



An
Bord
Pleanála

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

Inspector's Report on Recommended Opinion ABP-311079-21

Strategic Housing Development

Demolition of 'Matts of Cabra' public house and associated structures and construction of residential development comprising 137 Build to Rent apartments and a café/retail unit and associated site works.

Location

The former 'Matts of Cabra' public house and lands to the rear of 2A Fassaugh Avenue, Cabra, Dublin 7.

Planning Authority

Dublin City Council

Prospective Applicant

R&D Developments Limited.

Date of Consultation Meeting

20th October 2021.

Inspector

Daire McDevitt

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1.0 Introduction

Having regard to the consultation that has taken place in relation to the proposed development and also having regard to the submissions from the planning authority, the purpose of this report is to form a recommended opinion as to whether the documentation submitted with the consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016 - (i) constitutes a reasonable basis for an application under section 4, or (ii) requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

2.0 Site Location and Description

The site, with a stated area of c. 0.54 hectares, is located on the northern side of Fassaugh Avenue. It is bounded to the south by two-storey houses which front onto St. Attracta's Road, to the east by Lanigans Funeral Home, the western boundary is formed by the railway line at lower level than the site and two-storey housing beyond on Bannow Road. Fassaugh Avenue forms the only road frontage along the southern boundary.

The site at present contains the former 'Matts of Cabra' public house which is in a state of dereliction. Permission has been granted for its demolition under previous schemes permitted on this site. The bulk of the site is located to the rear of the former public house and lands to the rear of 2A Fassaugh Avenue. It is a long, narrow site with limited views into the site from the public domain. It is overgrown, with evidence of anti-social behaviour. The front of the site bounding Fassaugh Avenue is used for ad hoc parking at present. There is a surface parking outside the adjoining funeral home.

A SHD (Hamilton Gardens) permitted in 2020 on former CIE lands is under construction and visible from the site.

3.0 Proposed Strategic Housing Development

Parameters:

Site Area	0.5452 hectares
Development	Demolition of all structures, including public house (c.791.3sq.m). Construction of 137 BTR apartments and a c. 395sq,m café/retail unit Residential Amenity space (c.420sq.m provided at basement, ground and fifth floors)
Density	252 uph
Height	4-8 storeys (range from c.16m to 26.8m)
Dual Aspect	42%
Parking & Access	Basement carpark with 26 no. car spaces (ratio of 0.17) & 2 no. motorcycle spaces. 216 no. bicycle spaces
Open Space	Private (balconies), Communal (c.1760sq.m (surface /ground level) & 5 no. areas at roof level ranging from c.40 to 213sq.m), Public (c. 6.9%). Access off Fassaugh Avenue
Part V	14 units (10 no. 1 bed & 4 no. 2 bed)

Unit Mix:

1 bed	2 bed	TOTAL
76	61	137
55.5%	44.5%	100%

4.0 Planning History

ABP Ref. 300666-18 refers to a 2018 grant of permission for the demolition of the former 'Matts of Cabra' public house and associated structures; The construction of a mixed use development comprising student accommodation consisting of 208 no. ensuite student accommodation bedrooms - 198 no. bedspaces in 32 no. house units (ranging in size between 4 and 8 single bed ensuite rooms) in a linked four and five storey building and 10 no. single bed ensuite studio rooms in a three storey building, and associated facilities including a central access lobby, a central hub, recreation spaces, administration areas at basement and ground floor levels - and 657.65 sq.m of retail floor space in 2 no. units fronting onto Fassaugh Avenue - 368.47 sq.m on the basement, ground and first floors of the four/ five storey building and 289.18 sq.m on the basement and ground floors of the three storey building; The construction of a vehicular access onto Fassaugh Avenue and the provision of a vehicle set down in front of the four/ five storey building; and All other site development works including landscaped gardens and open amenity areas, a roof garden on the Fassaugh Avenue side of the linked four/ five storey building, the provision of 9 no. surface car parking spaces (including 1 no. disabled space), 114 no. cycle parking spaces, a covered bin store, an ESB substation and switch room and the formation of a public plaza on the Fassaugh Road frontage including the provision of 2 no. visitor car parking spaces.

PA Reg. Ref. 3420/16: Planning permission granted for 4-storey development comprised of 19 no. residential units and 1 no. retail unit.

PA Reg. Ref. 3942/04 Permission granted for a 3-storey development over basement car park comprising residential (28 units), Public House and Bookmakers Office.

Vacant Site:

VS-0453 Site is on the Vacant Site Register

ABP 309821-21 (VS-0453) refers to a current section 18 appeal relating to Demand for Payment of levy.

5.0 Policy Context

5.1. National

Project Ireland 2040 - National Planning Framework

The NPF 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.

Table 4.1 of the framework sets growth targets for Dublin City and Suburbs, proposing a 20-25% growth in population to 2040. In achieving this, it places a great emphasis on compact growth requiring a concentration of development within the existing built-up area, including increased densities and higher building format than hitherto provided for. Brownfield sites, in particular, are identified as suitable in this context.

The directly relevant National Policy Objectives as contained within the NPF include:

National Policy Objective 3a: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.

