



An
Bord
Pleanála

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

Inspector's Report on Recommended Opinion ABP-305232-19

Strategic Housing Development

611 no. apartments, 3 no. town houses, 2 no. cafes, 1 childcare facility, demolition of 1 no. existing sports & social club, change of use of Mount Errol from existing office use to private residents member's club & gym and associated site works.

Location

Former RTE Lands at RTE Campus Montrose, Stillorgan Road and Ailesbury Close, Donnybrook, Dublin 4.

Planning Authority

Dublin City Council South

Prospective Applicant

Cairn Homes Properties Ltd.

Date of Consultation Meeting

1st October 2019

Date of Site Inspection

20th September 2019

Inspector

Erika Casey

Decision Quashed

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 subject site with an area of 4.09ha formerly comprised part of the RTE campus at Montrose, Donnybrook, Dublin 4. The main site is 3.5ha and excludes a strip of land under the ownership of RTE comprising a Right of Way linking the Stillorgan Road Airfield junction with the development site through the RTE campus and also a strip of land to the north at Ailesbury Close in the ownership of DCC.

2.2 The site is located adjacent to the Stillorgan Road and its associated QBC and is c. 1.3 km from the nearest DART station – Sydney Parade. It is located approximately 3km to the south of Dublin City Centre. The proposed Core Bus Corridor 13 (Bray to City Centre), which is part of Bus Connects is proposed along the Stillorgan Road. The site is approximately 500m southeast of Donnybrook village centre. It is also located in close proximity to St. Vincent's Hospital (c. 1km), UCD (c. 1km) the RDS (c. 1km) and Elm Park Green (c. 2km.)

2.3 To the northwest, the site adjoins 2 no. apartment complexes at Belville and Ailesbury Court, both of which are accessed off Ailesbury Close. To the west, the site is bound by two single storey semi-detached dwellings – Belville House and Belville Lodge. To the north, are the private rear gardens of existing residential dwellings located along Ailesbury Road, Seaview Terrace and Nutley Road, including the rear garden of the German Ambassador's Residence. A number of the dwellings to the north are protected structures.

2.4 The site itself comprises primarily of landscaped open space. It has a relatively level topography. There are mature trees located along the boundary with the Stillorgan Road to the southwest and with Belville, Ailesbury Close and the rear of no. 89 Ailesbury Road to the northwest. There are a number of existing structures on the site including 3 no. car parks, 1 studio set, 2 office buildings including Mount Errol House (a protected structure) and associated stables building and 1 no. recreational/leisure facility. Mount Errol is a mid 19th Century suburban villa and was originally part of the Pembroke Estate. The site also accommodates an internal access road linking the subject site with Ailesbury Close to the northwest and the RTE campus to the east and 2 no. gated pedestrian links providing access to Stillorgan Road to the southwest.

2.5 The site is served by 3 vehicular access points. The main entrance is via the Stillorgan Road Airfield Park junction to the south west of the site, which also provides access to the adjacent RTE campus. There is also an access point via Ailesbury Close to the northwest and via an internal road linking Nutley Road to Ailesbury Close, connecting the adjoining RTE campus with the development lands.

3.0 Proposed Strategic Housing Development

3.1 The proposed development comprises the construction of 611 no. apartments, 3 no. townhouses, 2 no. cafes, 1 no. childcare facility, a resident's members club and ancillary residential facilities.

3.2 In summary, the development comprises:

- Demolition of 1 no. existing sports and social club (c.1,233 sq. m.), the existing Fair City set (630 sq. m.), 1 no. existing c. 1.5m high wall running east west adjacent to the internal road, 1 no. shed (c. 31 sq. m.), 1 no. security hut (c. 5 sq. m.), extensions to Mount Errol and Stable buildings (c. 100 sq. m.).
- Construction of 611 no. apartment units across 9 no. blocks forming a perimeter around a central open space ranging in height from 4 no. storeys (c.12.6m) to 10 no. storeys with a maximum height of 33.9m.

