



An
Bord
Pleanála

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

**Inspector's Report on
Recommended Opinion
ABP-306989-20**

Strategic Housing Development

105 Apartments comprising alterations to Phase 1 permission for 45 no. apartments (Reg. Ref.D17A/0950 & ABP Ref.300745-18), and the provision of 60 no. apartments within Phase 2 residential development above permitted podium car park.

Location

Frascati Centre, Frascati Road,
Blackrock, Co. Dublin.

Planning Authority

Dun Laoghaire-Rathdown County
Council

Prospective Applicant

IMRF 11 Frascati Limited Partnership

Date of Consultation Meeting

5th June 2020

Date of Site Inspection

13th May 2020

1.0 Introduction

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

2.0 Site Location and Description

- 2.1. The site is located in the centre of Blackrock in the north of the Dun Laoghaire-Rathdown County Council Area. The application area includes part of the existing Shopping Centre to the east and north and also relates to previous planning approvals on the site. The site has a stated area of c. 0.82 ha. The Frascati Centre has planning approval for a mix of retail and residential development. Currently the site is occupied solely by the Shopping Centre for retail use, with works underway to construct 'Phase 1' forming the residential use on the site. The remainder of the surrounding area is characterised by a mix of suburban residential development and large scale contemporary office buildings.
- 2.2. The site is bound by Frascati Road to the north east along the front boundary line for the centre. To the south east the site is bounded by St George's Avenue and the rear gardens for the two storey residential dwellings on this road. Similarly, the rear of residential dwellings bound the site to the west and south west. To the north of the site, the Lisalea Apartment block backs onto the site and to the north west a terrace of houses on Mount Merrion Avenue. The site exhibits a higher ground level than adjacent areas to the north, as well as level changes across the site area.

3.0 Proposed Strategic Housing Development

3.1. The proposed development involves 105 no. apartments as follows:

UNIT TYPE	PHASE 1 (AMENDMENTS)	PHASE 2	TOTAL
Studios	-	20	20 (19%)
1 bed	3	25	28 (27%)
2 bed	36	15	51 (48%)
3 bed	6	-	6 (6%)
Total	45	60	105

The development has a stated net residential density of c. 164.5 units/ha based on a development area of c. 0.82 ha. It is described under two phases, Phase 1 relating to amendments to 45 no. permitted residential units (Reg. Ref. D17A/0950 & ABP Ref.: 300745-18) and the construction of a new Phase 2 block over permitted podium car park area. The scheme can be described as follows:

- Above the existing two storey retail centre onto Frascati Road, it is proposed to construct a 3 storey residential block, resulting in a total building height of 5 storeys (2 commercial plus 3 residential). This forms Phase 1 of the development, with height, scale and mass unaltered from the previous approval;
- Phase 1 amendments include internal alterations to permitted units and associated external alterations, including the provision of winter gardens. Unit number and mix remain unaltered;
- Above a permitted podium car park to the north west of the site, a new U-shaped residential block is proposed to be constructed around a central courtyard area. Varying in height between 4 and 7 storeys with a maximum height of approximately 25m (formed of between 2 and 5 storey residential levels above 2 storey podium car park);
- A link bridge between Phase 1 and Phase 2 at second floor (residential level);
- Refuse, car and cycle parking facilities for Phase 1 to be extended for Phase 2;

- Main entrance to be from Frascati Road via Phase 1 to all proposed residential units;
- A standalone concierge facility to serve all units at second floor (residential level) adjacent to communal garden area;
- Three communal courtyard areas to serve all units;
- The applicant has submitted an Environmental Report and an AA screening report.

4.0 Planning History

4.1. A number of planning applications relating to the site concern the change of use of retail units, signage and alterations to the shopping centre. Planning history of relevance to the current pre-application proposal is set out below:

4.1.1. A series of similar applications granted for modifications to development permitted under Reg. Ref. D14/0134, as amended by Reg. Ref. D16A/0235 and ABP Ref. PL06D.246810, Reg. Ref. D16A/0798, Reg. Ref. D16A/0843, Reg. Ref. D17A/0599, D18A/0605 and D18A/0130, which provides for the rejuvenation of the shopping centre.

