



An
Bord
Pleanála

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

Inspector's Report on Recommended Opinion ABP-304875-19

Strategic Housing Development	126 no. dwellings (58 no. houses, 68 no. apartments) and associated site works
Location	Seamount Road via Seamount Abbey, Seamount Road, Malahide, Co. Dublin.
Planning Authority	Fingal County Council
Prospective Applicant	Ballymore Property Developments Limited
Date of Consultation Meeting	16 th August 2019.
Date of Site Inspection	13 th August 2019.

Inspector

Ronan O'Connor

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 site is located approximately 1km south-east of Malahide village. It is bounded by existing housing developments to the north-west, south and east. To the north and north-east, the lands are bounded by the former Golf Link lands, which is to be developed as a public park in the near future.

Vehicular access is from Seamount Road and is also accessible from Seamount Abbey. The application site measures c3.937 Ha.

3.0 Proposed Strategic Housing Development

The proposed residential development comprises 126 no. residential units (including 58 no. houses, 8 no. maisonettes and 60 no. apartments) accommodated in buildings ranging from single to 5-storeys (top floor set back), and all associated and ancillary site development, landscaping and boundary works, at a site measuring c.3.9ha (including public park c.0.63ha), at Seamount, Malahide, County Dublin.

The following details are noted:

Parameters	Site Proposal
Height	1-2 Storeys (Houses) 5 storeys (Apartment Block)

SHD Site	3.9 ha
No. of Residential Units	126 no. residential units (including 58 no. houses, 8 no. maisonettes and 60 no. apartments)
Open Space	3,661 sq. m. (Public Open Space) 1,575 sq. m (Private Open Space)
Car Parking	225 spaces
Bike Parking	134 spaces
Density (Net)	38 units per hectare

The breakdown of the accommodation is as follows:

Unit Type	No.	%
1-bed (Apartment)	20	16
1-bed (Maisonette)	8	6
2-bed (Apartment)	36	29
3-bed (Apartment)	4	3
3-bed (House)	22	17
4-bed (House)	36	29
Total	126	100

4.0 Planning History

ABP 302548-18

Grant revisions to internal layout and elevations of 13 no. houses permitted under ABP 244128 & F14A/0106.

PL06F.244128

Grant permission for 47 no. houses. The Board Order stated that the pedestrian link from the site to Oak Hall is an important feature of the overall coherent planning for the area. Conditions of note included:

- Condition 2: No development shall take place until the lands for the adjoining public park (as indicated on drawing number ST-007 by Linda Sherlock Architects) has been ceded to the ownership of Fingal County Council.

Reason: In the interest of the amenities of the area.

- Condition 3: Prior to the commencement of development, details of the proposed pedestrian link between the proposed development and the adjoining Oak Hall site shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of the amenities of the area.

PL06F.244129

Permission was refused for 14 no. 2 storey houses. The reason for refusal was as follows:

1. The proposed development on the steeply sloping restricted site would not provide an appropriate form of public access to the proposed New Public Park on the elevated former Malahide Golf Links lands adjoining to the north of the subject site, as required under the Specific Objective 'Indicative Cycle/Pedestrian Route' as set out in the 2011-2017 Fingal County Development Plan, along Seamount Road and then northwards through the subject site, by reason of the steep gradient and unsuitable layout of the public access proposed through these lands and the lack of provision of resting points at regular intervals. The proposed development would, therefore, seriously injure the amenities of the area and be contrary to the proper planning and sustainable development of the area.

5.0 National and Local Policy

5.1. 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.

5.2. 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 (2019).
- Sustainable Urban Housing: Design Standards for New Apartments (2018).
- Childcare Facilities – Guidelines for Planning Authorities.
- Urban Development and Building Heights – Guidelines for Planning Authorities 2018.
- The Planning System and Flood Risk Management' (including the associated 'Technical Appendices') (2009).

5.3. Fingal County Development Plan 2017-2023

Zoning

The part of the site accommodating the 126 residential units is zoned 'RS' (Residential), the objective of which is:

'Provide for residential development and protect and improve residential amenity'.

