



An
Bord
Pleanála

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

Inspector's Report on Recommended Opinion ABP-307195-20

Strategic Housing Development

Demolition of existing buildings,
construction of 585 no. bedspace
student accommodation, 16 no. Co-
Living apartments, 4 no. townhouses
and associated site works.

Location

Park Shopping Centre and 42-45,
Prussia Street, Dublin 7.

Planning Authority

Dublin City Council.

Prospective Applicant

Park Shopping Centre Limited.

Date of Consultation Meeting

8 October 2020.

Date of Site Inspection

30 September 2020.

Inspector

Stephen Rhys Thomas

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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 (stated area 1.2 ha) fronts onto Prussia Street and is bound to the rear by the TUD Grangegorman campus, currently under construction by the Grangegorman Development Agency (GDA) as part of the permitted SDZ scheme. The nearest Luas stop is c. 1km away, on the opposite side of the Grangegorman campus. Prussia Street is currently served by several bus routes and is a proposed BusConnects corridor. The site abuts the boundary wall of the Grangegorman campus, which is a protected structure and extends into the grounds of the campus. The site is currently occupied by the Park Shopping Centre, a Tesco anchor unit with numerous smaller units fronting onto Prussia Street and a large surface car park.
- 2.2. The road frontage is to the west, the TUD campus is to the east and there are further warehouses/ sheds and yards to the south. There are two storey residential properties to the north within Rathdown Square, some of which abut the northern site boundary. A mental health facility (Phoenix Care Centre) is located to the north east of the site. 55 Prussia Street, cited as the City Arms Hotel (Jameson House), including entrance steps, railings, entrance gates, piers and stone features, is located opposite the site along the western Prussia Street frontage. This is a protected structure, RPS ref. 6874, rated as Regional importance in the NIAH. The Park Shopping Centre, contains several neighbourhood facilities including a post office, a gym and medical centre, and large Tesco supermarket.

3.0 Proposed Strategic Housing Development

Demolition of the existing Park Shopping Centre and nos. 42-45 Prussia Street, Dublin7;

Construction of a new mixed use District Centre, Student Residential Housing and Co-Living Housing development in 2 buildings, separated by a new pedestrian and bicycle street connecting Prussia Street to the Grangegorman SDZ campus and urban quarter. The buildings will range in height from 3-5 storeys on Prussia Street to 7-storeys (South building) and 8-storeys (North Building) towards to GDA campus.

New District Centre development accommodating: -

- Part-licensed supermarket, 11 retail/non-retail service units and 2 licensed café/restaurant units at ground floor;
- Two vehicular entrances from Prussia Street to provide access for deliveries and services (South entrance) and to provide access to undercroft parking (North entrance);
- Standing areas for deliveries and waste collection in designated service yards (South Building) and for car parking for 111 cars, light van deliveries and bicycle parking (North Building);

Student residential accommodation overhead the District Centre accommodating 11 student houses comprising 114 student apartments and 28 studios, with a total of 585 bedspaces

- The North Building student residential accommodation has reception and offices at ground floor level with access to all levels overhead and a first floor level podium garden from which student apartments and student amenity areas (study centre, a recreation centre and laundry) are accessible,
- The South Building student residential accommodation has ground floor level foyer with access to all levels, staff rooms, and store; a ground floor and mezzanine level fitness centre; and a first floor level podium garden from which student apartments are directly accessible.

Co-Living residential accommodation overhead the supermarket with lift and stair access from Prussia Street to 16 Co-Living apartments (2x8 bed houses) and 4

Townhouses (a total of 92 bedspaces), with communal resident amenities including lounge and podium garden.

New urban plaza designed to provide an appropriate contemporary setting for Jameson House (Protected Structure, located on the opposite side of Prussia Street) and a portal connection through a former boundary wall (Protected Structure, permitted removal under planning permission Reg.Ref.3441/13E) to the approved Grangegorman SDZ Planning Scheme, linking to the permitted Public Realm and Site Infrastructure (DCC Ref. 3373/12, as amended), being developed under the auspices of the Grangegorman Development Agency.

