



An
Bord
Pleanála

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

**Inspector's Report on
Recommended Opinion
308866-20**

Strategic Housing Development	148 No. residential units and a café/service unit.
Location	On a vacant site to the rear of at Tolka Valley Industrial Estate, Ballyboggan Road, Broombridge, Dublin 11.
Planning Authority	Dublin City Council
Prospective Applicant	Bartra Property (Broombridge) Limited
Date of Consultation Meeting	03. 03. 2021
Date of Site Inspection	5 th February 2021
Inspector	F. Fair

1.0 Introduction

- 1.1.1. 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 and the documentation received from the prospective applicant, 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 subject site, approximately 0.637 ha in area, is located on a vacant site to the rear of Tolka Valley Industrial Estate, c. 70 metres to the south of the Ballyboggan Road and is positioned to the north of the Royal Canal and to the east of Tolka Business Park. Tolka Valley Park is located further north of Ballyboggan Road. A recently permitted residential development for 435 No. apartments at the Former Ormond Printworks site is located c. 340 metres to the west of the subject site (ABP Reg. Ref. PL29N.306167). Royal Canal Park also to the west of the site contains residential units and an Aldi.
- 2.1.2. The subject site is located in close proximity to the Broombridge Luas Depot (currently c. 11 No. minutes/c. 850 metres walking distance or c. 450 metres as the crow flies). This walking distance (via Ballyboggan Road) to the Broombridge Luas will be reduced to c. 6 minutes/c. 450 metres walking distance as a result of the proposed development which proposes direct access onto the Canal Greenway.
- 2.1.3. The subject site is predominately regular in shape and has generally flat topography. In addition, the site also comprises a car parking area to the east which is also within the Applicant's ownership. The main development site is presently comprised of a warehouse unit (c. 1,084 sq m) and outbuildings (c. 417 sq m), which have been vacant for some time and as a result have fallen into a state of disrepair as a result of fire damage in 2006.
- 2.1.4. The subject site is included on Dublin City Council's Vacant Site Register (DCC Reg. Ref. VS-0457)

2.1.5. The car parking area included in the site area is located to the east of the internal access roadway. The access road also serves several commercial premises to the east including The Porterhouse Brewing Company, a Gym and a Taxi Company. A place of worship is located to the west of the subject site. The Royal Canal and associated Greenway forms the southern boundary of the subject site, with the Ratoath Estate (comprising 2 No. storey terraced dwellings) located further south. A sports campus with a full sized synthetic GAA pitch and ancillary changing facilities belonging to Technical University Dublin is located approximately 250 metres to the south-east of the subject site.

3.0 Proposed Strategic Housing Development

- 3.1.1. Permission is sought for the demolition of the existing derelict warehouse structure (c. 1,084 sq m) and associated outbuildings (c. 417 sq m) and the construction of 148 No. apartments (72 No. 1 bedroom and 76 No. 2 bedroom apartments) and a café/service unit (142 sq m).
- 3.1.2. The development is principally provided in 2 No. blocks which are 8 No. storeys in height and the total gross floor space of the development is 10,477 sq m.
- 3.1.3. The development will also include the provision of 26 No. car parking spaces; bicycle parking; a pedestrian/bicycle connection along the eastern boundary of the site from the Canal to the south to the access road to the north; bin storage; balconies; external deck access; hard and soft landscaping; boundary treatments; green roofs; pv panels; plant; ESB substation; lighting; and all other associated site works above and below ground.
- 3.1.4. The Z6 zoning objective pertaining to the lands is 'to provide for the creation and protection of enterprise and facilitate opportunities for employment creation'. A Material Contravention Statement has been prepared by Thornton O'Connor Town Planning and is enclosed separately in relation to policy of the Development Plan associated with Z6 zoning. It is submitted that whilst the development would not contravene the zoning objective as residential is an open for consideration use and the proposed development facilitates the creation of employment, a principally residential application on lands zoned Z6 may contravene the aforementioned specific policy in the Development Plan.

3.1.5. Secondly a material contravention in relation to building height is justified whereby it contravenes a policy of the Development Plan however cognisance being had to SPPR 3 of the Urban Development and Building Height Guidelines 2018.

