



An
Bord
Pleanála

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

**Inspector's Report on
Recommended Opinion
306506-20**

Strategic Housing Development	730 no. Build to Rent apartments, creche and associated site works.
Location	'Marmalade Lane', Gort Muire, Dundrum, Dublin 14.
Planning Authority	Dun Laoghaire Rathdown County Council
Prospective Applicant	Wyckham Land Limited
Date of Consultation Meeting	25 th February 2020
Date of Site Inspection	13 th March 2020
Inspector	F. Fair

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 and the documentation received from the prospective applicant, 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 subject site, with stated area of 3.9 ha gross / 3.6 ha net, is located at Marmalade Lane to the east of Gort Muire, Carmelite Convent in Dundrum. It is accessed from Wyckham Avenue, off Wyckham Way to the north west corner. It comprises an open field used as agricultural lands. The boundaries are delineated by modern post and rail fencing with some mature trees along the boundaries. There are no built structures on the site. Ground levels across the site vary to a degree of some 10m.

The site is proximate to Dundrum town center (600m approx.) St. Tiernan's College is located directly to the north. The Walled Garden is located to the north west. To the south and east there are existing mature residential two storey suburban housing. The rear gardens of Park Vale and Westley Lawns abutts the boundary. Ballawley Park is located directly to the south eastern boundary.

The site is located approx. 1 Km, by foot, from Ballawley Luas Stop and 1.3 Km from Kilmacud Luas Stop.

The uses of the immediate surrounding area are generally residential and educational. Wyckham Avenue presently serves several existing apartment complexes adjoining the site, which range in height from 5 storeys up to 8 storeys, with the apartments directly opposite the site rising to 6 storeys.

3.0 Proposed Strategic Housing Development

The proposed development submitted to the Board for pre-application consultation comprises a Strategic Housing Development of a Build to Rent (BTR) residential scheme comprising:

- 730 no. apartments within 7 no. blocks ranging in height from 5 to 15 storeys.
- The apartment mix will comprise:
 - o 162 no. 1-beds,
 - o 507 no. 2-beds and
 - o 61 no. 3-beds.
- All apartments will be provided with associated private balconies/terraces facing north/ south/ east/ west.
- A creche (c.501 sq. m),
- Resident's gym (c.535 sq. m),
- Residential amenities area (c.1155 sq. m) and
- Convenience shop / café (330sq.m).
- Provision of a total of 296 no. car parking spaces (24 of which are at surface),
- 860 no. bicycle parking spaces, and 30 no. motorcycle spaces.
- Vehicular connection via Wyckham Avenue.
- Additional pedestrian/cyclist accesses to Ballawley Park, Wesley Lawns/Greenmount Lane and St. Tiernan's Community School.
- All associated site development works and services provisions including bin storage areas, substations/switch rooms, plant rooms, boundary treatments and landscaping.

A Material Contravention statement has been submitted with regards to height.

3.1.1. The following details are noted: **Table 1**

Parameter	Site Proposal
Application Site	3.9 ha gross / 3.6 ha net
No. of Units	720 BTR apartments
Other Uses	<ul style="list-style-type: none"> - A creche (c.501 sq. m), - Resident's gym (c.535 sq. m), - Residential amenities area (c.1,155 sq. m) and - Convenience shop / café (330sq.m).
Residential Density	<ul style="list-style-type: none"> - 185 gross units / ha - 201 net units / ha
Site Coverage	26%
Plot Ratio	1:1.99 (based on net site area)
Building Height	5 - 15 Storeys
Public Open Space provision:	15,082 sq. m (41.7%)
Communal Open Space	6,554.7 sq. m (5,973.3 sq. m at ground level and 581.4 sq. m at roof level of Block C)
Car Parking	296 spaces (272 basement 24 surface)
Bicycle Parking	860 spaces
Motorcycle	30 spaces
Part V	63 X 2 beds and 12 X 3 beds in Block F
Dual Aspect	The scheme relies on 'dual bay' to provide 67% dual aspect units
Vehicular Access	From Wyckham Avenue

Table 2: The breakdown of proposed residential unit types is as follows:

Apartment Type	No.	Percentage
1 bed	162	21
2 bed	507	71
3 bed	61	8
Total	730	100%