Number of units	162 units (585 student bedspaces – 142 unit, 92 shared living spaces- 20 units)
Commercial floor space	3,825 sq.m. in total, comprising: Supermarket, 11 retail/non-retail units, 2 café/restaurants.
Building height	3 – 8 storeys in two blocks
Plot ratio	3.0
Site area	1.2 Hectare
Residential density	135 units per hectare
Communal amenity space	3,571 sqm (includes internal and external amenity space).
Dual aspect ratio	50.76%
Car parking provision	111 spaces.
Cycle parking provision	542 spaces.

4.0 Planning History

4.1. Subject site

PA Ref. 2038/17 - Construction of new District Shopping Centre with two vehicular entrances from Prussia Street for deliveries and access to undercroft/surface car parking for 117 cars.

Construction of student residential accommodation overhead the district centre buildings (485 bedspaces granted) in two buildings ranging from 2 to 5 storeys over ground floor commercial north side and 4 to 6 storeys over ground floor commercial south side of a new pedestrian and bicycle street connecting Prussia Street to the Grangegorman SDZ. The buildings range in height from two-storey over retail (3-storeys) near the existing northern, western and southern boundaries-nearest to Prussia Street-to six-storey over retail (7-storeys) and four-storey over retail (5-storeys) along the new street extending towards the Grangegorman SDZ campus.

A new urban plaza designed to provide an appropriate contemporary setting for Jameson House (Protected Structure, located on the opposite side of Prussia Street) and requires insertion of a portal connection through a former boundary wall (Protected Structure) into the development permitted under the approved Grangegorman SDZ Planning Scheme 2012, linking to the permitted Public Realm and Site Infrastructure (DCC Ref. 3373/12), being developed under the auspices of GDA as Development Agency.

Nearby sites – SHD Applications

ABP-307236-20 – Permission refused for 296 student bedspace accommodation and associated site works. 4 September 2020.

5.0 National and Local Planning Policy

5.1. Project Ireland 2040 - National Planning Framework

The recently published 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. 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. 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.

5.2. **Section 28 Ministerial Guidelines**

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 and other national policy documents are:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual')
- Design Manual for Urban Roads and Streets
- The Architectural Heritage Protection Guidelines for Planning Authorities
- Urban Development and Building Heights Guidelines for Planning Authorities
- Rebuilding Ireland- National Student Accommodation Strategy (2018)
- Dept. of Education and Science Guidelines on Residential Developments for 3rd Level Students Section 50 Finance Act 1999
- Dept. of Education and Science 'Matters Arising in Relation to the Guidelines on Residential Developments for 3rd Level Students Section 50 Finance Act 1999.'

5.3. **Dublin City Development Plan 2016-2022**

The site has a mixed use zoning objective Z4 – to provide for and improve mixed-services facilities, residential uses are permissible.

To maintain their role as district centres, new development should enhance their attractiveness and safety for pedestrians and a diversity of uses should be promoted to maintain their vitality throughout the day and evening. In this regard, opportunity should be taken to use the levels above ground level for additional commercial/retail/ services or residential use with appropriate social facilities. Higher densities will be

permitted in district centres, particularly where they are well served by public transport. The district centre can provide a focal point for the delivery of integrated services and the designated key district centres have, or will have in the future, the capacity to deliver on a range of requirements, the most important of which are:

- An increased density of development
- A viable retail and commercial core
- A comprehensive range of high-quality community and social services
- A distinctive spatial identity with a high quality physical environment

Parts of the Prussia Street frontage of the site is within a Conservation Area and Zone of Archaeological Interest.

Chapter 5 Quality Housing. Policy QH8:

To promote the sustainable development of vacant or under-utilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and the character of the area.

Section 5.5.12 on student accommodation states:

To plan for future expansion of third-level institutions and to accommodate growth in the international education sector, there is a need for appropriately located high quality, purpose-built and professionally managed student housing schemes, which can make the city's educational institutions more attractive to students from Ireland and abroad, and can also become a revitalising force for regeneration areas.

Policy QH31:

To support the provision of high-quality, professionally managed and purpose built third-level student accommodation on campuses or in appropriate locations close to the main campus, in the inner city or adjacent to high-quality public transport corridors and cycle routes, in a manner which respects the residential amenity and character of the surrounding area, in order to support the knowledge economy. Proposals for student accommodation shall comply with the 'Guidelines for Student Accommodation' contained in the development standards.

Chapter 6 City Economy and Enterprise. Section 6.4 Strategic Approach recognises the need to enhance the role of Dublin as an education city and a destination of choice for international students. Policy CEE12(ii):

To promote and enhance Dublin as a world class tourist destination for leisure, culture, business and student visitors.

