



An
Bord
Pleanála

S. 4(1) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report ABP-306626-20

Strategic Housing Development

105 apartments

Location

Harbour Road, Dalkey, Co. Dublin

Planning Authority

Dun Laoghaire Rathdown County
Council

Applicant

Winterbrook Homes Ltd

Prescribed Bodies

Irish Water
Transport Infrastructure Ireland
Department of Arts, Heritage and the
Gaeltacht

Observers

Bill Begley
Eugene McCarthy
Tom Rogers

Leslie Buckley
JD and Desiree Sullivan
Residents of Liscannor
Geoffrey Donnelly
John Neiland
Dalkey Sea Scouts
Fiona Darling
Maura Molloy and Mary Griffin
Dalkey Community Council
Peter Kerruish
Aisling Breen and Andrew Bowman
Bruce Hayes, Rector of St. Patrick's
Church
Brian L Meyer
Glencairn Flat Management
Catherine and Peter Nowlan
Donald Hoey

Date of Site Inspection

19th June 2020

Inspector

Stephen J. O'Sullivan

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1.0 Introduction

- 1.1. This is an assessment of a proposed strategic housing development submitted to the Board under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

2.0 Site Location and Description

- 2.1. The site is in an established suburban area c14km south-east of Dublin city centre and approximately 650m (on foot) to the north of Dalkey Village and its railway station. It has a stated area of 0.69ha. It consists of the curtilage of a large detached house known as Charleville. The house dates from the late 19th century but was extended and altered in the later 20th century. It is currently vacant. There are other structures on the site including a smaller detached building in the north-western end of the site referred to as the Coach House and a granite tower in the northern corner of the gardens known as the 'Spy Tower'. There are mature trees of varying sizes and condition located within and bounding the site including a belt of fir trees on the south-western boundary.
- 2.2. The surrounding area is characterised by residential development of various types, including detached dwellings and apartments. The site lies on the western side of the Harbour Road. The coast is c155m to the east. The land between the Harbour Road and the coast is occupied by detached houses. The northern boundary of the site adjoins the grounds of St. Patrick's Church and national school. The southern boundary adjoins Glencairn Apartments, a three storey flat roofed apartment block, and a detached house known as Edelweiss at 4 Harbour Crescent. There is a residential street, Church Road, consisting of semi-detached two storey dwellings to the southwest of the site. There is an access to Saint Patricks Church a scout's den used as a boathouse from Church Road. The rear and side garden of West Wego (No. 24 Church Road) extends nearly the full length of the southwestern boundary. It is separated from the site by high walls and mature fir trees within the application site.

3.0 Proposed Strategic Housing Development

- 3.1. The proposed development involves demolishing the buildings on the site except for the Spy Tower and building 105 apartments in two 5-storey blocks joined by a single storey element accommodating a shared residential amenity. The blocks would be orientated parallel to the front of the site along Harbour Road. The proposed housing mix would be as follows-

	1 bedroom	2 bedroom	3 bedroom	Total
Apartments	49	54	2	105

The gross floor area of the residential development would be 11,987m². This includes the amenity space of 195m² and a basement with 86 car parking spaces and 116 spaces for bicycles. There would be stands for another 22 bikes at ground level. The access to the scheme would be from the Harbour Road. The existing wall along the frontage would be replaced by a similar rubble stone wall set slightly further back.

4.0 Planning History

- 4.1. ABP Ref. PL06D.300080, Ref. Reg. Ref. D17A/0707 – The board granted permission on the 17th September 2018 to demolish the existing buildings on site, except for the Spy Tower, and build 56 apartments in 4 blocks. The council had refused permission for the development.

On the adjoining site

- 4.2. PL06D.244870, Ref Reg. Ref. D14A/0404 – The board granted permission on 14th September 2015 for 4 additional apartments on the adjoining site to the south at Glencairn apartments (2 at new 3rd floor level and one at each of 1st floor and 2nd floor levels) and associated circulation and landlord areas, representing an increase of two units from the development previously approved under reference D10A/0614, PL06D.239478.

5.0 Section 5 Pre Application Consultation

5.1. A pre-application consultation with the applicants and the planning authority took place at the offices of An Bord Pleanála on 27th November 2019 in respect of the proposed development on the site. The main topics raised for discussion at the tripartite meeting were as follows:

1. Design and Conservation/Layout/Residential Standards (including height/massing/impact on Protected Structures/open space/dual aspect provision)
2. Neighbouring Residential Amenity
3. Transport (including cycle and pedestrian links/permeability/car and cycle parking provision/proposed infrastructure upgrades)
4. Site Services (Water supply/Surface Water/Foul/Required upgrades)
5. Trees/Ecology/Appropriate Assessment
6. Childcare
7. Any other matters

Copies of the record of the meeting and the inspector's report are on this file.

5.2. The board issued an opinion on which stated that the submitted documents constituted a reasonable basis for an application for strategic housing development.

5.3. The opinion also stated that the following specific information should be submitted with any application for permission –

1. Justification for the amount of car parking
2. Plan of open space with playground
3. Justification for no childcare
4. Photomontages
5. Report on residential amenity
6. Details of materials and finishes
7. Drainage details
8. Details of access
9. Details of lighting
10. Details of waste management

11. A taking in charge plan

12. AA screening report

5.4. Applicant's Statement

- 5.4.1. The applicant's response to the opinion asserts that the requested information has been submitted. The car parking ratio of 0.86 is reasonable for a site 10 minutes' walk from a railway station. A plan showing the various types of open space is submitted with proposals for play areas. A childcare assessment is submitted, as are photomontages, a report on residential amenity, details of materials and finishes, drainage, access, lighting and bin storage. No part of the scheme would be taken in charge by the council. An NIS is submitted.

