-planning meetings were undertaken with the Planning Authority.
- Stated that the LAP lands are well placed for the purposes of residential development noting the transport links, public spaces and green networks, proximity to Bray and Shankill, proposed school infrastructure, LIHAF funding and inclusion of Old Connaught-Woodbrook water supply and wastewater schemes in IW's capital investment programme;
- The combined Shanganagh and Woodbrook development land are c. 31.1 ha and largely predicated on the proposed DART station at Woodbrook;
- Development of the lands historically curtailed by deficits in water supply and wastewater infrastructure which requires significant investment to facilitate the scale of growth in the LAP with potential for some development in the interim utilising existing supply and capacity.
- Noted that proposal to provide two golf holes on lands to east of DART line put forward at the final Section 247 meeting;
- Noted that the draft RSES for the eastern & Midland Region recognises capacity for new residential development on the Woodbrook-Shanganagh lands served by a new DART station;
- LAP seeks the delivery of a minimum of 1000 units on the Woodbrook development parcel at a minimum density of 60 units p/h with proposal to advance delivery of housing on the land in accordance with the LAP and core strategy welcomed;

- Masterplan would deliver the principal key site objectives for the lands as set out in the LAP including the scale of residential envisaged, central avenue, incorporation of existing trees, north-south green axis/corridor park, urban plaza, pocket parks, permeable street network, primary school site, 2-6 storey buildings, neighbourhood centre, mixed use building incl. a crèche, options for DART car park, ongoing consultation with NTA, sylvan character of area retained, SuDS measures;
- Proposed residential development would be in accordance with the land use zoning and LAP landuse concept for the site;
- Replacement golf holes rationale accepted with golf course complying with GB zoning as they come within definition of open space;
- Thirty foot wide reservation proposed to be retained by DLRCC along western boundary of proposed golf holes for the future development of the East Coast Cycle Trail and should be clearly indicated in any future application;
- Proposal for foul rising main within open space lands acceptable but noted that it would impact to some extent of the approved burial ground to south of proposed Crematorium;
- Proposal provides for a net density of 52 units p/h on 8.2ha with overall development yielding over 1000 units at a density of 65.5 units p/h;
- Reference is made to s.3.1.4 of the LAP where 'kick-start' or lower density on the lands at the Woodbrook site would allow for traditional type of housing contributing to a mix of typologies with any kick start stated in the plan to be limited in extent so that higher compensatory densities on the remaining lands as part of subsequent phases can act as a counterbalance;
- Density of 52 units p/h would accord with density policy of current CDP, Government Guidance and the kick-start provision of the LAP, the PA is mindful that residential yield of the 2nd phase (min.572 units on 7.3ha) would result in a min. density of 78 units p/h with applicant requested to demonstrate that this density can be achieved while conforming with the relevant parameters of the Woodbrook site framework strategy;
- Considered average density of 60 p/h would yield a 50:50 house/apartment mix with LAP including a mix of household sizes for apartments with

housing/apartment ratio proposed considered to be in line with LAP objective H3 with mix of apartments proposed in LAP noted to be superseded by SPPR 1 of the New Apartment Guidelines with proposal complying with 1-bed provision;

- Overall mix and variety of house types is acceptable;
- Objective WB3 of LAP strategy outlines height range of 3-5 storeys rising to max. of 6-storeys unless a compelling urban design case is made for reasons of legibility, place-making and identity with scale of buildings required to respond to street hierarchy (Obj.WB5);
- Crèche and Old Dublin Road buildings at 3-5-storeys considered appropriate with crèche building signalling the entrance to the Woodbrook lands by way of stepped profile responding to height of the Church to the north with 2-3 storey houses reinforcing hierarchy of streets and spaces responding to more sensitive boundaries as required by LAP;
- Pavilion blocks range from 4-6 storeys with taller elements fronting the central avenue with roof profile reducing perceived overall height;
- Proposed materials acceptable and proposed urban structure provides for a legible hierarchy of appropriately scaled streets and spaces, diversity of housing typologies and character areas with sylvan character along Old Dublin Road maintained;
- Clarity required regarding northern section of proposed linear/coastal park and provision to be made for pedestrian/cycle connections onto the cemetery access road with car parking spaces obstructing same;
- Provision of pedestrian/cycle connections between the Woodbrook and Shanganagh parcels is a key objective of the LAP with early provision of linkages to the north of the site sought;
- Quantity of public open space proposed would satisfy minimum requirements of the CDP however limited additional open space to be provided in second phase and may require financial contribution for upgrade of Shanganagh Park;
- Parks Department consider tree report required, removal of 705m of existing hedgerow unsatisfactory, proposed quantum of open space unsatisfactory, proposed linear parks and green links insufficiently sized, further information