Policy CEE19:

(i) To promote Dublin as an International Education Centre / Student City, as set out in national policy, and to support and encourage provision of necessary infrastructure such as colleges (including English Language Colleges) and high quality custom-built and professionally-managed student housing.

(ii) To recognise that there is a need for significant extra high-quality, professionally managed student accommodation developments in the city; and to facilitate the high-quality provision of such facilities.

Policy CHC 2 is to ensure that the special interest of protected structures is protected. Development will conserve and enhance protected structures and their curtilage. Policy CHC 4 is to protect the special interest and character of all Dublin's Conservation Areas. Development within or affecting a conservation area must contribute positively to its character and distinctiveness, and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.

Chapter 16 Development Standards: Design, Layout, Mix of Uses and Sustainable Design. In particular the policy in infill development set out in section 16.2, guidelines for student accommodation set out in section 16.10.7; section 16.24 in relation to retail development; section 16.38 car parking and section 16.39 cycle parking. Development plan Variation No. 3, adopted September 19th 2017, amends section 16.10.7 such that the applicant will be requested to submit evidence to demonstrate that there is not an over-concentration of student accommodation within an area including a map showing all such facilities within 1km of a proposal (previously 0.25 km).

Development plan section 16.7 building height. All areas are considered to be low rise unless the provisions of a LAP / SDZ / SDRA indicate otherwise. The site is

located in the 'inner city' as per development plan Map K. The plan allows for residential heights of up to 24m and commercial height of up to 28m at inner city / rail hub locations.

Development plan section 16.10.7 provides guidelines for student accommodation, including the following internal standards:

Student accommodation to generally be provided by grouping study bedrooms in 'house' units, with a minimum of 3 bed spaces with an overall minimum gross floor area of 55 sq.m up to a maximum of 8 bed spaces and a maximum gross floor area of 160 sq.m.

Single/double occupancy studio units that provide en-suite bathroom facilities and kitchenettes/cooking facilities will also be considered, with a minimum gross floor area of 25 sq.m and a maximum gross floor area of 35 sq.m.

Within campus locations consideration will be given to the provision of townhouse, 'own-door' student accommodation with a maximum of 12 bed spaces per townhouse.

Shared kitchen/living/dining rooms shall be provided, based on a minimum 4 sq.m per bed space in the 'house' and 'town house' unit, in addition to any circulation space.

Minimum bedrooms sizes for 'house' and 'town house' units will be:

Single study bedroom: 8 sq.m (with en-suite shower, toilet and basin: 12 sq.m)

Twin study bedroom: 15 sq.m (with en-suite shower, toilet and basin: 18 sq.m)

Single disabled study bedroom, with en-suite disabled shower, toilet and basin: 15 sq.m)

Bathrooms: Either en-suite with study bedrooms/studio units or to serve a maximum of 3 bed spaces.

Communal facilities and services which serve the needs of students shall be provided for, which include laundry facilities, caretaker/ security and refuse facilities (either on site or nearby within a campus setting).

6.0 Section 247 Consultation(s) with Planning Authority

6.1. A copy of the record of the consultations held with the Planning Authority regarding the proposal currently before the Board has been included as part of the planning authority's submission. Meetings were held in respect of the proposal on the following dates: 26th November 2019 and 5th February 2020.

7.0 Prospective Applicant's Documentation

7.1. 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.

7.2. The information submitted included the following:

- Planning Report and Statement of Consistency prepared by Simon Clear & Associates
- Student Accommodation Concentration Report prepared by Simon Clear & Associates
- Architectural Drawings and Design Statement prepared by DMOD Architects
- Engineering Planning report prepared by Pinnacle Consulting Engineers
- Flood Risk Assessment prepared by Pinnacle Consulting Engineers
- Traffic and Transport Assessment prepared by Pinnacle Consulting Engineers
- Photomontages prepared by Digital Dimensions
- Appropriate Assessment Screening prepared by Simon Clear & Associates
- EIA Screening report prepared by Simon Clear & Associates
- Daylight and Sunlight Assessment prepared by Digital Dimensions

8.0 Planning Authority Submission

8.1. In compliance with section 6(4)(b) of the 2016 Act the planning authority for the area in which the proposed development is located, Dublin City Council, submitted a copy

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 19 June 2020. The planning authority's 'opinion' included the following matters:

Zoning – the site is zoned Z4 District Centres, in which the objective is to provide for and improve mixed-services and facilities. Residential, retail and restaurant are uses that are permissible in the Z4 zoning.