4.0 National and Local Planning Policy

4.1.1. National

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')
- 'Sustainable Urban Housing: Design Standards for New Apartments' (2018)
- 'Design Manual for Urban Roads and Streets' (2013)
- 'The Planning System and Flood Risk Management' (including the associated 'Technical Appendices') (2009)
- 'Architectural Heritage Protection- Guidelines for Planning Authorities
- Urban Development and Building Heights, Guidelines for Planning Authorities (2018)

4.1.2. Local

The statutory Development Plan for the area is the Dun Laoghaire Rathdown County Development Plan 2016-2022

The site is zoned 'A' – 'To Protect and / or improve residential Amenity'. Therefore, Residential development is permitted in principle.

Policy Res5; Institutional Lands Designation, 'To protect and / provide for institutional uses in open lands.' INST Symbol as per the DLRDCDP is specifically situated on the Gort Muire buildings to the north west of the subject site.

There is an objective to protect and preserve trees and woodlands at this location. Two tree symbols located on the site, one to the eastern boundary and one to the western boundary of the subject site.

There are a number of protected structures within Gort Muire. Appendix 4 of the DLRDCDP lists the protected structures as RPS 1446 and RPS1453

The Core Strategy designates Dundrum as a Major Centre in the Metropolitan Area. The site is included in Figure 1.3 as part of the 410 hectares of serviced land which it states are to yield 18,000 residential units. Section 1.2.5 of the Plan goes on to state, 'In addition to the major parcels of zoned development land detailed above, the ongoing incremental infill and densification of the existing urban area will generate, over time and on a cumulative basis, relatively significant house numbers.' Dundrum is also subject to a new LAP (not yet prepared).

Chapter 2 of the Plan outlines that the Council is required to deliver c. 30,800 units over the period 2014 2022, through three stands, namely: 'increasing the supply of housing: ensuring an appropriate mix, type and range of housing, and promoting the development of balanced sustainable communities.'

Housing Policies are set out in section 2.1.3 of the Plan. Of particular relevance are

RES3: Residential Density

RES4: Existing housing stock and densification

RES7: Overall Housing mix

ST2: Integration of land use and transportation policies.

ST19: Travel Demand Management

ST23: Car Clubs

ST27: Traffic and Transportation Assessment and Road Safety Audits

Section 4.2 considers open space and recreation

Section 7.1.3 covers community facilities including 'Policy SIC11: Childcare Facilities.

Chapter 8 refers to principles of development and contains the urban design policies and principles for development including public realm design, building heights strategy and car and cycle parking.

5.0 **Planning History**

The following is a summary of the planning history on the subject site.

ABP Ref.: 304590-19

Address: "The Walled Garden", Gort Muire, Dundrum, Dublin 14

Final Decision: Grant

Decision Date: 16 September 2019

Description: Residential development of 5 storeys in height over 4 no. blocks on a site of c. 1.0894 ha. Overall, the proposed residential scheme shall provide for 116 residential apartments.

DLR Reg Ref: D15A/0772 / ABP Reg Ref: PL06D.246252

Address: "The Walled Garden", Gort Muire, Dundrum, Dublin 14

Final Decision: REFUSE

Decision Date: 5TH July 2016

Permission was refused by the planning authority, and subsequently by An Bord Pleanála, for the construction of 108 no. apartments in two separate blocks over four storeys with basement car parking along with 6 duplex units within the Farm Building Complex.

DLR Reg Ref: D06A/1588

Address: "The Walled Garden", Gort Muire, Dundrum, Dublin 14

Final Decision: Grant

Decision Date: 24 May 2007

Permission was granted, and in September 2011, an extension of duration was approved, for the construction of 47 no. dwelling units at the site. The proposed development comprised 40 no. mews style dwellings with associated gardens and private terraces located within the Walled Gardens, the walls of which will be retained in their entirety with a modified entrance archway. The existing associated farm outbuildings and yard were to be partially retained/ refurbished and partially demolished and rebuilt in modern construction and would be 2 storey in height. This permission and extension of duration have now lapsed.

Wyckham Place Apartment Scheme Applications

The following four applications relate to a large site area to the north and south of Wyckham Avenue/Place. This area now contains the Wyckham Place and Wyckham Point apartment developments.