4.2. D17A/0950 and ABP Ref. 300745-18

4.2.1. Permission granted by Dun Laoghaire-Rathdown and subsequently the Board on Appeal, for 45 no. apartment units, over three storeys, from second to fourth floor level, over the permitted ground and first floor levels of retail / restaurant floorspace and permitted lower ground floor car park. Proposal for an extension of the Rejuvenation Scheme permitted under Reg. Ref. D14A/0134, as amended. The apartment mix consists of three number one bedroom units, 36 number two bedroom units and six number three bedroom units. Balconies are provided for the residential apartments on the north-eastern, north-western, south-eastern and south-western elevations. Access to the residential units via a stair and lift core from lower ground and ground floor level. 51 number car parking spaces within the lower ground floor car park allocated to residential units. 54 no. bicycle parking spaces for the apartments, located at lower ground floor level and first floor podium car park. Bin store and plant area at lower ground level, two communal terrace areas at second

floor level and roof level and plant enclosures at roof level. Reduction in permitted footprint of the lower ground floor level. Omission of the second floor level restaurant unit and storage floorspace permitted under the Rejuvenation Scheme. First floor level podium car park, over permitted car park, located at the north-west of the site, providing 81 no. car parking spaces. Total car parking provision for the scheme amended to 604 spaces, comprising 51 spaces for the residential units and 553 spaces for the retail and restaurant floorspace.

4.2.2. A Section 132 request to submit an EIAR for this application was made by An Bord Pleanála as follows:

“Please submit an EIAR of the effects on the proposed development on the environment, which shall include an assessment of the cumulative impacts of the subject development and the development already authorized on the site under D14A/0134. It is considered that an EIAR is required because the development in question comes within the scope of class 13(a)(ii) of the Planning and Development Regulations 2000 (as amended), as the proposed developments results in an increase in size greater than 25% of the development already authorised and being executed on the site under D14A/0134.”

4.2.3. Class 13(a) states the following:

“Class 13(a) relates to any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would –

- (i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule,
and
- (ii) result in an increase in size greater than – 25%, or
 - an amount equal to 50% of the appropriate threshold, whichever is the greater.”

4.2.4. **D16A/0235 and ABP Ref. 246810:**

4.2.5. Permission granted for modification to the development permitted under Reg. Ref. D14A/0134, which provides for the rejuvenation of the Frascati shopping centre with all associated site works, Blackrock, Co. Dublin.

4.2.6. **D14A/0134:**

4.2.7. Planning permission granted for part demolition and extension of shopping centre to north-east (towards Frascati Road) and north-west to provide for expansion of retail, retail services, restaurant/café and ancillary floor space at lower ground, ground, first and second floor level, including a terrace for the second floor level restaurant. A lower ground and podium level of car parking proposed in north-east and north-west part of site. Also for a part two/part three storeys over existing lower ground (basement) level of retail and a lower ground floor level car park. Rejuvenation of Frascati Shopping Centre to comprise of 19,592sqm Gross Floor Area (GFA) of existing retained and proposed floor space, in addition to a lower ground floor level car park with a GFA of 6,158sqm (total GFA including lower ground level car park of 25,750sqm). Existing centre has a total Gross Floor Area of 10,239sqm. Rejuvenated shopping centre to consist of 16,020sqm of lettable retail, retail services and restaurant/café floor space, compared with 9,358sqm lettable floor space existing. Proposal for a net increase of 6,662sqm of lettable retail, retail services and restaurant/café floor space. Total floor space to be demolished, including mall floor space, is 1,708sqm. Also for demolition of entrance lobby and canopy to the north-east elevation, the entrance lobby and canopy to the south-west elevation and the canopy to the north-west elevation of shopping centre building. Development to be served by 556 no. car parking spaces and 170 no. cycle spaces at lower ground, ground (surface) and podium level. Proposal incorporates associated signage, including 1 no. totem sign fronting Frascati Road, a 'Frascati' centre sign and 2 no. anchor store signs on the north-east elevation, 1 no. anchor store sign and 1 no. 'Frascati' centre sign on the north-west elevation, 1 no. entrance sign on the south-west elevation and 1 no. sign on the south-east elevation. A new landscaped open space area provided to the north-east of rejuvenated shopping centre adjacent to Frascati Road. For realignment of Priory Stream culvert which passes under the northwest car park, diversion of watermains, roof mounted screened plant area and 2 no. loading bays. All hard and soft landscaping work; all associated site works; and all other ancillary works. Road improvement works to Frascati Road including reconfiguration of site access from Frascati Road (N31) adjacent to George's Avenue, and closure of site exit at this location. Reconfiguration of site access at traffic light intersection on Frascati Road opposite Rock Hill and adjacent Rock