6.0 Relevant Planning Policy

6.1. National Policy

- 6.1.1. The government's housing policy is set out Rebuilding Ireland – Action Plan for Housing and Homelessness issued in July 2016. The overarching aim of this Action Plan is to ramp up delivery of housing from its current under-supply across all tenures to help individuals and families meet their housing needs.
- 6.1.2. The government published the National Planning Framework in February 2018. Objective 3a is that 40% of new homes would be within the existing built up areas of settlements, while objective 3b is that 50% of new homes in cities would be within their existing footprints as defined in the census. Objective 10a and table 4.1 set a minimum population target for Dublin of 1,408,000 in 2040 compared to the figure of 1,173,000 recorded in 2016. Objective 11 is to favour development that can encourage more people to live or work in existing settlements. Objective 13 is that in urban areas planning and related standards, including in particular building height and car parking, will be based on performance criteria. Objective 35 is to increase residential density in settlements by various means including infill development.
- 6.1.3. The Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas were issued by the minister under section 28 in May 2009. Section 1.9 recites general principles of sustainable development and residential design, including the need to prioritise walking, cycling and public transport over the use of

cars, and to provide residents with quality of life in terms of amenity, safety and convenience. Section 5.2 sets out design safeguards for urban areas including the avoidance of overlooking. Section 5.6 states that there should be, in principle, be no upper limit on the number of dwellings that may be provided on a town or city centre site. Section 5.8 states that the efficiency of public transport services are underpinned by sustainable settlement patterns including higher densities on existing or planned corridors. Increased densities should be promoted within 1km of a railway station. Minimum net densities of 50dph should be applied on public transport corridors subject to appropriate design and amenity standards. A design manual which accompanies the guidelines lays out 12 principles for urban residential design.

- 6.1.4. The Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments were issued in March 2018. Section 2.4 states that central and/or accessible urban locations are generally suitable for higher density development that may wholly comprise apartments. Such locations include those within 10 minutes' walk of DART stations. It contains several specific requirements with which compliance is mandatory. The minimum floor area for one-bedroom apartments is 45m², for two-bedroom apartments it is 73m² and for three-bedrooms it is 90m². Most of proposed apartments in schemes of more than 10 must exceed the minimum by at least 10%. Requirements for individual rooms, for storage and for private amenities space are set out in the appendix to the plan, including a requirement for 5m² communal space for each one-bedroom apartment and 7m² for two-bedroom. In central and accessible locations SPPR 4 requires that at least 33% of apartments should be dual aspect more central and accessible locations. In suburban or intermediate locations 50% of apartments should have dual aspect. SPPR 5 says that ground level apartments should have floor to ceiling heights of 2.7m. SPPR 6 states that there should be no more than 12 apartments on any floor should be served by a single stair/lift core. Section 4.19 states that the default policy is for car parking to be minimised in circumstances including locations within 10 minutes' walk of a DART station.
- 6.1.5. The minister issued Guidelines for Planning Authorities on Urban Development and Building Heights in December 2018. SPPR 1 states govern policy to support increased building height and density in locations with good public transport

accessibility. Section 3.2 sets out development management criteria at various scales. The criteria include public transport services; integration with the character and public realm of architecturally sensitive areas; a positive contribution to place making; response to natural and building environment; not being monolithic and avoiding long uninterrupted walls in the form of slab blocks; and maximising access to natural daylight and minimising overshadowing and loss of light having reasonable regard to the BRE's guidance on the matter or BS8206-2: 2008. SPPR 3 is that a planning authority may grant permission for developments that comply with such criteria even where objectives of the county development plan may indicate otherwise. Section 3.6 states that development in suburban locations should include an effective mix of 2, 3 and 4 storey development.

- 6.1.6. The minister issued Guidelines for Planning Authorities on Childcare Facilities in June 2001. Section 3.3.1 of the guidelines recommends that new housing areas be provided with childcare facilities at a standard of one facility with 20 spaces for every 75 homes. Section 2.4 says that the provision may be reduced where development consists of one-bedroom apartments or there are adequate facilities in the adjoining area.

6.2. Natura 2000 sites

- 6.2.1. The Special Protection Area (SPA) at Dalkey Islands site code 004172 is c540m south-east of the application site. The Special Area of Conservation (SAC) at Rockabill to Dalkey Island site code 003000 is c800m east of the application site. The SPA at South Dublin Bay and River Tolka Estuary sitecode 004024 is c3km north-west of the application site.

6.3. Local Policy

- 6.3.1. The Dun Laoghaire-Rathdown County Development Plan 2016-2022 applies. The site is zoned Objective A 'To protect and/or improve residential amenity'.
- 6.3.2. There are a number of general policies and objectives in the development plan that refer to residential development which including RES 3 "It is Council policy to promote higher residential densities provided that proposals ensure a balance between the reasonable protection of existing residential amenities and the established character of areas, with the need to provide for sustainable residential development." Policy RES 4 states "It is Council policy to improve and conserve

housing stock of the County, to densify existing built-up areas, having due regard to the amenities of existing established residential communities and to retain and improve residential amenities in established residential communities". Development Plan section 2.1.3.3 states: "Where a site is located within circa 1 kilometre pedestrian catchment of a rail station, Luas line, BRT, Priority 1 Quality Bus Corridor and/or 500 metres of a Bus Priority Route, and/or 1 kilometre of a Town or District Centre, higher densities at a minimum of 50 units per hectare will be encouraged."

- 6.3.3. Policy UD1 of the plan is "to ensure that all development is of high quality design that assists in promoting a 'sense of place'. The Council will promote the guidance principles set out in the 'Urban Design Manual – A Best Practice Guide' (2009), and in the 'Design Manual for Urban Roads and Streets' (2013) and will seek to ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design."
- 6.3.4. Section 8.2.8.2 of the plan states that housing developments require 15-20m² of public/communal open space is requires per person. Policy SIS11 is that a childcare facility shall be provided for residential development of more than 75 units. Section 8.2.3.3 (iii) refers to unit mix within schemes. Where more than 30 units are proposed, a scheme should generally comprise of no more than 20% 1 bed units, and a minimum of 20% of units over 80 m².
- 6.3.5. A Building Height Strategy is set out in Appendix 9 to the plan. Section 4.8 refers to residual suburban areas. It states a general recommended height of 2 storeys, or 3 to 4 storeys for apartment developments in commercial cores. These maximum heights may be modified up or down according to certain circumstances. Upward modifiers include a location within 500m walking distance from a railway station, or for sites larger than 0.5ha that can set their own context for development. Downward modifiers includes adverse effects on residential living conditions, or on the setting of protected structures or on an architectural conservation area (ACA). The Building Height Strategy sets a 500m 'Coastal Fringe Zone' following the coastline. Where development is proposed within this zone which would exceed the height of its immediate surroundings, an urban design study and impact assessment study may be required to demonstrate that the scheme will not harm and will protect the

particular character of the coastline including, where appropriate, views from the sea/pier.