Development Density - according to the City Development Plan 2016-2022, an indicative plot ratio for Z4 lands is 2.0 and the indicative site coverage is 80%. The proposed development has a plot ratio of 2.13 and a site coverage of 70.3%.

Building Height & Visual Impact – permission has already been granted for a similar type and form of development, over two blocks and up to 7 storeys in height. The revised proposal will amount to Northern Block (4-8 storeys) and Southern Block (3-7 storeys). But given the double height ground floors and site topography the buildings are therefore effectively up 9 storeys in height. Section 16.7.2 of the City Development Plan 2016 - 2022, sets out building heights for the city and restricts heights in the inner city up to 24m (residential) and 28m (commercial). The applicant puts forward a case stating the actual building height is less than 28m as the 8 storey element includes a parapet level of c.1.1m and therefore when removed from the calculation the height complies with the relevant standards pertaining to the site.

The proposed development has been considered by the planning authority in accordance with the criteria set out in the Building Height Guidelines. It is also noted that precedent for increased height has been set on the subject site and therefore the proposed additional height is not considered substantial subject to good design.

The planning authority has concerns in relation to how the proposal would integrate within the existing site context and the visual impact of the proposal when viewed from the adjoining streetscape. The applicant is requested to consider introducing greater variation to the materiality proposed on the elevations to mitigate against the scale of the structures proposed. The reasons for such concerns can be illustrated in the CGIs included with the submitted documentation, for instance, views V1, V2, V4, V5, V6 and V9.

The planning authority has concerns that the architectural design provides limited variation for the two blocks of student accommodation/co-living. The two blocks have

extensive frontage onto the public realm and are visible on approach given the overall height of the proposal. In particular, the elevations along Prussia Street which propose extensive use of similar brick illustrated in Views 3, 4 and 5. The two buildings extend c. 122 metres on the east-west axis which results in the design being highly visual from a number of viewpoints. This is evident on the elevation drawings and from the submitted photomontages.

It is considered that the design approach and materials is critical to reducing the perceived mass and scale of the buildings and greater articulation should be considered in order to achieve an appropriate sense of scale. It is recommended that the applicant address the above concerns.

Impact on adjoining area – the planning authority acknowledge that any scale of development will result in some overshadowing, however, having regard to the urban location of the site within the inner city it is considered that the proposal would not give rise to undue levels of overshadowing of adjoining properties. The applicant's reports conclude there would be an imperceptible impact on the surrounding properties in terms of loss of light or overshadowing. Nevertheless, concerns remain with regard to the visual impact of the proposal and the overbearing impact of the structures, in particular when viewed from St. Joseph's Place.

Student Accommodation - The proposed development is considered to be in accordance with development plan student accommodation policies in principle. Regarding Policy QH31, proposals for student accommodation shall comply with the 'Guidelines for Student Accommodation' contained in the development standards.

Demand for Student Accommodation – there is a parent permission for student accommodation on the subject site, however, given the increase in bedspaces proposed, the applicant should address the requirements outlined in Section 16.10.7 of the Dublin City Development Plan (as per Variation No. 3). There is concern that the proposal would contribute to an overconcentration of student accommodation in the general northwest inner city area. Having regard to the likelihood of future development of on-campus student accommodation in Grangegorman and the demand for housing in the city, the applicant is also requested to submit a justification for the provision of student accommodation rather than standard residential accommodation on the site.

Management of student housing – an Operational Management Plan is required.

Student Accommodation Standards - The layout and size of individual bedroom units appear to meet the minimum floor areas required (12 sq.m for single en-suite) as stated in the supporting report. However, the schedule of accommodation does not provide a breakdown of each bedroom. In broad terms the student accommodation component appears acceptable. The scheme provides a combination of internal and external amenity areas. The combined indoor and outdoor amenity space proposed is stated as 3,558 sq.m in the schedule which equates to c. 6.08 sq.m per bedspace which is in accordance with the development plan standard of 5-7sqm per student. The indoor amenity spaces comprise library, fitness centre, meeting rooms, recreation centre, beanbag/ cinema room, lounges and private parties/ kitchen area. Outdoor spaces include a northern courtyard at c. 1,512 sq.m and a southern courtyard at c. 402 sq.m. The overall quantum and orientation of the student blocks it is considered that the external amenity areas would provide a good level of amenity and receive adequate sunlight and daylight penetration.