required on communal courtyard spaces between pavilion blocks, inadequate play provision;

- Concern expressed regarding overbearing impacts where double fronted houses with shallow rear gardens back onto a gable of an adjoining house at a distance of less than 7m in some instances.
- Justification required for relaxation of 22m separation requirement between opposing apartment blocks with daylight/sunlight analysis required;
- Bin storage for individual house types required;
- Clarification required on crèche provision on overall lands;
- Phasing in LAP with applicant liaising with Irish Water with respect of water supply and drainage infrastructure and interim solutions may be acceptable and liaising with NTA on DART station design and temporary car park provided in tandem with proposal considered to comply with the phasing;
- Require clarity on whether proposed interim foul rising main connection to St Anne's Park as proposed would cater for the first phase or overall lands;
- Considered proposal would not impact on the setting of the protected structures with crèche building responding to the building heights of St James Church by way of stepped profile and masterplan provides for views to the Church;
- Route of proposed foul rising main adjoins Shanganagh Castle with an archaeological impact assessment required;
- Visual impact required to ensure proposal would not have an adverse impact on the view from Ferndale Road and Quarry Road to the coast and other prospects and views outlined in Table 9 of the LAP;
- Noted that proposed EIAR would address ecology/biodiversity;
- More detail required on waste management proposals;
- Proposed heights adjoining boundaries to Church and structures to the south in addition to separation distances would provide no adverse impact on residential amenity;
- Odour and noise assessment of proposed pumping station to the south of the site required;
- Taking in charge plan required;

- Housing Dept. indicate proposal capable of complying with Part V;
- Documentation lacks technical detail on surface water management with a list of 37 matters outlined with applicant strongly advised to consult and reach agreement with the Drainage Planning Section with report from the Drainage Section appended;
- Transport report (appended) notes a number of matters including that Dublin Road entrance not optimal for cycle provision, permeability connections to the north need to be maximised and be available from first occupation, details of reservation for the East Coast Cycle Route, details of continuous legible cycle routes;
- Reduction in provision of parking for 3+bed houses (1.5 p/unit rather than 2) concern given future public transport improvements relied upon and which may not be in place but acknowledges LAP objective WB12 to relax car parking;
- A list of matters outlined for consideration by the applicant;
- Details of public lighting required;
- List of documents as per Appendix 10 of the CDP outlined;
- While principle of proposal consistent with LAP concerns and requirements remain and are outlined in in a list of 32 matters.

6.3. **Response from Prescribed Bodies**

A response has been received from Irish Water and the Department of Culture, Heritage and the Gaeltacht and are appended to this report.