Road/Mount Merrion Avenue, including a new right turn into the site for southbound traffic on Frascati Road, a new straight movement exit to Rock Hill and a new right turning exit for southbound traffic exiting the site, including modifications to traffic islands to facilitate the revised arrangements. Also associated revisions to traffic circulation within site including provision of ticket machines and barriers to facilitate pay on foot parking facilities.

- 4.2.8. An EIS was submitted to the Planning Authority with the application. Section 5 of the Planning and Development Regulations 2001 cites the size thresholds over which certain types of development require an EIS to be prepared as part of the planning application process. The development required an EIS in accordance with Paragraph 10(b)(iii) and (iv), Part 2 of Section 5 of the Planning and Development Regulations which states that an EIS is required for “construction of a shopping centre with a gross floor space exceeding 10,000sqm” and “Urban development which would involve an area greater than 2 hectares in the case of a business district.”

5.0 National and Local Planning Policy

5.1. Section 28 Ministerial Guidelines

- 5.1.1. Having considered the nature of the proposal, the receiving environment and the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant section 28 Ministerial Guidelines are:
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated Urban Design Manual) 2009
 - Design Standards for New Apartments Guidelines for Planning Authorities 2018
 - Design Manual for Urban Roads and Streets (DMURS) 2019
 - The Planning System and Flood Risk Management (including the associated Technical Appendices) 2009
 - Childcare Facilities Guidelines for Planning Authorities 2001
 - Urban Development and Building Heights Guidelines for Planning Authorities 2018

5.2. National Planning Framework

- 5.3. The NPF seeks to achieve compact urban growth by targeting a greater proportion (40%) of future housing development to be within and close to the existing 'footprint' of built-up areas and plans for growth of 490,000 to 500,000 people in the Eastern and Midlands Region.
- 5.4. The National Planning Framework includes a specific Chapter, No. 6, entitled 'People Homes and Communities'. It includes 12 objectives among which Objective 27 seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.
- 5.5. Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- 5.6. Objective 35 seeks to increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.
- 5.7. **Dun Laoghaire Rathdown County Development Plan 2016-2022**
- 5.7.1. Zoning: The site is primarily zoned 'DC' District Centre, which has the objective 'To protect, provide for and/or improve mixed-use district centre facilities.' A portion of the site to the north east is land zoned 'A', with the objective 'To protect and / or improve residential amenity.'
- 5.7.2. General: The Dun Laoghaire Rathdown County Development Plan 2016-2022 contains the planning policies applicable to the site. Section 1 outlines that the Council is required to deliver c.30,800 units over the period 2014 – 2022. It is stated that the Council in seeking to secure this objective with focus on three strands, namely: increasing the supply of housing; ensuring an appropriate mix, type and range of housing; and, promoting the development of balanced sustainable communities.
- 5.7.3. Housing policies set out in section 2.1.3 include policy RES3: Residential Density, which promotes higher residential densities in the interests of promoting more sustainable development whilst ensuring a balance between this and ensuring the

reasonable protection of residential amenities and established character of areas; RES4: Existing Housing Stock and Densification, which encourages the densification of existing housing stock to retain population levels, and RES7: Overall Housing Mix, which encourages the provision of a wide variety of housing and apartment types.