DLR Reg Ref: D04A/0836

Final Decision: Grant

Decision Date: 9th September 2004

Permission was granted for a conservatory extension to apartment numbers 12 and 26 (Third Floor, Block 2) of 'Wyckham Place'.

DLR Reg Ref: D02A/1264 /ABP Reg Ref: PL06D.203222

Final Decision: Grant

Decision Date: 13th October 2003

Permission was granted for 96 Apartments comprising 19 x 1 bed, 62 x 2 bed and 15 x 3 bedroom units in 2 Blocks ranging 4 to 6 storeys in height with associated underground and surface car parking and site development works.

Wyckham Point Applications

A number of applications relate to the land south of Wyckham Place. Five of these applications consist of modifications to the parent permission D04A/1168.

DLR Reg Ref: D04A/1168 / ABP Reg. Ref: PL 06D.213291

Final Decision: Grant

Decision Date: 30th January 2006

Permission was granted by An Bord Pleanála for a residential development in three blocks. The number of units applied for was 541 but this was reduced by way of condition.

This development was subsequently amended by D06A/0908, D06A/1421, D07A/0193, D07A/1733 and D10A/0654.

6.0 Section 247 Consultation(s) with Planning Authority

- 6.1.1. A formal pre-application meeting under Section 247 of the Act was undertaken with Dun Laoghaire Rathdown County Council (the Planning Authority) on the 26/09/2019.

7.0 Submissions Received

7.1.1. Irish Water

Irish Water advises that subject to a valid connection agreement being put in place, the proposed connection to the Irish Water network for this development can be facilitated.

Irish Water has issued a conformation of feasibility for this development for 801 residential units.

Wastewater: As stated in the confirmation of feasibility, IW assessed the capacity of the downstream foul network as part of this assessment and confirms that this connection is feasible subject to local network upgrades which will not require 3rd party consents or permissions. A future capital scheme may be considered to create further capacity, but this proposal does not impinge on the progression of this development.

Water: Flow and pressure texting will be required at connection application stage to confirm the level of upgrades to the local water network required, however, it is not expected that these upgrades will require 3rd party consents or permissions.

The CoF to connect to the IW infrastructure does not extend to the applicants flow requirements.

8.0 Forming of Opinion

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 brief detail on each of these elements hereunder.

9.0 Documentation Submitted

The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017. This information included, inter alia, completed application form, planning report, Part V documentation, IW pre connection enquiry, architectural design statement and accompanying drawings, a statement of consistency, material contravention statement, EIAR Summary, Engineering Planning Report, site specific flood Risk Assessment, Traffic and Transport Assessment, Bat and Fauna Study, Ecological impact Assessment, Screening for Appropriate Assessment, Preliminary Architectural Heritage Assessment, Cultural Heritage impact Assessment, NZEB and

Part L Planning Report, Daylight and Sunlight Assessment, Photomontages, Arboricultural Assessment (Tree Survey) and Landscape Plans.

I have considered all of the documentation submitted by the prospective applicant, relating to this case.

10.0 **Planning Authority Submission**

In compliance with section 6(4)(b) of the 2016 Act the planning authority for the area in which the proposed development is located, Dun Laoghaire Rathdown County Council, submitted a note 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 20th February 2020.

The planning authority's 'opinion' included the following matters: copies of record of section 247 consultation, planning history; site location, Development Plan Policy and zoning, height, receiving environment, design form and layout, open space trees and recreational amenity, supporting community infrastructure, refuse storage / waste plan/ CMP, Flooding / Drainage, Transportation, Taking in charge, Part V, Parks / Landscape / Biodiversity, AA, Development Contributions, together with appendices containing reports of internal departments.

The report addresses the following:

- The p.a. is concerned that aspects of the proposal such as the convenience shop, open space and creche have all been considered as resident support facilities and that the application is deficient in meaningful tenant support facilities as per the guidelines.
- No draft legal section 47 covenant, as required appears to have been submitted
- It would appear that the upward modifiers in this instance have been met i.e. the site is large enough and the site is relatively close to public transport.
- The proposed blocks vary in height from 5 – 15 storeys. Heights proposed are significantly more than that permitted under the current CDP. Cognisance is given to the provisions of the Sustainable Urban Housing: Design Standards for New Apartments 2019.

