



An
Bord
Pleanála

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

**Inspector's Report on
Recommended Opinion
ABP-308475-20**

Strategic Housing Development	582 no. Residential dwellings (444 no. houses and 138 no. apartment / duplexes); 2 no. creches and associated site works.
Location	Lands off Flemington Lane, Balbriggan, Co. Dublin.
Planning Authority	Fingal County Council
Prospective Applicant	Dean Swift Property Holdings Unlimited Company
Date of Consultation Meeting	7 th December 2020
Date of Site Inspection	19 th November 2020
Inspector	Rachel Gleave O'Connor

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 subject site is located on the north western edge of the existing Balbriggan settlement area, to the south of Flemington Lane, east of Clonard Road and west of Hamlet Lane. The site itself is currently formed of agricultural fields and is approximately 2.4km to the west of Balbriggan town centre. Balbriggan water works is located to the west of the subject site. The subject site has two connection points onto Flemington Lane to the north, two connection points to Clonard Road to the west and south, and immediately adjoins the existing residential settlements on Flemington Park, Hastings Court, Hastings Lawn, Hamlet Lane, Bremore Pastures Drive and Taylor Hill.
- 2.2. The area in the immediate vicinity of the site is characterised by one off housing along Flemington Lane with a rural nature to the north and west of the site. A more suburban character is apparent to residential estates to the east of the site off Hamlet Lane. A mixture of self-contained housing and apartments inform the character of the area around Hamlet Lane with a two and three storey height evident to established development form.
- 2.3. The subject site has a stated site area of 19.68 ha. incorporating the area of open space proposed to the west of the site, and a stated developable site area of 15.81 ha.

3.0 Proposed Strategic Housing Development

3.1. The proposed development involves 582 no. residential units as follows:

Unit Type	Number
1 bed apartments	22
2 bed apartments	85
3 bed apartments	31
2 bed houses	175
3 bed houses	257
4 bed houses	12
Total Apartments	138
Total Houses	444
Total units	582

The development has a stated net residential density of c. 37 units/ha based on a development area of c. 15.81 ha, excluding the open space area. The development scheme comprises the following:

- 582 no. residential dwellings;
- 138 no. apartments / duplexes in 8 no. blocks ranging in height from 2-3 storeys;
- 444 no. 2 storey terrace houses;
- 2 no. creche buildings 953sqm;
- 1010 no. car parking spaces;
- 467 no. bicycle spaces;
- Private amenity in the form of balconies, terraces and rear garden areas;
- Landscaped public open space;

- Piped and other services, roads and footpaths, refuse storage, 2 ESB substations, landscaping and boundary treatments and all associated development works including SuDs basins.

4.0 Planning History

- 4.1. The subject site has extensive planning which is extracted below as summarised by the applicant.
- 4.2. **F17A/0372** Planning permission granted by Fingal County Council on 23rd August 2017 for alterations to previously approved residential development (Reg. Ref. F07A/1249/An Bord Pleanála Ref. PL06.231457). The proposed development consists of the omission of the following sections of the previously approved residential development: 'Flemington Village' (superseded by Reg. Ref. F13A/0240 and F15A/0437); 'Naul Park (superseded by Reg. Ref. F15A/0550); 'River Court' and 'Hampton Court' (superseded by F15A/0242, approval for development of St George's National School and Coláiste Ghlór na Mara Secondary School). The omission of the above sectors of development results in an altered permission comprising only Phase 1 open space to the north-west (as amended by Reg. Ref. F15A/0550), 'Boulevard Road, and 'Ladywell Avenue' sector of development located in the southwest corner of the site, which comprises a total of 233 no. dwelling units, consisting of 89 no. houses (11 no. two-bedroom two-storey houses; 19 no. three bedroom two-storey houses; 14 no. three-bedroom three storey houses; 25 no. four-bedroom two-storey houses; 20 no. four-bedroom three-storey houses); and 144 no. apartments in three and four storey blocks (40 no. two-bedroom duplex apartments; 60 no. two-bedroom apartments; and 44 no. three bedroom duplex apartments); crèche; 398 no. car parking spaces (89 no. undercroft and 309 no. surface level); and 144 no. bicycle spaces (one for each apartment). All ground floor apartments have private terraces; all upper level apartments have private balconies and all houses have private rear gardens; landscaped public open space including Public Park (as amended under Reg. Ref. F15A/0550); piped and other services, roads and footpaths, refuse storage, ESB substations, landscaping and boundary treatments and all associated site development works. Works also include construction of the partially completed 'Boulevard' Road running from the intersection with the proposed C Ring Road south to Naul Road.