- 5.7.4. Other policies which relate to sustainable land use and travel include ST2: Integration of Land Use and Transportation Policies, ST19: Travel Demand Management, ST23: Car Clubs and ST27: Traffic & Transport Assessment and Road Safety Audits.
- 5.7.5. Section 3.3.8 describes the need for investment and renewal in the centre of Blackrock, to be coordinated through the Local Area Plan.
- 5.7.6. Section 4.2 considers Open Space and Recreation including Policy OSR5: Public Open Space Standards.
- 5.7.7. Section 7.1.3 refers to Community Facilities including Policy SIC11: Childcare Facilities.
- 5.7.8. Section 8 refers to Principles of Development and contains the urban design policies and principles for development including public realm design, building heights strategy, and car and cycle parking. Policy UD2 requires Design Statements for all medium to large developments, and UD6 refers to Building Height Strategy.

5.8. Blackrock Local Area Plan 2015-2021

- 5.8.1. Chapter 2 Heritage and Conservation describes architectural heritage in the area, including Protected Structures on Mount Merrion Avenue.
- 5.8.2. Chapter 3 Urban Structure and Character sets out the principles of urban design for the area. Section 3.4.2 Future Building Height describes proposed building heights for the principle development / redevelopment sites in the Plan area. Map 12 illustrates a maximum height of 5 storeys with height graduation to 2 storey at the edges of the Blackrock and Frascati Shopping Centres.
- 5.8.3. Chapter 5 describes the housing, childcare and education needs for the area.
- 5.8.4. Chapter 7 covers retail and the redevelopment of the Blackrock and Frascati Shopping Centres in section 7.7.1.

6.0 Forming of the Opinion

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

6.2. Documentation Submitted

6.2.1. The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017. This information included, inter alia, the following:

- Application Form for a Section 5 Pre-Application Consultation Request in respect of a Strategic Housing Development and attachment letter from Irish Water;
- Cover letter;
- Statement of Consistency / Planning Report;
- Statement of Material Contravention in respect to proposed building heights;
- Environmental Report;
- Architectural Drawings and Schedule, A3 Brochure of Drawings, Housing Quality Assessment Spreadsheet and Architectural Design Statement;
- Part V plan, cover letter and estimate of costs;
- Landscape Drawings, Landscape Report and Schedule;
- Landscape / Townscape and Visual Impact Assessment and Photomontage Brochure;
- Infrastructure Services Report and Flood Risk Assessment;
- Engineering drawings and drawing schedule;
- Construction Management Plan;
- Outline Construction and Demolition Waste Management Plan;

- Operational Waste Management Plan;
- Traffic and Transport Assessment and Mobility Management Plan;
- Appropriate Assessment Screening Report;
- Sustainability, TGDL and NZEB Report; and
- Daylight and Sunlight Assessment.

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

6.2.3. I have reviewed and considered all of the above-mentioned documents and drawings. I also note that the applicant has indicated that an Environmental Impact Assessment Report will be submitted with the planning application.