- 6.3.6. The site adjoins the curtilage of protected structures on the ground of St. Patrick's Church, including the church itself which is entered under reference number 1425, the national school building and Sexton's House which is no.1426 and the rectory which is no. 1429. Rockland House across the street is a protected structure no. 1432. The application site is c100m north of the Architectural Conservation Area designated at Dalkey village.

6.4. Statement of Consistency

- 6.4.1. The statement says that the proposed density of 152 dph is consistent with the recommendations of the 2009 sustainable urban residential guidelines for city and town centre sites. The proposed development complies with the 12 criteria set out in the design manual that accompanies those guidelines. The development contains 105 apartments of which 49 are one-bedroom units. As less than 75 dwellings with two or more bedrooms are proposed, a childcare facility is not required to comply with the 2001 guidelines on childcare facilities. A report is submitted which shows that there are adequate facilities in the vicinity to cater for the demand likely to arise from the proposed development. The site is in flood risk zone C under the 2009 flood risk management guidelines where residential development is acceptable in principle. Attenuation is proposed to accommodate storm events with a 1 in 100 year return period. The proposed development complies with the 2018 guidelines on the design of new apartments, including its specific planning policy requirements. Less than half of the proposed apartments would be one-bedroom or studio units in line with SPPR1. The apartments would have the floor areas required under SPPR3, in most cases by more than 10%. The individual rooms and spaces would meet the standards set out in the appendix to the guidelines. The site is in a central accessible location less than 10 minutes' walk from a railway station, so the provision of 46 dual aspect apartments out of 105 meets SPPR4. The ceiling heights meet SPPR5 and the number of apartments per core on each floor does not exceed the maximum of 12 set out in SPPR 6. The proposal for 0.82 spaces per apartment is consistent with the advice at section 4.19 of the guidelines that car parking be minimised in accessible locations. Of the proposed 2,330m² communal open space, only 900m² could be considered peripheral. The requirement for 637m² of such space under the

guidelines would therefore be exceeded. The 2018 guidelines on urban development and building height seek building heights of at least 3 to 4 stories in suburban areas. The additional storey in the proposed 5 storey apartment blocks is justified under SPPR 3 of those guidelines by its proximity to a railway station and other local facilities, and by the submitted visual and daylight impact assessments which demonstrate its appropriateness at the scale of the city/town/district/neighbourhood/street/site/building in line with the criteria set out at section 3.2 of the guidelines.

- 6.4.2. The proposed development would be line with the core strategy of the development plan which seeks an additional 19,856 dwellings for the county over the plan period of 2016-2022. The housing supply in the county since 2016 has fallen behind the 3,300 units per annum required to achieve the strategy. The proposed development would comply with the zoning of the site. It would comply with policy UD1 seeking a high standard of architectural and urban design. Charleville is not a protected structure and its demolition has been authorised under the extant permission for the site. The proximity of the railway station and the size of the site justify a building of the proposed height under appendix 9 of the development plan. 34% of the site would be provided as open space which meets the standard set out in the development plan. The proposed car parking level of 0.82 per apartment is justified under section 8.2.4.5 of the development plan due to the public transport services available in the area. The provision of 22 visitor bike parking spaces and 116 storage spaces is in keeping with the development plan standard.
- 6.4.3. The application was accompanied by a statement of material contravention in relation to the limits on housing mix set out in section 8.2.3.3 ii) of the plan which states that no more than 20% of the apartments in a scheme shall be one-bedroom units and at least 20% of the apartments in a scheme shall be larger than 80m². The statement says that the proposal is a strategic housing development and the housing mix and apartment sizes comply with the provisions of the 2018 apartment design guidelines issued under section 28 of the planning act, including its specific policy planning requirements on apartment mix and size issued under section 28(1C) of the act with which compliance is mandatory. The board may therefore grant permission under 37(2)(b)(i) and/or (iii) of the act.

7.0 Third Party Submissions

7.1. Nineteen submissions on the application have been received. They can be summarised as follows-

- The height, scale and form of the proposed apartment scheme would be out of keeping with the character of the area. It would constitute over-development of the site. The excessive height is not appropriate for an area of heritage and architectural beauty. The design is unattractive. It would injure the visual amenity of the area. It would present a monolithic slab-like elevation to Harbour Road. The separation distance between the blocks does not comply with the requirements of the development plan. Some of the submitted photomontages illustrate the negative impact of the proposed developments, while some of them do not properly illustrate this impact. The existing educational use of the site complements the adjoining school and should be retained.
- The site is not in a city or town centre and the proposed density is not justified by the 2018 guidelines on apartment design or by the 2009 guidelines on sustainable urban residential development. The proposed development would contravene section 5.2 of the latter guidelines due to its height and consequent impact from overlooking and overshadowing and because of the lack of proposed parking and childcare. It would contravene the 5 positive indicators set out in the design manual that accompanied those guidelines because it did not evolve naturally from its surroundings; does not provide a gradual or appropriate increase in density; is not informed by its time and place; would have a negative impact on the character and identity of the area; and does not respond appropriately to the specific boundary conditions. The proposed development would contravene the 2018 guidelines on building height, in particular the criteria set out in section 3.2, because it would be in an architecturally sensitive area; it would not successfully integrate with or enhance the character or public realm of the area; fails to respond to the natural and built environment; is monolithic and would have long walls in the form of slab blocks; does not respond appropriately to the mix of uses and building types in the neighbourhood; and its form, height and massing are not

carefully modulated. The proposed development would contravene policy RES 3 of the development plan because it does not represent an appropriate balance between the provision of higher residential densities and the protection of the existing amenities and established character of the area. It would contravene policy RES 4 because it does not have due regard to the amenities of established residential community's and does not improve them. It would contravene policy UD1 of the development plan because it does not reflect a proper consideration of its context in terms of layout, the public realm, adaptability, amenity, car parking or otherwise. It would contravene the building height strategy set out at section 4.8 of the development plan because it would have a detrimental effect on the existing character and amenity of the area and upon the neighbouring protected structures.