- 4.3. Following a third-party appeal, An Bord Pleanála (Ref PL06.231457) refused permission on 29th March 2017. The reasons and considerations were having regard to the planning history and pattern of development in the area, the current provisions of the Fingal Development Plan 2017-2023 which takes account of statutory guidance adopted in the intervening period since the granting of the parent permission, most notably the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and the Design Manual for Urban Roads and Streets issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government (2013), the Board considered that the design and layout of the proposed development, particularly in relation to pedestrian and cyclist permeability, roads infrastructure and the quality of the open spaces, failed to adequately meet the more recent residential development standards. Therefore, the Board considered that the proposed development would seriously injure the residential amenities of future occupants of the development and the area and would not be acceptable in terms of pedestrian and traffic safety and convenience. The proposed development was therefore not in accordance with the proper planning and sustainable development of the area. In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the identified shortcomings in the design and layout could not be adequately addressed by attaching conditions to improve the quality of the place over what was permitted originally, so as to ensure that the proposed development met with more recent statutory guidance. The Board therefore considered that the proposed development was not in accordance with the proper planning and sustainable development of the area.
- 4.4. This application that was approved by Fingal County Council and subsequently refused by the Board under ref. PL06.231457 included a number of land parcels, and not just the Naul Roads land. Whilst the above application was refused, the current planning proposal relates to the lands at Naul Roads.
- 4.5. **F08A/1329** A ten-year planning permission granted by Fingal County Council on 3rd March 2010 (Appeal Ref. PL06F.231457) to construct a development incorporating 532 no. dwellings, the Balbriggan C-Ring Road and boulevard, a major regional Class 1 public park and an urban square/civic space. The proposed development is located within the northern area of the Balbriggan Local Area Plan (LAP) lands. The

site is 29.095 hectares. This development represents Phase 2 of the development of the Balbriggan LAP lands (Phase 1 - Reg. Ref. F07A/1249). The proposed development comprises 532 no. dwelling units within seven distinct character areas over 5 sectors as defined by the Balbriggan LAP. The proposed development ranges in height between 2, 3 and 4 storeys and will comprise: 281 no. houses and 251 no. apartments. All ground floor apartments have private terraces; all upper level dwelling units have private balconies and all houses have private rear gardens, some with detached garages. A crèche facility (332 sq.m.) is proposed within Sector 6. It is proposed to construct the Boulevard and C Ring routes to connect Bridgefoot Road with Flemington lane (with 100% offset against development contributions). New vehicular and pedestrian entrances to serve the development from Flemington Lane to the north and Hamlet Lane to the east are proposed. Foul sewer capacity constraints within the Balbriggan area are considered and therefore all development proposed will be subject to phasing in line with ongoing Fingal County Council upgrade works. The urban square/civic space is formed by a series of mixed use buildings including: a two storey exhibition hall 0 Class 10 (420 sq.m.); an indoor sports/recreation hall - Class 11 (1112 sq.m.); 3 storey crèche building (1209 sq.m.) with outdoor play area; and 5 no. ground floor bar/restaurant units (1198 sq.m.) with residential units above. The square is served by 54 no. surface and 191 no. basement car parking spaces. The development also includes landscaped civic spaces, foul and SUDS surface water drainage, ESB substations, landscaping, boundary treatments, lighting, storage areas, plant rooms, refuse/recycling areas, and all ancillary drainage, engineering and site development works to facilitate the development. The subject site includes a protected structure and recorded national monument, a Holy Well 9RPS No. 11 - Lady Well Flemington Lane, Flemington). Permission is also sought for the demolition of 2 no. dwellings on Flemington Lane and associated outbuildings. This application is accompanied by an Environmental Impact Statement.

