



An
Bord
Pleanála

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

Inspector's Report on Recommended Opinion ABP-307178-20

Strategic Housing Development

Demolition of all buildings excluding the Former Player Wills Factory, construction of 331 no. shared living units, 466 no. Build to Rent residential units, childcare facility and associated site works.

Location

Former Player Wills Site, South Circular Road, Dublin 8.

Planning Authority

Dublin City Council

Prospective Applicant

DBTR-SCR1 Fund, a sub-fund of the CWTC Multi Family ICAV

Date of Consultation Meeting

15th July 2020

Date of Site Inspection

5th July 2020

Inspector

Una O'Neill

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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

- 2.1.1. The development site is located on the northern side of South Circular Road, Dublin 8. The lands are brownfield in nature and contain former industrial premises comprising three factory buildings, including the Player Wills art deco factory building. The site is bounded to the east by Donore Avenue and St. Catherine's Avenue which comprise of two-storey terraced houses.
- 2.1.2. Vehicular access is from South Circular Road adjacent to no. 274 and 290 South Circular Road. The site has a secondary frontage to St. Catherine's Avenue/Donore Avenue with access points along this road. The western boundary adjoins Dublin City Council open space / playing fields and beyond, is the former Bailey Gibson factory site.
- 2.1.3. The site has a stated gross site area of 2.86 hectares, (of which the Player Wills site is 2.39 hectares and an additional 0.5 hectares of land is owned by Dublin City Council for the provision of a public park and to accommodate works to facilitate connections to municipal services and works proposed to public roads), is located on the northern side of South Circular Road, Dublin 8. The lands are brownfield in nature and contain former industrial premises of the Player Wills art deco factory building.
- 2.2. The site forms part of a wider non-statutory Masterplan area located between South Circular Road and Cork Street.

3.0 Proposed Strategic Housing Development

3.1. The proposed development comprises the following elements:

- The demolition of all buildings (9,462 sq.m GFA), excluding the original fabric of the Former Player Wills Factory to make way for development of the site;
- Modifications and alterations to the Former Player Wills Factory Building (PW1) to include the removal of 1 no. later addition storey (fourth storey) and the later addition rear (northern) extension, retention and modification of 3 no. existing storeys and addition of 4 no. storeys to provide for a shared accommodation scheme of 331 no. units with tenant amenities and active ground floor use with a cumulative GFA of 16,899 sq.m excluding ancillary uses:
 - a) at ground floor 855 sq.m of community/cultural uses and artist studios, 888 sq.m of commercial floor space, 140 sq.m management suite, 993 sq.m of BtR
 - b) 13 no. shared accommodation units each of 27 sq.m distributed over floors 1 to 7
 - c) 58 no. shared accommodation units each of 25 sqm distributed over floors 1 and 2
 - d) 12 no. shared accommodation units each of 23.5 sqm distributed over floors 1 to 4
 - e) 69 no. shared accommodation units each of 22.5 sqm distributed over floors 1 to 7
 - f) 7 no. shared accommodation units each of 20 sq.m distributed over floors 1 to 7
 - g) 158 no. shared accommodation units each of 19 sq.m distributed over floors 1 to 7
 - h) 14 no. Part M compliant shared accommodation units each 30 sq.m distributed over floors 1 to 4
 - i) 64 no. communal kitchen stations distributed over floors 1-7 with a GFA of 1,032sq.m
 - j) 1,617 sq.m of co-living amenity space distributed over floors 1-7
- The construction of 466 no. Build to Rent residential units, with a cumulative gross floor area of 36,187 sq.m across 3 no. blocks (PW 2, 4 and 5) comprising:
 - a. PW2 - 434 no. apartments in a block ranging in height from 3-19 storeys over double basement, incorporating 35 no. studio units; 297 no. 1 bed, 62 no. 2 bed and 40 no. 3-bed apartments. At ground floor, 376 sq.m of tenant amenities comprising

co-working space (197 sq.m) and a residents lounge (179 sq.m) and 396 sq.m of commercial/retail. At 17th floor, a 65 sq.m residents lounge.