- Significant concern is had to the impact of the proposed development due to its height on the visual and residential amenity of adjoining properties and as proposed it is considered it would depreciate the value of these properties.
- It should be noted that this site is not located in a major town centre or district centre, nor is it immediately proximate to high quality public transport.
- The proposed development is constructed near the site boundaries potentially materially impacting on the future development of these lands. This is particularly apparent at the northern, southern and western boundaries.
- The p.a. has serious concerns regarding the number of single aspect apartments and 'dual bay' apartments provided.
- The scheme does not provide any meaningful public open space such that would be accessible to the wider community.
- The scheme doesn't appear to contain a suite of communal support facilities as envisaged by SPPR8 and again this raises concern relating to the quality of the proposed development and the level of residential amenity proposed.

The report concludes that the p.a. does not support the proposed development and wish to raise concerns regarding;

- Insufficient detail submitted
- Inaccuracies within documentation
- Lack of quality audit / travel plan
- Lack of CMP

I have reviewed and considered all of the documentation submitted by the planning authority relating to this case.

11.0 Consultation Meeting

11.1.1. A Section 5 Consultation meeting took place by way of conference call on the 25th March 2020, commencing at 11.30 pm. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

The main topics raised for discussion at the tripartite meeting were as follows:

1. Development Strategy for the site including urban design considerations such as building height and the bulk, scale and mass of blocks; architectural treatment; and interface with surrounding development.
2. Support Facilities and Services including communal facilities and amenities, support services and management.
3. Pedestrian / Cycle Connectivity & Access to Ballawley Park.
4. Residential Amenity: open space / play areas, aspect of units, access to daylight and sunlight, wind impacts, overlooking and impact on existing dwellings.
5. Architectural Heritage
6. Transportation & Carparking
7. Site Services
8. Issues raised in the Planning Authority report dated 20.02.2020 submitted to the Board on the 20th February 2020.
9. Any other matters

11.1.2. In relation to Development Strategy An Bord Pleanála representatives sought further elaboration / discussion / consideration on the following:

- Justification for the 15 storey height in the context of the surrounding area.
The site is transitional in nature set between Wyckham Avenue which hosts several existing apartment complexes, which range in height from 5 storeys up to 8 storeys, with the apartments directly opposite the site rising to 6 storeys. The Walled Garden is located to the north west. The rear gardens of Park Vale and Westley Lawns, existing mature residential two storey suburban housing, abutt the south and east boundary. Balawley Park is located directly to the south eastern boundary.
- Justification for how the development would contribute to place making given its location.

- Justification for proximity of Blocks to boundaries and potential to materially impact upon the future development of adjoining lands (particularly, northern, southern and western boundaries).
- Greater visual analysis of the development by way of clear CGI's & Photomontages
- There is a need to address the Institutional Lands Objective, as set out in the Dun Laoghaire Rathdown County Council Development Plan 2016 – 2022, in any application.

11.1.3. In relation to Support Facilities and Services, An Bord Pleanála representatives sought further elaboration / discussion / consideration on the following:

- Details of the quantum and location of resident support facilities and resident services and amenities in the context of SPPR7 set out in 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' (2018). It is important that the proposal is described in the public notices associated with a planning application specifically as a 'Build-To-Rent' housing development and is accompanied by detailed proposals for supporting communal and recreational amenities.

11.1.4. In relation to Pedestrian / Cycle Connectivity & Access to Ballawley Park, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- Details of the connection proposed to Ballawley Park and Playground. Precise details of both pedestrian and cycle connectivity and the nature of the connection. Whether it will be an open boundary or gated / restricted access only.
- Further clarification on details, commitments and consents from DLRDCC in this regard. Issues on right surrounding all connectivity and access need to be fully resolved in order that the relevant connections can be made on Day 1 of the development.