6.3. Planning Authority Submission

6.3.1. In compliance with section 6(4)(b) of the 2016 Act the planning authority for the area in which the proposed development is located, Dun Laoghaire Rathdown County Council, submitted a copy of their section 247 consultations with the prospective applicant and also their opinion in relation to the proposal. The planning authority's 'opinion' included the following matters:

- The principle of providing residential accommodation above the existing shopping centre has been established on the site through the granting of 'Phase 1'. 'Residential' is identified as a 'permitted in principle' use within lands which are zoned objective 'DC', and the introduction of residences at this location is considered to fully accord with relevant policy of the current County Development Plan.
- The site has excellent access to a range of public transport opportunities, services and facilities.
- In accordance with map 12 in the Blackrock LAP a maximum building height of 5 storeys applies to the site and heights should be graduated to 2 storeys along the western site boundary where it adjoins the residences on Frascati Park. Policy

states that maximum height limits will only be considered along the site frontage with Frascati Road. The proposal has an equivalent 8 storey height significantly exceeding maximum heights in the LAP and fails to have regard to the transitional nature of the site, to the detriment of residential amenity in residences within the vicinity of the subject site. The Planning Authority has significant concerns regarding the scale and height of the proposed development.

- The proposal heavily relies on the incorporation of planting as a mechanism to soften the presentation of the building. Concerns are raised regarding the effectiveness of this screening. As a result the proposal is considered to be visually overbearing.
- Significant concerns regarding the impact of the proposal on the residential amenity of terraces, balconies and south facing rooms within the Lisalea development as a result of overshadowing and overlooking.
- Concern regarding the elevational treatment which has a commercial feel.
- Concerns regarding the private amenity space provision to studios within the phase 2 scheme with terraces removed from living space area.
- The principle of replacing balconies within the approved phase 1 scheme with winter gardens is accepted. Further details are required.
- An evaluation of Childcare Facilities in the locality is required at planning application stage.
- Further details to secure the success of planting in podium areas are requested.
- Further detail about the condition and maintenance of the culvert crossing the site required, as well as a site visit from the Drainage Planning section. In addition, calculations and drawings should be provided to demonstrate that green roof extents will provide a minimum coverage of 60%.
- The proposed level of parking is not supported. As there is no minimum standard for non-residential car parking spaces, re-allocation of a number of these spaces to the residential units may be accepted. The number of electric vehicle charging points is below required levels. The number of cycle storage spaces does not comply with the DHPLG Design Standards for New Apartments.

- Further detail on refuse collection and a mobility management plan required.
- The Screening for AA suggests that some sediment may runoff to the watercourse (Priory Stream). However, it is unclear as to how this assumption was reached. Potential pollution should also be addressed.
- Further details for construction waste and management required.

6.4. Irish Water

- 6.4.1. The submission from Irish Water (dated 8th May 2020) states that it has issued a Confirmation of Feasibility for the proposed 105 no. residential units at this site subject to the following:

There are Irish Water assets within and in close proximity of the site boundaries, therefore;

- Prior to any works commencing the developer will be required to survey the site to determine the exact location of the pipes. Any trial investigations should be carried out with the agreement and in the presence of the local authority inspector.
- Any structures or works over or in close proximity to Irish Water infrastructure that will inhibit access for maintenance or endanger structural or functional integrity of the infrastructure are not permitted.
- Separation distances between Irish Water infrastructure and proposed structures, other services, trees etc. must be in accordance with the Irish Water Codes of Practice and Standard Details.
- Detailed design proposals indicating the location of Irish Water infrastructure will be required to be submitted to IW prior to statement of design acceptance being issued.

6.5. Consultation Meeting

- 6.5.1. A section 5 Consultation meeting took place at the offices of An Bord Pleanála on the 5th June 2020. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

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

1. Height and Design
2. Impact upon existing residential amenity (daylight/sunlight/overlooking)
3. Landscaping
4. Residential amenity within the proposed development (including private amenity space)
5. Car parking
6. Cycle parking
7. Creche demand and supply
8. Any other matters

6.5.3. In relation to the height and design, ABP representatives sought further elaboration / discussion on:

- Proposed height
- Design approach

Further ABP comments:

- Submit a rationale regarding the proposed height for all areas of the site
- Show elevations with and without the green wall
- Detail the built form without planting/landscaping treatment

