



An
Bord
Pleanála

**S. 6(7) of Planning and
Development (Housing)
and Residential
Tenancies Act 2016 (as
amended)
Inspector's Report on
Recommended Opinion
ABP-305519-19**

Strategic Housing Development

Demolition of all existing structures on site, construction of 309 no. student bedspace accommodation, 1 no. retail unit and associated site works.

Location

Prussia Street, Dublin 7.

Planning Authority

Dublin City Council

Prospective Applicant

Prussia Properties Ltd

Date of Consultation Meeting

7th November 2019

Date of Site Inspection

23rd October 2019

Inspector

Sarah Moran

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 site (stated area 0.285 ha) fronts onto Prussia Street and is bound to the rear by the TUD Grangegorman campus, currently under construction by the Grangegorman Development Agency (GDA) as part of the permitted SDZ scheme. The nearest Luas stop is c. 700m away, on the opposite side of the Grangegorman campus. Prussia Street is currently served by several bus routes and is a proposed Bus Connects corridor. The site abuts the boundary wall of the Grangegorman campus, which is a protected structure. The site is currently occupied by sheds / warehouses and yards in three separate plots. The road frontage is to the west, the TUD campus is to the east and there are further warehouses/ sheds and yards to the south. There are two storey residential properties to the north within St. Joseph's Place, some of which abut the northern site boundary. No. 29 Prussia Street, a large, three storey Georgian house, adjoins the southern end of the Prussia Street site frontage. This is a protected structure, RPS ref. 6873, rated as Regional importance in the NIAH. The Park Shopping Centre, which contains several neighbourhood facilities including a post office, a gym and medical centre, is nearby to the north. There is a double yellow line at the road frontage of the site with no on street parking.
- 2.2. Prussia Street is identified as a spine route in the revised Bus Connects network that is currently subject to public consultation.

3.0 Proposed Strategic Housing Development

- 3.1. The proposed development involves the demolition of all existing structures on site. The basement / ground floor of the development runs the entire length of the northern side of the site and contains communal areas and amenities including gym, study rooms, lecture theatre / cinema, laundry and canteen. There is a retail unit at ground floor level at the Prussia Street frontage, with direct access to the street. The ground floor of the front elevation of Block A is set back from the street frontage to provide a public plaza at this location and to maintain the building line of no. 29 Prussia Street, with an overhang of the upper floors of Block A. A vehicular servicing bay is also to be provided at the Prussia Street frontage, to take the form of a continuous dished kerb, maintaining pedestrian usage of the full footpath when servicing operations are not being carried out.
- 3.2. There is an external circulation area, cycle parking area and refuse storage on the southern part of the site, which is to create a new pedestrian and cycle link between Prussia Street and the TUD campus with a new access at the campus boundary wall. This involves removing a c. 12m section of the boundary wall protected structure and creating a new entrance with signage at the campus frontage. The applicant has consulted with the GDA, which is stated to be generally supportive of the link, with a preference that it not be closed off or secured at any time. Aside from the circulation space on the southern side of the site, there are external communal amenity spaces at podium (upper ground floor) level between the student accommodation blocks.
- 3.3. The student accommodation is provided in 4 no. blocks of 5 – 8 storeys as follows:
- Block A at the Prussia Street frontage. 5 storey over basement with a setback at 5th floor level.
 - Block B 6 storey over lower ground floor level with a set back at 5th floor level.
 - Block C 6 storey over lower ground floor level with a set back at 5th floor level.
 - Block D at the eastern end of the site, facing the TUD campus. 8 storey over lower ground floor level with a set back at 7th floor level.

All of the blocks are laid out parallel to the street frontage and run the entire width of the site, with an overhang over the circulation space at the southern side of the site.