Parameter	Site Proposal
Application Site	0.637 ha
No. of Units	148 units <ul style="list-style-type: none"> • 72 (49%) No. 1 bedroom and • 76 (51%) No. 2 bedroom
Other Uses	A Commercial Unit / Café / Bike repair Service Unit - 142 sq. m
Residential Density	232 units / ha
Site Coverage	23%
Plot Ratio	1.7
Building Height	2 blocks 8 Storey (26.1m)
Dual Aspect	89% (/)
Public Open Space	717 sq. m (11%)
Communal Open Space	1,274 sq. m (20%)
Car Parking	26 spaces
Bicycle Parking / Motorcycle	298 spaces

Access	includes a pedestrian link along the southern boundary to the Royal Canal Greenway and vehicular access from the eastern industrial estate road (right of way) via Ballyboggan Road.
Part V	15 units (10%)

National and Local Planning Policy

National

27.1.1. 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 directly relevant Section 28 Ministerial Guidelines are:

- ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (including the associated ‘Urban Design Manual’)
- ‘Sustainable Urban Housing: Design Standards for New Apartments’ (Dec 2020)
- Urban Development and building Height Guidelines; Guidelines for Planning Authorities (Dec 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

Local

27.1.2. The statutory Development Plan for the area is the Dublin City Council Development Plan 2016-2022. The subject lands are zoned ‘Z6-Enterprise/Employment’ where the stated objective is ‘to provide for the creation and protection of enterprise and facilitate opportunities for employment creation’.

- 27.1.3. Residential units are 'Open for Consideration' and a café/service unit is 'Permissible' on Z6 zoned lands.
- 27.1.4. In relation to employment generation on lands zoned Z6, the Development Plan states: 'To create dynamic and sustainable employment areas. Any redevelopment proposals on Z6 lands should ensure that the employment element on site should be in excess of that on site prior to re-development in terms of the numbers employed and/or floor space'.
- 27.1.5. A range of other uses including residential, local support businesses, are open for consideration on lands zoned Z6 but are seen as subsidiary to their primary use as employment zones. The incorporation of other uses, such as residential, recreation, and retail uses, will be at an appropriate ratio where they are subsidiary to the main employment generating uses and shall not conflict with the primary land-use zoning objective, nor with the vitality and viability of nearby district centres.'
- 27.1.6. The subject site is adjacent to a Conservation Area along the Canal as represented by red hatching.
- 27.1.7. Section 11.1.5.6 of the Development Plan notes the following in relation to Conservation Areas:
- 'Development outside Conservation Areas can also have an impact on their setting. Where development affects the setting of a Conservation Area, an assessment of its impact on the character and appearance of the area will be required.'

Planning History

- 27.1.8. There are no recent planning applications on the subject site.

DCC Reg. Ref.: 6356/06 Permission Granted February 2007 for construction of a light industrial unit (10.275 m high) totalling 1,560 sq m including 490 sq m of ancillary office/staff facilities on 2 floors and 198 sq m of mezzanine storage at first floor together with services including underground surface water attenuation tank plus underground fire water retention tank, utilities, landscaping, planting, paving, parking and associated site development works. This proposal will be constructed on the site of a fire destroyed facility-(21/06/06) comprising of a manufacturing unit with warehouses and offices totalling 1,161 sq m, all on site.

This permitted development was not implemented, and the site has remained vacant.

Adjoining Planning History of Relevance:

SHD Reg. Ref. PL29N.306167

Permission granted May 2020 for permission to demolish the former Ormond Printworks building off the Rathoath Road, Dublin 11 and construction of 435 No. apartments. The Ormond Printworks site is located c. 340 metres to the west of the subject site.

This scheme related to what is described as forming Phase IV of Royal Canal Park and comprises a mixed-use (residential and commercial) scheme, including 435 No. dwellings (218 No. one-bed and 217 No. two-bed apartments) and employment uses (c. 4,162 sq m), accommodated in 5 No. buildings (Blocks A to E inclusive) ranging in height from 4 to 13 No. storeys and incorporating an undercroft level.