- The proposed development would detract from the setting of the neighbouring protected structures. It would be visually intrusive and overbearing onto the curtilage of the protected structures. The extra height of the proposed blocks compared to the authorised ones means that they would be visible from the curtilage of the protected structures over roofs and boundary walls. The proposed development would also impinge on the appearance of the protected structures in views from the street. The proximity of the site to the protected structures and the ACA at Dalkey, along with the quality of other buildings in the vicinity, mean that the proposed development would be in an architecturally sensitive area for which it would not be appropriate. The proposed development would therefore injure the cultural heritage of the area.
- The proposed development would unduly overlook, overbear and overshadow adjoining properties and so would seriously injure their amenities and inhibit their peaceful occupation. The proposed balconies would in particular injure the privacy and tranquillity of the neighbouring properties. Submissions which objected to the development on these grounds were received from the residents of the houses and apartments adjoining the south of the site and from the school and church to the north. The residents of the house at No. 4 Harbour Crescent stated that the end gable of Block B would have 5 levels of windows that would look directly into their house including the large living room window at first floor level and another bedroom window. The proposed

development would overshadow their house and garden. The submission from the school stated that the proposed development raised concerns in relation to child protection. There would also be issues for the privacy of the school if the proposed apartments were let on a short term basis. It would unduly reduce the light reaching rooflights on the school building, requiring more artificial heating and lighting of the building. There would be a reduction of 50% in the extent of the playground that would receive direct sunlight in the morning around the equinox. The rectory garden is inaccurately shown as part of that playground on the submitted plans. The conclusions of the submitted daylight and sunlight analysis are not accepted. The separation distances between the proposed buildings and neighbouring properties are insufficient and are not consistently described on the submitted drawings. The distance from the boundary of the site to the edge of unit 307 would be 3.955m rather than the 5.7m shown while that from unit 218 would be 6.858m rather than 8.6m.

- The construction of the proposed development would give rise to noise, vibrations and dust emissions that would cause a serious nuisance to neighbouring residents and the school. The impact would be especially severe because the proposed basement car park would require the excavation of significant amounts of granite. The excavation could involve the removal of 10,000 to 20,000m³ of material. The excavation and works would threaten the boundary wall with the school site and the integrity of the boathouse occupied by the sea scouts as part of its structure is the boundary wall. There should be no increase in the height of that wall. Some of the submitted plans indicate that this is proposed. Construction traffic would obstruct and threaten the safety of road users. These issues were not properly addressed in the documentation submitted with the application. If permission is granted then conditions should restrict working hours to between 0800 and 1900 and prohibit vehicles parking on the street.
- The submitted proposals do not address the protection of the boathouse used by the sea scouts that adjoins the western corner of the site on Church Road, even though that structure shares walls with the coach house on the site whose demolition is proposed.

- The proposed mix of apartments is unsuitable for the area which needs accommodation for families. The applicant was wrong to describe the site as being in a city or town centre. The proportion of one bedroom and single aspect apartments would contravene the specific planning policy requirements of the 2018 guidelines on the design of new apartments. The one- and two-bedroom apartments are like a build-to-rent scheme or student accommodation which is not appropriate for a site that is distant from institutes of third-level education.
- The road network in the area is not capable of accommodating the traffic that would be generated by the proposed development which would exacerbate traffic congestion upon it and hinder movement by emergency vehicles. Harbour Road is narrow and serves three schools. Other roads in the area, including Leslie Avenue, are also inadequate to cater for the additional traffic that would be generated by the proposed development. Remedial measures are required on the public road. The traffic surveys were taken during school holidays and cannot be relied upon. The neighbouring school lacks a drop-off facility and the proposed development would impinge on the visibility at the entrance to the school. The amount of car parking proposed is insufficient and the proposed development would lead to haphazard parking on streets in the area which would further hinder movement along them. The proposed apartments would bring 200 extra cars into the area, half of which would have to park on the street. The area does not have the public transport facilities to support development with a density this high.
- The application is a misuse of the SHD process which was not designed to consider proposals for development on small sites in established areas.

8.0 Planning Authority Submission

- 8.1. The submission from the council reported the views of the elected members of the area committee on the application. There was concern at the limited amount of parking that was proposed, with no designated visitor parking and insufficient bike storage. Some members supported the reduced level of parking sought by the board. 11 electric vehicle charging points is not adequate. Traffic management

should consider the existing development on Harbour Road. There are two other SHDs proposed in the area and existing traffic chaos. A condition on parking control along Harbour Road should be considered. Apartments should be built close to public transport. The absence of childcare facilities is disappointing and the assessment on the topic is inadequate. The amount of open space may not be adequate. A higher proportion of social housing should be provided and it should not be concentrated in one block.

8.2. The report from the Chief Executive recommended that permission be refused for 3 reasons which stated that –

- The proposed development would injure the visual amenities and character of the area contrary to policy UD1 of the development plan because of the scale, massing height and monolithic form of the proposed apartment blocks which would be visually dominant in the streetscape.
- The proposed development would overlook, overshadow and overbear adjacent properties and would be seriously injurious to their amenities and depreciate their value contrary to the residential zoning of the site.
- SPPR 4 of the 2018 apartment design guidelines requires 50% of apartments on such an intermediate suburban site to be dual aspect. The proposed development would not comply with this requirement. .

The report sets out 31 conditions that the board could attach to any grant of permission. Condition no. 2 would require a childcare facility to be provided instead of some of the proposed apartments.

8.3. The report's assessment states that the proposed residential use is in keeping with the zoning of the site. It considers that building apartments would be acceptable in principle having regard to the proximity of the railway station, the extant permission on the site, the objectives of the NPF, objectives RPO 4.3 and 5.3 of the RSES and policy RES4 and section 1.2.5.1 of the development plan. Similar considerations may support the proposed density of 152 dph, as would SPPR 1 of the 2018 guidelines on building heights. The proposed mix of units would accord with the 2018 guidelines on apartment design and, having regard to the existing housing in the area, with the provisions of the development plan. The floor areas of the apartments would comply with SPPR 3 of the apartment design guidelines. The site

is in an intermediate urban location under section 2.4 of the guidelines being within 1km of the suburban centre and railway station at Dalkey (as opposed to a principal city centre or employment location). Therefore 50% of the proposed apartments should have dual aspect to comply with SPPR 4. Only 44% of them would have dual aspect, so the development would fail to meet that requirements. The proposed development would meet SPPR 5 regarding ceiling heights, SPPR 6 regard lift cores and the standards on private amenity space.