3.4. The key points of the proposed development may be summarised as follows:

No. of student bedspaces	309 spaces in 43 no. units of 2 – 8 en-suite bedrooms with a communal kitchen / living area	
Total floor area	6,900 sq.m.	
Building height	5 (16m) – 8 (24.7m) storeys	
Plot ratio	3.0	
Site coverage	72.1%	
Residential accommodation	Accommodation ‘units’ of 2 – 8 bedrooms. Shared kitchen / living/dining rooms provided, minimum 4.75 sq.m. / bedspace.	
Ancillary facilities and communal areas	Ground floor communal area	330 sq.m.
	Canteen	162 sq.m.
	Ground floor lounge	440 sq.m.
	Gym	92 sq.m.
	2 x study rooms	94 sq.m.
	Lecture theatre / cinema	80 sq.m.
	Lwr ground floor lounge	36 sq.m.
	Lwr ground floor courtyard	39 sq.m.
	Lwr ground floor communal area	50 sq.m.
	Store room	26 sq.m.
	Bike store	67 sq.m.
	Total ancillary facilities	1,514 sq.m.
	Stated combined total amenity space of 7.4 sq.m. / bedspace	
	Also external communal open spaces at 1 st floor level in the areas between the student accommodation blocks.	

Retail unit	114 sq.m.
Car parking provision	0 Emergency vehicular access only.
Cycle parking provision	156 no. spaces
Water / wastewater	Connection to existing public sewer and watermain on Prussia Street. SUDS and attenuation tanks to restrict surface run-off to greenfield rate, to discharge to existing combined sewer on Prussia Street.
Part V	None, does not apply to student accommodation.

The proposed student accommodation is laid out in clusters of 2-8 no. en suite bedrooms including an accessible room with a communal living room / kitchen. It may be summarised as follows:

Unit Type	No. of Units	No. of Bedspaces	Area of Each Unit
Studio	255	255	13 sq.m.
Twin	27	54	12 – 22 sq.m.
Total	282	309	

4.0 Planning History

4.1.1. There is no planning history on file in relation to the subject site. The Student Accommodation Concentration Report submitted provides details of the following student accommodation developments permitted in the vicinity.

4.1.2. Reg. Ref. 2038/17 Park Shopping Centre Site

Permission granted to demolish the Park Shopping Centre and nos. 42-45 Prussia Street and to construct a new District Shopping Centre including supermarket, retail / non-retail units, licenced restaurants, medical clinic, car parking, service yards, waste connection areas and ancillary facilities. The permitted development includes student residential accommodation over the district centre buildings (15 no. student houses accommodating 105 no. student residential units and 541 bedspaces) in two buildings divided by a new pedestrian and bicycle street and urban plaza connecting

Prussia Street to the Grangegorman SDZ with a new connection through the boundary wall protected structure. The plaza is also designed to provide an appropriate contemporary setting for the Jameson House protected structure located on the opposite side of Prussia Street. The development has a height of 2 - 6 storeys over ground floor commercial at the northern side of the site and 4 – 6 storeys over ground floor commercial at the southern end of the site.

4.1.3. Reg. Ref. 4035/16 Lands to the Rear of 84-87 Prussia Street

Relating to a c. 0.5 ha infill site on the opposite side of Prussia Street, to the south west of the development site. Permission granted for demolition of existing vacant single storey commercial building and construction of student accommodation comprising 203 no. bedspaces in 32 no. student accommodation units. The permitted development involves a series of 1, 2, 3 and 4 storey buildings including a 4 storey building fronting onto Prussia Street.

5.0 **National and Local Planning Policy**

5.1. **Project Ireland 2040 - National Planning Framework**

- 5.1.1. 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**

- 5.2.1. Having considered the nature of the proposal, the receiving environment and the documentation on file, including the submissions from the planning authority, I am of

the opinion that the directly relevant section 28 Ministerial Guidelines and other national policy documents 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
- The Architectural Heritage Protection Guidelines for Planning Authorities
- Urban Development and Building Heights Guidelines for Planning Authorities
- Rebuilding Ireland- National Student Accommodation Strategy (2018)
- Dept. of Education and Science Guidelines on Residential Developments for 3rd Level Students Section 50 Finance Act 1999
- Dept. of Education and Science 'Matters Arising in Relation to the Guidelines on Residential Developments for 3rd Level Students Section 50 Finance Act 1999.'