- 4.6. **F06A/0784** Development comprising the construction of 75 residential units and a crèche on two separate sites within the same overall development. Area 1 will accommodate 75 residential in a mix of apartments, duplexes, semi-detached and terraced dwellings comprising 29 no. 2-storey two-bedroom dwellings (Type A), 29 no. 2-storey three-bedroom dwellings (Type C), 1 no. 2-storey three bedroom

dwelling (Type D), 2 no. 2-storey three-bedroom dwellings (Type F), 3 no. 2 storey three-bedroom dwellings (Type G), 1 no. 2-storey two bedroom dwelling (Type H), 4 no. 2-storey four-bedroom dwellings (Type J), 1 no. one-bedroom apartment with a two-bedroom 2-storey duplex unit over in a 3 storey building (2 units in total, Type K) and 4 no. 3-storey three-bedroom dwellings (Type L); 126 no. car parking spaces, site development and landscape works including public open space and provision of a bus lay-by. Area 2 will accommodate a single storey crèche facility (c. 130m²); site development and landscape works, including the provision 11 no. car parking spaces; alterations to work previously permitted under Reg. Ref. F04A/1434 including repositioning of pedestrian crossing and realignment of a pedestrian walkway on the landscaped area. Vehicular access to serve development in both areas 1 and 2 is proposed via permitted internal road system granted under Reg. Ref. F00A/1464, Reg. Ref. F03A/1681, Reg. Ref. F04A/0806 and Reg. Ref. F04A/1434, which in turn connect to Hamlet Lane and the Balbriggan Inner Relief Road respectively. The cumulative site area is c. 1.855 hectares on lands bounded generally by Flemington Lane to the north of the proposed C-ring Relief Road to the west and development permitted under Planning Permission Reg. Ref. F04A/1434 to the east of area 1 and surrounding area 2.

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 2020 ('The Apartment Guidelines')
- 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
- The Architectural Heritage Protection Guidelines for Planning Authorities

5.2. National Planning Framework

- 5.2.1. 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.
- 5.2.2. 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.
- 5.2.3. 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.
- 5.2.4. 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.

5.3. Fingal County Development Plan 2017-2023

- 5.3.1. Zoning: The site is zoned RA 'Residential Area' with the objective to 'Provide for new residential communities subject to provision of the necessary social and physical infrastructure', residential and creche uses are permitted in principle in the RA zoned area. The site also has areas with the following applicable zonings: OS 'Open Space', Recorded Monuments, Road Proposals and MP 4.B Masterplan Area, under the Fingal Development Plan 2017-2023.
- 5.3.2. General: Chapter 2 of the Plan outlines housing and settlement strategy for Fingal. Chapter 3 describes the approach to the creation of placemaking, and particularly section 3.4 in relation to sustainable design standards. Chapter 4 describes urban Fingal and Chapter 5 rural Fingal. Chapter 7 describes the approach to movement

and infrastructure in Fingal. Chapter 9 relates to natural heritage and Chapter 10 relates to cultural heritage. Chapter 12 describes the Development Management Standards.

5.3.3. The following objectives are of particular relevance.

- Objective PM14 Prepare Masterplans for areas designated on Development Plan maps in co-operation with relevant stakeholders, and actively secure the implementation of these plans and the achievement of the specific objectives indicated.
- Objective Balbriggan 16 to “Prepare and/or implement the following Masterplans during the lifetime of this Plan:..... North West Balbriggan Masterplan (see Map Sheet 4, MP 4.B)..... Provide for a programme for the phasing of construction of residential and commercial development in tandem with the delivery of transport, recreational, community and educational infrastructure.”
- Objective Balbriggan 11 Ensure a safe and convenient road, pedestrian and cycle system promoting permeability, accessibility and connectivity between existing and new developments within the town.
- Objective CH02 Favour the preservation in situ or at a minimum preservation by record, of archaeological sites, monuments, features or objects in their settings. Objective CH03 Protect all archaeological sites and monuments and Objective CH04 Encourage and promote the appropriate management and maintenance of the County’s archaeological heritage. As well as related Objectives CH05-CH11 relating to archaeological heritage.
- Objective PM51 Provide a wide variety of accessible public open spaces, Objective PM52 Requiring minimum public open space, and related Objectives PM60-PM62 concerning the design of public open space.
- Objectives DMS24 to DMS48 describe the qualitative standards for new residential development.

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;
- Planning Report and Statement of Consistency;
- Part V Schedule of Units and Plan;
- Cover Letters to ABP and Fingal CC;
- Glenveagh and Fingal CC Letters of Consent;
- Irish Water Confirmation of Feasibility;
- Architectural Drawings;
- Design Statement;
- Engineering Drawings;
- Engineering Services Design Report;
- Flood Risk Assessment;
- Preliminary Transport Assessment;
- Open Space Allocation Plan.