Co-Living/ Shared Living scheme - The site is located within the city centre. The planning authority supports the shared living concept and there are certain merits to locating one of these on this site, having regard to its location close to employment hubs and connectivity to a range of modal choices. The principle of providing shared accommodation at this location is supported. The room sizes proposed meet the minimum sizes outlined in the Apartment Guidelines which states minimum bedroom sizes should be 12 sq.m for single and 18 sq.m for double rooms. In most instances, the size of the single occupancy bedrooms meet the requirements for a double room. However, detailed information concerning the townhouse component of the scheme is missing. A detailed schedule of accommodation and breakdown of floor areas, such as shared kitchen/lining areas is required. Residential support facilities include: Bicycle Parking, Social Laundry room (32 sq.m.), Outdoor Terrace (484 sq.m), Conservatory allotments (60 sq.m) and a Recreation Lounge (85 sq.m). This appears to be a less than optimal amount of amenity space for 92 bedspaces.

Public Realm – a new east-west pedestrian street is proposed, an assessment of the new pedestrian street should be undertaken to establish the level of daylight that will reach this street and to establish the quality of the public realm. More public realm

and landscape detail is required to understand better how the proposed development will integrate with existing public space.

Access and Parking - There are no car parking spaces proposed for the student accommodation / co-living proposal. The development proposes 542 no. bicycle parking for the scheme, further detail and amendments are necessary. There are concerns about the proposed access to the development and potential conflicts with BusConnects. The level of car parking and on-site servicing and vehicle movements is queried, on street servicing of units is not supported. Pedestrian desire lines and the potential to reposition the existing signalised crossing over Prussia Street require assessment. A taking in charge drawing is required.

District Centre Retailing - The proposed redevelopment of the shopping centre would be in accordance with Policy SC10, Policy RD17 and Policy RD19 of the Dublin City Development Plan 2016-2022. These policies seek to develop and support the hierarchy of the suburban centres, promote active uses at street level and promote the retail provision in the Key District Centres, District Centres and Neighbourhood Centres, including the revitalisation of existing established centres.

Further queries and clarifications mainly of a technical nature are required with respect to waste management, archaeology and flood risk/drainage. Matters to do with AA and EIA are the concern of the competent authority, in this case An Bord Pleanála.

9.0 **Submission from Irish Water**

- 9.1. A submission was received from Irish Water and is appended to this report. In summary, the submission states that a Confirmation of Feasibility has issued and that connection to the water supply will require a connection main - Approx. 25m of new 200mm ID pipe main to be laid to connect the site development to the existing 9" CI main. Upgrade Main – Approx. 120m of new 200mm ID pipe main to replace the existing 150mm DI. Alternatively, approx. 100m of new 150mm ID can be run parallel with the existing 150mm DI which is retained. In relation to wastewater, connection is feasible is possible without upgrades.

10.0 The Consultation Meeting

- 10.1. A section 5 Consultation meeting took place online via Microsoft Teams on the 8 October 2020, commencing at 10am. 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.
- 10.2. 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. Site Interface – Buildings and Street
 2. Residential Amenity – standards and detail
 3. Public Transport, Access and Car Parking
 4. Any other matters
- 10.3. In relation to Site Interface – Buildings and Street, ABP representatives sought further elaboration/discussion on the proposed interface with the street along Prussia Street and the new threshold to Grangegorman and also to identify pedestrian desire lines in the context of crossing Prussia Street. The planning authority outlined their concerns about the detailed design and articulation of blocks, but explained that the principle of taller buildings is not an issue. The relationship between the applicant site and the Grangegorman campus was explained by the applicant and the necessary legal consents will be sought and provide as part of an application. Further studies to do with pedestrian design lines will be carried out. ABP representatives advised the applicant to prepare drawings that clearly explained the already permitted development and what is being applied for. In addition drawings and imagery should show how the new public plaza relates/integrates with Jameson House.
- 10.4. In relation to Residential Amenity – standards and detail, ABP representatives sought further elaboration/discussion on the shared accommodation component of the scheme, particularly the provision of adequate amenities and services. The planning authority stated that documentation should demonstrate high quality and

set out residential amenities. The applicant described the two aspects to the accommodation provision, student and shared living. The provision of amenities was set out and described. Board officials reminded the applicant to meet the required standards for each class of accommodation and ensure amenity requirements are met. The preservation of residential amenities associated with adjacent property should also be clearly demonstrated.