6.5.4. In relation to impact upon existing residential amenity (daylight/sunlight/overlooking), ABP representatives sought further elaboration / discussion on:

- Potential impact on adjacent apartment block Lisalea

Further ABP comments:

- Explanation around BRE values used should include reference to the Lisalea block
- Clarify the floor plans for Lisalea
- Refer to the BRE guidelines concerning existing development constructed close to a boundary

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

- Screening mechanisms
- Landscaping and the podium

Further ABP comments:

- Further detail of the proposed green walls required
- Outline what the proposed development will look like with/without the green walls
- Explain what the green walls will look like after completion and after 1 year, 2 years' time etc
- Define the podium gardens
- Examine how there can be more use of the spaces
- Detail the usability

6.5.6. In relation to residential amenity within the proposed development (including private amenity space), ABP representatives sought further elaboration / discussion on:

- Location of private amenity space for studio apartments

Further ABP comments:

- Consider the location of the private amenity space to studio apartments

6.5.7. In relation to car parking, ABP representatives sought further elaboration / discussion on:

- Residential car parking
- Levels of proposed parking
- Parking in relation to the shopping centre

Further ABP comments:

- Submit a rational for car parking
- Outline the segregation of residential and retail parking

6.5.8. In relation to cycle parking, ABP representatives sought further elaboration / discussion on:

- The types of bicycle storage

Further ABP comments:

- Detail the types of bicycle storage suitable for different types of bike
- Ensure quality and quantity

6.5.9. In relation to creche demand and supply ABP representatives sought further elaboration / discussion on:

- Rationale for no proposed creche

Further ABP comments:

- Submit a justification for why no creche is being proposed

6.5.10. In relation to any other matters ABP representatives sought further elaboration / discussion on:

- Detail the entrances at the lobby areas and routes to apartments
- Show how there is segregation between accessing the apartments and retail
- Respond to ecology comments from the Planning Authority
- Provide cross sections to the rear gardens on Frascati Park

6.5.11. Both the prospective applicant and the planning authority were given an opportunity to comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the 'Record of Meeting ABP-306989-20' which is on file. I have fully considered the responses and comments of the prospective applicant and planning authority in preparing the Recommended Opinion hereunder.

7.0 Conclusion and Recommendation

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

7.2. I have examined all of the information and submissions before me including the documentation submitted by the prospective applicant, the submissions of the

planning authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, via the section 28 Ministerial Guidelines, and local policy, via the statutory development plan for the area.

- 7.3. Having regard to all of the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act constitutes a reasonable basis for an application under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 7.4. I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application.

8.0 Recommended Opinion

- 8.1. An Bord Pleanála refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and amendment in order to constitute a reasonable basis for an application under section 4.
- 8.2. Following consideration of the issues raised during the consultation process and having regard to the opinion of the planning authority, and submissions received from statutory consultees referred to under Section 6(10) of the Act, An Bord Pleanála is of the opinion that the documentation submitted **would constitute a reasonable basis for an application** for strategic housing development to An Bord Pleanála.
- 8.3. Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in

addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. Rationale for the proposed height of the development which should include consideration of all phases within the development. The rationale should be informed by both design consideration and potential impact upon adjoining residents' amenity. A resulting explanation should be provided for the suitability of parts of the site for the inclusion of taller elements. The application should be accompanied by a material contravention statement where heights exceed local planning policies for the area.
2. Drawings should illustrate the proposed buildings without any obstruction from landscaping or planting elements. Separate drawings detailing the inclusion of green walls should also be provided.
3. Elevation drawings should include dimensions, including maximum heights from ground level and also indicate the additional height proposed over previously permitted elements (for example, the podium car park). A plan showing separation distances between the development and to existing dwellings should also be included, annotating key distances to boundaries, buildings and windows.
4. Housing Quality Assessment with regard to relevant national and local planning policy on residential development.
5. A report that specifically addresses the proposed materials and finishes of buildings, landscaped areas and any screening/boundary treatment. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinct character for the development. A life cycle report shall be submitted in accordance with section 6.3 of the Sustainable Urban housing: Design Standards for New Apartments (2018). The report should have regard to the long term management and maintenance of the proposed development.
6. A plan of the proposed open space clearly delineating public, semi-private and private spaces should also be provided, as well as a detailed breakdown of the

total area of same. These plans should clearly highlight how the proposals provide for an appropriate variety and suitable location(s) of children's play spaces.