Part of the site is land zoned 'OS' (Open Space), the objective of which is:

'Provide recreational and amenity resources for urban and rural populations subject to strict development controls. Only community facilities and other recreational uses will be considered and encouraged by the Planning Authority'.

There are a number of policies within the Development Plan relating to residential development.

Specific Local Policies and Objectives:

Specific Local Area Objective 52 relates to the subject lands and states:

'Facilitate the provision of pedestrian linkages from east-west from The Hill to Robswall and north-south along part of the old Malahide to Portmarnock walkway route.'

5.4. Nature Heritage Designations

The site is located c. 0.76km to the south of Malahide Estuary SAC (site code 000205), 0.76km to the south of Malahide Estuary SPA (site Code 004025), 2.8km to the north of Baldoyle Bay SAC (site code 000199) and 2.8 km to the north of Balydoyle Bay SPA (site code 004016).

6.0 Section 247 Consultation(s) with Planning Authority

The Local Authority submitted there were two formal S 247 meetings held between the applicant and the planning authority and the issues raised are summarised below:

Pre-247 Meeting (06/03/2019)

Proposal

- Proposal for 120 units.
- Density of 40 unit/ha.
- Topography sensitive with coastal views/aim to protect residential amenities.

Transport

- Parking provision acceptable.
- Traffic counts not required.

Parks and Green Infrastructure

- SUDs should not form part of the 10% open space provision.
- Boundary treatment to the park should be shown.
- Pedestrian links need to be clearly indicated.
- Tree survey required.

Other

- AA Screening is required.
- Site sensitivity to the south-west.

Pre-247 Meeting (18/06/2019)

Proposal

- Proposal 126 residential units.
- Generates a density of 35-50.
- Proposed to densify the centre of the subject site – meeting the sloping hill.
- Proposal links two separate sites.
- Larger housing mix than previously permitted scheme.
- 2 storey dwellings along the boundary.

Part V

- 12 units to be provided.
- Provision agreed in principle.
- Applicant to engage with Housing.

Transport

- Map to be provided showing areas taken in charge.

- Cul-de-sac parking needs passive surveillance.
- Bike parking to be provided in separate lockable cages.
- Parking quantum – 64 for apartments, 37 visitor and 2 per houses.
- Electric charging points need to be provided.
- Shared surfaces need to be addressed.

Parks & Green Infrastructure

- Area less than 500 sq. m. won't be taken in charge.
- Boundary treatment.
- Public open space requirement met.
- Tree survey required.

Water Services

- SUDS measures should be located outside green space.
- Move away from the provision of tanks.
- No Irish Water constraints.

Other

- Stark difference between single storey and two-storey dwellings along entrance road from Seamount Road.
- Additional shadow analysis required.
- Elevational change to apartment block is welcomed.
- Brick finish to be shown on site.

7.0 Prospective Applicant's Case

7.1. The application was accompanied by the following:

- Pre-Planning Report and Statement of Consistency
- Cover Letter and SHD Application Form for Section 5 Consultation
- Letter of Consent from Fingal County Council including 1 no. site location map

- Section 247 Pre-Planning Minutes
- Letter from Irish Water including map
- Appropriate Assessment Screening Report
- Daylight and Sunlight Assessment Report
- Public Lighting Report
- Traffic and Transport Assessment
- Preliminary Construction and Waste Management Plan
- Engineering Assessment Report
- DMURS Statement
- Flood Risk Assessment
- Childcare Needs Assessment
- Architectural Design Statement
- Housing Quality Assessment

7.2. **Planning Report and Statement of Consistency**

The applicant's case is set out in in general terms within the Pre-Planning Report & Statement of Consistency and can be summarised as follows:

National Planning Framework

- The proposed development is consistent with the National Planning Framework promotion of more compact urban growth that delivers a more sustainable level of residential density than previously permitted on this site.

Regional Spatial Strategy for the Eastern & Midlands Region (2019)

- Is consistent with the Regional Spatial Strategy for the Eastern & Midlands Region in that it seeks to further consolidate residential and infrastructure development within an existing settlement.

Smarter Travel – A Sustainable Transport Future 2009-2020

- The proposal will provide a compact urban form within an established residential area proximate to Malahide town.