b. PW4 - 11 no. units in a 3 storey block comprising 2 no. 1-bed apartments, 2 no. 2-bed duplex apartment units and 7 no. 3-bed triplex apartment units;

c. PW5 - 21 no. units in a 4 storey block comprising 12 no. studio apartments, 1 no. 1-bed apartment, 5 no. 2-bed apartments, and 3 no. 3-bed apartments.

iv. the construction of a childcare facility to be located within part of proposed block PW4 with a gross floor area of 254 sq.m and associated play area of 141 sq.m and 3 no. set-down parking spaces;

- The provision of 4,839 sq.m public open space in the form of a public park to the west of the Player Wills site on lands owned by Dublin City Council and a 1,359 sq.m public park to the north east of the Player Wills site adjacent to St. Catherine's National School. A temporary public park (1,128sq.m) on the Player Wills site, set aside for a future school extension.

- The construction of 2 no. double ESB sub stations and associated switchrooms (115 sq.m)

- Replacement and realignment of footpaths along sections of Donore Avenue & South Circular Road with a set down area for taxis and loading provided along South Circular Road to the front of the Player Wills Factory.

- At basement level (PW2), the provision of 244 no. car parking spaces including 26 no. dedicated disabled parking spaces. 20 spaces at basement level will be reserved for 'Go Cars' car sharing scheme. 10% of the spaces will be fitted with electric charging points. 10 no. motorcycle spaces will also be provided basement level. 108 no. spaces reserved for a future SHD on the wider Player Wills and adjacent lands.

- At street level, 4 no. long-stay car spaces provided to the south of PW4 for residents of the proposed duplex and triplex apartment units, 2 no. loading bays, 2 no. taxi spaces, 41 no. visitor spaces incl. 3 no. dedicated disability parking spaces.

- The provision of 959 no. long-stay bicycle spaces, comprising 915 no. spaces at basement level, accessed via 2 dedicated cycle lifts, 44 spaces at surface levels

located in secure bike rooms within PW4 and PW5 and 120 no. short-stay visitor bicycle spaces provided at street level.

- Vehicular access will be provided via Donore Avenue with a one-way exit provided onto South Circular Road east of PW1.
- 3 no. dedicated pedestrian and cycling access points via St. Catherine’s Avenue & South Circular Road west of PW1.
- All ancillary site development works; drainage, plant, waste storage, meter rooms, rooftop solar photovoltaics, landscaping, boundary treatment and lighting.

3.2. The following details as submitted by the applicant are noted:

Parameter	Site Proposal
Application Site Area	2.39 ha net (2.86 ha gross)
No. of Units	797 units
Density	333 units per hectare
Other Uses	PW2: Co-working facility and retail units PW1: Community uses and retail units
Public Open Space	4,839 sq.m public open space in the form of a public park to the west of the Player Wills site on lands owned by Dublin City Council and a 1,359 sq.m public park to the north east of the Player Wills site adjacent to St. Catherine’s National School. A temporary public park (1,128sq.m) on the Player Wills site, set aside for a future school extension.
Height	2-19 storeys in PW2 (BTR block; 445 units) 3-8 storeys in PW1 (Shared Living block; 331 units) 3 storeys in PW4 (11 units) 3-4 storeys in PW5 (21 units)

Car Parking	244 basement + 52 on street
Bicycle Parking	959 spaces
Vehicular Access	From Donore Avenue and South Circular Road

3.3. The breakdown of unit types as submitted by the applicant is as follows:

Unit Type	Studio	1 bed	2 bed	3 bed	Total
Apartments	47	300	67 + 2 duplex = 69	43 + 7 triplex = 50	466
%	10%	64%	14.25%	11%	99.25%
Shared Living Units		331			331
Total	47	631	69	50	797

4.0 Planning History

PL29S.221190 (3130/06): Permission granted for Mixed use residential and commercial development comprising 484 No. residential units, 15 No. commercial/retail units, 2071sq.m offices, a school building, creche, community centre and ancillary site works.