Section 247 Consultation(s) with Planning Authority

27.1.9. A formal pre-application meeting under Section 247 of the Act was undertaken with Dublin City Council (the Planning Authority) on the 12th June 2020.

Submissions Received

Irish Water

27.1.10. Irish Water has issued a Confirmation of Feasibility for connection(s) to the Irish Water network(s).

Forming of Opinion

27.1.11. 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 brief detail on each of these elements hereunder.

Documentation Submitted

27.1.12. 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, completed application form, planning report, Statement of Consistency, material contravention statement, Environmental Report, Architectural Design Statement, Housing Quality Assessment, Schedule of Accommodation, Engineering Services Report, Mobility Management Plan, DMURS Statement of Consistency Parking Strategy & Traffic Assessment Construction & Demolition Waste Management Plan, Outline Construction Management Plan, Verified Views and CGI, Appropriate Assessment Screening, Ecological Impact Assessment Report (including Bat Survey Report), Arboricultural Assessment, Landscape Report, Landscape & Visual Impact Assessment, Operational Waste Management Plan, Acoustic Design Statement, Site Lighting Report, Daylight & Sunlight Report, Energy and Sustainability Report, Childcare Demand Assessment, Social Infrastructure Audit, Part V Calculations, Costings & DCC Validation Letter. I have considered all of the documentation submitted by the prospective applicant, relating to this case.

Planning Authority Submission

27.1.13. 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 their opinion in relation to the proposal. This was received by An Bord Pleanála on 22nd January 2021.

27.1.14. The planning authority's 'opinion' included the following matters: copies of record of section 247 consultation, zoning and site designations, site description, planning history; opinions from other departments and an assessment of the proposal.

27.1.15. The report addresses the following:

- Zoning: Principle of a mainly residential development is unacceptable in Z6 zoning

- Schedule of Accommodation and Residential Quality
- Site Development Standards
- Site Coverage and Plot Ratio
- Density
- Transport infrastructure
- Height
- Visual Impact
- Overlooking and Separation Distances
- Sunlight and Daylight Assessment
- Specific Design Issues
- Private Open Space
- Communal Open Space
- Amenities
- Childcare
- Social Audit
- Capacity of Schools
- Transportation
- The Planning Authority is of the opinion that:
 - Residential use on Z6 lands is required, as per Section 4.8.6, to be subsidiary to employment generating uses and shall not conflict with the primary aim of the Z6 land-use zoning to provide for the employment requirements of the city. Permitting a development that fundamentally fails to comply with the zoning objective would set an unsustainable and undesirable precedent for piecemeal and unilateral development of non-compatible land uses within Z6 areas which would have a cumulative impact on providing employment in non-office based employment uses.
 - In light of NPF and RSES policy to target significant future growth (housing and employment) to brownfield lands within the M50 along high quality public

transport corridors, Dublin Industrial Estate has been identified as one of a number of existing industrial estates that have the potential to contribute significantly to the achievement of regional housing objectives and employment land intensification objectives in Dublin City.

- The potential rezoning of these lands has, however, implications for the current Core Strategy of the City Development Plan. These lands are significant in scale, and a change to their use cannot be piecemeal. For these sites, the scale of the lands involved means that any change would need to be addressed within a more detailed planning framework- such as an SDRA, LAP or SDZ.
- Changes for such large sites need to be framed around the Development Plan policies of place-making, creating/expanding amenities, examination of community needs, including schools provision; movement and connectivity and providing a good range of local services and ensuring quality employment locations proximate to where people live. It is envisaged that these issues will be addressed in the recently commenced review of the Dublin City Development Plan and it is considered that the current proposal is premature in this context.
- While the proposal would appear to be broadly consistent with national policy on densification and use of urban serviced land the non-compatibility with the land use zoning objective for these Z6 Employment and Enterprise lands i.e. the predominance of residential with a residual employment component, means the Planning Authority cannot support this proposal and considers permitting such a scheme in the absence of a comprehensive masterplan led by the Planning Authority for the wider industrial lands would set an unsustainable and undesirable precedent for the predominantly residential redevelopment of Z6 zoned lands. Furthermore the Planning Authority does not consider the site, in its immediate context, to be suitable for redevelopment for residential accommodation.
- If An Bord Pleanála considers the scheme to have sufficient merit to warrant the making of a planning application through the SHD process there are a

number of concerns which should be addressed prior to the submission of the final application.

