



An
Bord
Pleanála

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

Inspector's Report on Recommended Opinion ABP-309038-20

Strategic Housing Development

Demolition of 2 no. existing dwellings and associated structures and the construction of 107 no. apartments and associated site works.

Location

Tinnahinch and Larch Grove, Plunkett Avenue, Westminster Road, Foxrock, Dublin 18.

Planning Authority

Dun Laoghaire Rathdown County Council

Prospective Applicant

Marco Properties North West Limited

Date of Consultation Meeting

2nd March 2021

Date of Site Inspection

15th February 2021

Inspector

Elaine Power

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 is located in a mature residential area approx. 400m east of Foxrock village and approx. 700m west of the N11 junction with Westminster Road. The area is characterised by low density suburban dwellings with large densely planted gardens.
- 2.2. The subject site has a stated area of 1.01ha. It is irregular in shape and currently accommodates 2 no. existing houses, Larchgrove and Tinnachinch and a portion of the private access road, Plunkett Avenue. The site is bound by adjoining detached residential dwellings and their gardens. There are a significant number of mature trees located along the site boundaries.
- 2.3. Access to the site is from Plunkett Avenue, which is a private tree lined road, via Westminster Road.
- 2.4. A small portion of the site, at the junction of Plunkett Avenue and Westminster Road, is located within the Foxrock Architectural Conservation Area.

3.0 Proposed Strategic Housing Development

- 3.1. It is proposed to demolish 2 no. existing dwellings and construct 107 no. apartments, 34 no. 1-bed (32%), 56 no. 2-bed (52%) 17 no. 3-bed (16%) in 3 no. blocks.
 - 3.1.1. The following details as submitted by the applicant are noted:

Parameter	Site Proposal
Application Site Area	1.01 ha
No. of Units	107 no. apartments
Density	106 units per ha
Other Uses	None
Public Open Space	5,437sqm
Height	4 – 6 storeys
Car Parking	153 no. spaces
Bicycle Parking	188 no spaces
Vehicular Access	Plunkett Avenue (private road) via Westminster Road

The scheme comprises of 3 no. blocks. Blocks A and B are located on the western side of Plunkett Avenue on the site of the existing house Tinnachinch and Block C is located on the eastern side of the street on the site of the existing house Larchgrove.

Block A is 5 storeys (15.6m) in height. It comprises 15 no. 1 bed, 25 no. 2-bed and 5 no. 3-bed units.

Block B is 6 storeys (18.6m) in height. It comprises 17 no. 1-bed, 23 no. 2-bed and 9 no. 3-bed units.

Block C is 4 storeys (12.6m) in height. It comprises 2 no. 1-bed, 8 no. 2-bed and 3 no. 3-bed units.

A split-level central plaza is located between Blocks A and B. An area of public open space is proposed at the north western portion of the site, in close proximity to the junction of Plunkett Avenue and Westminster Road. It is proposed to retain a significant portion of the mature trees along the site's boundaries. It is also proposed to incorporate the existing stream on site into the area of communal open space which wraps around Block A, along the sites northern, southern and western boundaries.

The works also include the upgrading of Plunkett Avenue, realignment / relocation of vehicular entrances and a new emergency entrance.

A total of 153 no. car parking spaces are proposed with 122 no. spaces at basement level under Blocks A and B, 18 no. spaces at basement level under Block C and 13 no. surface car parking spaces. The surface level spaces are proposed on either side of Plunkett Avenue between Blocks B and C.

4.0 Policy Context

4.1. *Dun Laoghaire Rathdown Development Plan 2016 - 2022*

The subject site is zoning 'Objective A' with the associated land use objective 'to protect and-or improve residential amenity'. Chapter 2 of the Plan notes that the Council is required to deliver 30,800 units over the period 2014-2022. Figure 1.3 of the Plan indicates that there are approx. 410 ha of serviced land available which could yield 18,000 residential units.

Section 1.2.5 of the Plan states 'in addition to the major parcels of zoned development land above, the ongoing incremental infill and densification of the existing urban area will generate, overtime and on a cumulative basis, relatively significant house numbers'

The following are of particular relevance are:

Policy RES4: Existing Housing Stock and Densification: - It is Council policy to improve and conserve housing stock of the County, to densify existing built-up areas, having due regard to the amenities of existing established residential communities and to retain and improve residential amenities in established residential communities.

Policy UD6: Building Height Strategy: - 'It is Council policy to adhere to the recommendations and guidance set out within the Building Height Strategy for the County'.