5.3. Dublin City Development Plan 2016-2022

5.3.1. The site has the standard residential zoning objective 'Z1 – To protect, provide and improve residential amenities'. The Prussia Street frontage of the site is within a Conservation Area and Zone of Archaeological Interest.

5.3.2. Chapter 5 Quality Housing. Policy 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.

Section 5.5.12 on student accommodation states:

To plan for future expansion of third-level institutions and to accommodate growth in the international education sector, there is a need for appropriately located high quality, purpose-built and professionally managed student housing schemes, which can make the city's educational institutions more attractive to students from Ireland and abroad, and can also become a revitalising force for regeneration areas.

Policy QH31:

To support the provision of high-quality, professionally managed and purpose built third-level student accommodation on campuses or in appropriate locations close to

the main campus, in the inner city or adjacent to high-quality public transport corridors and cycle routes, in a manner which respects the residential amenity and character of the surrounding area, in order to support the knowledge economy. Proposals for student accommodation shall comply with the 'Guidelines for Student Accommodation' contained in the development standards.

- 5.3.3. Chapter 6 City Economy and Enterprise. Section 6.4 Strategic Approach recognises the need to enhance the role of Dublin as an education city and a destination of choice for international students. Policy CEE12(ii):

To promote and enhance Dublin as a world class tourist destination for leisure, culture, business and student visitors.

Policy CEE19:

(i) To promote Dublin as an International Education Centre / Student City, as set out in national policy, and to support and encourage provision of necessary infrastructure such as colleges (including English Language Colleges) and high quality custom-built and professionally-managed student housing.

(ii) To recognise that there is a need for significant extra high-quality, professionally managed student accommodation developments in the city; and to facilitate the high-quality provision of such facilities.

- 5.3.4. Policy CHC 2 is to ensure that the special interest of protected structures is protected. Development will conserve and enhance protected structures and their curtilage. Policy CHC 4 is to protect the special interest and character of all Dublin's Conservation Areas. Development within or affecting a conservation area must contribute positively to its character and distinctiveness, and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.

- 5.3.5. Chapter 16 Development Standards: Design, Layout, Mix of Uses and Sustainable Design. In particular the policy in infill development set out in section 16.2, guidelines for student accommodation set out in section 16.10.7; section 16.24 in relation to retail development; section 16.38 car parking and section 16.39 cycle parking. Development plan Variation No. 3, adopted September 19th 2017, amends section 16.10.7 such that the applicant will be requested to submit evidence to demonstrate that there is not an over-concentration of student accommodation within an area

including a map showing all such facilities within 1km of a proposal (previously 0.25 km).

- 5.3.6. Development plan section 16.7 building height. All areas are considered to be low rise unless the provisions of a LAP / SDZ / SDRRA indicate otherwise. The site is located in the 'inner city' as per development plan Map K. The plan allows for residential heights of up to 24m and commercial height of up to 28m at inner city / rail hub locations. The following standards also apply:

Plot ratio 0.5 – 2.0

Site coverage 45% - 60%

- 5.3.7. Development plan section 16.10.7 provides guidelines for student accommodation, including the following internal standards:

- Student accommodation to generally be provided by grouping study bedrooms in 'house' units, with a minimum of 3 bed spaces with an overall minimum gross floor area of 55 sq.m up to a maximum of 8 bed spaces and a maximum gross floor area of 160 sq.m.
- Single/double occupancy studio units that provide en-suite bathroom facilities and kitchenettes/cooking facilities will also be considered, with a minimum gross floor area of 25 sq.m and a maximum gross floor area of 35 sq.m.
- Within campus locations consideration will be given to the provision of townhouse, 'own-door' student accommodation with a maximum of 12 bed spaces per townhouse.
- Shared kitchen/living/dining rooms shall be provided, based on a minimum 4 sq.m per bed space in the 'house' and 'town house' unit, in addition to any circulation space.
- Minimum bedrooms sizes for 'house' and 'town house' units will be:
 - Single study bedroom: 8 sq.m (with en-suite shower, toilet and basin: 12 sq.m)
 - Twin study bedroom: 15 sq.m (with en-suite shower, toilet and basin: 18 sq.m)

- Single disabled study bedroom, with en-suite disabled shower, toilet and basin: 15 sq.m)
- Bathrooms: Either en-suite with study bedrooms/studio units or to serve a maximum of 3 bed spaces.
- Communal facilities and services which serve the needs of students shall be provided for, which include laundry facilities, caretaker/ security and refuse facilities (either on site or nearby within a campus setting).

