



An  
Bord  
Pleanála

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

### **Inspector's Report on Recommended Opinion ABP-306951-20**

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<b>Strategic Housing Development</b>	258 no. apartments, creche and associated site works.
<b>Location</b>	Lands at Murphystown Way, Dublin 18.
<b>Planning Authority</b>	Dun Laoghaire Rathdown County Council
<b>Prospective Applicant</b>	Murphystown Land Developments DAC.
<b>Date of Consultation Meeting</b>	2 <sup>nd</sup> June 2020.
<b>Date of Site Inspection</b>	15 <sup>th</sup> May 2020.
<b>Inspector</b>	Karen Kenny

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## 1.0 Introduction

Having regard to the consultation that has taken place in relation to the proposed development and also having regard to the submissions from the planning authority, the purpose of this report is to form a recommended opinion as to whether the documentation submitted with the consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016 - (i) constitutes a reasonable basis for an application under section 4, or (ii) requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

## 2.0 Site Location and Description

- 2.1. The site is located at Murphystown Way, Dublin 18. It is part of a larger landholding that sits to the east of Junction 14 on the M50. The lands are bounded to the north by the M50, to the south and west by Murphystown Way and to the east by the Luas Green Line.
- 2.2. The area is suburban in character. Glencairn House (British Embassy) and the associated demesne lands are to the east of the site. The housing development permitted under SHD Ref. ABP-302580-18 is under construction within the grounds of Glencairn House. Glencairn Luas stop is c. 70 metres to the south of the site and there is suburban housing to the south. In the wider area Sandyford is to the north on the northern side of the M50, there is a small parade of shops c. 500 metres to the south and the Leopardstown Shopping Centre is c. 1500 metres to the east.
- 2.3. The site has a stated area of 2.21 ha. The northern section (zoned open space) comprises a heavily planted and overgrown valley that slopes into a watercourse (Racecourse stream). The southern section (zoned residential) is undeveloped. This section slopes from Murphystown Way northwards towards the M50. There is a high concrete wall along the boundary to Murphystown Way. There are also historic stone rubble walls within the site and along the eastern boundary and mature planting along the eastern boundary with the Luas. The north western boundary is unmarked. The north western part of the landholding (c. 1.03 ha) is identified as a future school site and is not included within the site area.

### 3.0 Proposed Strategic Housing Development

3.1. The proposed development consists of the construction of 258 no. apartments in 3 no. blocks of 5-10 storeys over basement.

3.2. Key Details:

Detail	Proposal
<b>No. of Units</b>	258 no. apartments in 3 no. blocks of 5-10 storeys.
<b>Site Area</b>	2.21 ha gross / 0.98 ha net
<b>Density</b>	263 no. units per ha (net)
<b>Plot Ratio</b>	2.56:1
<b>Site Coverage</b>	59%
<b>Dual Aspect</b>	42%
<b>Parking</b>	195 no. car parking spaces; 7 no. motor bike spaces; 334 no. cycle parking spaces in bike storage rooms at basement; and 80 no. surface level cycle parking spaces.
<b>Open Space</b>	10,255 sq.m public; 2,440 sq.m communal
<b>Internal Amenity</b>	450sq.m
<b>Other Uses</b>	Creche (550 sq.m)

3.23. Housing Mix

ABP-304590-19	No.	%
<b>1-Bed</b>	97	37.6
<b>2-Bed*</b>	161	62.4
<b>Total</b>	258	100

\*21 no. 2 bed + study.

3.36. The proposed development includes a c. 70m section of a proposed link road from Murphystown Way to Sandyford which will provide vehicular access to the proposed basement car park and creche. Pedestrian and cycle access is proposed directly from Murphystown Way between Block 1 and Block 2.

## 4.0 Planning History

### 4.1. Subject Site:

**D04A/1115 (PL.06D.211875):** Permission refused for development comprising 405 no. apartments and a creche in 6 blocks ranging in height from 5 storey plus penthouse to 8 storey all on a site of 2.32 ha that included the subject site. The reasons for refusal related to: (1) excessive density; (2) excessive height, scale, bulk and mass; (3) visual impact of tower element; (4) housing mix; and (5) noise, overshadowing, overlooking and micro climate impacts.