Chapter 2: Sustainable Communities, Chapter 5: Physical Infrastructure, Chapter 8: Principles of Development and Appendix 9: Building Height Strategy, Policy RES3: Residential Density, RES7: Overall Housing Mix, Policy RES8: Social Housing, Policy

SIC11: Childcare Facilities, Policy UD1: Urban Design Principles, Policy UD2: Design Statements, Policy UD3: Public Realm Design and Section 8.2.3: Residential Development are also considered relevant.

The site is located outside of the Foxrock Architectural Conservation Area.

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

The RSES is underpinned by key principles that reflect the three pillars of sustainability: Social, Environmental and Economic, and expressed in a manner which best reflects the challenges and opportunities of the Region. It is a key principle of the strategy to promote people's quality of life through the creation of healthy and attractive places to live, work, visit and study in.

The site is located within the 'Dublin Metropolitan Area'. The Metropolitan Area Strategic Plan (MASP), which is part of the RSES, seeks to consolidate the development of Dublin city and suburbs. Of particular relevance is RPO 5.5.

RPO 5.5: Future residential development in the Dublin Metropolitan Area shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, supported by the development of Key Metropolitan Towns in a sequential manner as set out in the Dublin Area Strategic Plan (MASP) and in line with the overall settlement strategy for the RSES.

4.3. ***National Planning Framework (2018)***

The National Planning Framework addresses the issue of 'making stronger urban places' and sets out a range of objectives which it considers would support the creation of high quality urban places and increased residential densities in appropriate locations while improving quality of life and place. Relevant Policy Objectives include

- National Policy Objective 4: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
- National Policy Objective 13: In urban areas, planning and related standards, including in particular building height and car parking, will be based on

performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

- National Policy Objective 33: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- National Policy Objective 35: Increase residential density 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.

4.4. **Section 28 Ministerial Guidelines**

The following is a list of section 28 Ministerial Guidelines considered of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2020.
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Area, 2009
- Urban Development and Building Heights Guidelines, 2018
- Urban Design Manual, A Best Practice, 2009
- Design Manual for Urban Roads and Streets, 2013
- The Planning System and Flood Risk Management Guidelines, 2008
- Childcare Facilities – Guidelines for Planning Authorities 2001 and Circular PL3/2016 – Childcare facilities operating under the Early Childhood Care and Education (ECCE) Scheme

5.0 **Section 247 Consultation(s) with Planning Authority**

5.1. **Dun Laoghaire Rathdown County Council**

It is stated by the prospective applicant that 3 no. pre-planning consultation meetings took place with the Planning Authority in relation to the proposed development on the 17th September 2019, 3rd March 2020, 13th October 2020

A summary of the final consultation on the 13th October 2020 is outlined below: -

- Clarification required regarding legal ownership to engage in pre-planning discussions.
- Clarification of location and use of car parking on site. The provision of a basement under Block C is noted.
- Bicycle parking provided is greater than that outlined in the development plan, however, concerns regarding access to basement level cycle parking behind car parking areas.
- The TIA should include pedestrian and cycle movements.
- It is not proposed to have Plunkett Avenue taken in charge.
- Consideration of permeability and connectivity to the Weavers site.
- It is not proposed to amend the route of the stream on site. They are providing a 5m wide riparian corridor. Planning authority required justification for the width of the corridor proposed.
- Further engagement with the Drainage Section is required.
- Applicant confirmed that they have engaged with Irish Water and that Irish Water have completed the modelling of the Foxrock area.
- Concerns regarding the proximity of the development to trees to be retained on site.
- Concerns regarding the level of Category B trees to be removed.
- Clarification of public and communal open space.
- Concerns regarding the impact of Block A on the adjoining house 'Four Seasons'.
- Concerns regarding Average Daylight Factor of 0.67% in living spaces. A higher number of units should accord with the ADF requirements (currently 90.4%).
- Number of dual aspect units should be increased (currently 50%).
- Consideration of connectivity between Blocks B and C and to the Weavers site.

Full details of the 3 no. meetings are included in the planning authority's submission.

6.0 Planning History

Subject Site

PL06D.100099, Reg. Ref. D96A/0101: Permission was granted in 1997 to demolish an existing house and construct 3 no. 2-storey houses and 1 no. dormer bungalow at Tinnachinch site.

Surrounding Sites

PL06S.249014: Permission was granted in 2018 for the demolition of an existing house and the construction of 8 no. 4-storey dwellings, at a site approx. 350 east of the subject site.