6.0 Forming of the Opinion

6.1. 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:

Completed application form; Planning Report; Statement of Consistency; Architectural Design Statement; Plans, sections and elevations; Architectural Visualisation; Landscape Design Report and Drawings; EIA Screening Report; AA Screening Report; Engineering Services Report; Irish Water Confirmation of Feasibility Letter; Traffic and Transportation Statement; Flood Risk Assessment; Daylight and Sunlight Report; Student Accommodation Concentration Report; Student Accommodation Management Proposals.

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

6.3. Planning Authority Submission

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 submitted their opinion in relation to the proposal. These were received by An Bord Pleanála on 24th October 2019. The planning authority's 'opinion' included the following matters.

6.3.2. PA Comment on Principle of Development

- The map submitted with the application indicates that there are 11 student accommodation developments within 1 km of the site. However, these are located to the east of the site and there are a limited number of the student accommodation developments on the western side of the TUD campus. The applicant has set out that the campus would host 20,000 students by 2021, which the proposed development would serve. Dublin City Council considers that the development would not result in an over concentration of student accommodation in the area.

6.3.3. PA Comment on Height and Density

- City development plan site coverage standard of 45%-60% and plot ratio standard of 0.2 – 2.0 for Z1 lands. The proposed stated site coverage is 72.1% and the stated plot ratio is 3.0:1.
- The development sets no upper density limit for residentially zoned lands, including Z1, with each proposal to be assessed on its merits.
- The site is located adjacent to the TUD Grangegorman campus that will accommodate up to 20,000 students. It has good levels of connectivity to public transport links to the Broadstone bus and Luas stops as well as number of bus stops along Prussia Street. Given the central location of the site and the numerous public transport facilities in close proximity, it is considered that the site is underutilised and therefore a higher plot ratio is deemed acceptable in this instance, subject to an appropriate design response.
- It is accepted that the low-rise development that immediately adjoins the site to the south cannot pre-determine the building height for the application site, a regeneration opportunity in the inner city.

- SPPR 1 of the Building Height Guidelines is noted, which states that a planning authority shall not provide for blanket numerical limitations on building height. The development complies with development plan building height standards as per section 16.7.2 of the plan.
- The planning authority considers that the site meets the criteria set out in the Building Height Guidelines with regard to public transport connections and the provision of a link between Prussia Street and the TUD campus. It considers that the site is underutilised and is suitable for comprehensive redevelopment that is of a scale substantially more intensive than the existing site condition. However, there are concerns in relation to design, interaction with Prussia Street and public realm within the development. Also daylight, sunlight and overshadowing and conservation impacts.

6.3.4. PA Comment on Design and Layout

The planning authority states several concerns in relation to the design and layout of the scheme:

- The development may result in a poor quality, monolithic design with a predominantly horizontal emphasis, in particular Blocks A and D, which would be highly visible from the public realm. The planning authority is unconvinced that the proposed building typology is acceptable and recommends further consideration of the design of the development.
- The design response of 4 blocks in a perpendicular format across the site in ascending heights may not be appropriate.
- The development could present a monolithic appearance from both Prussia Street and the TUD campus and is considered bulky and inelegant. This element of the development requires further design development.
- The ground floor interface to Prussia Street. The retail unit would be behind a substation and parking area. This is considered a poor urban design response and would likely result in the provision of a poor quality commercial unit.
- The proposed route to the TUD campus would be via an undercroft and an unwelcoming route.
- Potential overhang of the public footpath at Prussia Street.

- Relationship of the 1st and 2nd floor levels of the development with the protected structure at 29 Prussia Street.
- The report of Dublin City Council Parks & Landscape Services dated October 16th 2019 is noted.