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.

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, South Dublin 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:

- Residential and Childcare facilities are permitted in principle under the RA zoning objective. Within the area(s) of the subject site zoned OS the proposal includes the provision of public open space which is permitted in principle under the applicable OS zoning objective. The proposed road generally corresponds with the indicative road proposal traversing the subject site (north-south).
- To date no Masterplan for the subject lands has been prepared by the Planning Authority. The Planning Officer is of the view that the proposed development may be considered in the absence of a Masterplan.
- The proposed development generally accords with Objective DMS24 (internal floorspace), DMS28 and DMS29 (separation distances).
- House Type H is indicated on drawings to be served by a 60sqm private amenity space whereas 75sqm is required.
- The proposal appears to generally accord with the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines' for Planning Authorities.
- The delineation, delivery and phasing of the proposed public open space is unclear. It is unclear whether any SUDs feature in public open space.
- The site areas concerned for the purpose of density calculations are ambiguous and should be clarified.

- Public open space is located to the sides of houses in a number of locations contrary to Objective DMS66. There is an area of open space to the north that lacks passive surveillance.
- The road to the south of the site terminates abruptly, whilst the red line boundary extends to the Clonard Road. The proposal as it relates to this area is unclear and requires clarification.
- Details of ESB substations, refuse and bicycle stores unclear.
- Objective DMS05 requires a piece of public art for residential developments in excess of 100 units.
- Recommend the design of Duplex unit type L be revised to integrated balconies.
- Request a Construction and Demolition Waste Management Plan.
- Consideration should be given to the relocation of creches and an elaboration of the nature of childcare facilities in the scheme.
- The proposed phasing arrangement makes no reference to the delivery of Class 1 public open space. The applicant should confirm the provision of road infrastructure in the phasing plan.
- There are serious concerns in relation to the urban structure of the proposal, in particular when assessed against the 12 criteria in the Urban Design Manual – A Best Practice Guide 2009. Particularly in relation to provision of distinct character areas, prevalence of particular building typologies, provision for a strong defined urban edge to the north-south road, better definition of corner blocks, provision of a local neighbourhood centre, provision of nodes within the scheme, provision of dwellings with greater adaptability and a redesign of terraces to incorporate more active frontages and variety in roofscape.
- Request a Visual Impact Assessment (with photomontages).
- Significant concerns regarding transportation issues and the proposed development. Particularly, the level of development that can be sustained by the existing road network, the lack of pedestrian and cycling connectivity, inadequate or safe pedestrian and cycling crossings at proposed junctions, and vehicular/cyclist/pedestrian conflict points in road / parking design.

- Recommend the entire northern boundary of the proposed development be set-back to an agreed distance from the kerb line on the northern side of Flemington Road to accommodate future widening for pedestrian and cycle infrastructure.
- Shared surfaces should be designed to priorities pedestrian and cycling over vehicular movements.
- The proposed streetscape is dominated by surface parking in certain locations.
- A full TIA is required and transportation comments in relation to the preliminary TTA provided should be addressed.
- Parking provision whilst below development plan standards is acceptable.
- Insufficient bicycle parking provided.
- Creche set-down / parking requires reconsideration.
- Taking in charge details, road safety audit and construction management plan requested.
- Request that issues raised by the Water Services Engineering Section of FCC be addressed.
- Request that the issues raised by the Parks and Green Infrastructure Section of FCC be addressed.
- The referenced Archaeological Impact Assessment Report has not be submitted. Given the scale of the proposed development and the high potential for detrimental impacts on known, and as yet unidentified archaeological sites and features, it is imperative that a comprehensive archaeological impact assessment is submitted.
- It is the opinion of the Planning Authority that the proposal requires significant amendments. 24 no. recommendations are detailed in relation to those matters outlined above. There are serious concerns in relation to the urban structure of the proposal; significant issues with the capacity of the local road network to cater for the proposal; concerns regarding the lack of pedestrian and cycling connectivity across junctions; and significant amendments required in relation to how surface water drainage is managed in relation to the provision of open space.