Site to the West:

307221-20 – Concurrent application on Former Bailey Gibson Site for construction of 416 unit (4 houses and 412 apartments).

5.0 Policy Context

5.1.1. Project Ireland 2040 - National Planning Framework

- National Policy Objective 4: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
- National Planning Objective 13: In urban areas, planning and related standards, including, in particular, height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.
- National Policy Objective 27: 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.
- National Policy Objective 33: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

5.1.2. Section 28 Ministerial Guidelines

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the following policy documents and Section 28 Ministerial Guidelines are relevant:

- Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities (2009) and the accompanying Urban Design Manual: A Best Practice Guide (2009)
- Sustainable Urban Housing: Design Standards for New Apartments (2018)
- Urban Development and Building Heights, Guidelines for Planning Authorities (2018)

- Design Manual for Urban Roads and Streets (2013)
- The Planning System and Flood Risk Management (including the associated 'Technical Appendices') (2009)
- Architectural Heritage Protection – Guidelines for Planning Authorities (2011)
- Childcare Facilities – Guidelines for Planning Authorities 2001 and Circular PL3/2016 – Childcare facilities operating under the Early Childhood Care and Education (ECCE) Scheme

5.2. **Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031**

Under the RSES a Dublin Metropolitan Area Strategic Plan (MASP) has been prepared to manage the sustainable and compact growth of Dublin. The aim of the Dublin Metropolitan Area Strategic Plan is to deliver strategic development areas identified in the Dublin Metropolitan Area Strategic Plan (MASP) to ensure a steady supply of serviced development lands to support Dublin's sustainable growth.

5.3. **Local Planning Policy**

Dublin City Development Plan 2016-2022

- Zoning Objective Z14 Strategic Development and Regeneration Area (SDRA) 12 St. Teresa's Gardens and Environs: To seek the social, economic and physical development and/or rejuvenation of an area with mixed use, of which residential and 'Z6' would be the predominant uses.
- Section 15.1.1.15 St. Teresa's Gardens and Environs (Inclusive of former Player Wills and Bailey Gibson sites and Coombe Hospital)

The overall guiding principles for SDRA 12 are set out below:

- The development of a network of streets and public spaces will be promoted to ensure the physical, social and economic integration of St Teresa's Gardens with the former Player Wills and Bailey Gibson sites, with further integration potential with the sites of the Coombe Hospital and White Heather Industrial Estate

- A vibrant mixed-use urban quarter will be promoted with complementary strategies across adjoining sites in terms of urban design, inter-connections and land-use. To provide for an area zoned sufficient in size to accommodate a minimum 80 m by 130 m playing pitch
- A new public park is proposed as a landmark feature with passive supervision by residential and other uses; it will have a comprehensive landscaping strategy to provide significant greenery within the scheme and will make provision for a diverse range of recreational and sporting facilities for use by the wider neighbourhood
- There is potential for one or two midrise buildings (up to 50 m) within the site, subject to the criteria set out in the standards section of this plan. To acknowledge the existing sports lands of St Teresa's gardens and its environs and act to retain and augment these lands as sporting facilities for the benefit of the wider community and use by local sports clubs. That at least 20% of the SDRA 12 be retained for public open space, recreation & sporting facilities including an area to facilitate organised games.
- Strong permeability through these lands will be encouraged to generate movement and activity east to-west (connecting Dolphin's Barn Street and Cork Street with Donore Avenue) and north-to-south (connecting Cork Street and Donore Avenue with the South Circular Road and Grand Canal corridor); a high-quality public domain, provision of pedestrian and cyclist routes and provision of active streets will be promoted
- A community hub will be incorporated into the scheme to provide a wide range of community facilities accessible to the wider neighbourhood; opportunities to highlight the heritage of the local area by proposing community uses close to important landmark buildings such as St Teresa's Church will be promoted
- Provision shall be made for the expansion of St Catherine's National School, Donore Avenue, in the redevelopment of the former Player Wills site, subject to agreement with the Department of Education and Skills.