- 8.4. In relation to building heights, it is relevant that the site is within 1km of a railway station and 150m from the coast. It is considered that the proposed development would be visually dominant in the existing streetscape due to its height and proximity to Harbour Road. It would unduly impact on the character and visual amenity of Harbour Road and the established pattern of development there and so would be contrary to the principles of policy UD1 of the development plan.
- 8.5. The proposed materials are acceptable. The development would present a façade 48m long onto Harbour Road 14m from the new boundary wall. The existing and permitted apartment scheme in the area do not provide a constructive precedent for the proposed development. The proposed development would present a monolithic form and massing along Harbour Road that would be contrary to the advice in chapter 3 of the guidelines on building height that development should not be monolithic in form and should avoid long uninterrupted walls in the form of slab blocks. The board should consider the overshadowing of the playground at the school to the north of the site. The proposed quantity of communal open space meets the standards set out in the apartment design guidelines and the development plan. There are questions about its usefulness.
- 8.6. Despite the setbacks of the proposed buildings from the boundaries of the site there are serious concerns about overlooking of neighbouring residential properties, as well as overshadowing and visual overbearing due to the size and form of the proposed blocks. The proposed development would therefore be seriously injurious to the amenities of residential properties and contrary to the proper planning and sustainable development of the area. A condition should be attached requiring a childcare facility to be provided.

- 8.7. The council would have serious concerns regarding the visual impact of the development on the receiving environment which includes adjacent protected structures. A condition requiring pre-development archaeological testing should be imposed having regard to the proximity of the recorded monument of Dalkey village. Any permission should also include a condition requiring boundary treatments with adjoining properties to be clarified.
- 8.8. The submitted drainage proposals are generally acceptable. The Transportation Department recommends certain conditions regarding parking and access, and the Environment Section has provided others regarding refuse management. The submission regarding Part V housing is noted. The submitted EIA screening report and NIS are noted.

9.0 Prescribed Bodies

- 9.1. Irish Water stated that it had issued a confirmation of feasibility and a statement of design acceptance for 105 units on the site.
- 9.2. The Department of Arts, Heritage and the Gaeltacht recommended that pre-development archaeological testing be required by a condition on any grant of permission. In relation to nature conservation the report recommended that the measures set out in the submitted bat mitigation strategy and referred to a licence to destroy a roost which had been granted by the NPWS.
- 9.3. Transport Infrastructure Ireland stated that it would rely on the planning authority to abide by official policy.

10.0 Screening for Appropriate Assessment

- 10.1. The application site is not in a Natura 2000 site. It does not adjoin any Natura 2000 site. The nearest Natura 2000 site, the SPA at Dalkey Islands, is over 500m away and offshore. The application site is urban land and is setback by at least 140m from the coast so there is no direct hydrological link. It has an established residential use. It is brownfield land that was previously subject to building works. It drains to the city's sewers. The land between the application site and the coast is also urban land that has an established residential use, has been subject to works and drains the

city's sewers. The application site does not contain habitats of the types set out in Annex I of the Habitats Directive. It does not contain *ex situ* habitats that support populations of any species that are the subject of the conservation objective of any Natura 2000 site. The proposed development would be in residential use, which would not involve activities or generate emissions that differed in kind or degree from those prevailing in the area around the application site. The construction of the proposed development would not involve works that would be extraordinary in their nature or their scope. It is evident from these circumstances that the proposed development would not be likely to have a significant effect on any Natura 2000 site. There is no effect that the proposed development could have on any Natura 2000 site that could become significant in combination with any other plan or project.

- 10.2. The objective information about the application site and the proposed development, set out above excludes any risk that the proposed development would be likely to have significant effects on any Natura 2000 site. This conclusion is consistent with the board's previous grant of permission on the site under ABP-300080-18, Reg. Ref. D17A/0707, with the zoning of the site for residential use under a development plan that was itself subject to appropriate assessment, and with advice on nature conservation from the Department of Arts, Heritage and the Gaeltacht which did not refer to Natura 2000 sites at all.
- 10.3. It is therefore concluded, on the basis of the available information about the circumstances of the application site and the nature of the proposed development, that the proposed development would not be likely to have a significant effect on any Natura 2000 site, including the SPA at Dalkey Islands site code 004172, the SAC at Rockabill to Dalkey Island site code or the SPA at South Dublin Bay and River Tolka Estuary sitecode 004024, either in itself or in combination with any other plan project.
- 10.4. The appropriate assessment screening report submitted with the application stated that there could be a runoff to the sea of contaminated surface water during the construction or occupation of the proposed development that could affect water quality there in a manner that could have a significant effect on a series of Natura 2000 sites around Dublin Bay and the east coast. The conclusions of that screening report are not well founded and are not accepted. Given the circumstances of the site and the characteristics of the proposed development described above, it is highly unlikely that contaminated surface water runoff from the construction or

occupation of the proposed development would reach the sea. If such an unlikely event were to occur the volume of the runoff in relation to Dublin Bay, the distance to any of the Natura 2000 sites and the absence of a direct hydrological connection (given the extent of urban development between the application site and any Natura 2000 site) means that there is no realistic prospect that it could have a significant effect that would hinder the achievement of the conservation objectives of any of the Natura 2000 sites. A Natura Impact Statement was also submitted with the application. Section 6.1.7 of the statement describes what it calls mitigation measures to avoid the what the screening report had erroneously identified as the likely significant effects of the proposed development. However the measures are not described with any degree of precision and their possible impact or effectiveness is not assessed on the basis of objective scientific information, as there is no evidence or data to demonstrate or support the contention that there would be a significant effect on any Natura 2000 site as a result of the development. That statement merely sets out a general approach to for the management of construction works and the design of a surface water drainage system that would be advisable for any apartment scheme in an urban area independent and irrelevant of NIS issues arising.

11.0 Assessment

11.1. The planning issues arising from the proposed development can be addressed under the following headings-

- Policy
- Impact on the character and heritage of the area
- Impact on amenity of adjacent properties
- Standard of amenity for occupants
- Traffic and access
- Water supply and drainage

11.2. Policy

11.2.1. The proposed apartments would be in keeping with the residential zoning of the site under the development plan. They would contribute to general government policy to

increase the supply of housing set out in Rebuilding Ireland. The proposed provision of housing within the existing built-up area of Dublin would also contribute to the achievement of objectives 3a, 3b, 10a, 11 and 35 of the National Planning Framework.