Sustainable Residential Guidelines in Urban Areas (2009)

- The density of c.38 units per Ha is compliant with the Sustainable Residential Guidelines in Urban Areas (2009).
- The recent developed Jameson Orchard residential scheme to the east (PA Ref F09A/0015 & ABP Ref 235190) establishes a reasonable planning precedent for net residential density.
- Given the walking distance is greater than 1.5km to Malahide (c20 mins), the net residential density is within the acceptable range as outlined in the Guidelines.
- The application site is elevated and visible, with sensitive boundaries to low-profile neighbouring housing.

Urban Design Manual – A Best Practice Guide (2009)

- The proposal is compliant with the 12 criteria as outlined in the Urban Design Manual – A Best Practice Guide (2009), including providing connections to the public park, surrounding estates and to the Dart Station.

Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2018).

- Proposed apartments are designed to be in compliance with the Apartment Guidelines (2018).
- The site would be defined as a 'Peripheral and/or Less Accessible Urban Location', as outlined in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2018).
- In these locations, densities in the range of 35-45 dwellings per hectare are recommended.
- Malahide is not a principle employment centre and the site is not served by a high frequency bus service.
- Apartments achieve the floor areas requirements set out in the Guidelines as well as the achieving 53% Dual Aspect units.

Childcare Facilities – Guidelines for Planning Authorities.

- In relation to Childcare Provision, it is considered a childcare facility is not required at this site, due to the existing provision in the area, as well as a permitted Childcare Facility to the south-east of the site which can cater for 100 spaces – A Childcare Needs Assessment has been submitted.

Quality Housing for Sustainable Communities (2007)

- All houses will meet the standards set out in the guidelines and this is set out in the submitted Housing Quality Assessment (HQA).

Urban Development and Building Height Guidelines (2018)

- No tall buildings proposed in this scheme.
- The prevailing height is 1 and 2 storey.
- There is recent precedent for 3 and 4 storeys.
- Preliminary environmental studies demonstrate that the scheme is compliant in respect of sunlight/daylight impact.

The Planning System and Flood Risk Management

- A Site Specific Flood Risk Assessment has been submitted.
- The site is not at risk of flooding.

Design Manual for Urban Roads and Streets (2013)

- Proposed streets within the development comply with the standards as set out in the guidelines.

Fingal County Development Plan 2017-2023

- The proposals complies with the provisions of the Fingal County Development Plan 2017-2023.
- Development has been designed to have regard to the surrounding residential areas and protects existing residential amenity.
- In relation to the Core Strategy, the proposal will amount to approximately 11% of the units allocated for Malahide.
- Is consistent with the Settlement Hierarchy of the Development Plan.
- It provides an appropriate dwelling mix in line with the Development Plan.

- Will facilitate access and permeability to the future public park to the north-east of the site.
- Proposal includes a dedicated cycle/walkway through the site and an internal network of cycle/walkways.
- Uses being proposed on these 'RS' and 'OS' zoned lands are consistent with the zoning objectives for these lands contained within the Statutory Development Plan.
- As agreed with Fingal County Council the proposed playground area is located within the Open Space area to the east and contains a children's play area, along with other recreational facilities for residents and members of the public.

8.0 Planning Authority Submission

A response was received from the planning authority which is summarised as follows:

Density

- Net density of 38 units per hectare is acceptable.

Height

- Highest part of the development is located away from surrounding residential estates.
- Change in height from single storey to two storey along the main access route may give rise to a negative impact on the streetscape - application should readdress this section of the development.

Development Standards

- Room sizes, storage provision and private amenity space provision are considered to be acceptable.

Childcare Provision

- Have concerns in relation to the Childcare Needs Assessment submitted – estimate of childcare need generated by the development is considered extremely low.

- Planning Authority is aware that there is currently a shortfall in childcare provision in the Malahide Area.
- The permitted childcare facility at Jameson Orchard is not operating and therefore cannot be relied upon to serve the subject site.
- Application should be requested to consider the provision of a childcare facility as part of the proposed development.

Access and Transportation

- Applicant should amend the access road onto Seamount Road so the final 5 to 10m should be perpendicular to Seamount Road.
- Level of resident car parking and cycle parking provision is considered acceptable – 20 additional visitor cycles spaces are required.
- Methodology applied to the Traffic & Transport Assessment not acceptable – however applicant may be able to deliver mitigation measures through alterations of the timings of the light phases on the exiting junction at the R124 and Seamount Road.