**D00A/0355:** Permission granted for office based industrial development (34,852sq.m) in four blocks of 3-7 storeys plus penthouse and part of the Murphystown Parallel Access Road.

### 4.2. Glencairn House Lands to the east of the pre-application site:

**ABP-302580-18:** Permission granted for demolition of existing houses and outbuildings and for construction of 243 no. apartments and 98 no. houses, a childcare facility and associated works.

### 4.3. Proposed Link Road

**ABP Ref. 06D.HA0040:** Permission sought by DLRCC under the Roads Act for the Leopardstown Link Road and Roundabout Reconfiguration Scheme. The proposed development included the upgrade of c. 900 metres of existing roadway that includes the existing Leopardstown Road / Brewery Road roundabout and the construction of a new road in three separate phases with a total length of c. 1,300 metres extending from Leopardstown Road East to South County Business Park, the replacement of the existing Leopardstown roundabout with a 4-arm signalised junction; and the construction of a new link road through Leopardstown Park Hospital south of Central Park, across the M50 linking to Murphystown Way. ABP granted permission for Phase 1 of the Leopardstown Link Road and Roundabout. Permission refused for

Phase 2 and 3 including the link over the M50 to Murphystown Way. The reasons for refusal state that the Board was not satisfied that the scheme would not conflict with and prejudice delivery of the M50 southbound on ramp from the N31 which is a long-term road objective of the CDP and traffic safety.

## **5.0 Section 247 Consultation(s) with Planning Authority**

5.1. The applicant's representatives met the PA for a consultation under Section 247 of the Planning and Development Act 2000 (as amended) on 3<sup>rd</sup> December 2019. Minutes of the S247 meeting have been included with the PA's submission.

## **6.0 National and Local Planning Policy**

### **6.1. Project Ireland 2040 – National Planning Framework**

The National Planning Framework includes a specific Chapter, No. 6, entitled 'People Homes and Communities'. It includes 12 objectives, including the following:

- Objective 27 which seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.
- Objective 33 which seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- Objective 35 which seeks to increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

### **6.2. Section 28 Ministerial Guidelines**

The following Section 28 Ministerial Guidelines are considered to be of particular relevance:

- 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 Guidelines for Planning Authorities (2018).
- Urban Development and Building Heights – Guidelines for Planning Authorities, (2018).
- Design Manual for Urban Roads and Streets.
- Childcare Facilities – Guidelines for Planning Authorities.
- Architectural Heritage Protection Guidelines for Planning Authorities.

### 6.3. **Dún Laoghaire-Rathdown County Development Plan 2016-2022**

The southern section of the site is zoned A with an objective 'to protect and/or improve residential amenity'. The northern section of the site is zoned F with an objective 'to preserve and provide for open space with ancillary active recreational amenities'.

Glencairn House (PS No. 1643), is located to the east of the site. The site was once part of the curtilage of Glencairn House and contains boundary walls and features that are associated with the demesne. The features contained within the subject site are not included on the RPS.

The Zone of Archaeological Potential for RMP 023-63 (bronze age flat cemetery) extends into the northern section of the site; and the Zone of Archaeological Potential for RMP 023-25 (Murphystown Castle) extends into the eastern corner of the site.

There is an objective on the site to protect and preserve trees and woodlands – Map 6 refers.

Objective TAM6 and TAM18: There is a 'long term' roads objective for an M50 crossing and parallel road that would run from Murphystown Way along the northern western site boundary; and an objective for walking and cycle connections over the M50 (Map 6 refers).