- Materials and colours and visual impact
- Location and scale of bin and bicycle storage
- Revised Daylight analysis using 2% ADF for open plan living spaces
- Privacy of certain ground floor units and layout
- Privacy/dual aspect provision vis a vis access decks
- Differentiation between communal and public open spaces
- Safe access for pedestrians
- Wind Study for upper floor balconies and decks
- All issues raised in the departmental reports received (attached)

Appropriate Assessment

- A Screening Report for Appropriate Assessment was carried out by Moore Group. The report concludes that the proposed development along or in combination with other plans and projects, will not have a significant effect on qualifying interests and conservation objectives for Natura 2000 sites. No significant direct or indirect effects on Natura 2000 sites have been identified.

Environmental Impact Assessment

- An Environmental report and EIA Screening has been submitted. The proposal is sub-threshold. The report concludes that an EIA is not required, however, the final proposed development will also be screened. An Bord Pleanála is the competent authority in this regard.

Consultation Meeting

27.1.16. A Section 5 Consultation meeting took place by way of conference call on the 3rd March 2021, commencing at 10.10am. 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.

The main topics raised for discussion at the tripartite meeting were as follows:

1. Principle of Development: (Z6: Zoning)

2. Development Strategy for the site including urban design considerations such as building height and the bulk, scale and mass of blocks; architectural treatment; pedestrian connectivity, proximity to boundaries, boundary treatments and interaction with the existing surrounding land-use pattern. Contribution to the character and identity of the neighbourhood. Visual Impact Analysis, use of materials and variety in design.
3. Residential Amenity in the context of the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities', Dec 2020. (Internal and external) open space provision, aspect of units and access to daylight and sunlight, privacy for habitable rooms / access decks and noise impacts for future residents.
4. Biodiversity (Tree loss and Bats)
5. Transportation Issues
6. Any other matters

27.1.17. In relation to 'Principle of Development (Z6 Zoning) An Bord Pleanála representatives sought further elaboration / discussion / consideration on the following:

- Further consideration of the proposed development regard being had to Z6 Zoning and the precedent / examples demonstrating appropriateness of residential development on lands zoned Z6.
- Justification that this is the right development for this location. The Dublin Industrial Estate is significant in scale. Justification for the absence of a Masterplan, adopted local area plan, strategic development zone, or strategic development regeneration area for the overall area.
- Further consideration of the proposed development regard being had to ABP reference 302155 Cookstown Ind Estate – where permission was refused by the Board in January 2019. As it was considered that the proportion and quantum of residential use proposed would not be at an appropriate ratio to be considered sufficiently subsidiary to the main employment generating uses and would

therefore be contrary to zoning objective Z6, section 14.8.6 of the Development Plan,

27.1.18. In relation to Development Strategy for the site An Bord Pleanála representatives sought further elaboration / discussion / consideration on the following:

- Justification of the height, architectural design / treatment and interface with the wider industrial lands, given the sites location within the centre of the industrial lands and the modest scale and character of existing development.
- Justification in relation to pedestrian connectivity and placemaking and interface with the Grand Canal. It is of significance that this would be the first major mainly residential redevelopment within the Z6 zone lands.
- Further consideration of overbearance, over shadowing and overlooking or perceived issues around these matters and possible impact upon surrounding land use and future development potential of adjoining lands.
- Justification of setback from boundaries and need for a Masterplan of wider area.
- An overshadowing assessment, daylight / sunlight assessment of the proposed development regard being had to potential future development of adjoining lands. Consideration of a presumption for a similar level of development on adjoining sites, should this area be transitioning and subject to future change.

27.1.19. In relation to Residential Amenity, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- Further justification and clarification required with regard to % and detail of dual and single aspect units proposed within the development and access to daylight and sunlight. In the context of the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities', Dec 2020.
- Clarification required with regard to issue of privacy to units given deck access arrangement.