Flood Risk and Surface Water/Water Supply

- Flood Risk Assessment should refer to the proximity of the existing reservoir and the implications it may have in relation to flooding.
- Applicant should amend their surface water drainage to incorporate additional SUDS measures.
- Applicant should engage with Irish and to secure a Statement of Design Acceptable in advance of submitting an SHD application.

Open Space and Landscape Proposals

- Boundary treatments should be clearly indicated/Landscape plan should be amended to show existing trees and hedges to be retained/planting plan to be submitted.
- Clarification is required on the exact number of play items to be provided.
- Application has met the requirement for 5,869 sq. m. Class 1 public open space with the transfer of land to the Council for the proposed park.

- Requirements for Class 2 has been met on site with an area of approximately 2,000 sq. m. shown.
- Pedestrian links to the play area and park should be improved/shared surface is not acceptable.

Other

- AA screening has ruled out impacts on nearby Natura 2000 sites.

8.1. **Interdepartmental Reports**

Housing Department- Agreement has been reached on unit types/unit costs will be subject to further negotiation within the Part V process in accordance with Departmental guidance.

- 8.2. Parks & Green Infrastructure – Boundary treatments should be clearly indicated/Landscape plan should be amended to show existing trees and hedges to be retained/planting plan to be submitted/clarification is required on the exact number of play items to be provided. Applicant has met the requirement for Class 1 public open space as a result of the transfer of land to the Council for the proposed park which is located to the north-east of the subject site. The applicant has also provided for the required amount of Class 2 open space on the site.

Transportation Department – Car parking is in line with minimum requirement/ Additional visitor cycle parking required. Methodology applied to the Traffic & Transport Assessment not acceptable/applicant may be able to deliver mitigation measures through alterations of the timings of the light phases on the exiting junction at the R124 and Seamount Road/request condition requiring the applicant liaise with the Operations Department to make any adjustments to the phasing of lights at the junction of the R124 and Seamount Road.

Community, Culture and Sports Department – No objection/No reference to provision of public art.

Water Services Section

Foul

Note existing water reservoir to the southern boundary of the site/main foul sewer outfall for the majority of the units is via third party infrastructure in the adjoining

Seamount Abbey Estate/additional details of connection and foul sewer invert level required in advance of submitting the full SHD application to ABP/Applicant engage further with Irish Water/foul sewerage should comply with relevant standards.

Surface Water

Recommended that sustainability of the proposal could be improved by incorporating additional SUDs measures/use of attenuation tanks not acceptable.

Water Supply

Applicant should comply with standards/code of practice/further engage with Irish Water.

Flood Risk

Consideration of the flood risk from possible mechanical or structural failure of the reservoir should be considered.

9.0 The Consultation Meeting

A Section 5 Consultation meeting took place at the offices of An Bord Pleanála on the 16th Day of August 2019, commencing at 11.30am. 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 as follows:

1. Design and Layout to include *inter alia*

- Density
- Internal layout
- Public realm

2. Transport Issues to include *inter alia*

- Cycle and pedestrian links
- Permeability
- Car parking provision
- Required infrastructure upgrades

3. Residential and Visual Amenity/Visual Impact
4. Childcare Provision
5. Any other matters

In relation to *Design and Layout*, An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following:

- ABP requested further justification of density for the proposed development, having regard to the proximity of the Dart station and other public transport options, and having regard to the criteria as set out in the Sustainable Residential Development in Urban Areas Guidelines (2009).
- The prospective applicant stated that the site was not readily accessible to public transport and stated that it was a 20min walk to the Dart Station.
- The prospective applicant also noted the elevated nature of the site which placed a constraint on the nature of the development that could be provided.
- The Planning Authority did not have an issue with the density and noted that it was a substantial increase in the density compared to the most recent planning permission on the site.
- ABP noted the need to provide higher densities at appropriate locations and noted it may be necessary to increase density of the proposed scheme, subject to design and visual impact considerations.
- General discussion between all parties in relation to the accessibility of the site having regard to existing, proposed and future pedestrian and cycle connections.
- ABP noted that walk times to Malahide Dart could be reduced by the provision of a pedestrian link through Oak Hall.
- Was highlighted that the Board previously considered that this was an important link when approving the previous residential development on the site/its provision was a condition of the previous approval.
- Prospective applicant noted they did not have the legal right to provide this connection/the change in levels was also an issue/may be possible to provide at a future date.