6.3.5. PA Comment on Impacts on Adjoining Properties

- Potential overshadowing impacts on St. Josephs Place. Three areas of private open spaces between nos. 11-15 St. Joseph's Place have not been assessed in the submitted Daylight, Sunlight and Overshadowing Study. The development would have a significant effect, substantially outside of BRE recommendations, upon nos. 1 and 2 St. Josephs Place as well as no. 29 Prussia Street. It is considered that additional assessment of the proposed impacts is required. The daylight and sunlight assessment should consider cumulative impacts along with the permitted redevelopment of the Park Shopping Centre, also the consented layouts within the TUD campus. There are limited details of non-compliance with the required Average Daylight Factor (ADF) value in accordance with BRE guidelines. The locations and uses of the rooms that have failed are unclear.
- Additional photomontages, sections and elevations are required to demonstrate the acceptability of the relationship with neighbouring residential properties.
- Comment of Parks & Landscape Services that consideration should be given to vertical greening or other visual mitigation of the facades facing St. Josephs Place.
- Proposed Block D is c. 2m from the TUD campus boundary with windows directly overlooking the campus. Potential significant impact on the development potential of adjoining lands within the campus.

6.3.6. PA Comment on Conservation Issues

- Includes report of Dublin City Council Conservation Officer (undated).
- Potential impacts on the adjoining protected structure, the historic street and the boundary wall. No Conservation Impact Assessment submitted. Need to consider potential impacts on the Conservation Area and the protected structures with an Architectural Heritage Impact Assessment. Need for contiguous elevations.

- Development is overbearing and out of keeping with the historic context of Prussia Street.
- Development should take account of the historic setback along the street, especially the setback of the protected structure at no. 29 Prussia Street.
- Excessive width of opening at the campus boundary would result in a significant loss of historic material. It would be preferable to create a small number of punched openings in the historic wall in order to create a 'gateway' or framed access to the site.
- Loss of urban grain. The site was originally three separate building plots.
- The site is located within a Zone of Archaeological Interest and an Archaeological Impact Assessment is required.

6.3.7. PA Comment on Quality of Student Accommodation

- The proposed student accommodation is considered to meet the standards set out in the development plan with regard to internal layout, public realm and communal amenity provision.

6.3.8. PA Comment on Traffic and Transportation

- Includes report of Transportation Planning Division dated 21st October 2019, which raised several concerns in relation to the following matters.
- Servicing and operations. Concern about all servicing (including servicing of the substation), deliveries, maintenance, refuse collection and student resident drop offs would occur from one service bay on Prussia Street. The siting of a service bay directly on Prussia Street is unacceptable. Failure to submit an Operations Plan. Lack of clarity as to how the development will be serviced.
- Overhanging of the public footpath. Letter of consent required.
- Encroachment of the public footpath by a service / loading bay. Insufficient width of remaining footpath.
- Lack of Traffic Impact Assessment, a preliminary Construction Traffic Management Plan and a Mobility Management Plan.

- Development meets development plan cycle parking standards. Further details of bicycle storage area required.

6.3.9. PA Comment on Drainage Issues

- The report of Dublin City Council Drainage Division dated 16th October 2019 is noted. No significant concerns are raised.

6.4. **Submission of Irish Water**

6.4.1. Irish Water has issued a Confirmation of Feasibility for 281 no. units.

6.4.2. The proposed development is a standard connection requiring no network or treatment plant upgrades for water or wastewater by either the customer or Irish Water. No third party consents are required for these connections to take place.

6.5. **Consultation Meeting**

6.5.1. A section 5 Consultation meeting took place at the offices of An Bord Pleanála on the 7th November 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:

1. Principle of student accommodation at the site. Quality of proposed student accommodation.
2. Visual impacts and interaction with the public realm, Prussia Street and the TUD Grangegorman campus. Impacts on residential amenities.
3. Conservation issues. Impacts on adjacent protected structures. Archaeology.
4. Traffic and transportation issues.
5. Any other matters.