- Construction of 3 no. 3 storey, 236 sq. m. 5 bed townhouses and parking to the northwest of the site adjacent to Ailesbury Court.
- Provision of 1 no. 180 sq. m., café, 1 no. 400 sq. m. childcare facility, 1 no. 154.9 sq. m. concierge facility and 3 no. ESB substations.
- Change of use of Mount Errol from existing office use (380 sq. m.) to 260 sq. m. resident's gym at basement level (including a 60 sq. m. new extension) and a c. 180 sq. m. residents member club at ground level.
- Refurbishment of Mount Errol Stables building (122 sq. m.) and change of use from unused storage to c. 146 sq. m. café including open mezzanine at first floor level with ancillary outdoor courtyard.
- A total of 10,620 sq. m. of landscaped public open space across 5 primary character areas including existing woodland, a formal landscape in front of Mount Errol House, a central space acting as a node within the public open space; an entrance square at the south-eastern part of the development and an extensive multifunctional open lawn. A primary circulation route is proposed through the open space.
- Vehicular and pedestrian entrance to the southeast of the site at the Stillorgan Road (R138) Airfield junction and to the northwest of the site from Ailesbury Close. A pedestrian entrance is also provided to the south along the Stillorgan Road providing access to the central open lawn area.
- 21,125 sq. m. of basement providing 595 no. car parking spaces, 784 no. cycle parking spaces and other ancillary services.

3.3 The breakdown of apartments is as follows:

Unit Type	No.	%
1 bed	176	29
2 bed	376	61
3 bed	59	10
Townhouses		
5 bed	3	

3.4 The key parameters of the scheme are as follows:

Parameter	
No. of Apartments	611
No. of Townhouses	3
Site Area	3.5ha
Density	175 units per ha
Plot Ratio	1.82
Site Coverage	23%
Heights	4 to 10 storeys (to 33.9m)
Dual Aspect	50%
Open Space	10,620 sq. m.
Childcare	400 sq. m
2 no. Cafe	180 sq. m and 146 sq. m.
Concierge	154.9 sq. m.
Residents Gym	260 sq. m.

Residents Member Club	180 sq. m.
Car Parking	595 spaces
Bike Parking	784 spaces
Part V	62 apartments (31 no. 1 bed units and

4.0 Planning History

4.1 There have been a number of previous applications pertaining to the subject site, the most relevant of which are summarised below:

An Bord Pleanála Reference 303097 Planning Authority reference SHDPAC0006/18

4.2 Consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016. Withdrawn.

Application 3897/18

4.3 Permission sought for the construction of a surface car park containing 143 parking spaces (which includes the reconfiguration of 41 car parking spaces permitted under Reg. Ref. 3094/16) on the former main access road to the RTE Campus at Nutley Lane. Decision pending.

Application Reference 2874/17/An Bord Pleanála Reference 248946

4.4 Permission was granted by An Bord Pleanála in January 2018 for a development comprising the relocation of the Fair City film set comprising 11 sets including internal roads and footpaths, provision of a new road and fence along boundary of set and all associated works.

Application Reference 3094/16

4.5 Permission granted by Dublin City Council in October 2016 for a development

comprising a new access junction from Stillorgan Road. The development also provided for the closure of the existing main access/egress to the RTE lands from Nutley Lane; reconfiguration of existing surface car parking area; demolition of existing single storey crèche building; and works to Stillorgan Road including new westbound right turn lane to RTE lands, new eastbound left turn lane to RTE lands, provision of a new central median, pedestrian crossings, realignment of road markings, new footpaths and cycle lanes.

- 4.6 The access junction was seen as a necessary component to facilitate the ongoing consolidation of the campus and the disposal of development lands to the northwest of the site, which form part of the subject site.

Application Reference 2682/16

- 4.7 Permission granted by Dublin City Council in July 2016 for the change of use of Montrose House from office and administration use in association with RTE to use as a crèche.

Application Reference 4057/09/An Bord Pleanála Reference 236717

- 4.8 A 10 year permission was granted by the Board in April 2010 for a new broadcasting facility at the RTE campus. This development comprised a 6.98ha site within the overall RTE campus and included a large portion of the site subject of this opinion. The facility included 103,553 sq. metres of the development and ranged in height from 10.7 metres to 36 metres over a double basement. The development provided for:

- Demolition of the remaining walled garden formerly associated with Mount Errol and other buildings on the site.
- The provision of a commercial building (Block 1) of 6 storeys ranging in height from 28.5m to 36m at the southern end of the site.
- The provision of a studio building (block 2) to the north of the site ranging in

height from 19.5m to 28.5 m.