7. Comprehensive landscaping proposals to be submitted. Detail of the landscaping of podium areas to include planting depths, irrigation method and maintenance regime. Precedent schemes for podium gardens with similar size/scale planting required. Usability of podium gardens for residents to be considered with definition of spaces for different types of use i.e. BBQ, exercise, play and areas that are more private. Topographical survey of the site and detailed cross sections to indicate existing and proposed ground levels across the site, proposed FFL's, road levels, open space levels, drainage infrastructure, landscaping, etc. relative to each other and relative to adjacent lands and structures including public roads. Cross sections to the rear gardens of properties in Frascati Park should also be included.
8. Rational for the location of private amenity spaces to studio apartments and the type of treatment/planting to be included that will be suitable for the location/aspect.
9. Detailed report with supporting drawings of the green wall elements to be included. This should include reference to successful precedents local to the subject site, with use of similar or same planting species. Illustrations of the green wall after completion, and after 1, 2, 3 years etc. should be included to demonstrate the length of time that will be needed before full growth will be achieved. Detail of the maintenance regime required with reference to any experience the maintenance team have with green wall treatments. Contingency plans in the event of extreme weather events, disease or failure of planting should also be included.
10. Daylight/Sunlight analysis, showing an acceptable level of residential amenity for future occupiers of the proposed development, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development. The analysis should

also consider potential overshadowing impacts on adjoining residential areas. The methodology for daylight and sunlight analysis should provide consideration of existing residential dwellings. Where alternative BRE values are relied upon as part of the assessment of existing residential dwellings, up to date floor plans and a clear rationale should be provided. If accurate floor plans cannot be sourced, default BRE values should be applied. Reference should also be included in relation to BRE guidance on existing development constructed proximate to the boundary of a development site.

11. Rationale for proposed parking provision with regard to development plan parking standards and to the 'Sustainable Urban Housing Design Standards for New Apartments – Guidelines for Planning Authorities' (2018), to consider the existing and proposed car parking provision in the context of the available car parking at the Frascati Centre and the existing and projected demand for same with regard to current and proposed land uses at the Centre, also details of car parking management and segregation between uses.
12. Landscape and Visual Impact Assessment with photomontages, to include, consideration of visual impacts on the surrounding residential areas.
13. Traffic and Transport Impact Analysis, to be prepared in consultation with Dun Laoghaire Rathdown County Council.
14. Road Safety Audit and Quality Audit.
15. Rationale for proposed childcare provision (or omission of same) with regard to, inter alia, the 'Childcare Facilities Guidelines for Planning Authorities', circular letter PL 3/2016, and the 'Sustainable Urban Housing Design Standards for New Apartments – Guidelines for Planning Authorities' (2018), to provide details of existing childcare facilities in the area and demand for childcare provision within the proposed scheme. The applicant is advised to consult with the relevant Childcare Committee in relation to this matter prior to the submission of any application.
16. AA Screening Report.

17. Water infrastructure proposals to meet the requirements outlined in the submission on file of Irish Water dated 8th May 2020.

8.4. Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

1. Irish Water
2. Transport Infrastructure Ireland
3. National Transport Authority
4. Department of Culture, Heritage and the Gaeltacht
5. An Taisce-the National Trust for Ireland
6. The Heritage Council

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.

Rachel Gleave O'Connor

Planning Inspector

23 June 2020