National Policy Objective 3b: Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.

National Policy Objective 11: In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.

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.

Section 28 Ministerial Guidelines.

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant section 28 Ministerial Guidelines are:

- Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities (2009) and the accompanying Urban Design Manual: A Best Practice Guide (2009)
- Sustainable Urban Housing: Design Standards for New Apartments (2020)
- Urban Development and Building Heights, Guidelines for Planning Authorities (2018)
- Design Manual for Urban Roads and Streets (2013) (updated May 2020)
- The Planning System and Flood Risk Management (including the associated 'Technical Appendices') (2009)

- Childcare Facilities – Guidelines for Planning Authorities

5.2 Regional

Eastern and Midland Regional Assembly - Regional Spatial and Economic Strategy 2019-2031 (EMRA-RSES)

The RSES provides a development framework for the region through the provision of a Spatial Strategy, Economic Strategy, Metropolitan Area Strategic Plan (MASP), Investment Framework and Climate Action Strategy.

The Dublin MASP is an integrated land use and transportation strategy for the Dublin Metropolitan Area, which seeks to manage the sustainable and compact growth of the Dublin Metropolitan Area.

The strategy for the sequential development of the metropolitan area is focussed on the achievement of ambitious compact development targets of at least 50% of all new homes within or contiguous to the existing built up area in Dublin and 30% in other settlements, the MASP identifies strategic residential, employment and regeneration development opportunities on the corridors along with the requisite infrastructure investment needed to ensure a steady supply of sites in tandem with the delivery of key public transport projects as set out in the NDP.

Strategic development corridors are identified including the City Centre within the M50; North-South Corridor (DART expansion); North-West Corridor (Maynooth/Dunboyne line and DART expansion); Southwest Corridor (Kildare Line, DART expansion and Luas red line); and Metrolink – LUAS Corridor (Metrolink, LUAS greenline upgrades).

RPO 5.3: Future development in the Dublin Metropolitan Area shall be planned and designed in a manner that facilitates sustainable travel patterns, with a particular focus on increasing the share of active modes (walking and cycling) and public transport use and creating a safe attractive street environment for pedestrians and cyclists.

RPO 5.4: Future development of strategic residential development areas within the Dublin Metropolitan Area shall provide for higher densities and qualitative standards as set out in the ‘Sustainable Residential Development in Urban Areas’, ‘Sustainable Urban Housing: Design Standards for New Apartments’ Guidelines and ‘Urban Development and Building Heights Guidelines for Planning Authorities.

RPO 5.5: Future residential development supporting the right housing and tenure mix within the Dublin Metropolitan Area shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, and the development of Key Metropolitan Towns, as set out in the Metropolitan Area Strategic Plan (MASP) and in line with the overall Settlement Strategy for the RSES. Identification of suitable residential development sites shall be supported by a quality site selection process that addresses environmental concerns.

5.3 Local

Dublin City Development Plan 2016-2022

The bulk of the site is zoned **Sustainable Residential Neighbourhoods Z1** – with the stated objective *To protect, provide and improve residential amenities* Residential is a permissible use under Z1.

A portion of the site to the front is zoned **Neighbourhood Centres Z3** – with an objective *To provide for an improve neighbourhood centre facilities*. Within this zone the applicant has proposed a café/retail unit (undefined). Both uses are permissible uses.

The Development Plan indicative plot ratio standard is 0.5 - 2.0 for Z1 lands.

Section 16.5 of the development plan states:

“A higher plot ratio may be permitted in certain circumstance including

- where a site is adjoining major public transport termini;
- to facilitate comprehensive redevelopment in areas of need of urban renewal;
- to maintain existing streetscape profiles.

Section 16.72 outlines the Council's vision for building heights throughout the city. The subject site is located in an '**Outer City**' where the maximum prescribed building height is 16 metres for commercial and residential development.

The Development Plan contains extensive policies and objectives relating inter alia to residential development, sustainable densities, urban design, transportation, social infrastructure, environmental, development standards etc

6.0 Section 247 Consultation(s) with Planning Authority

It is stated that a pre-application consultation meeting took place with the Planning Authority on 24th August 2020.

7.0 Forming of the Opinion

7.1 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 discussion which took place during the tripartite consultation meeting. I shall provide a brief detail on each of these elements hereunder.

7.2 Documentation submitted

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 inter alia included: completed pre-planning consultation request form, Planning Report, Statement of Consistency, Material Contravention Statement, Environment Report, Architectural drawings, Design Statement, Housing Quality Assessment, Infrastructure Design Report, Flood Risk Assessment, Drainage drawings, Landscape Report & drawings, Daylight/Sunlight/Shadow, Lighting Plan and Report, Sustainability/Energy Statement, Preliminary Construction Management Plan, Traffic and Transport Assessment, DMURS Statement of Consistency, Traffic drawings, Townscape and Visual Impact Assessment, Appropriate Assessment Screening, Ecological Impact Assessment, Environmental Impact Assessment Screening Report, Statement in accordance with Article 299(1)(b)(ii)(II)(C) of the

Planning and Development Regulations 2001, as amended, Bat Assessment, Childcare Demand Assessment, Social and Infrastructure Audit, CGIs, Photomontages, Operational Waste Management Plan (Technical Note), Construction and Demolition Waste Management Plan (Technical Note), Initial Noise Assessment (Technical Note), Draft BTR Covenant, Part V Costings and Letter.