- Further consideration of public and communal open space functionality and layout. A breakdown on the quantum of public open space versus private space should be submitted as part of any application.
- Justification of the proposed development given its location, close to existing industrial areas, a noise impact and air quality assessment should be submitted as part of any planning application and it should be demonstrated how the layout has been informed by the results of the assessment.
- Detailed analysis of impact of the development on surrounding industrial / commercial uses, potential for conflict of amenity of future residents.

27.1.20. An Bord Pleanála sought further elaboration/discussion/consideration of Biodiversity:

- Further consideration and clarity in respect of hedgerow and tree loss / removal and the timing of planting between removal and replacement and its consequences for birds, bats and foraging species.
- Clarification that all surveys (bats, breeding birds and vegetation) are carried out at the optimum time of year for each species.
- Further consideration and clarity in respect of issues pertaining to drainage connections, flood risk and agreements with IW, the Drainage Department of Dublin City Council and Waterways Ireland.
- A robust AA screening report and consideration of whether an NIS is required in light of any possible mitigation measures proposed in respect of construction and demolition waste, storm water disposal and hydrological impacts.
- A robust screening for EIA which supports and has regard to the AA screening report / NIS, both reports to have regard to one another, and which inter alia, consider potential impacts on The Royal Canal and River Tolka.

27.1.21. An Bord Pleanála sought further elaboration/discussion/consideration in relation to Transportation issues:

- A response to matters raised within the PA Opinion in particular, the five items raised in the Appended Transportation report dated 15th January 2021 and submitted to An Bord Pleanála on 22nd January 2021.

- Further consideration and clarity in respect of connectivity of footpaths and car parking strategy.

27.1.22. In relation to Any Other Matters, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- Further consideration of provision of electric charging points within any proposed scheme.
- Further discussions with DCC Transportation Department and Parks, Biodiversity and Landscape Services to bottom out issues and seek agreement on all matters raised prior to submitting an application.
- Clarification and determination of matters raised within the PA Opinion and Appended Dublin City Council Department reports submitted to An Bord Pleanála on 22nd January 2021 in advance of any application.

27.1.23. 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-308866-20' 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.

Submission from Irish Water

27.1.24. Irish Water has issued a Confirmation of Feasibility for connection(s) to the Irish Water network(s) subject to the following;

In respect of wastewater;

The applicant has been advised that there is existing Irish Water infrastructure(s) within and in close proximity of the site boundaries. Please note, any structures or works over or in close proximity to IW infrastructure that will inhibit access for maintenance or endanger structural or functional integrity of the infrastructure are not permitted. Diversion of the infrastructure may be required subject to layout proposal of the development and separation distances. Therefore, the applicant must engage

with Irish Waters Diversion Team to assess feasibility of any potential build over/diversion if required. The outcome of any subsequent engagement required to arrange a diversion agreement should occur prior to the application progressing to SHD application.

General observations.

All development is to be carried out in compliance with Irish Waters Standards Codes and Practices and that design layouts for the development proposal have been submitted to Irish Water and that a Statement of Design Acceptance has been issued to the applicant by Irish Water ahead of any SHD Application.

28.0 Conclusion and Recommendation

- 28.1.1. 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.
- 28.1.2. I have examined all of the information and submissions before me including the documentation submitted by the prospective applicants, 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 plans for the area.
- 28.1.3. Having regard to all of the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act **requires further consideration and amendment to constitutes a reasonable basis for an application for strategic housing development** under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 28.1.4. 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.

Recommended Opinion

28.1.5. 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.

28.1.6. 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 with the request to enter into consultations requires further consideration and amendment to constitutes a reasonable basis for an application for strategic housing development.**

28.1.7. 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. A detailed statement of consistency and planning rationale, clearly outlining how in the prospective applicant's opinion, the proposal is not premature and is consistent with local planning policies having specific regard to the Z6 zoning objective of the site where the stated objective is 'to provide for the creation and protection of enterprise and facilitate opportunities for employment creation'. Justification of the principle of a principally residential application on lands zoned Z6 given the specific policy in the Development Plan in relation to employment generation on lands zoned Z6. The Development Plan states: 'To create dynamic and sustainable employment areas. Any redevelopment proposals on Z6 lands should ensure that the employment element on site should be in excess of that on site prior to re-development in terms of the numbers employed and/or floor space'.