- Construction of a third block ranging in height from 10.7m to 19.5m to the rear of the residential properties to the northeast.

5.0 National and Local Planning Policy

5.1 Section 28 Ministerial Guidelines

5.1.1 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 section 28 Ministerial Guidelines are:

- 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual') 2009.
- 'Design Standards for New Apartments – Guidelines for Planning Authorities', as updated March 2018.
- 'Design Manual for Urban Roads and Streets' 2013.
- 'The Planning System and Flood Risk Management' (including the associated 'Technical Appendices') 2009.
- 'Childcare Facilities Guidelines for Planning Authorities' 2001.
- 'Urban Development and Building Heights – Guidelines for Planning Authorities', 2018.
- 'Architectural Heritage Protection Guidelines for Planning Authorities', 2011.

5.2 Dublin City Development Plan

5.2.1 The subject site is located in the administrative area of Dublin City Council and the operative Development Plan is the Dublin City Development Plan 2016-2022.

5.2.2 The site is subject to 2 different zoning objectives. The western part of the site (0.8ha) is zoned Z2: "*Protect and/or improve the amenities of residential conservation areas*". The main part of the site (3.2ha) is zoned Z12 "*To ensure existing environmental amenities are protected in the predominantly residential future use of these lands.*" With regard to the Z12 zoning it is stated:

“These areas include existing community and recreation related development including schools and colleges, residential health care institutions (e.g. hospitals) and other community uses (such as club meeting facilities including scout and guide halls). Significant ancillary facilities such as staff accommodation and dedicated open space and sport/recreational facilities are also included.

Where lands zoned Z12 are to be developed, a minimum of 20% of the site, incorporating landscape features and the essential open character of the site will be required to be retained as accessible public open space. The predominant land use on lands to be redeveloped will be residential and this will be actively encouraged.

In considering any proposal for development on lands subject to zoning objective Z12, other than development directly related to the existing community and institutional uses, Dublin City Council will require the preparation and submission of a masterplan setting out a clear vision for the future development of the entire land holding. In particular, the masterplan will need to identify the strategy for the provision of the 20% public open space requirements associated with any development, to ensure a co-ordinated approach to the creation of high quality new public open space on lands linked to the green network and/or other lands, where possible.

On Z12 lands, the minimum 20% public open space shall not be split up into sections and shall be comprised of soft landscape suitable for relaxation and children’s play, unless the incorporation of existing landscape features and the particular recreational or nature conservation requirements of the site and area dictate that the 20% minimum public open space shall be apportioned otherwise.

5.2.3 Relevant policies and objectives of the plan include:

QH7: *To promote residential development at sustainable urban densities throughout the city in accordance with the core strategy, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area.*

QH8: *To promote the sustainable development of vacant or under-utilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and the character of the area.*

CHC2: *To ensure that the special interest of protected structures is protected.*

SC14: *To promote a variety of housing and apartment types which will create a distinctive sense of place in particular areas and neighbourhoods including coherent streets and open spaces.*

6.0 Forming of the Opinion

6.1 Introduction

6.1.1 Pursuant to section 6(7) of the Act of 2016, regard is had in the forming of the opinion to the documentation submitted by the prospective applicant; the Planning Authority submissions and the discussions which took place during the tripartite consultation meeting. I shall provide a brief detail on each of these elements hereunder.

6.2 Documentation Submitted

6.2.1 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, the following:

Application Form, Cover Letter, Architectural Drawings, Architectural Design Report, Technical Report, Part V Report, Landscape Design Rationale, Arborist Report and Drawings, Environmental Report, Drainage and Watermains Report and Associated Drawings, Flood Risk Assessment, Outline Construction Management Plan, Outline Construction and Demolition Waste Management Plan, Inward Noise Assessment, Transport Impact Assessment, Microclimate Wind Report, Microclimate Sunlight, Daylight, Shadow and Light Effluence Report, Preliminary Visual Impact Assessment, Verified Photomontages, AA Screening and Natura Impact Statement, Archaeology Assessment, Energy Statement, Mechanical and Electrical Report, Conservation Report, Internal Daylight and Sunlight Analysis.