Chapter 2 Sustainable Communities Strategy, includes policies which seek to increase housing supply, ensure an appropriate mix, type and range of housing and promote the development of balanced sustainable communities. Relevant policies include

RES3 promoting higher residential densities in line with national policy whilst ensuring a balance between density and the reasonable protection of residential amenities and established character. Section 2.1.3.3 states that densities of greater than 50 units per hectare will be encouraged within c. 1 km of public transport nodes. RES7 encourages the provision of a wide variety of housing and apartment types and RES8 seeks to provide social housing. RES14 seeks to ensure that community and neighbourhood facilities are provided in conjunction with, and as an integral component of, major new residential development. RES15 promotes an 'urban village' design approach in new development growth nodes. Section 2.2 sets out policies in relation to sustainable land use and travel. ST2 and ST11 relate to the integration of land use and transportation, ST19/20 relate to travel demand management and travel plans and ST27 relates to traffic and transport assessment and road safety audits.

Chapter 4 'Green Infrastructure' sets out policy in relation to open space and recreation including OSR5 in relation to public open space provision and OSR14 in relation to play facilities.

Chapter 5 'Physical Infrastructure Strategy' sets out policy in relation to (inter alia) water supply and wastewater, waste management, pollution, climate change, energy efficiency, renewable energy and flood risk.

Chapter 7 'Community Strategy' sets out policy for the delivery of community facilities in Section 7.1.3, including Policy SIC7: New Development Areas; and Policy SIC11: Childcare Facilities.

Chapter 8 'Principles of Development' contains the urban design policies and principles for development including public realm design, building heights strategy, car parking. Section 8.2 sets out Development Management Standards for (inter alia) Residential Development (8.2.3), Sustainable Travel and Transport (Section 8.2.4); Open Space and Recreation (Section 8.2.8), Environmental Management (8.2.9), Climate Change Adaption and Energy (8.2.10) and Community Support Facilities (Section 8.2.12).

Appendix 9 details the Building Height Strategy. Section 4.2 'Local Area Boundaries' states that local plans will include specific policy on building height and that these local plans are the most appropriate vehicle for determining if taller buildings are appropriate or not to any given location.



## **Ballyogan and Environs Local Area Plan 2019 - 2025**

This LAP was adopted in 2019 as an Objective of the Development Plan. The site is within Neighbourhood 1 - Glencairn North. The Local Area Plan includes the following provisions:

Policy BELAP MOV12: To provide or facilitate the delivery of the new linkages shown in Table 4.6 and Figure 4.11 – Movement Strategy. Table 4.6 and Figure 4.11 show a proposed road link (No. 23) through the site ‘Leopardstown Link Road Phases 2 and 3’.

Policy BELAP RES1: To achieve residential densities within the BELAP area sufficient to generate a critical mass of population to support and sustain commercial and community services and quality public transport infrastructure. Higher densities of population should be focused on services and not transport corridors alone.

Policy BELAP RES2: Any residential scheme within each of the Neighbourhoods shall as a general rule have a target net density as set out in Table 5.4..... Table 5.4 Target Residential Densities refers to a target density of 65 units per ha in Neighbourhood 1 – Glencairn North.

Policy BELAP RES3: The building heights of residential schemes shall be informed by the considerations set out in Table 5.5, unless otherwise indicated by the detailed provisions of any Site Development Frameworks, where applicable, and subject to Policy BELAP RES4 below.

Policy BELAP RES4 – Locations for Higher Buildings: The locations identified as RES4 on Figure 11.1 (inc. Glencairn North) are considered as suitable locations for higher buildings. Table 5.5 Building Heights states that in Neighbourhood 1 – Glencairn North the relationship to the M50 corridor and the site’s size and topography give capacity for height, subject to consideration of protected structures.

Policy BELAP RES6 seeks a suitable mix of house types and sizes and policy BELAP RES7 promotes quality house designs.

Policies BELAP A1 and A2 require archaeological impact assessment on lands containing, or adjoining sites of archaeological interest and for historic features and archaeological remains to be incorporated into the design and layout of new development.

Three school sites have been identified within the LAP area at Kilgobbin South, Glencairn North, and Racecourse South as shown on Figure 11.1. Policy BELAP COM4 requires the landowner/developers to enter discussions with the Department of Education and Skills prior to pre-planning.