- 10.5. In relation to Public Transport, Access and Car Parking, ABP representatives sought further elaboration/discussion on the status of BusConnects and whether further consultation is required, the planning authority agreed and so too did the applicant. THE building line remains the same as that previously permitted. The retail units associated with the northern portion of the site will be serviced via the car parking area and this will be demonstrated. The applicant stated that the proposed car parking area has been provided in relation to the current situation but will revisit the quantum if needed. Board officials reiterated the need for detail cross sections through Prussia Street and to detail pedestrian and cycle movements in the area.
- 10.6. In relation to Any other matters, the planning authority reminded the applicant to note and address any outstanding issues in their report.

11.0 **Assessment**

- 11.1. 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.
- 11.2. 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, submissions received from statutory consultees referred to under Section 6(10) of the Act 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.
- 11.3. 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: constitutes a reasonable basis for an application under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

- 11.4. 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.

12.0 Recommended Opinion

- 12.1. 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.
- 12.2. 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.
- 12.3. 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 arising from this notification:

1. Drawings and detailed specifications that show works on and in the public realm, specifically upgrades to footpaths and pedestrian crossings. In addition, drawings should show, if known, the alignment and requirements for any future public transport improvements along Prussia Street (BusConnects). This may require further engagement with the local authority and any other agencies responsible for delivery of same.
2. Cross sections that detail public realm, landscaping and building interfaces at various locations, but specifically where levels change and where items of heritage value are to be retained. Locations for analysis should include, but are not limited to; along Prussia Street and near Jameson House, between the northern and southern block detailing the new pedestrian realm, and the interface with the Grangegorman Campus. The applicant is urged to consult the Design Manual for Urban Roads and Streets, with particular reference to streetscape, the pedestrian and cyclist environment and carriageway conditions and include the necessary legal consents (as required) to carry out works on property not owned by the applicant.
3. A report and map that details pedestrian and cycle facilities as they connect and pass through the development, the report may inform the location of any new or relocated signalised pedestrian crossing along Prussia Street.
4. A detailed landscaping plan for the site which clearly sets out proposals for hard and soft landscaping including street furniture where proposed and indicates which areas are to be accessible to the public.
5. Daylight/Sunlight analysis to an appropriate scale, showing an acceptable level of residential amenity for future occupiers of the proposed development, but specifically neighbouring residential property. The analysis should consider potential overshadowing impacts on adjoining residential areas and other sensitive receptors, particularly with regard to Rathdown Square to the north.
6. Given the location and availability of public transport, a rationale for the proposed car parking provision should be prepared, to include details of car parking management, car share schemes and a mobility management plan.

7. A detailed schedule of accommodation that indicates consistency with relevant standards in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' (2018) including a report that addresses the provision of dedicated amenities and facilities specifically for co-living residents.
 8. A site layout plan, which clearly indicates what areas are to be taken in charge by the Local Authority, if any.
 9. A report that specifically addresses the proposed building materials and finishes and the requirement to provide high quality and sustainable finishes and details. Particular attention is required in the context of the visibility of the site and to the long-term management and maintenance of the proposed development. A building lifecycle report for apartment buildings in accordance with section 6.13 of the 2018 Apartment Design Guidelines is also required.
 10. Construction and Demolition Waste Management Plan.
 11. Operations Plan to address vehicular movements associated with servicing (including servicing of the substation), deliveries, maintenance, refuse collection and student resident drop offs.
 12. Student Accommodation Management plan to provide details of the ongoing management of the proposed student accommodation, including any use of the facility as tourist accommodation outside of term times.
 13. Information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 (if an Environmental Impact Assessment report is not being submitted), should be submitted as a standalone document.
- 12.4. Also, 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. The Minister for Culture, Heritage and the Gaeltacht
2. The Heritage Council
3. An Taisce
4. An Chomhairle Ealaíon
5. Fáilte Ireland
6. Irish Water
7. Transport Infrastructure Ireland
8. National Transport Authority

PLEASE NOTE:

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

Stephen Rhys Thomas
Senior Planning Inspector

29 October 2020