6.2.2 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. This statement has been submitted, as required. Key points from this statement can be summarised as follows:

- The design rationale is to provide a landmark development of increased height and density, with high quality urban frontage on a gateway to the City. The development will contribute towards the consolidation of Dublin City in accordance with national policy to shift away from current patterns of low density development towards more sustainable compact urban growth within the built up footprint of existing urban settlements.
- Retaining the existing character of the subject site is a key design feature of the development which will see the delivery of the new residential quarter in an urban parkland setting with increased vibrancy and permeability while incorporating Mount Errol House.
- The development promotes compact sustainable urban growth. It will generate economic activity and will place people close to existing services and employment within the existing footprint of Dublin City.
- The development will provide for a more efficient use of land on what is currently an underutilised suburban site. The provision of a high density development on a public transport corridor, adjacent to the Stillorgan Road QBC and in close proximity to Sydney Parade DART Station is consistent with national policy and the requirement to integrate land use planning and transport planning.
- The height of the proposed blocks is considered acceptable having regard to the location of the subject site on a public transport corridor and the layout and design of the blocks that taper down towards the site boundaries. Overlooking has been mitigated through innovative design, boundary treatment and adequate separation distances.
- The site will benefit from improved access and permeability for pedestrian and cyclists in line with DMURS while all desire lines are catered for with easy

pedestrian access through the site and from the site to the external street network and public transport connections in the vicinity.

- In terms of the Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities 2018, all of the units exceed the minimum floor areas for different apartment types. Over 50% of the units are dual aspect and the majority of the blocks contain between 5 and 12 units per core. All units meet or exceed the private open space requirements.
- Residential is listed as a permissible use under the Z2 and Z12 land use zoning objectives relating to the site. A masterplan for the subject lands in accordance with the Z12 objective has been prepared.
- Notes that proposed height is a material contravention of the Dublin City Development Plan. The development however, fully complies with the principles and criteria set out in the Height Guidelines which the Planning Authority must consider in assessing development proposals for buildings taller than prevailing heights in urban areas. Note that the site provides an opportunity to deliver urban frontage along Stillorgan Road through built form and presence, in a transitional area that moves from suburban to City.

6.2.3 I have reviewed and considered all of the above-mentioned documents and drawings.

6.3 **Planning Authority Submission**

Dublin City Council

6.3.1 In compliance with section 6(4)(b) of the 2016 Act the Planning Authority for the area in which the proposed development is located, Dublin City Council, submitted a copy of their section 247 consultations with the prospective applicant and also their opinion in relation to the proposal. These were received by An Bord Pleanála on the 17th of September 2019. The Planning Authority's 'opinion' included the following matters.

Planning Department

- During the pre-planning process the layout and design has evolved. The initial assessment considered the opportunities and constraints of the site. It was established that the northern boundary of the site is the most sensitive, given the residential dwellings along the boundary. Mount Errol House is a Protected Structure and there are existing views from the Stillorgan Road, which need to be maintained. The southern boundary fronting onto the Stillorgan Road is less sensitive given the size of the road. It was identified that the southern boundary is the area where height can be promoted and the rear of the site is more sensitive. The area around Mount Errol House is the setting of the Protected Structure and as such, any development should not compromise its setting.
- The design is based in an expression of a layered architecture, an outside area and an inside. For the outer 'crust' the area is comprised of small heavier anchor blocks which provide for privacy, enclosure and ultimately help to retain acoustic and visual amenity for the community. The southern blocks will provide the proposed neighbourhood with a distinctive place making identify at a range of scales along Stillorgan Road. Along the northern edge, these smaller blocks step down to mitigate potential effects on the Nutley Road residential area. The inner core will be comprised of a landscaped open space surrounded by several larger, framed, lightweight blocks. The blocks it is stated are appropriately scaled and proportioned to respond to the pedestrian community space and associated public realm.
- In the previous SHD, the Planning Authority commented on that there was concern regarding the façade treatment of the blocks facing onto Stillorgan Road particularly in relation the loss of the solid to void ratio in the repetitions of the balcony/terraces and that the design of the top two floors onto the Stillorgan Road appeared disjointed.
- The design of the blocks has been amended and the external façade treatments has been changed to a brick finish rather than stone in the front portion of the blocks. Brick divisions within the blocks is also proposed which