6.5.3. In relation to the principle of student accommodation at the site and the quality of student accommodation, ABP representatives sought further elaboration / discussion on:

- Quantum of existing / permitted student accommodation in the area

- Relationship with TUD Grangegorman campus and Grangegorman SDZ scheme.
- City Development Plan objectives for the area
- Standard of student accommodation

6.5.4. In relation to visual impacts, interaction with the public realm and impacts on residential amenities, ABP representatives sought further elaboration / discussion on:

- Relationship with Prussia Street. Visual presence on the street. Footpath and access, public realm. Applicant to consult with the NTA regarding Bus Connects proposals.
- Relationship with TUD Grangegorman campus. Provision of new access, compatibility with adjacent campus layout with regard to pedestrian circulation. Visual impacts on the campus. Cumulative impacts along with other permitted developments.
- Impacts on St. Joseph's Place to the north. Overshadowing. Need for clarity of additional overshadowing. Relationship with podium level open space – overlooking and noise. Visual impacts. Cumulative impacts along with the development of the Park Shopping Centre and the TUD Grangegorman campus.

6.5.5. In relation to conservation issues, ABP representatives sought further elaboration / discussion on:

- Impacts on the TUD Grangegorman campus boundary wall protected structure.
- Impacts on the setting of no. 29 Prussia Street protected structure.
- Location of the site within a Conservation Area at Prussia Street.
- Location of the site within a Zone of Archaeological Potential.

6.5.6. In relation to traffic and transportation issues, ABP representatives sought further elaboration / discussion on:

- Concerns raised by Dublin City Council Transportation Planning Division in their report on file dated 21st October 2019.
- Applicant to carry out consultations with the NTA.

6.5.7. In relation to any other matters, ABP representatives sought further elaboration / discussion in relation to:

- Note that Irish Water have issued a Confirmation of Feasibility for 281 no. units. The pre-connection enquiry on file also refers to a 'mixed use development of 281 units'. This discrepancy would need to be clarified.

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-305519-19' 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 section 28 Ministerial Guidelines, and local policy, via the statutory development 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:

- Potential impacts on residential and visual amenities at St. Joseph's Place, No. 29 Prussia Street and other adjacent residential properties;
- The site frontage and interaction with the public realm at Prussia Street;
- The interface with the TUD Grangegorman campus,

details of which are set out in the Recommended Opinion below.

- 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 **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.
- 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. 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.
- 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 **requires further consideration and amendment to constitute a reasonable basis for an application** for strategic housing development to An Bord Pleanála.
- 8.3. 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:

8.4. Potential Impacts on Residential and Visual Amenities

Further consideration/justification of the documents as they relate to potential impacts on residential and visual amenities at St. Joseph's Place, No. 29 Prussia Street and other adjacent residential properties to include:

- Detailed sections and elevations
- Photomontages
- Assessment of overshadowing and impacts on natural daylight in adjacent habitable rooms and private amenity areas having regard to BRE guidance.
- The proposed development is to be designed to avoid direct overlooking of adjacent residential properties.
- The above issues are to be considered in the light of potential cumulative impacts along with the adjoining student accommodation and mixed use development permitted at the Park Shopping Centre under Reg. Ref. 2038/17 and the consented layouts within the TUD Grangegorman Campus SDZ planning scheme.

The further consideration of this issue may require an amendment to the documents and/or design proposals submitted relating to density and layout of the proposed development.

8.5. Frontage and Interaction with the Public Realm at Prussia Street

Further consideration/justification of the documents as they relate to the development frontage to Prussia Street to address the following issues:

- Delivery of a façade that has due regard to the historic context in a Conservation Area and the setting of the adjoining protected structure at No. 29 Prussia Street, with a high quality of design and finish, to include consideration of the building lines and setbacks at this location.
- Provision of a positive contribution to the public realm at street level that addresses issues raised by Dublin City Council Transportation Planning Division in their report on file dated 21st October 2019, including consideration of the status of Prussia Street as a potential Bus Connects spine route and the need to provide safe access for deliveries serving the commercial unit and maintenance

of the student accommodation. In addition, the applicant is to address the issue of overhanging of the public footpath, if occurring, and the need for a Letter of Consent, as identified by Dublin City Council Transportation Planning Division.