11.1.5. In relation to Residential Amenity: An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- Justification that the open space provision accords with policy RES5: Institutional Lands of the Dun Laoghaire Rathdown County Development Plan 2016 – 2022
- Precise details of hard and soft landscaping, useable communal open space, meaningful public open space, quality audit and way finding.
- Details relating to landscape design, play rational and provision, the quantum and quality of the open space provided, accessibility.
- Details of the number and percentage of dual and single aspect apartments in the context of the minimum standards set out in ‘Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’ (2018). It is important that the proposal meets and preferably exceeds the minimum standards in terms of dual aspect and justification is required for compliance with dual aspect of 33%. In the interests of clarity clear delineation / colour coding of floor plans indicating which of the apartments are considered by the applicant as dual / single aspect.
- Details of the proposed floor areas, in the context of the minimum standards set out in ‘Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’ (2018). Apartments should incorporate a main separate bathroom to serve each unit.
- Detailed analysis of impact of the development on surrounding residential amenity, perceived overshadowing, overlooking, overbearing impacts.
- Detailed analysis of amelioration of potential overlooking.
- Detailed analysis of Shadow Impact Assessment of the proposed development on the wider area.

11.1.6. An Bord Pleanála sought further elaboration/discussion/consideration of Architectural Heritage:

- Analysis and assessment of the proposed development in terms of impact on the Walled Garden site and Protected Structures, located on the Gort Muire Convent site to the north west of the proposed development.
- The requirement for an Archaeological Impact Assessment should be addressed in any application submitted.

11.1.7. In relation to transportation, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- Specific details on inter alia, the delivery and assurance to providing:
 - A vehicular access from Wyckham Place to the St. Tiernan's School site (to the north east)
 - Pedestrian / cyclist access to Ballawley Park
 - Pedestrian and cycle links to Wesley Heights to the east and south east
 - Protection of the existing established pedestrian and cyclist permeability link from Gort Mhuire to St. Tiernan's Community school
- Rationale for quantum of carparking and cycle parking, clearly setting out the no. of go car spaces and E.V spaces
- Rationale and analysis of how residents who reside in Blocks C, D and G will get their shopping from the car park at the entrance to the development to their apartments.

11.1.8. In relation to site services, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- Clarify issues pertaining to drainage connections and agreements with IW and the Drainage Department of Dun Laoghaire Rathdown County Council

11.1.9. An Bord Pleanála sought further elaboration/discussion/consideration of the issues raised in the Planning Authority Opinion, submitted to An Bord Pleanála on the 20.02.2020.

- Matters raised within the PA Opinion and Appended County Council Department reports submitted to ABP on the 20.02.2020
- There is a need to address how trees will be protected during construction, a robust CMP and Arborist Assessment.
- There is a need for an EIAR to be carried out.
- There is a need for a habitat Management Plan and to address how the badger set on site will be protected

11.1.10. In relation to Any Other Matters, the Planning Authority emphasised the applicant should consider:

Further elaboration/discussion on:

- Landscaping and extent of tree retention and protection,
- Ecology, Biodiversity and wildlife
- Phasing,
- Impact on existing residential amenity.

11.1.11. 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-306506-20' 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.

Submission from Irish Water

11.1.12. Irish Water has issued a Confirmation of Feasibility which 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

connection(s) to the Irish Water network(s) can be facilitated, subject to upgrade works to the Irish water network to be agreed with IW and paid for by the developer.

11.1.13. 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. I have fully considered the responses and comments of the prospective applicant and planning authority in preparing the Recommended Opinion hereunder.

12.0 Conclusion and Recommendation

- 12.1.1. 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.
- 12.1.2. I have examined all of the information and submissions before me including the documentation submitted by the 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.
- 12.1.3. Having regard to all of 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.
- 12.1.4. 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.