6.4. **Consultation Meeting**

A Section 5 Consultation meeting took place at the offices of An Bord Pleanála on the 17th December 2018, commencing at 10.30 PM. 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. Development Strategy for the site to include density, unit mix, height and layout having regard to, inter alia, access to existing and proposed public transport, the Urban Development and Building Heights, Guidelines for Planning Authorities December 2018 and Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009
 2. Connectivity and permeability
 3. Transportation
 4. Water Supply and Wastewater Treatment
 5. Surface water management
 6. Any other matters
- In relation to development strategy for the site to include density, unit mix, height and layout, An Bord Pleanála sought further elaboration/discussion/consideration of the following: the development strategy in the context of national policy regarding density and height, the density and unit mix proposed within Phase 1 in the context of national policy and the proposed provision of a DART station, proposed density on the overall lands, creation of a new sustainable community neighbourhood, suitability of the site for greater heights, suitability of pavilion typology for greater height, suitability of height adjoining interfaces with the site, and impact of car parking requirements for greater heights/density.
 - In relation to connectivity and permeability, An Bord Pleanála sought further elaboration/discussion/consideration of the following: connectivity from the site to the north to Shanganagh Park, draft Shanganagh Park masterplan, connectivity to the south and proposed areas to be taken in charge.
 - In relation to transportation, An Bord Pleanála sought further elaboration/discussion/consideration of the following: delivery of the DART station, proposals for site entrance from the Old Dublin Road and consideration of the location of the cycle path off-line given the requirement to retain trees and potential amendments to the road due to Bus Connects.
 - In relation to water supply and wastewater treatment, An Bord Pleanála sought further elaboration/discussion/consideration of the following: proposed rising

mains to St. Anne's Park following proposed connection to Shanganagh WWTP, impact of pumping station on residential amenity and storage capacity of same.

- In relation to surface water management, An Bord Pleanála sought further elaboration/discussion/consideration of the following: drainage requirements as outlined in the PA report including the proposed options for discharge of surface water from the site.
- In relation to any other matters An Bord Pleanála sought further elaboration/discussion/consideration of the following: EIAR regulations, AA screening, presentation of documents, proposal to provide the golf holes as part of the application and the badger sett on site.

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 302965' 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.

7.0 Conclusion & 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, density and unit mix, connectivity and

permeability and surface water management; details of 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.

8.0 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, Density and Unit Mix

1. Further consideration of the documents as they relate to the development strategy for the site as it relates to the heights, density and unit mix proposed. This should be outlined in the context of both Phase 1 of the proposed development and also the overall proposed development of the Woodbrook lands (Phases 1 & 2). In this regard, the prospective applicant should satisfy themselves that the design strategy which they propose for the site, as it relates to height, density and unit mix provides the optimal architectural solution for this strategic site and is proposed for development at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage given the site is served by existing and planned public transport. The proposed development shall have regard to inter alia, national policy including the National Planning Framework, Urban Development and Building Heights Guidelines for Planning Authorities 2018, Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009 and Sustainable Urban Housing: Design Standards for New Apartments March 2018, local planning policy and the sites context and locational attributes.

Connectivity and Permeability

2. Further consideration of documents as they relate to the proposed connections particularly to the north of the proposed development and potential future connections to the south, with regard to inter alia, 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. 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 6th December 2018 and contained in Appendix B of the Planning

Authority's Opinion (report dated 20th November 2018). 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:

1. A car parking management strategy for the proposed development which should have regard to existing and planned public transport which serves the area.
2. A layout plan should be provided that details the location and appropriate quantity of bicycle parking spaces.
3. Detailed drawings and supporting documentation of the proposed arrangements for the entrance to the proposed development and the proposed Woodbrook Avenue from the Old Dublin Road.
4. Details of the reservation provided for the proposed East Coast Cycle Trail.
5. The prospective applicant shall clarify with the Planning Authority, prior to the lodging of any application, as to whether a Draft Section 47 agreement should be submitted with the application concerning works which are proposed under the LIHAF agreement.
6. Prospective applicant should satisfy themselves that a Stage Two Natura Impact Statement is not required for the proposed development.
7. Additional cross sections at appropriate intervals showing the proposed development and the relationship with existing developments adjacent the site to the south. Drawings should be appropriately scaled. Site sections should be clearly labelled and located on a layout 'key' plan.
8. A full and complete drawing that details all proposed boundary treatments.

9. A plan of the proposed open spaces within the site clearly delineating the hierarchy of open spaces.

10. A site layout that details any areas to be taken in charge by the local authority.

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. Coras Iompair Eireann
8. Commission for Railway Regulation
9. Dun Laoghaire Rathdown 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

January 2019