Policy BELAP COM7 requires larger residential developments to provide one childcare facility (equivalent to a minimum of 20 child places) for every 75 dwelling units unless it can be satisfactorily demonstrated that there is already adequate childcare provision in the area.

## **7.0 Forming of the 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 submission and the discussions which took place during the tripartite consultation meeting. I shall provide a brief detail on each of these elements hereunder.

### **7.1. Other Submissions**

- Irish Water issued confirmation of feasibility for the development. A new 150 DI connection main will need to be laid over c. 35 metres to connect the proposed development to the existing 300mm DI main. The developer will be required to fund the works. Connections to the water and wastewater networks are via third party infrastructure. The applicant will need to obtain and provide all necessary consents and permissions for the connection and provide evidence that the infrastructure has capacity to cater for additional loading from the development. The submission includes a note stating that the Confirmation of Feasibility does not extend to the applicant's fire flow requirements and that Irish Water cannot guarantee a flow rate to meet fire flow requirements.
- The submission received from the Department of Culture, Heritage and the Gaeltacht notes the recommendations of the Archaeological Assessment Report and recommendation that all groundworks are subject to archaeological monitoring during the construction phase. The submission outlines conditions pertaining to monitoring to be included in any grant of permission.

- The submission received from Transport Infrastructure Ireland notes that the exact location of the site is not clear based on available information. The submission states that TII in making a submission or comment on an application will seek to uphold official policy and guidance as outlined in the '*Spatial Planning and National Roads Guidelines for Planning Authorities*' (DoECLG, 2012) and TII's "*Code of engineering practice for works on, near, or adjacent the Luas light rail system*". The submission also refers to other TII publications and guidance documents that should be consulted prior to making an application.

## 7.2. 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, a Completed Application Form, Cover Letter, Irish Water Letter, Planning Report / Statement of Consistency, EIA Screening Report, Build Height Guidelines Consistency Statement, Architectural Drawings, Architectural Design Statement and Technical Report, Part V Proposals, Landscape Drawings, Biodiversity Landscape and Arboricultural Impact Assessment Report, Visual Impact Assessment, AA Screening Information, Arboricultural Assessment / Tree Survey Report and Tree Constraints Plan, Photomontages, Engineering Services Report, Engineering Drawings, Site Specific Flood Risk Assessment, Construction and Environmental Management Plan, Traffic and Transport Assessment and Drawings, Archaeology and Cultural Heritage Desk Study and Archaeological Impact Statement, Public Lighting Report and Drawings, Sunlight and Daylight Assessment, Outline Construction and Demolition Waste Management Plan, Operational Waste Management Plan, Initial Noise Assessment and Microclimate Wind Analysis.

## 7.3. Statement of Consistency

Section 5(5)(b) of the Act of 2016 requires the submission of a statement that, in the prospective applicant's opinion, the proposal is consistent with both the relevant objectives of the development plan or local area plan concerned, and the relevant guidelines issued by the Minister under section 28 of the Act of 2000. These

statements have been submitted, as required. The applicant's case in relation to the proposed development is summarised as follows:

- Consistent with NPF and RSES policy including policies on consolidation, increased density, building height and quality design.
- Consistent with Pillar 3 and 5 of Rebuilding Ireland Action Plan for Housing and Homelessness.
- Compliance with Sustainable Urban Housing: Design Standards for New Apartments, 2018. Accessible urban location that is suitable for apartments. Development and meets the relevant standards in the guidelines. The TTA sets out a justification for the level of car parking provision in context of guidance in Apartment Guidelines.
- Complies with Building Height Guidelines 2018. LAP identifies the site as a location for higher buildings. SPPR3 allows the Board to approve increased height where an applicant demonstrates compliance with development management criteria in the guidelines.
- Complies with criteria in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas including provisions in relation to sequential development, density, walking, cycling and public transport use, access and wayfinding, efficient use of land and climate considerations. Development also complies with the 12 criteria detailed in the accompanying Urban Design Manual – A Best Practice Guide.
- Complies with criteria for residential developments set out in the Quality Housing for Sustainable Communities: Best Practice Guidelines for Sustainable Communities 2007.
- The application is accompanied by a Flood Risk Assessment in accordance with the Flood Risk Management Guidelines.
- The development complies with DMURS.
- In terms of childcare guidelines, a childcare facility with capacity for 110 no. children is proposed.