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

1. A detailed statement of consistency and planning rationale, clearly outlining how in the prospective applicant's opinion, the proposal is consistent with local planning policies having specific regard to the zoning objective of the site, "Z6" – 'to provide for the creation and protection of enterprise and facilitate opportunities for employment creation' and its applicability to the development site in question having regard to the concerns raised in the Planning Authority's opinion.
2. A visual impact assessment of the proposed development that addresses, inter alia, the scale and massing of the proposal in the context of the modest scale and character of existing development and transitional nature of the receiving environment, which includes single storey and two storey commercial and industrial buildings. The VIA should also address long range views from south of the canal (Rathoath Estate) and north from the Ballyboggan Road and Tolka Valley Park.
3. A robust Ecological Impact Statement Report, AA screening report and NIS which support and have regard to one another, and which inter alia, consider potential impacts on all of the Qualifying interests (QI's) of any Natura sites within the zone of potential influence of the site.
4. Further clarification regarding site specific information in relation to biodiversity including a dedicated bat survey carried out within the optimal season for bats and a breeding birds survey carried out within the optimal season for breeding birds.

5. A Housing Quality Assessment that provides details in respect of the proposed apartments set out as a schedule of accommodation, with the calculations and tables required to demonstrate compliance with the various requirements of the 2020 Guidelines on Design Standards for New Apartments. It is important that the proposal meets and preferably exceeds the minimum standards in terms of dual aspect and proportion of apartment which exceed the floor area by 10%. In the interests of clarity clear delineation / colour coding of floor plans indicating which of the apartments are considered by the applicant as dual / single aspect.

6. An assessment on how the proposed scheme ties in with the expansion of the overall area. The subject site represents a central site within employment zoned lands surrounded by small business units / commercial and industrial in nature. It is important that the proposed scheme is the right development for this location, can contribute to the area and be functionally connected to and complementary to the adjoining land uses. There needs to be strong permeability within the scheme and into adjoining lands. A developer led Masterplan with mirror image scheme for adjoining lands in particular to the west towards Ormond Print Works site and Pelletstown that addresses issues of impact upon development potential of adjoining sites (having cognisance to future development on adjoining sites and future occupants of the proposed scheme), specifically with regards to potential daylight / sunlight analysis, overlooking, overshadowing and overbearing. The Masterplan / Mirror image Scheme shall include full and complete drawings including levels and cross-sections showing the relationship between the proposed development and adjacent lands.

7. A Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to:
 - (i) Impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.
 - (ii) Impact to adjoining lands devoid of proposed and existing landscaping and trees.

8. Response to issues raised in transportation department report dated 15th January 2021, accompanying the PA Opinion dated 22nd January 2021.
 9. Detailed landscape drawings that illustrate hard and soft landscaping, useable communal open space, meaningful public open space, quality audit and way finding. The public open space shall be usable space, accessible and overlooked to provide a degree of natural supervision. Details of play equipment, street furniture including public lighting and boundary treatments should be submitted.
 10. Response to issues raised in the Parks, Biodiversity and Landscape Services department report submitted to the Board on the 22nd January 2021.
 11. A report that specifically addresses the proposed building materials and finishes and the requirement to provide high quality and sustainable finishes and details.
 12. A report that specifically addresses site context, the locational attributes of the area, boundary treatments, open / gated / controlled linkages through the site, pedestrian and cycle connections to the wider area, in particular, along the canal, cognisance being had to national and local planning policy.
 13. A detailed Construction and demolition waste management plan.
 14. A full response to matters raised within the PA Opinion and Appended City Council Department comments submitted to ABP on the 22nd January 2021.
- 28.1.9. 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. Waterways Ireland
3. An Taisce
4. Heritage Council
5. Fáilte Ireland
6. An Chomhairle Ealaíonn
7. Transport Infrastructure Ireland (TII)
8. National Transport Authority (NTA)
9. Dublin City Council 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.

Fiona Fair
Senior Planning Inspector
06.03.2021