ABP-301809-18: Permission was granted in 2019 for the demolition of 2 no. existing dwellings (Weavers Hall, accessed from Plunkett Avenue and no. 10 Hainault Park) and the construction of 50 no. apartments and 1 no. 2-bed house. The apartments are provided in 2 no. interlinked blocks, ranging in height from 3 – 4 storeys. This site is located immediately south of the subject site.

ABP - 309383-21: Current appeal for the demolition of an existing dwelling 'Rusheen' and the construction of 14 no. residential units, at a site approx. 65m west of the subject site. Permission was refused by the planning authority. The reasons for refusal related to (1) the development would be premature having regard to the deficiency in the existing sewerage facilities and (2) the excessive bulk and mass of the development in a visually prominent location, the increased width of the vehicular entrance and the loss of vegetation would have a significant negative impact on the special character of the Foxrock ACA.

7.0 Submissions Received

Irish Water has determined that capacity does not currently exist in the Irish Water network in this area for potential developments such as the proposed. Subsequently, a further detailed modelling assessment of the sewer network is required in order to confirm the downstream foul network capacity, upgrades required and consents to service new connections such as this.

Irish Water is of the opinion that this development is premature until scope of works has been agreed, upgrades from modelling have been confirmed and any third party consents identified.

8.0 Forming of the Opinion

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

8.2. *Documentation Submitted by Applicant*

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.

The information submitted included the following: SHD application form,

Statement of Material Contravention, Statement of Consistency, Architectural Design Statement, Architectural Design Statement Appendix, Daylight and Sunlight Assessment, Landscape Design Report, Preliminary Landscape and Visual Impact Assessment, Arboricultural Report, Screening Report for Appropriate Assessment, Environmental Impact Assessment Screening Statement, Ecological Impact Assessment, Site Specific Flood Risk Assessment, Traffic and Transport Assessment, Outline Construction Management Plan, Outline Construction and Demolition Waste Management Plan, Sustainability Report / Energy Statement, Heritage Impact Appraisal, Building Lifecycle Report, Waste Management Plan, Engineering Planning Report, External Lighting Photometric Report and verified views, photomontages and CGI's.

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

I have reviewed and considered all of the documents and drawings submitted.

9.0 Planning Authority's Submissions

In compliance with section 6(4)(b) of the Act of 2016 the planning authority for the area in which the proposed development is located, Dun Laoghaire Rathdown County Council, submitted a note of their section 247 consultations with the prospective applicant and also submitted their opinion in relation to the proposal. These were received by An Bord Pleanála on 2nd February 2021.

Dun Laoghaire Rathdown County Council's written opinion includes a description of the proposed development, planning history, site location and description details of pre-application consultation, policy context and Appendix C includes internal reports from Drainage Planning, Parks and Landscape Services, Housing Department, Transport Planning Section and Conservation. The content of the report is summarised as follows:

Residential Density: Having regard to the location of the site in close proximity to public transport, the density proposed is considered acceptable.

Layout: Concerns regarding overbearing and overlooking and the quality of the units. the relationship between Block A and the western boundary needs to be addressed.

Height: The proposed development materially contravenes the development plans height strategy and the applications Material Contravention Statement is noted. SPPR3 of the Urban Height guidelines is considered the appropriate standard when assessing the impact of height.

It is noted that the site is set back and largely screened by mature trees. There are concerns regarding the retention of trees having regard to the extent of the proposed development.

The scale of the built form, adjoining existing residential properties along the western boundary need to be carefully considered.

Housing Mix: The proposed housing mix is considered acceptable and in accordance with SPPR1 of the Apartment Guidelines.

Privacy: It is considered that the separation distance between Blocks A and B is not sufficient and would result in overlooking. It is recommended that separation distances be re-examined.

Ground floor units which contain balconies near the pedestrian circulation routes may need additional screening.

Open Space / Landscaping: It is noted that the combined area of public and communal open space exceeds the minimum standards, however, there are concerns regarding some of the areas that have been included in this calculation, in particular pedestrian thoroughfares, the stream, bins and bike storage areas and access to apartment blocks.

There are concerns regarding the slope of the stream and associated safety concerns. An open stream risk analysis should be submitted.

Concerns regarding the location of the children's play area in close proximity to the main entrance to the site.

There are 192 no. trees on site, 75 no of which would be removed (39%). Serious concerns regarding the sustainability of the tree retention on site due to the limited space on site between the structures and construction works. A new tree retention plan which will have zero ground disturbance and conserve existing ground conditions. It is noted that it is an objective on the site to protect and preserve trees and woodlands. The scheme also relies on these trees to integrate the development in to the surrounding context. There are also concerns that due to the proximity of the development to the existing trees that they could limited access to daylight and sunlight.