provides for a higher level of privacy to the residential units and allows for the development to appear more solid which was previously a concern. The PA welcomes the changes and consider that they improve the quality of the apartments and the appearance of the blocks from the Stillorgan Road.

- In relation to ground floor units, defensible landscaping is essential to the terrace areas to provide for privacy and security. The landscaping plan shows this but in blocks 6, 7, 8 and 9 some of the terraces areas for the apartments have not been shown. It is also noted that while many of the units focus their private open space from the communal kitchen, living and dining room, some of the balconies/terraces have the main part of it off a bedroom when it could be from the living room.
- The separation distance between opposing windows within the scheme is generally acceptable although there is some concern regarding blocks 7, 8 and 9 where it is reduced to 7m in parts.

Transport

- The subject site is affected by a Bus Connects proposal. The applicant is requested to engage with the NTA to ascertain how this proposal may impact upon the proposed development and revise plans accordingly. It should be demonstrated that the development will not inhibit the delivery of Bus Connects works along the Stillorgan Road.
- Concerns regarding the use of the Ailesbury Close entrance during the construction phase.
- The division is generally satisfied with the general scope, content and conclusions of the TIA.
- Clarity should be provided regarding the set down/drop off areas for the crèche and apartments at application stage.
- The requirement for cycle parking to be located at the café, residential amenity buildings and crèche should also be addressed.
- A preliminary construction management plan should be submitted as part of the final application.

- Clarification regarding the need for gates to be provided at the access ramps to the basement car park should be provided.

Drainage

- No objection to the proposal subject to the developer complying with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

Conservation

- Supports the removal of the existing buildings to the rear of Mount Errol House and the proposed works to undo some of the less successful alterations including dry lining and unsympathetic materials. Considers that the proposed use and associated works to the building are generally sympathetic to the character of the protected structure.
- Notes the significance of the RTE campus. The views of the new development from within the RTE campus should be clearly documented. Suggests that further refinement of the modelling is required. Massing and proportions of the highest buildings is required to reduce the impression that the buildings are top heavy.

Parks

- Note that the development proposals in close proximity to the Stillorgan Road will result in a loss of the perimeter tree belt. This is contrary to policy in the City Tree Strategy. Consider that the full tree belt to the Stillorgan Road should be retained and that the development should have an appropriate set back.
- Roof greening is recommended to approximately 70% of available flat or gently sloped roofs.

Housing

- Note that Cairn Homes have engaged with the Housing Departments in relation to the development and are aware of their Part V obligations pertaining to the site.

6.4 Prescribed Bodies

Irish Water (10.09.2019)

- Both the Irish Water and wastewater networks must be extended and in some places upgraded in size to accommodate this development. No third party or statutory consents are required for this work other than a road opening licence from the local authority.
- IW confirms that subject to a compliant water and wastewater layout and a valid connection agreement being put in place between IW and the developer, the proposed connections to the Irish Water networks can be facilitated.

Department of Culture, Heritage and the Gaeltacht (16.09.2019)

- The Department has examined the Archaeological Assessment submitted and consider the proposed mitigation of archaeological monitoring is appropriate in the context of the development. Considers that there is sufficient information included in the archaeological report to allow for an informed planning decision to be made with regard to archaeological impacts and likely impacts.

6.5 Consultation Meeting

6.5.1 A section 5 Consultation meeting took place at the offices of An Bord Pleanála on the 1st October 2019. 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.