- Chapter 16: Development Standards: Design, Layout, Mix of Uses and Sustainable Design.
- Section 16.10: Standards for Residential Accommodation.
- Section 16.7.2 sets a general height limit of 16m in the outer city, or 24m at rail hubs which are defined as within 500m of Luas stops.
- It is noted that the City Development Plan refers to Build-to-let apartments and it provides that this particular managed rental model shall be retained in single ownership for 20 years (minimum) during which period units may not be sold off on a piecemeal basis. Build-to-let schemes for mobile workers should be adaptable for future demographic needs of the city, e.g. by providing for the amalgamation of studios in a change of use scenario.

Variation 7 Dublin City Development Plan (adopted March 2020):

The purpose of this Variation is to incorporate the National Planning Framework (NPF) and the Regional Spatial Economic Strategy (RSES) into the City Development Plan 2016 – 2022, in accordance with Section 11 (1) (b) (iii) of the Planning and Development Act, 2000, as amended. This is in order to align national, regional and local policy objectives.

- Dublin city in its entirety lies within the Dublin Metropolitan Area Strategic Plan (MASP) area and the RSES's give direction to Dublin city as the 'global gateway' for high-intensity clusters, brownfield development, urban renewal and regeneration. The RSES settlement strategy for the metropolitan area includes a strong policy emphasis on the need to gain maximum benefit from existing assets, such as public transport and social infrastructure, through the continuation of consolidation and increasing densities within the existing built footprint of the city.
- Assuming an average occupancy rate of two persons per residential unit, the housing requirement for the 2016 – 2022 period is between c.21,000 – 26,500 units over a 6 year period. The Development Plan provides capacity to exceed this figure in the Housing Strategy for the Development Plan period 2016–2022, in order to accommodate longer-term sustainable growth. From the above analysis, and particularly because there is capacity in excess of the required population and

housing figures (see housing strategy below), it is concluded that the policies and objectives of this Dublin City Development Plan remains consistent the high-level national and regional policies.

6.0 Section 247 Consultation(s) with Planning Authority

6.1. It is stated by the prospective applicant that a number of pre-application consultation meetings took place with the planning authority, including on 10th March 2020, 7th February 2020, and 2nd July 2019, full details of which are included in the submitted Planning Statement and Statement. Issues raised are summarised hereunder:

- Clarification on size of the kitchen spaces, layout of the kitchen spaces, capacity (number of people) of the kitchen spaces.
- Clarification on alterations to the Players Wills building.
- Slenderness in design of towers, particularly the southern tower. Tenant amenity space on the upper levels of 'southern' tower require further consideration.
- Proximity of PW4 and PW5 to site boundaries – include reference to existing buildings.
- Dual aspect and the level of compliance with the departmental guidelines.
- Sunlight to Open Space – the design should maximise sunlight to open spaces and reference was made to the BRE target.
- Daylight – an assessment of the average daylight factor to be included with the submission.
- Height, SDRA 12 and Height Guidelines.
- Visual Impact.
- Traffic & Transportation – car parking ratio should be justified and the management arrangements considered.
- Open Space – integrated approach to landscaping required, to include SuDS measures, green roofs and biodiversity.
- Infrastructure – SuDS measures to be included in the design.

7.0 Submission Received

Irish Water: Irish Water has issued a Confirmation of Feasibility for this development for 901 residential units. The proposed development, as assessed for the Confirmation of Feasibility, is a standard connection, requiring no network or treatment plant upgrades for water or wastewater connections to service the development. However please note the following;

In respect of water, the connection should be from 18" main in South Circular Road.

In respects of wastewater, separate storm and foul water connection services should be provided for the development.

The surface and storm water from the site must be discharged only into the existing storm water network or associated alternatives to a combined drainage discharge. The connection arrangement should be agreed with Dublin City Council Drainage Division.

At connection application stage the applicant is required to provide additional evidence (by way of CCTV survey inclusive of dye testing and calculations) to prove that the current surface area contributing to the combined sewer in Donore Avenue is minimum 1860 m² and when removed from the combined sewer the overall proposed discharge (from the development CDS19002980 of 901 units and development CDS19002978 in the area of 500 units proposed to be connected via the development) will be less than the current discharge into the combined sewer.