- 11.2.2. The site is in a suburban area rather than a town or city centre. It is within 1km and less than 10 minutes' walk from a railway station. It is therefore on a public transport corridor as defined in the 2009 Guidelines on Sustainable Urban Residential Development. The proposed development complies with the advice at section 5.8 of those guidelines that increased residential densities of more than 50 dph should be provided on such corridors. The proximity of the railway station means that the site is in an accessible location under section 2.4 of the guidelines for new apartments issued in 2018, rather than in an intermediate, peripheral or less accessible urban location as was argued in some of the submissions on the application including that from the council. The proposed development would be in keeping with the advice in those guidelines that central or accessible locations are suitable for higher density developments consisting wholly of apartments. It would comply with SPPR 1 of the guidelines on building height issued in 2018 in favour of increased building height and density in locations with good public transport accessibility. The proposed higher density residential development of apartments would be in keeping with policies RES 3 and RES 4 and section 2.1.3.3 of the development plan because the site is on a public transport corridor within the existing built up area.
- 11.2.3. As the proposed development would only have 56 apartments with more than one bedroom are proposed, it would not contravene the guidelines on childcare facilities which generally require a facility for every 75 dwellings, having regard to section 2.4 of those guidelines. The imposition of a condition requiring such a facility would not be necessary therefore.
- 11.2.4. The nature and scale of the proposed development of 105 apartments in blocks five storeys high would therefore be in keeping with the national and local planning policies that apply to this area due to its location close to a railway station within the existing footprint of the city. It is acceptable in principle.

11.3. Impact on the character and heritage of the area

- 11.3.1. The area around the site has a mix of building types and heights, including three-storey apartment blocks and houses that are one, two and three storeys high in detached, semi-detached and terraced forms, as well as the 19th century church and school on the adjoining site to the north. The size of the plots occupied by these buildings and their setback and orientation relative to the street also varies. The area has an attractive character which is worthy of protection, but it is one with a significant degree of variety. The built fabric of the area is not uniform or regimented. Harbour Road does not have a planned or repetitive streetscape. It could accommodate apartment buildings of some height without injury to its character or the visual amenities of the area. Section 3.6 of the building height guidelines recommends a mix of two to four storey development in suburban areas generally. The proposed development would give rise to a mix of two to five storey buildings in a suburban area. The additional storey above the norm for suburban areas would be acceptable because of the limited extent of its visual impact and the proximity of the site to the facilities in the village centre and the railway station, following SPPR 1 of the building height guidelines and the development management criteria set out in section 3.2 of those guidelines. The nature and scale of the proposed 5 storey apartment building is therefore acceptable in the context of the built environment around the site.
- 11.3.2. The site itself has a substantial area of 0.69ha. It has a significant frontage onto the Harbour Road c68m long. This means that a development on the site can establish its own visual context to a certain degree. It would not have to mimic the buildings on adjacent sites. The design and layout of the proposed development is also acceptable in this context. The front elevation of Block A properly addresses Harbour Road. It would be oriented parallel to the street. Its height of c16.2m and setback of c14.6m from the front boundary of the site means that it would have a presence onto Harbour Road without dominating it. Its scale and massing would therefore be appropriate. The detailed treatment of the elevation, including the fenestration and finishes, would provide an appropriate rhythm and level of visual interest while remaining coherent. The block would not be monolithic or oppressive in appearance. The assertions otherwise in the submissions on the application are not accepted. Rather, the proposed development would reinforce and enhance the streetscape along Harbour Road and make a positive contribution to its appearance.

- 11.3.3. The proposed development would also be visible in views from other streets in the area, including Harbour Crescent, Church Road and Barnacollie Park. This would not significantly change the character of Harbour Crescent which already has a substantial 20th century apartment block upon it. The proposed development would be a novel element in the views towards it from Church Road or Barnacollie Park which do not currently have such modern buildings. However the proposed development is not unsightly or unattractive and the available views of it would be oblique and set back from those streets' frontage. It would not have a negative effect on the character of those streets, therefore.
- 11.3.4. Given that the proposed development would make a positive contribution to the architectural character of the area, it would be in keeping with the development management criteria set out at section 3.2 of the 2018 guidelines on building height. Therefore it should not be regarded as a contravention of the building height strategy set out in appendix 9 of the development. That strategy requires a case-by-case assessment balancing various criteria and would have to be implemented consistently with SPPR 1 and SPPR 3 of the building height guidelines, following section 28(1C) of the planning act, with which the proposed development does comply.
- 11.3.5. The application site adjoins the grounds of a church which is itself a protected structure and which contain a rectory and a school/sexton's house that are also protected structures. As the proposed development would change the appearance of the application site, its potential impact on the setting of the adjacent protected structures is a significant issue in the current application. After review of the application and the submissions upon it, and an inspection of the site, I would not consider that the proposed development would affect the setting of the protected structures in a manner that injured the architectural heritage of the area. The proposed development would not physically impinge or encroach on the curtilage or the attendant grounds of the protected structures. The church is on elevated ground and its ground floor and roof ridge would be higher than those of the proposed apartment blocks. The main views of the church are from Harbour Road to its north-east and Church Road to the south-west. The proposed development would not obstruct those views or significantly change their frames, although it would be visible

to the side of the latter view. The proposed development would not undermine the prominence of the church in its immediate vicinity, therefore.

- 11.3.6. The proposed development would not interfere with the view of the main façade of the rectory from Barnacollie Park to the west. The proposed apartment blocks would be close to the school/Sexton's House. However the latter structure has a largely blank façade along the boundary with the application site and was not situated or designed to make an impression in views from the south-east. The proposed development would not unduly interfere with views towards those protected structures, therefore. It would be visible to people facing south—east from within the curtilage and attendant grounds of the protected structures, sometimes above the roof ridge of the national school. However the mere visibility of contemporary apartment blocks from their grounds would not necessarily injure the character of the protected structures, given their location in a suburban area. The relative height and flat profile of the roof on the proposed apartments blocks, and the angled orientation of their facades relative to the boundary between the site, means that they would not be obtrusive when seen from the grounds of the church, rectory and school.
- 11.3.7. The proposed development would not have a significant effect on the character or setting of the ACA at Dalkey village due to the separation distance between them and the architectural quality of the proposed design.
- 11.3.8. The site does not contain habitats of particular ecological value. Adequate survey data was submitted with the application which demonstrated that the site does not support species of particular ecological value to a significant extent, with the exception of a roost for Common Pipistrelle Bat. The proposed development will result in the loss of this roost which would require a licence from the NPWS. Measures are proposed to mitigate this loss through the installation of three bat boxes on the proposed apartment blocks. The report from the Department of Arts, Heritage and the Gaeltacht indicated that such a licence had been sought and that the proposed mitigation measures should be implemented. In these circumstances it is evident that the proposed development would not injure the natural heritage of the area.
- 11.3.9. Having regard to the information and assessments set out in the paragraphs above, it is concluded that the proposed development would make a positive character of

the area and would not injure its architectural or natural heritage. As such it would be in keeping with policy UD1 of the county development plan. The first reason for refusal recommended by the council is not justified, therefore.