Development Plan

- High density residential development on residential zoned land is consistent with the core strategy.
- The site is zoned residential, with an open space zoning in the northern section. The development is confined to residential zoned lands, save for the creche play area which extends into the open space zoned lands.
- Objective 'to protect and preserve trees and woodlands'. The landscape drawings demonstrate how the scheme provides for the protection of trees.
- There are a long-term cycle / pedestrian and roads objectives impacting the site under Objective TAM6 and TAM18. The proposal includes the first sections of the link road from Murphystown Way to Sandyford.
- Archaeological potential addressed in reports of Courtney Deering.
- Compliance with design principles addressed in Design Statement.
- Development Standards in Chapter 8 are addressed in the submitted documents.

#### Ballyogan & Environs LAP

- The site is in the Glencairn Quarter and is identified as Glencairn North. A unit capacity of 180 units is identified.
- The LAP identifies potential for higher buildings on the site.
- The LAP includes a Roads Objective for the "Leopardstown Link Road phases 2 and 3. The scheme will deliver the first section of this link road.
- Figure 11.1 identifies a school site within the Glencairn North lands. Lands to the north west are reserved for this purpose.
- The development is consistent with quantitative standards and development management standards in the LAP.

#### 7.4. Building Height Consistency Statement

- The building heights are justified in the context of recent national planning policy set out in the NPF (reference to NPO 13 and 35), Apartment Guidelines (reference to Section 2.4) and Building Height Guidelines.
- The development meets the relevant development management criteria set out in SPPR 3 of the Building Height Guidelines.

- The BELAP provides for increased height and higher buildings on the subject site.

## 7.5. Planning Authority Submission

A submission was received by An Bord Pleanála from Dun Laoghaire Rathdown County Council on 26<sup>th</sup> May 2020. The 'opinion' of the planning authority included, inter alia, the following:

- Proposed development acceptable in principle.
- The proposed density is high. In line with national policy PA accepts the density in principle. The sites proximity to the Glencairn Luas stop is noted.
- The height considered acceptable subject to residential amenity being maintained.
- Welcome the submission of Daylight and Sunlight and Wind and Acoustic studies. Further clarity sought in relation to wind and acoustic conditions and mitigation measures in the application. Note previous reason for refusal which included wind and noise impacts.
- In relation to Archaeology and Cultural Heritage further detail sought in relation to proposed breaches in the Glencairn Boundary Wall.
- Concerns in relation to the overall bulk and massing of Block 1 and 2 when read from Murphystown Way (ref. to artists impression in p46 of the Design Statement). The corner element reads as heavy and awkward and could be refined in its bulk with the use of lighter materials and glazing; opportunity to provide a better relationship to Murphystown Way; the landmark building seeks to maximise the opportunity for a unique landmark building between the LUAS bridge and the proposed Link Road Bridge. The PA consider this a good location for additional height / landmark building as set out in Policy BELAP RES4. Greater detail sought in relation to section / view towards open space given falling levels; finishes of buildings and landscaping.
- In relation to dual aspect units the PA consider that the site is not within 'a more central and accessible urban location' and that a minimum of 50% of units should be dual aspect.

- Overall, the HQA shows that apartments largely meet the standards set out in the Apartment Guidelines.
- PA has concerns in relation to 2 storey creche and the absence of a direct pedestrian connection from the drop off area.
- No 'Schools Demand Assessment' has been submitted.
- Further details in relation to surface water drainage and in relation to outfall during flood conditions are sought.
- Details required in relation to the design of the proposed link road and access and drop off arrangements for the development and the adjoining school.
- Clarity is sought in relation to the use of communal facilities.
- Letters of consent should be provided where site includes third party landowners (including DLRCC).