6.4. Irish Water

6.4.1. The submission from Irish Water (dated 2nd December 2020) states that a Confirmation of Feasibility has been issued for a development of 582 units on the site subject to confirmation of upgrades required to service the development. Particularly in relation to the Quay Street pumping station in respect of wastewater management. The applicant is also required to submit detailed layouts with respect to water connection.

6.5. Consultation Meeting

6.5.1. A section 5 Consultation meeting took place via a video conference on the 7th December 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. Road Infrastructure and Carrying Capacity;
2. Design Strategy;
3. DMURS, Pedestrian / Cycle Connectivity;
4. Archaeology;
5. Ecology;
6. Flood Risk and Drainage; and
7. Any Other Matters.

6.5.3. 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-308475-20' 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 and to the preliminary nature of the submitted documentation, I recommend that further consideration and/or possible amendment of the documents submitted are required at application stage in respect of the following elements – carrying capacity of the surrounding highway network; accommodation for safe pedestrian / cycle movements and compliance with DMURS; and design strategy - as set out in the Recommended Opinion below.
- 7.4. Having regard to the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act **requires further consideration and amendment in order to constitute a reasonable basis for an application** under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 7.5. 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.

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 **requires further consideration and amendment to constitute a reasonable basis for an application** for strategic housing development to An Bord Pleanála.

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

Carrying Capacity of the Highway Network

The prospective applicant should provide further justification and/or detail in relation to the adequacy of the surrounding receiving highway network to serve the proposed development. A Transport Impact Assessment is required to support assumptions regarding transport infrastructure and provision for pedestrian/cycle/vehicular movements in the proposed design. Further consideration of this issue may require an amendment to the documents and/or design proposals submitted.

Safe Pedestrian / Cycle Movements and Compliance with DMURS

The prospective applicant should provide further justification and/or detail in relation to connections from the site to surrounding areas, and in particular adequate and safe pedestrian and cycling connectivity and crossings at proposed junctions. The submission should also demonstrate compliance with DMURS, in particular the prioritisation of safe walking and cycling routes both within and around the development. Further consideration of this issue may require an amendment to the documents and/or design proposals submitted.

Design Strategy

The prospective applicant should provide further justification and/or detail in relation to the design strategy for the proposed development. In particular, the prospective applicant should provide further justification and/or detail in relation to the layout of the development with consideration to the hierarchy to urban form, provision of

distinct character areas through the detailed design of buildings, and the high quality elevational design and material treatment of blocks. Further consideration of this issue may require an amendment to the documents and/or design proposals submitted. Photomontages, CGIs and a Landscape Visual Impact Assessment alongside verified views, will be required to accurately illustrate the appearance of the proposed development.

Pursuant to article 285(5)(b)(i) and (ii) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that the following specific information should be submitted with any application for permission:

1. The prospective applicant should satisfy themselves in relation to whether the proposed development represents a material contravention of the Development Plan and satisfy the subsequent submission requirements in relation to this.
2. Topographical survey of the site and associated commentary on how this has impacted the design of the proposed development.
3. Additional details and/or revised proposals in relation to the proposed material palette for the proposed development. Details shall be described in a building life cycle report in accordance with section 6.13 of the 'Sustainable Urban housing: Design Standards for New Apartments (2020)'. Details should include 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.
4. A Housing Quality Assessment with regard to relevant national and local planning policy on residential development.
5. Submission of a Daylight, Sunlight and Overshadowing Assessment providing analysis of both the proposed accommodation and any potential impact upon surrounding dwellings/amenity spaces.
6. A plan of landscape proposals clearly delineating public, communal and private spaces to be provided, as well as a detailed breakdown of the total area of same.

Consideration of how the design of the landscape and provision of furniture/equipment will facilitate use of these spaces for both adults and children should be provided. A response to the comments from the Planning Authority in relation to the landscape proposals is also required.

7. Address each of the 24 no. recommendations outlined in the Planning Authority opinion.
8. Additional detail of arrangement for future connections to water supply and wastewater services is required in consultation with Irish Water.

8.3. 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. Minister for Culture, Heritage and the Gaeltacht (Built Heritage and Nature Conservation)
2. The Heritage Council
3. An Taisce
4. Irish Water
5. Transport Infrastructure Ireland
6. National Transport Authority
7. Fingal 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.

Rachel Gleave O'Connor

Planning Inspector

15th January 2021