11.4. Impact on the amenity of adjoining properties

- 11.4.1. The impact of the proposed apartment blocks on the neighbouring properties relates to its size and distance from those properties. Each of the façades to the site boundaries would be five stories high with only a marginal setback at the fourth floor level. At its closest point Block A would be 3.89m from the north-western boundary of the site and 4.95m from the national school on the adjoining site. This is a corner of Block A and the elevations on either side recede from the point. Block B would be 6.255m from the north-western boundary of the site near the school's playground and 6.145m from the south-eastern boundary of the site onto the back garden of the house at No. 4 Harbour Crescent. These closest points would also be at corners of the block. Block B would also be c7.6m from the south-western boundary with the side of the garden behind No. 24 Church Road, with its closest point being at one of the balconies on the long façade of the block. These figures are stated on the submitted plan drawings which describe the development that would be authorised by a grant of permission on foot of this application. The assessment in this report is based on those figures. It is noted that somewhat greater separation distances were stated in section 2.1 of the report on residential amenity submitted with the application in response to the board's opinion on the pre-application consultation.
- 11.4.2. The proposed development would not unduly overshadow, overlook or overbear the school building due to the separation distances from Block A to the north-western boundary of the site and to the school, the relative orientation of those buildings and the nature and position of the rooflights on the south-eastern side of the school t. The position of the applicant on this matter as set out in the submitted daylight and sunlight analysis is accepted over that set out in the submission from the manager of the school. The degree of overshadowing of the school grounds that would arise from Block B is also acceptable, following table 2.2 of the daylight and sunlight analysis submitted with the application. The extent and location of the playground serving the school was properly described in that analysis, notwithstanding any confusion elsewhere in the lengthy documentation submitted by the applicant. The proposed development would not unduly overlook the grounds of the church or the

school to the north. It would not reduce the level of privacy on those lands below an acceptable standard for non-residential community uses. The assertion that the proximity of apartments to the school and playground raises issues in relation to child safety is not well founded. The safety and security of people are generally enhanced by supervision of places by members of the community. There are no grounds to support an assumption that supervision by occupants of apartments on the site would differ from that by other members of the local community. It is therefore concluded that the proposed development would not seriously injure the amenities of the lands to the north-west of the site due to overlooking, overshadowing, overbearing or otherwise.

- 11.4.3. The setback and orientation of Block A relative to the frontage of the site along Harbour Road means that it would not interfere with the amenities of the properties across that street. The orientation and separation distance from the south-eastern boundary would adequately protect the amenities of the apartments at Glencairn.
- 11.4.4. The submitted daylight and sunlight analysis demonstrates that the proposed development would not unduly overshadow the curtilages of the houses to the south-west at No. 24 Church Road and to the south-east at 4 Harbour Crescent. However the proposed development would present elevations 5 storeys high in close proximity to the gardens behind those properties. The long elevation of Block B would face the side of the back garden at No 24 Harbour Road with numerous windows and balconies. The separation distance would range 15.3m and 7.8m. This would give rise to a degree of overlooking and overbearing that would undermine the privacy and amenity of the back garden serving that house. It would be mitigated to some extent by the maintenance of the fir trees on the boundary. The application includes measures to protect these mature trees during construction. However the trees are not permanent features and they will die at some stage. They are also rather dark and unattractive and would interfere with the outlook and daylight from the nearby proposed apartments. It is not considered that the trees would mitigate the injury to the amenities of No 24 Church Road, therefore. The side elevation of Block B would also be 5 storeys high with balconies and windows. It would be 6.145m from the boundary with the back garden at 4 Harbour Crescent. Although the block would be at an angle to the boundary so that the distance measured parallel to the block ranges from 9.8m to 22.4m, the proposed facade would still give rise to a very

significant degree of overlooking and overbearing towards the adjoining residential property at No. 4 Harbour Crescent. The house on that property has an unusual configuration with a living room window at the back of the house at first floor level facing the application site. However the scale and situation of the proposed Block B would seriously injure the amenity of the adjoining property even if the house upon it had a standard layout.

11.4.5. It is therefore concluded that the proposed development would seriously injure the residential amenities of the properties at No. 24 Church Road and 4 Harbour Crescent due to overlooking and overbearing. The matter was not adequately addressed in the report on residential amenity submitted with the application. The submission from the occupants of 4 Harbour Crescent, Aisling Breen and Andrew Bowman, on this particular issue is accepted. The submission from the occupant of No. 24 Church Road, Donald Hoey, referred to the character of the development generally rather than its particular effect on his home. The second reason for refusal recommended by the planning authority is therefore partially justified due to the impact of visual overbearing and overlooking on the two adjoining houses, but not in relation to overshadowing or injury to other properties. It might be possible to mitigate the injury to the amenities of the neighbouring properties by a significant reduction in the extent and height of Block B. However the extent of the required alterations is unclear and a condition to that effect might not be sufficiently precise. Given that there is an extant planning permission for an apartment scheme on the site that would allow its redevelopment at a sufficiently high density to comply with the various planning policies set out at section 11.2 above, it is not considered that the grant of another permission subject to an imprecise condition would be required to ensure the proper planning and sustainable development of the area. The injury to the privacy of the neighbouring properties means that the proposed development would not meet all the design safeguards set out in section 5.2 of the 2009 guidelines on sustainable urban residential development or find the appropriate balance between increased density and existing residential amenities required under policies RES 3 and RES 4 of the development plan.

11.4.6. The occupation of the proposed residential development would not be likely to give rise to noise that would seriously injure the amenities of adjacent properties. Building the proposed apartments could give rise to emissions or noise or dust that

could cause a nuisance to neighbours, although this would be a possibility in any significant construction project. There would be somewhat higher potential in this case due to the need to excavate a basement for car parking through rock, as was stated in several of the submissions on the application. The lengthy documentation submitted with the application did not contain much detail on this excavation except that it would be carried out by mechanical means. Nonetheless the potential noise, vibration and dust that could be generated by the construction of the proposed development could be made subject to standard limits under conditions that were enforceable and precise. Compliance with those limits would adequately mitigate the likely impact on adjacent properties, including the school, that would temporarily arise during construction. The issue would not justify refusing permission for the proposed development or requiring substantial alterations to it, therefore.