13.0 Recommended Opinion

- 13.1.1. 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.
- 13.1.2. 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.**
- 13.1.3. 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:
1. Scale and Massing - Further consideration/justification of the documents as they relate to the scale, form, visual impact, materials and finishes to the proposed buildings, in particular the eight / fifteen-storey block B to the north of the site. The further consideration / justification should address the proposed scale and massing given, inter alia, the receiving transitional nature of the environment, including single storey and two storey development in proximity of the site to the south and south east i.e. Wesley Lawns and Wesley Heights and location of the site outside of a Major town centre or District centre zone. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted.
- 13.1.4. Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. A detailed statement of consistency and planning rationale, clearly outlining how in the prospective applicant's opinion, the proposal is consistent with local planning policies having specific regard to the zoning objective of the site, Zoned 'A': 'To protect and or improve residential amenity' and the 'INST' symbol and its applicability to the development site in question having regard to the concerns raised in the Planning Authority's opinion.
2. An updated Architectural Design Statement. The statement should include a justification for the proposed development, having regard to, inter alia, urban design considerations, visual impacts, site context, the locational attributes of the area, linkages through the site, pedestrian connections and national and local planning policy. The statement should specifically address the separation distance between proposed blocks, finishes of the blocks, the design relationship between the individual blocks within the site, the relationship with adjoining development and the interface along the site boundaries. The statement should be supported by contextual plans and contiguous elevations and sections.
3. 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. It is important that the proposal meets and preferably exceeds the minimum standards in terms of dual aspect and justification is required for compliance with dual aspect of 33%, should this be the case. In the interests of clarity clear delineation / colour coding of floor plans indicating which of the apartments are considered by the applicant as dual / single aspect.
4. A detailed assessment of the quantum and location of resident support facilities and resident services and amenities in the context of SPPR7 set out in 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' (2018). It is important that the proposal is described in the public notices associated with a planning application specifically as a 'Build-To-Rent' housing development and is accompanied by detailed proposals for supporting communal and recreational amenities.

5. A Construction Environmental Management Plan (CEMP) that addresses, inter alia, tree protection during construction phase and an Arborist Assessment required clearly indicating:
 - monitoring of tree protection and mitigation measures;
 - adherence to tree protection measures;
 - supervision of works;
 - post construction assessment and measures to promote / assess regular health and condition of trees.
 - A full and detailed Green Infrastructure Plan,
 - Landscaping Plan,
 - Arboriculture drawings and engineering plans that take account of one another.

6. Clarification at application stage regarding connection to water and drainage infrastructure having regard to issues raised in the Irish Water submission dated 28.02.2020

7. Clarification at application stage how proposed pedestrian, cycle and vehicular links through the site and connectivity with the wider area; in particular Ballawley Park, Wesley Heights, Wesley Lawns / Greenmount Lane and St. Tiernans Community School are to be delivered.

8. An Assessment which details the rationale for the proposed location and quantum of car parking and cycle parking spaces, having regard to, inter alia, Chapter 4 (Communal Facilities in Apartments) of the 'Sustainable Urban Housing: Design Standards for New Apartments' (2018).

9. Detailed landscape drawings that illustrate hard and soft landscaping, useable communal open space, meaningful public open space, quality audit and way finding. The public open space shall be usable space, accessible and overlooked to provide a degree of natural supervision. Details of play equipment, street furniture including public lighting and boundary treatments should be submitted.

10. A response to matters raised within the PA Opinion and Appended County Council Department comments submitted to ABP on the 20.02.2020.
11. Full and complete drawings, including levels and cross sections showing how the development will interface with adjoining school lands to the north and residential lands particularly to the south and south east.
12. A report that addresses issues of residential amenity (both existing residents of adjoining development and future occupants), specifically with regards to potential overlooking, overshadowing and overbearing. The report shall include full and complete drawings including levels and cross-sections showing the relationship between the proposed development and adjacent residential development.
13. A Shadow Impact Assessment of the development on the wider area.
14. A visual impact report to address the details of Architectural Heritage impact raised by the Conservation Officer, in her report attached to the PA Opinion, submitted to ABP on the 20.02.2020.
15. Views / photomontages of the proposed development from the surrounding area.
16. A report that specifically addresses the proposed building materials and finishes and the requirement to provide high quality and sustainable finishes and details.
17. A construction and demolition waste management plan.
18. As per SPPR7 of the Sustainable Urban housing: Design Standards for New Apartments Guidelines for Planning Authorities, March 2018 the development

must be described in the public notices associated with a planning application specifically as 'Build to Rent' housing development and a covenant/legal agreement is required at application stage for BTR development..

13.1.5. 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. Irish Water
2. Department of Culture Heritage and the Gaeltacht
3. An Taisce
4. Heritage Council
5. Fáilte Ireland
6. An Chomhairle Ealaíonn
7. Irish Aviation 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.

Fiona Fair
Senior Planning Inspector
30.04.2020