- Provision of a footpath with adequate width. Location of proposed substation and servicing bay such that they do not impact on pedestrian movements or the presentation of an active frontage to the street.
- Provision of an active frontage at street level and a legible interface between the proposed commercial unit, the entrance to the student accommodation and the new pedestrian / cycle connection between Prussia Street and the TUD Grangegorman campus.

The further consideration of these issues may require an amendment to the documents and/or design proposals submitted relating to density and layout of the proposed development.

8.6. Interface with TUD Grangegorman Campus

Further consideration/justification of the documents as they relate to the interface between the eastern side of the proposed development and the TUD Grangegorman campus to address the following:

- Provision of an attractive façade to the campus with a high quality of design and finish.
- Achievement of a seamless connection between Prussia Street, the public realm within the proposed development and the campus with details of any relevant security provisions / gates at either the Prussia Street or TUD Grangegorman campus entrances. Clarification of the exact extent of works to be carried out by the applicant, including any works on lands not within the applicant's ownership.
- Details of the interaction with the adjacent public realm within the campus, to include pedestrian circulation and public open space areas, also details of any consultations with the Grangegorman Development Agency and integration with the permitted Grangegorman SDZ planning scheme. Clarification as to who is to carry out works on the campus side of the boundary wall that are required to facilitate development.

- Assessment of visual impacts on the campus to include existing / permitted structures within the campus in the vicinity of the development.
- Consideration of potential impacts on the development potential of adjacent lands within the TUD Grangegorman campus.
- Further consideration of the extent of the campus boundary wall to be removed in view of its status as a protected structure and the requirement to retain as much historic fabric as possible while also addressing the need to provide an access of adequate scale to accommodate the projected volume of pedestrian and cycle movements between the campus, the proposed development and Prussia Street. The consideration should include assessment of cumulative impacts associated with the removal of historic fabric associated with other permitted new openings in the boundary wall.
- Provision of signage and wayfinding at the campus access.

The further consideration of these issues may require an amendment to the documents and/or design proposals submitted relating to density and layout of the proposed development.

8.7. 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. Photomontages, cross sections and Visual Impact Assessment to include views from Prussia Street, St. Joseph's Place and the TUD Grangegorman campus.
2. Student accommodation report to address the pattern and distribution of student accommodation in the locality including a map showing all such facilities within a 1km radius of the site.

3. Housing Quality Assessment to address the standards for student accommodation set out in section 16.10 of the Dublin City Development Plan 2016-2022.
4. Student Accommodation Management plan to provide details of the ongoing management of the proposed student accommodation, including any use of the facility as tourist accommodation outside of term times.
5. Operations Plan to address vehicular movements associated with servicing (including servicing of the substation), deliveries, maintenance, refuse collection and student resident drop offs.
6. Architectural Heritage Impact Assessment setting out the historical and architectural significance of the adjoining protected structure at No. 29 Prussia Street, to include contiguous elevations and sections. The assessment should also address the historic Grangegorman site, including boundary wall protected structure, and the historic context of the village of Stoneybatter and associated Conservation Area along this stretch of Prussia Street. The AHIA should assess the impact of the proposed development on this existing architectural heritage.
7. Archaeological Impact Assessment
8. Rationale for proposed building height to address policy on building height set out in section 16.7 of the Dublin City Development Plan 2016-2022, also the Urban Development and Building Height Guidelines for Planning Authorities.
9. Traffic Impact Assessment, a preliminary Construction Traffic Management Plan and a Mobility Management Plan. Rationale for the quantum and design of proposed cycle parking.
10. AA screening report to consider all designated sites within 15 km of the proposed development.

8.8. 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. An Chomhairle Ealaíon
5. Fáilte Ireland
6. Irish Water
7. Transport Infrastructure Ireland
8. National Transport Authority

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.

Sarah Moran

Senior Planning Inspector

25th November 2019