The applicant should consider reducing the footprint of the development to minimise the impact on the existing trees which would allow for greater separation distances and more daylight within the apartments on the lower floors. In the event of a grant of permission the planning authority would be recommending a tree bond.

Supporting Community Infrastructure: The range of educational and recreational facilities in proximity to the site have been outlined in the Statement of Consistency. There is no objection.

Excluding 1-bed units the scheme accommodates 73 no. residential units. It is noted that the Childcare Guidelines require 1 no. childcare facility for every 75 residential units. A childcare facility is not proposed on site. This is acceptable to the planning authority.

Impact on Residential and Visual Amenity: There are concerns of overlooking and overbearing impact on the 'Four Seasons' located to the west of Block A. The Vertical Sky Component Assessment also notes that the proposed development would impact on 3 no. windows of the 'Four Seasons'. This should be clearly addressed by the applicant.

There are concerns about the ability to retain the proposed mature trees which screen the development. There are concerns that Block A will impact the visual amenity of the 'Four Seasons' having regard to the separation distance of 18.7m. The applicant is advised to reconsider the relationship between Block A and the 'Four Seasons'.

Standard of Accommodation: Clarity is required on how much storage space is provided per residential unit both within the unit and at basement level.

The level of dual aspect units proposed are considered acceptable and in accordance with SPPR4 of the Apartment Guidelines.

The management / security office on the ground floor of Block B is welcomed and considered appropriate.

Daylight and Sunlight: Serious concern with the methodology used in the assessment as internal kitchen areas have been excluded from the analysis. As kitchen and living spaces are open plan, it is recommended that the applicant examine the ADF for kitchens, living and dining areas. This would provide an accurate assessment.

Design and Finishes: the materials are noted and considered to be of a high quality and are welcomed, however, greater details are required.

Foxrock Architectural Conservation Area: The entrance to the site is located within an ACA. There is no objection in principle from the conservation section, however, additional planting of hedges and trees at the entrance are considered appropriate and more in keeping with the streetscape character as opposed to the proposed planted borders.

Access, Car and Bicycle Parking: Any works to the junction with Westminster Road must be agreed with the planning authority and a letter of consent is required. Connectivity through and within the site should be provided on a 24-hour basis. The applicant should liaise with the adjoining landowner in this regard. The planning authority are not supportive of 2 no. cul-de-sacs, located back to back.

No objection in principle to the proposed level of car parking and basement level car parking is welcomed. The applicant should consider the provision of a 2-way ramp to the basement level of Block C. The number of motorcycle spaces is not in accordance with development plan standards and should be reconsidered.

Water Services: Notes the report of the Drainage Planning Section which highlights the existing capacity issues of the foul network in the area. The applicant is advised to engage with Irish Water to determine the outcome of modelling work.

Taken in Charge: A drawing clearly showing which areas are to be taken in charge should be provided. The parks department are not in agreement with the current proposals.

Public Lighting: The applicant should have regard to existing trees to ensure they do not block light and cause excessive shadowing.

Social Housing: It is noted that it is proposed to transfer 11 no. units.

AA / EIA: The contents of the screening reports are noted.

Development Contributions: The subject site is located in an area subject to S.49 development contributions under the extension to the Luas Line B from Sandyford to Cherrywood.

Conclusion: The redevelopment of the site for residential use is generally welcomed. The planning authority has some concerns regarding the Built Height and Form; Privacy; Open Space; Residential and Visual Amenity; Design and Finishes; Architectural Conservation Area; Access; Parking; Taking in Charge and Drainage Issues.

10.0 The Consultation Meeting

- 10.1. A Section 5 Consultation meeting took place via a Conference Call on the 15th December 2020, commencing at 15.30. Representatives of the prospective applicant, both Planning Authorities 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. Development Strategy – height, design and layout, materiality
2. Residential Amenity
3. Open Space and Tree Retention
4. Access / Permeability
5. Water Services
6. Any Other Matters

Item 1: In relation to the **Development Strategy**, ABP representatives sought further elaboration / discussion / consideration on the following:

- Rationale for the proposed building height and density of the scheme and the visual impact at this site.
- Rationale for the proposed design and layout
- Consideration of materials

Item 2: In relation to the impact on **Residential Amenity** ABP representatives sought further elaboration / discussion / consideration on the following:

- Consideration of the impact of the proposed blocks on adjoining properties in terms of overlooking, overshadowing and overbearing impact, in particular the potential impact of Block A on the 'Four Seasons' dwelling to the west.
- Consideration of the relationship between Block A and B and the separation distances between the blocks.
- Consideration of access to daylight and sunlight for the proposed units, having regard to the significant number of trees on site.