- ABP questioned the internal layout of the proposal including the necessity of the cars to traverse the entire length of the site in order to access car parking.
- ABP requested clarity in relation to the raised communal area serving apartment blocks and its relationship to garden areas of adjacent dwellings/Aspect of ground floor apartment units and proximity to car parking spaces.
- Planning Authority raised concerns in relation to the proposed shared surface area adjacent to the park.
- PA also raised concerns in relation to the boundary treatment adjacent to the proposed park and the lack of detail in relation to same.

In relation to *Transport*, An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following:

- Level of car parking provision – ABP stated this would need to be justified/Planning Authority satisfied with the level of provision.
- Planning Sightlines and site access - The Planning Authority noted the need to realign the final 5 to 10m of the access road off Seamount Road in order to provide adequate sightlines.
- The level of visitor cycle parking provided – The Planning Authority noted that one space should be provided for every two apartments/need to be shown on the drawings at applications stage.
- Further consultation with the Planning Authority in relation to alterations of the timings on the light phases of the existing junction at the R124 and Seamount Road.

In relation to *Residential and Visual Amenity*, An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following:

- ABP noted that any application should include a comprehensive assessment of daylight/sunlight and overshadowing impacts on surrounding residential development;
- ABP stated that the provision of additional CGI's from more viewpoints would be required at application stage. The CGI's as contained in the submitted Architectural Design Statement are limited and need to be further refined.

- Planning Authority raised concern in relation to potential visual impact, given the elevated nature of the site, and the proximity to surrounding residential developments.
- The prospective applicant noted that a Visual Impact Assessment had been carried out but not submitted as part of the pre-application documents.
- ABP noted that this will be required to be submitted with any application.

In relation to *Childcare Provision*, An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following:

- ABP stated that justification would be required if no crèche was to be provided.
- The submitted Childcare Needs Assessment noted there was no capacity at existing operational creches and makes reference to spare capacity at creches that are not yet operational.
- ABP sought clarity in relation to the permitted Jameson Wood crèche, closes to the site, and the potential for this to operate at a future date.
- The Planning Authority cited concern at lack of childcare provision and noted that the Jameson Wood crèche was not yet operational and may not be in the future. Therefore the applicant could not rely on capacity at this location in order to justify no childcare facilities.
- ABP requested the prospective applicant review the Childcare Needs Assessment in view of the above discussion, and noted the potential need to provide a crèche on the site.

In relation to Any Other Matters, An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following:

- ABP requested that the prospective applicant revise the Flood Risk Assessment to address the proximity to the adjacent reservoir, as per the concerns raised by the Water Services division of the Planning Authority, namely that the submitted FRA has not considered the proximity of the site to the adjacent reservoir.
- ABP requested the prospective applicants review the landscaping proposals, in particular the smaller open space areas, as they appear to be incidental to proposed development.

- ABP requested that any additional CGI's should show how landscaping will enhance overall scheme.

10.0 Consultation

Irish Water

Confirmation of Feasibility issued for this site for 125 residential units. The proposed development, as assessed for the Confirmation of Feasibility, is a standard connection, requiring no network or treatment plant upgrades for water or wastewater by either the customer or Irish Water. These connections will be through third party infrastructure so Irish Water will require proof of permission to connect from the third party as well as condition surveys of the existing infrastructure. Therefore, based upon the CoF, Irish Water confirms that subject to a compliant water and wastewater layout and a valid connection agreement being put in place between Irish Water and the developer, the proposed connections to the Irish Water networks can be facilitated.

11.0 Assessment

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 prospective applicants, 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 section 28 Ministerial Guidelines and local policy via the statutory plans for the area.

Conclusion

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 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.

12.0 Recommended Opinion

- 12.1. The Board 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.
- 12.2. 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 the constituting a reasonable basis for an application for strategic housing.