- 11.4.7. Several of the submissions on the application stated that the drawings did not consistently describe the proposals for the retention of or works to the existing wall between the site and the grounds of the school to the north, and that they failed to describe how the boathouse that abuts the western corner of the site would be safeguarded. These submissions are justified. However the matter could be adequately addressed by a condition clarifying that alterations to those structures would not be authorised by any permission and requiring the prior agreement of the council to measures to safeguard them during the construction of the proposed apartments. Such a condition would be reasonably precise and enforceable.

11.5. Standard of amenity afforded to the occupants

- 11.5.1. The proposed apartments would comply with the requirements of the 2018 guidelines on the design of new apartments. In particular the floor areas of the individual apartments would comply with SPPR 3, the ceiling heights with SPPR 5 and the number of stair cores with SPPR 6. The sizes of the internal rooms and of the private and communal open spaces provided with comply with the standards set out in the appendix to the guidelines. A high standard of landscaping is proposed and the open communal space would provide a valuable recreational amenity to the residents of the proposed apartments. The planning authority's third recommended reason for refusal stated that the proposed development would contravene SPPR 4 which requires schemes in suburban areas to provide dual aspect on at least 50% of proposed apartments while the current proposal only have dual aspect on only 44%

of them. However, while the site is suburban, it is also accessible to public transport due to the proximity of the railway station. I would advise the board that it should be regarded as an accessible site so that the minimum of 33% dual aspect apartments would apply under SPPR 4. This would be consistent with the definition of central or accessible locations at section 2.4 of the guidelines, with the wider policies to provide denser residential development on public transport corridors, and with the fact that there are far more services and facilities within walking distance of this site than would be the case in most suburban areas. The proposed development would thus comply with SPPR 4 and third recommended reason for refusal from the council is not justified.

11.5.2. The mix of apartment types complies with SPPR 1 of the 2018 guidelines as more than half of the units would have more than one bedroom. That SPPR restricts the extent to which planning authorities can impose additional restriction on housing mix in their development plans unless they have completed a Housing Needs and Demand Assessment, which the council has not. Compliance with that SPPR is mandatory under section 28(1C) of the planning act. Permission should not be refused, therefore, on the basis of a material contravention of the section 8.2.3.3 (iii) of the development plan which requires a lesser number of one-bedroom units and a greater number of units over 80m² than that currently proposed. A grant of permission in contravention of that provision would therefore be justified under section 37(2)(b)(iii) of the planning act to give effect to guidelines on apartment design issued by the minister in 2018.

11.5.3. Various submissions on the applications stated that the type of apartments that are proposed would not be suitable for the area. As set out above, there is no basis in planning policy to refuse permission for one- and two-bedroom apartments. It is noted that 66% of the households in the locality are comprised of one or two people and 12% of them are currently accommodated in apartments, as recorded in the 2016 census at Dalkey-Colliemore. The proposed development would therefore widen the range of housing types that were available in this location in a manner that would more closely reflect the range of household types and sizes that exist, not only in the wider city, but also in the immediately vicinity. So there is no factual basis that would justify a prohibition on one- and two-bedroom apartments in this area either.

11.5.4. It is therefore concluded that the proposed development would therefore provide an attractive and appropriate standard of residential amenity for its occupants in line with the applicable planning policies and that it would properly meet the housing needs of the community.

11.6. Access and parking

11.6.1. The vehicular access from the proposed apartments onto Harbour Road would have adequate sightlines. The argument in one of the submissions that the access is too close to the entrance to the school is not well founded and is not accepted. If the board is minded to grant permission, a condition should be attached requiring that the footpath along the front of the site is continued across the entrance to the proposed private development. Subject to this, the proposed development would not give rise to a traffic hazard or threaten the safety of road users.

11.6.2. The capacity of the road network in the area to carry vehicular traffic is limited by the width and alignment of the streets, in particular between the site and the village centre. The demands of vehicular traffic for movement and parking on urban street networks generally tends to outstrip their capacity. Some control of traffic and parking upon them will always be required. So refusing permission for the proposed development would not reduce the likelihood of traffic congestion and haphazard parking in the area. A grant of permission would increase the likelihood of such occurrences to a marginal degree only. The proposed development would provide homes in a place that has much better access on foot to social and commercial services and to public transport facilities than the large majority of zoned land. Refusing permission on this site would displace the demand for housing to other locations which would almost certainly have less access in this regard, with the net result of increasing the demand for travel by private car on the city's road network and increasing the likelihood of traffic congestion. The accessibility of the site by travel modes other than the private car justifies the proposed car parking provision of slightly less than one space per dwelling. The capacity and location of the proposed bike parking is acceptable. In these circumstances, the likely impact of the proposed development on traffic would not justify refusing permission or substantially altering the proposed development.

- 11.6.3. Several submissions stated that traffic associated with construction would lead to hazards and congestion on the local road network. This concern is justified, given the number of employees and the volume of materials that would be needed on site during the works,. However the risk would be temporary and it is considered that it could be properly mitigated under a construction management plan agreed with the council in the normal manner.
- 11.6.4. Having regard to the foregoing, the proposed development would be acceptable with regard to access and parking.

11.7. Water supply and drainage

- 11.7.1. It is noted that Irish Water has reported that it can facilitate the proposed connection to its networks. The site is located in flood zone C under the scheme set out in the 2009 Flood Risk Management guidelines where residential development is acceptable in principle. The proposed surface water drainage system is designed to attenuate runoff for a 1 in 100 year storm event. The council has reported that the surface water drainage proposals are acceptable. It is therefore concluded that the proposed development would be acceptable with regard to water supply and drainage.

12.0 Recommendation

- 12.1. I recommend that permission be refused for the reason set out below.

13.0 Reasons and Considerations

The proposed development would seriously injure the amenities of the adjoining residential properties at No. 4 Harbour Crescent and No. 24 Church Road because of the extent of overlooking and overbearing that would occur from the proposed Block B due to its scale, its proximity to the boundaries with those properties and the number of windows and balconies that it would have facing those boundaries.

Stephen J. O'Sullivan
Planning Inspector

13th July 2020