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

- Height Strategy and Elevational Design
- Residential Amenity
- Bus Connects
- Car Parking and Transportation
- Any Other Matters

- 6.5.3 In relation to **Height and Elevational Design**, An Bord Pleanála sought further elaboration/discussion/consideration of the following: The height strategy for the subject site including design and massing of blocks along Stillorgan Road; the proposed use of materials and elevational treatment and design; visual impact assessment from the wider area, particularly along the N11 and from adjoining residential properties to the north.
- 6.5.4 In relation to **Residential Amenity**, An Bord Pleanála sought further elaboration/discussion/consideration of the following: location of private balconies and terraces; internal sunlight and daylight analysis; overshadowing studies; separation distances between blocks; extent of units per core in the context of SPPR 6.
- 6.5.5 In relation to **Bus Connects**, An Bord Pleanála sought further elaboration/discussion/consideration of the following: the proposal for Bus Connects along the Stillorgan Road; the need for consultation with the NTA and the need to ensure that proposed development will not infringe upon future development proposals associated with this project.
- 6.5.6 In relation to **Car Parking and Transportation**, An Bord Pleanála sought further elaboration/discussion/consideration of the following: the extent of car parking proposed having regard to the location of the site on a QBC and proposed Bus Connect route; comments of the Transportation Department of Dublin City Council regarding bicycle parking locations; set down and drop off areas serving the crèche and construction access from Ailesbury Close.
- 6.5.7 In relation to **Any Other Matters**, An Bord Pleanála sought further elaboration/discussion/consideration of the following: Natura Impact Statement, Masterplan in accordance with the Z12 zoning objective, boundary treatment between development site and RTE campus, function, use and management of proposed residential amenity spaces, maintenance and design of green walls.
- 6.5.8 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 ABP-305232-19'

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 and Recommendation

- 7.1 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.
- 7.2 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 plans for the area.
- 7.3 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: **constitutes a reasonable basis for an application under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.**
- 7.4 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

- 8.1 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.

8.2 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 would constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála.**

8.3 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 arising from this notification:

1. Notwithstanding that the proposal constitutes a reasonable basis for an application, the prospective applicant should satisfy themselves that the extent of car parking proposed is appropriate having regard to the strategic location of the site in close proximity to public transport connections including a QBC and a proposed Bus Connects Route.
2. A report which specifically addresses the proximity of the subject site to the emerging preferred route No. 13 of the Bus Connects Bray to City Centre Core Bus Corridor demonstrating that the proposed development will not impact on this route or future land acquisition required to facilitate same. The applicant is advised to discuss this matter with the NTA.
3. A report that specifically addresses the proposed materials and finishes to the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings, landscaped areas, pathways, entrances and boundary treatment/s. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for the development. The report should also demonstrate that the development provides the optimal architectural solution and sustainable development of the site and in this regard, the proposed development shall be accompanied by an architectural report and accompanying drawings which

outlines the design rationale for the proposed height and design strategy having regard to inter alia, National and Local planning policy, the sites context and locational attributes.

4. Landscaping proposals including and overall landscape masterplan for the development site including detail of tree planting, quantity, type and location of all proposed hard and soft landscaping including details of play equipment, public lighting, pedestrian entrances and boundary treatments. Detail to be provided regarding the design and management of proposed green wall systems.
5. A life cycle report shall be submitted in accordance with section 6.3 of the Sustainable Urban housing: Design Standards for New Apartments (2018). The report should have regard to the long term management and maintenance of the proposed development.
6. Visual Impact Assessment and Photomontages/CGI's to include additional views from the Stillorgan Road and where feasible, from the north from the rear gardens of existing residential dwellings located along Ailesbury Road, Seaview Terrace and Nutley Road.
7. Preliminary Construction Management Plan.
8. A report that addresses residential amenity, specifically how the development will limit the potential for overlooking and overshadowing within the proposed development and of adjoining development and should incorporate a comprehensive daylight and sunlight analysis addressing proposed units and open spaces. It should be demonstrated that all units have a satisfactory level of private amenity space and that all apartments primary balcony/terrace is accessible from the principal living, dining kitchen area.
9. A detailed schedule of accommodation which shall indicate compliance with relevant standards in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' 2018 and in particular SPPR 6.

10. A microclimate study of the overall development site (to address matters including down draft and wind tunnelling effects).

11. A Phasing Plan.

8.4 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. Dublin City 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.

Erika Casey
Senior Planning Inspector

7th October 2019