## 7.6. Consultation Meeting

A Section 5 Consultation meeting took place Remotely Via Microsoft Teams on the 2<sup>nd</sup> June 2020, commencing at 9.30. Representatives of the prospective applicant, the planning authority and An Bord Pleanála participated in the meeting. An agenda was issued by An Bord Pleanála prior to the meeting.

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

- Development Strategy – height and massing of the blocks, architectural detailing, and open space strategy.
- Residential Amenity – dual aspect ratio, daylight and sunlight, wind impacts and inward noise.
- Irish Water Submission and Surface Water Drainage.
- Transportation – proposed link road; access / circulation / drop off, car parking and cycle parking.
- Archaeology and Built Heritage.
- Any Other Business.

- In relation to Development Strategy, An Bord Pleanála sought further elaboration / discussion / consideration in relation to the development strategy for the site including the proposed scale and massing of blocks and feature elements; architectural detailing; interface with streets and open spaces; and the open space strategy.
- In relation to Residential Amenity, An Bord Pleanála sought further elaboration / discussion / consideration in relation to the proportion of dual aspect units, daylight and sunlight assessments; wind impacts; and inward noise impacts.
- In relation to Irish Water and Surface Water drainage, An Bord Pleanála sought further elaboration / discussion / consideration in relation to the issues raised by the PA's Drainage Section and in the submission received from Irish Water.
- In relation to Transportation, An Bord Pleanála sought further elaboration / discussion / consideration in relation to the proposed link road, access and circulation arrangements, car parking and cycle parking.
- In relation to Archaeology and Built Heritage, An Bord Pleanála noted the content of the submission received from the Development Applications Unit in relation to archaeology and sought further discussion in relation to the issues raised by the PA in relation to built heritage impacts.

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 306951' 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.

## 8.0 Conclusion and Recommendation

Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.



I have examined all of the information and submissions before me including the documentation submitted by the prospective applicant, the submissions of the planning authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, via the s.28 Ministerial Guidelines, and local policy, via the statutory plans for the area.

Having regard to all of the above, I recommend that further consideration and/or possible amendment of the documents submitted are required at application stage in respect of the following elements: development strategy and residential amenity, as sets out in the Recommended Opinion below.

Having regard to the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

I 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.

## **9.0 Recommended Opinion**

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.

Following consideration of the issues raised during the consultation process and having regard to the opinion of the planning authority, An Bord Pleanála is of the opinion that the documentation submitted requires further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála.

In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could result in them constituting a reasonable basis for an application for strategic housing development:

1. Development Strategy

Further consideration and / or justification of the documents as they relate to the scale, massing and proportions of blocks and of feature elements including detail of how all of the individual elements come together to form a coherent character for the scheme overall. The further consideration should address the level of differentiation between lower elements and features elements and address the relationship with existing contiguous development (under construction) on the adjoining Glencairn site.

Further consideration and / or justification of the documents as they relate to the architectural detailing and materiality of the scheme.

Regard should be had to the sites prominent location along the M50, Luas Line and Murphystown Way and the need for an architectural design of high quality at this location. Regard should also be had to the need for consistency in architectural expression and materiality across the scheme and for high quality material finishes on prominent / external elevations.

The further consideration / justification should have regard to, inter alia, the guidance contained in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and the accompanying Urban Design Manual, the Urban Development and Building Height Guidelines for Planning Authorities (2018); the Architectural Heritage Protection, Guidelines for Planning Authorities (2011); the Dun Laoghaire Rathdown County Development Plan 2016-2022 and the Ballogan & Environs Local Area Plan 2019-2026.

## 2. Residential Amenity

Further consideration and / or justification of the documents as they relate to future residential amenity, having particular regard to the portion of dual aspect units; daylight and sunlight access to units and spaces; micro-climate / wind impacts; and inward noise impacts. The further consideration in respect of dual aspect units should have regard to the requirements of the Sustainable Urban Housing Design Standards for New Apartments Guidelines (2018), SPPR 4.

The further consideration of these issues may require an amendment to the documents and/or design proposals submitted at application stage.