8.0 Forming of the Opinion

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

8.2. Prospective Applicant's Case

Documentation Submitted

- 8.2.1. 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. Regulations 2017.
- 8.2.2. 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. This statement has been submitted, as required.
- 8.2.3. A material contravention statement has been submitted by the applicant to address the issue of height.
- 8.2.4. I have reviewed and considered all of the documents and drawings submitted.
- 8.2.5. **Planning Authority Submission**
- 8.2.6. In compliance with section 6(4)(b) of the Act of 2016 the planning authority for the area in which the proposed development is located, Dublin City Council, submitted a note of their section 247 consultations with the prospective applicant and also submitted their opinion in relation to the proposal. These were received by An Bord Pleanála on 15th June 2020 (with an addendum report submitted from Drainage Division on 17th June 2020).
- 8.2.7. Dublin City Council's written opinion includes a description of the site and proposed development, planning history, record of pre planning meeting, policy considerations, departmental reports, and an assessment of the proposed development. The content of the report is summarised as follows:
1. There are concerns regarding the slenderness of the towers in PW2.
 2. Given the proposed height of the development the application should be requested to submit micro-climate study with the application.
 3. Given the perimeter layout, PW4 and PW5 are located close to the side boundaries of the existing 2 storey houses on St. Catherine's Avenue and the South Circular Road.
 4. There are concerns regarding the access walkway to the rear of PW5 on levels 1, 2 and 3 which is located between 2 and 8 metres from the shared

side boundary of the existing houses on the south side of St. Catherine's Avenue which may unduly overlook adjoining private rear open space. Further detail is required regarding the access walkway.

5. Windows to habitable rooms are located on the west facing elevation of PW4 on levels 1 and 2 which are located approximately 2 and 3 metres from the shared side boundary of the existing houses on north side of St. Catherine's Avenue which may unduly overlook adjoining private rear open space. Further detail is required regarding the windows.
6. While the ratio of units per kitchen (4.93 units per kitchen) in the shared accommodation block units PW1 is considered in accordance with the Apartment Guidelines, there are concerns regarding the distance between some units and the kitchens given that there are no cooking facilities provided within the individual units.
7. In total 14 apartments are north facing single aspect apartments. Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, DoHPLG, December 2018. state that 'north facing single aspect apartments may be considered where overlooking a significant amenity such as a public park, garden or formal space, or a water body or some other amenity feature'. It is noted the Apartment Guidelines also state north facing units are units that face predominantly north, north west or north east and fall within a 45 degree angle of due north. Further detail is required regarding the location of the north-west facing apartments.
8. It is noted that the full set of drawings is presented in A3 format with selected fully scaled drawings submitted with the pre-planning material. Fully scaled plans, sections and elevations for the proposed houses are required to facilitate a full assessment.
9. Furthermore it is noted that details for PW1 has not been included in the Housing Quality Assessment. The Housing Quality Assessment should include details for PW1 for clarity.
10. Further detail is required with regard to storage, ventilation, screening and collection of waste materials. Consideration should be given to the provision of separate collection facilities for recyclables such as glass and plastics.

9.0 The Consultation Meeting

9.1. A Section 5 Consultation meeting took place via a Conference Call on the 15th July 2020, commencing at 09.30 am. 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.

9.2. 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. Shared Living Accommodation – layout and amenity; quantum and distribution of residential facilities.
2. BTR and Residential Amenity – layout and amenity; adjoining properties to the east.
3. Building Height Strategy – Design of Taller Buildings.
4. Surface Water Management.
5. Traffic and Transportation issues raised by PA.
6. Parks/Landscape issues raised by PA.
7. Any Other Matters.