Residential Density.

1. Further consideration and/or justification of documents as they relate to the proposed residential density, having regard to the existing and future accessibility of the site to surrounding public transport options, including

Malahide Dart Station and to the nearest bus stops. Further consideration should be given to the provision of a pedestrian and cycle link through Oak Hall to the west and south-west of the site which would serve to improve the accessibility of the site. Any constraints relating to the provision of same should be set out in detail in any application. While the density of 38units/ha meets the minimum thresholds, justification is required for this density, having regard to the requirements to achieve and maximise efficient use of serviced lands. Therefore, further consideration of the density, or rationale for this density on this site, is appropriate. Particular regard should be had to the criteria relating to appropriate residential density, as set out in Sustainable Residential Development in Urban Areas Guidelines (2009). Further consideration of this issue may require an amendment to the documents and/or design proposals submitted.

Childcare Provision

2. Further consideration and/or justification of the documents as they relate to the provision of Childcare Facilities. The submitted Childcare Needs Assessment highlights that there is no capacity in existing operational creches to accommodate the predicted demand of 26 childcare spaces that would be generated by this development. The Childcare Needs Assessment assumes that this demand will be met by crèches that are permitted or constructed but not yet operational. This approach would not be acceptable to the Board, and certainty is required in relation to how the childcare demand generated by the scheme would be accommodated. Therefore, additional justification is required for the non-provision of childcare facilities. If justification is not possible, a childcare facility should be provided on the site. Particular regard should be had to the criteria as set out in Childcare Facilities – Guidelines for Planning Authorities (2001). Further consideration of this issue may require an amendment to the documents and/or design proposals submitted.

Pursuant to article 285(5)(b)(i) and (ii) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that the following specific information should be submitted with any application for permission:

1. Additional CGIs/visualisations/3D modelling showing the proposed development relative to existing development, including the surrounding residential development.
2. A report that addresses issues of residential amenity (both existing residents of nearby development and future occupants), specifically with regards to daylight/sunlight analysis, overlooking, overshadowing, overbearing and noise. The report shall include full and complete drawings including levels and cross-sections showing the relationship between the proposed development and nearby residential development. In addition, the relationship of the raised communal open space serving the apartment block to the private amenity areas of the adjacent dwellings should be clarified and more detail provided in relation to same.
3. A report that specifically addresses the proposed materials and finishes of buildings, landscaped areas and any screening/boundary treatment. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinct character for the development.
4. A plan of the proposed open space within the site clearly delineating public, semi-private and private spaces, and demonstration of its adequacy having regard to the 'incidental nature' of some of the smaller areas of open space.
5. Additional documentation relating to flood risk having regard to the report of the Water Services Division of the Planning Authority. A Flood Risk Assessment should be prepared in accordance with 'The Planning System and Flood Risk Management' (including associated 'Technical Appendices'), in particular having regard to the proximity of the site to the adjacent reservoir.
6. Revised proposals in relation to surface water proposals having regard to the report of the Water Services Division of the Planning Authority, namely the need to provision more sustainable surface water measures, in line with SUDs principles and the unacceptability of the attenuation tanks proposed.
7. Additional landscaping details having regard to the report of the Parks Division of the Planning Authority including clearly delineated boundary treatments, an amended landscape plan showing existing trees and hedges to be retained and

the provision of a planting plan. Clarification is also required on the exact number of play items to be provided.

8. Additional details in relation to Transport, having regard to the report of the Transportation Planning Department. In particular the prospective applicant should amend the alignment of the access route from Seamount Road and provide additional visitor cycle parking, as required. Improvements to the pedestrian access to the proposed park are also required including the provision of additional footpath infrastructure and/or additional details of the nature of the shared surface area adjacent to the proposed park.

9. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.

10. Waste Management Details.

11. Site Specific Construction and Demolition Waste Management Plan.

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. The Minister for Culture, Heritage and the Gaeltacht
2. The Heritage Council
3. An Taisce
4. Irish Water
5. National Transport Authority
6. Transport Infrastructure Ireland
7. Fingal County Council 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.

Rónán O'Connor
Planning Inspector

6th September 2019