Item 3: In relation to **Open Space and Tree Retention** ABP representatives sought further elaboration / discussion / consideration on the following:

- Consideration of the impact of the proposed development on tree retention within the site.
- Consideration of the retention of additional trees on site.
- Justification for the location of the open space and details of proposed boundary treatments.
- Clarification of access and boundary treatments between areas of public and communal open space.

Item 4: In relation to the **Access and Permeability** ABP representatives sought further elaboration / discussion / consideration in relation to:

- Consideration of permeability within and through the site, having regard to the Weavers site to the south.
- Consideration of the proposed entrance to the development at the junction of Plunkett Avenue and Westminster Road, which is located within the Foxrock ACA.
- Clarification of proposed works to Plunkett Avenue.

Item 5: In relation to the **Water Services**, ABP representatives sought further elaboration / discussion / consideration in relation to:

- Consideration of the SUDS proposals within the site and further discussion of the drainage network within the area and any potential impact on flooding downstream.
- Consideration of the report from Irish Water regarding the capacity of the wastewater network and upgrades that may be required to facilitate the development.

10.3. The prospective applicant and the planning authority were given the 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 309038' 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.

11.0 Conclusion and Recommendation

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 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 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: **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.

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. The Board 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, 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.

Design and Layout

1. Further consideration / amendment or justification of the design and layout of proposed scheme having regard to the potential negative impact on existing and future residential amenities with regard to overlooking, overshadowing and overbearing impact. In particular, regard should be had to the limited separation distances between the proposed development and the adjoining properties, and the limited separation distance between Blocks A and B. Regard should also be had to the proximity to a significant number of mature trees, which may impact on access to daylight / sunlight for the proposed residential units.

2. Further consideration / amendment or justification of the design and layout having regard to the significant number of trees to be removed within the site. Further consideration / amendment of trees to be retained within the site having regard to the concerns raised in the planning authority's Parks and Landscape Services report. Documentation submitted should address any potential risk to the retention of trees, having particular regard to the proximity of the development to the trees to be retained, and the construction works required to facilitate the development, in particular the construction of the basement level.

Water Services

3. Further consideration / amendment of the design of surface water management proposals within the site, having regard to the concerns outlined in the report of the planning authority's Drainage Planning Section. A site-specific Flood Risk Assessment should be submitted.
4. Further consideration / amendments of the documents as they relate to foul water drainage proposals to service the development. The documents should provide details of necessary upgrade works required to facilitate the development to include, *inter alia*: plans and particulars, having regard to the wastewater network constraints raised by Irish Water in their report dated 8th February 2021.

12.3. 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. A report that addresses and provides a clear design rationale for the proposed height, density, design and character of residential units and details of the materials and finishes of the proposed development, having regard to the proximity to Foxrock Architectural Conservation Area. In particular regard should be had to the requirement to provide high quality, robust and sustainable finishes and details which seek to create a distinctive character for the development.

2. A report that addresses and provides a clear design rationale for the layout of the communal open space having regard to, inter alia, Inland Fisheries Ireland: *'Planning for Watercourses in the Urban Environment: A Guide to the Protection of Watercourses through the use of Buffer Zones, Sustainable Drainage Systems, Instream Rehabilitation, Climate / Flood Risk and Recreational Planning'*.
3. A report that addresses and provides a justification for the proposed housing mix.
4. A building life cycle report in accordance with section 6.13 of the Sustainable Urban Housing: Design Standards for New Apartments (2020).
5. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority, and the phased delivery of public open spaces.
6. Childcare demand analysis, including but not restricted to the justification for no childcare facility on site, having regard to the existing childcare facility in the vicinity of the site, the likely demand and use for childcare places resulting from the proposed development.
7. School Demand and Concentration Report, which identifies demand for school places likely to be generated by the proposal and the capacity of existing schools in the vicinity to cater for such demand.
8. A landscape and permeability plan of the proposed open spaces within the site clearly delineating public, semi-private and private spaces, areas to be gated and proposed boundary treatments, in particular the boundary of the public open space area, adjacent to Plunkett Avenue.
9. Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective (s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in

the prescribed format. The notice and statement should clearly indicate which Planning Authority statutory plan it is proposed to materially contravene.

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. Inland Fisheries Ireland
3. Dun Laoghaire Rathdown 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.

Elaine Power
Planning Inspector

1st April 2021