9.2.1. Point 1

In relation to Shared Living Accommodation, ABP representatives sought further elaboration/discussion/consideration in relation to:

- Clarity in relation to terminology – bedspaces versus unit; single versus double occupancy.
- Documentation is clear on evidence base for size of bedrooms, but is not clear on evidence base in relation to quantum and distribution of communal living/kitchen areas. Note large floor plan of 70 units bed on level 1; 74 beds on level 2; 74 beds on level 3; 75 beds on level 4; 13 beds on level 5; 13 beds on level 6. One large and small number of satellite of kitchens proposed on the larger floors. Query number of satellite kitchens proposed and their locations, consider including more, and consider

their locations. Note PA concern in relation to distance from some units to kitchen facility.

- Quantum and distribution of the shared living and kitchen facilities proposed for the individual units – documentation needs to be clearer and a robust argument put forward in relation to the kitchen/living area proposed which appears to be too small per floor based on the number of beds per floor. Provision per floor hovers around 3.5sqm kitchen area per ‘bed’, however this drops to 2.4/2.6sqm per ‘bed’ for levels 3 and 4. Precedent cases quoted gave rise to concerns in relation to quantum of shared living space (not amenity space) per bedspace. A case could be made for additional satellite kitchens.
- The submitted document highlighting precedent cases doesn’t highlight that the issue of kitchen space per bedspace has to date been a significant issue in the limited number of shared accommodation models considered and that the floor plan proposed with 70-75 bedspaces per floor is significantly higher than precedent’s quoted, giving rise to concerns. Clarity in whether each bed space will be retained as single bedspace and implications in terms of numbers per floor if singles become doubles.
- Clarify what is included in the kitchen area and in the amenity area figures submitted. Question over inclusion of bin stores/laundry rooms/public WCs in the communal kitchen/living area figure as these are resident support facilities and not shared living/kitchen spaces.
- Question layout of communal kitchen and usability of floor space, eg entrance corridors long and narrow, ability to widen these for functional seating which doesn’t block entrance as per one of the floor plans?
- Scale of floor plan significant with 70 bedrooms and long corridors. Question over sunlight/daylight and amenity of future occupants.
- Question over amenity of units looking into the central courtyard and level of overshadowing of central courtyard as per the submitted sunlight/daylight diagrams, which show the area is predominantly overshadowed year round.

- The onus is on applicant to prove the functionality and operation of the communal kitchen/living spaces in the format shown and ‘that residents will enjoy an enhanced overall standard of amenity’ as per the guidelines.
- Submit details relating to operational management at application stage to support proposed case.
- I note section on market flexibility and potential for single bed units to be converted in the longer term to apartments through amalgamation of two adjoining units – I would note there are limitations due to single aspect nature of the units and private amenity space, therefore the section in the documentation that these could become apartments by amalgamating units is not entirely without problems, notwithstanding it would not be relevant to the assessment of what is proposed in the application.
- Ensure public notices refer to shared accommodated and number of bedspaces proposed.

9.2.2. **Point 2**

In relation to BTR and Residential Amenity, ABP representatives sought further elaboration/discussion/consideration in relation to:

- Documentation and plans to clearly indicate what are resident support facilities and what are resident services and amenities, as per the apartment guidelines, and rationale for the quantum proposed.
- PW2 – Format of the block, results in dominance of long corridors with minimal natural light. As with PW1, the length of the corridors is not insignificant, particularly at the eastern side where it is approx. 80m long.
- 43% of the units in the block are dual aspect. The guidelines indicate that where there is a greater freedom in design terms, such as in larger apartment developments on greenfield or standalone brownfield regeneration sites, it is an objective that there shall be a minimum of 50% dual aspect apartments. Given that this is a large brownfield regeneration site, a greater standard could be achieved. This would also assist in addressing the issue of what in my opinion are overly long corridors.

- Sunlight daylight study submitted indicates standards are met in the majority of cases, however, I am concerned that the floor layout with the long corridors, large number of single aspect units and the central courtyard arrangement will result in suboptimum level of residential amenity for future occupants.
- Schedule of accommodation will be assessed at application stage. Ensure that it is submitted and in accordance with guidelines.
- Address concerns raised in relation to PW4 and PW5.