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. The prospective applicant is advised to address the following in the documents submitted:
  - (a) Provide evidence that Irish Water has confirmed that it is feasible to provide water and wastewater services and that the relevant networks have the capacity to service the development. This application should address, *inter alia*, the issues raised in the submission received by An Bord Pleanála from Irish Water.
  - (b) Address the matters raised in the Report of the Drainage Division of Dun Laoghaire Rathdown County Council in relation to surface water drainage and outfall during flood conditions, as contained in the PA's submission dated 26<sup>th</sup> May 2020.
  - (c) Include further detail in relation to the design and operation of the proposed road link from Murphystown Way (both as a cul-de-sac and as a through road) including details of proposed embankments and of future access to the adjoining school site. The details should address the matters raised in the Report of the Transportation Division of Dun Laoghaire Rathdown County Council, as contained in the PA's submission dated 26<sup>th</sup> May 2020. Furthermore, the details should demonstrate that

the design of the roadway and finished levels will support future extension of this roadway over the M50.

- (d) Include further detail in relation to the interface with streets and open spaces including details in relation to any transitions in ground levels.
  - (e) Provide further justification for the level of car and cycle parking proposed and detail the design of cycle parking spaces and secure storage areas. The justification should include an analysis of car and cycle parking demand that is likely to be generated by the proposed development taking account of the locational context and level of connectivity (by all modes) to services and employment generators.
  - (f) Provide an assessment of potential ecological impacts arising from the proposed development based on up to date ecological surveys of the site.
  - (g) Provide updated Sunlight and Daylight Analysis (based on a representative sample of units that includes assessment of worst-case scenarios); updated Wind and Microclimate Analysis (including details of any proposed mitigation measures); and an Inward Noise Assessment.
  - (h) Include a site layout plan showing the extent of the residential and open space zonings within the site and a clear justification for any development proposed within the open space zoned lands, having regard to the permissible categories of development within the land use zoning matrix (Table 8.3.10) in the Dun Laoghaire Rathdown Development Plan.
2. An updated Visual Impact Assessment that includes photomontages, cross sections, axonometric drawings and CGIs. The assessment should address key views from the M50 and associated overbridges, key views along the Luas Line and key views along Murphystown Way.
  3. A Materials Strategy that details all materials proposed for buildings, open spaces, paved areas and boundaries. This strategy shall include details of the colour, tone and texture of materials and the modelling and profiling of the materials on each block. The documents should also have regard to the durability of materials and the long-term management and maintenance of the proposed development.
  4. A Housing Quality Assessment that provides details in respect of the proposed apartments set out as a schedule of accommodation, with the calculations and

tables required to demonstrate compliance of the various requirements of the 2018 Guidelines on Design Standards for New Apartments.

5. A Building Life Cycle Report that includes an assessment of the long term running and maintenance costs associated with the development in accordance with Section 6.13 of the 2018 Guidelines on Design Standards for New Apartments.
6. A detailed phasing plan for the proposed development.
7. A site layout plan clearly indicating what areas are to be taken in charge by the Local Authority.
8. Information for the purposes of screening for EIA as set out in schedule 7A of the Planning and Development Regulations 2001 (as amended) where the application is not accompanied by a full EIAR. The information should be submitted as a standalone document and refer to the potential for cumulative effects in conjunction with other permitted and planned housing and road developments in the area.

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. Transport Infrastructure Ireland
2. National Transport Authority
3. Commission for Railway Regulation
4. Irish Water
5. Irish Aviation Authority
6. Minister for Culture, Heritage and the Gaeltacht (archaeology, nature conservation and built heritage)
7. Heritage Council (archaeology, nature conservation and built heritage)
8. Inland Fisheries Ireland
9. An Chomhairle Ealaíon

10. Failte Ireland

11. An Taisce — the National Trust for Ireland (archaeology, nature conservation and built heritage)

12. Dun Laoghaire Rathdown Childcare Committee

**PLEASE NOTE:**

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

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Karen Kenny

Senior Planning Inspector

10<sup>th</sup> June 2020