9.2.3. **Point 3**

In relation to the Building Height Strategy, ABP representatives sought further elaboration/discussion/consideration in relation to:

- A material contravention statement has been submitted and this should be advertised as part of any application.
- DCC has raised concerns in relation to the slenderness of the proposed towers. Documentation should include robust argument setting out the case in relation to the slenderness ratio proposed and difficulties encountered in modifying the proposal to achieve 3:1 ratio.

9.2.4. **Point 4**

In relation to the Surface Water Management, ABP representatives sought further elaboration/discussion/consideration in relation to:

- Surface water management and addressing of issues raised in PA submission.

9.2.5. **Point 5**

In relation to the Traffic and Transportation, ABP representatives sought further elaboration/discussion/consideration in relation to:

- Issues raised in PA submission.

9.2.6. **Point 6**

In relation to the Parks and Landscape Strategy, ABP representatives sought further elaboration/discussion/consideration in relation to:

- Phasing plan and delivery of central park/public open space provision.

- Issue of bats as raised in PA report.

9.2.7. **Point 5**

In relation to the Any Other Matters, ABP representatives sought further elaboration/discussion/consideration in relation to:

- Advised that there is no provision for further information at application stage, all details to be submitted at application stage; ensure consistency between documentation submitted by various consultants.
- A more robust argument/review is required in relation to proposed communal kitchen/living space proposed per bedspace.
- Manner in which contiguous elevations and towers are indicated requires further consideration to ensure plans are legible for third parties.
- Wind microclimate study required, to include review of balconies and upper level roof gardens.
- Phasing plan for the development should be submitted.
- Additional details in relation to the layout and operation of the crèche.
- Additional details in relation to Player Mills Factory building, justification for removal of all original stair cases, amendments to east and west elevations proposed, and clarity in relation to all amendments proposed to the original fabric.

10.0 **Assessment**

10.1. 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.

10.2. 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 s.28 Ministerial Guidelines, and local policy, via the statutory plan for the area.

- 10.3. 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 as set out in the recommended Opinion below.

Conclusion

- 10.4. Having regard to all of the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act requires **further consideration and amendment** in order to constitute a reasonable basis for an application under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 10.5. 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.

11.0 Recommended Opinion

- 11.1. 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.
- 11.2. Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála is of the opinion that the documentation submitted **requires further consideration and**

amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála.

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

1. Further consideration/justification of the documents as they relate to the overall layout/format of the shared living accommodation in PW1, including consideration/justification for the large number of units per floor on levels 1-4 and lack of a cluster format; consideration of the quantum of shared living/kitchen space per bedspace, as well as location and number of satellite kitchens proposed per floor; sunlight/daylight analysis of rooms on entire floor 1, showing acceptable level of residential amenity for future occupiers, in addition to overshadowing analysis of the central courtyard area.
2. Further consideration/justification of the documents regarding the slenderness of the towers in PW2.
3. Further consideration/justification of the documents in terms of the number of dual aspect units in PW2; number of north facing single aspect units; internal layout with long corridors; sunlight daylight analysis; and wind-microclimate study.
4. Further consideration/justification of the documents as they relate to PW4 and PW5 and impact on neighbouring dwellings.

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

Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission arising from this notification:

1. Daylight/sunlight analysis for PW2 and for PW1.
2. Details of the operational management provisions for the Shared Accommodation.
3. Wind micro-climate study, including analysis of balconies and upper level roof gardens.
4. A detailed schedule of accommodation which shall indicate compliance with relevant standards in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' 2018, including its specific planning policy requirements.
5. A building 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 detailed phasing plan, including timing of delivery of the central park and public open space.
7. Response to issues raised in Addendum B of Planning Authority Report, received 15th June 2020 and 17th June 2020, which includes the internal reports of the Parks Department, Roads and Traffic Department Section, and Water Services Planning Section.
8. Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective (s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format.

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. Heritage Council
6. An Taisce
7. Department of Education and Skills
8. Coras Iompair Eireann
9. The relevant 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.

Una O'Neill
Senior Planning Inspector

4th August 2020