In addition, 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.

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

7.3 Planning Authority Submission

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

The report included planning history, issues relating to the proposal and issues that may be considered by An Bord Pleanála.

The issues raised relate to:

Zoning & Principle of Development:

The site is zoned mainly Z1, 'To protect, provide and improve residential amenities.' The scheme is proposed as a Built to Rent Scheme. This falls under 'residential' use category. Residential use is a Permissible Use under the Development Plan Z1 zoning category – Sustainable Residential Neighbourhoods. The planning authority welcomes residential redevelopment of the site.

A small portion of the site is zoned Z3. A Café/retail unit is proposed here facing onto Fassaugh Avenue with residential above. There proposed land-uses are permissible under the zoning.

Density:

The gross density is 252 residential units per hectare. This is over 2.5 times the density of the recently approved SHD apartment that is undergoing construction on the opposite side of the road at Hamilton Gardens where the approved residential density is 108uph.

While the planning authority is not adverse to such high density schemes the applicant must comprehensively demonstrate that the quality of the scheme is also very high. The planning authority does not consider that the proposal results in a high quality, high density residential scheme as detailed in various sections of this Opinion report.

Plot Ratio:

The Development Plan indicative plot ratio standard is 0.5 - 2.0 for Z1 lands. The stated plot ratio is 2.13 thereby exceeding the maximum indicative standard.

The planning authority notes the justification set out in the Statement of Material Contravention submitted and does not concur with the view of the applicant. The planning authority is strongly of the opinion that none of the aforementioned circumstances apply to the site. The plot ratio is considered excessive.

Dwelling Mix:

The lack of 3-bed, family-friendly apartments in the scheme is regrettable in an area dominated by 2- bed housing, despite the applicant's statement that 3-bed houses dominate in the area. A more balanced mix, including the provision of 3-bedroomed apartment dwellings, would improve the quality of the scheme and be welcomed by the planning authority.

The Planning Authority's Opinion concluded that there are number of issues that require further consideration in the event of a planning application being lodged:

1. (i) The height, scale and bulk and layout of the development should be revised in order to protect the residential amenities of adjoining properties from excessive overlooking and overshadowing, overbearance and reduction in outlook, particularly those to the east on Saint Attracta Road, and to protect the visual amenities of the wider vicinity. Consideration should be given to additional CGI imagery to assess the impacts on private gardens, in the absence of photomontages.

- (ii) An assessment should be included on how this development may impact upon any future development on the adjoining site to the east (Lanigan's). Separation distances and height are likely to require revision.
2. The quality and quantity of Built to Rent Amenities should be improved and an accompanying evidence base on the suitability of these facilities to the intended market should be submitted.
 3. The ratio of dual / triple aspect apartments should be increased to at least 50%.
 4. (i) The quality of the surface-level communal open space should be improved by providing for direct access into the space from the northern end of the block.

(ii) The relationship between the rooftop communal open spaces and adjacent residential units requires amendment in order to avoid overlooking and noise and disturbance into adjoining apartments; a wind assessment study of the spaces at roof level should also be submitted.
 5. The quality and quantum of public open space is not acceptable. A financial contribution in lieu of public open space on site would be more appropriate.
 6. Other residential amenity issues to be addressed:
 - Daylight/sunlight levels to all apartments should be assessed taking into account the proposed balcony screens; all rooms within the development should be tested
 - Balconies and windows should be appropriately located in relation to one another
 - Adequate internal storage to be provided.
 7. All developments of over 100 residential units should make a contribution to social infrastructure, as per Section 16.10.4 of the Dublin City Development Plan 2016-22. The applicant should reassess the study area in their submitted Social Audit to allow for a revaluation of all such infrastructure within a 15-minute (max) walking distance from the site and to reconsider providing such infrastructure on site.

8. The transport issues raised in the report from the Transport Planning Division 30/08/21, including, inter alia, the layout of the public open space on site, GDA cycle plan, the waiting times for cars, boundaries treatments, modal split analysis, quantum and quality of cycle parking and the accessibility of the electric bike maintenance area; staff cycle parking, waste collection management regime and mobility management for workers.
9. The waste management issues raised in the report of 11/08/21 should be addressed.
10. The issues raised in the Air Quality Monitoring and Noise Control Unit's report of 13/08/21 should be addressed.
11. A Part V meeting with the Housing Department will be required in order to discuss Part V obligations pertaining to this site and for a Part V letter to be issued
12. The issues raised in the Drainage Division report dated 03/09/21 should be addressed

7.4 Other submissions

Irish Water (18th October 2021)

Irish Water has reviewed the plans and particulars submitted for this Strategic Housing Development and confirms that a Confirmation of Feasibility has been issued to the applicant advising that connection(s) are feasible subject to the following:

In respect of Wastewater:

The development must incorporate Sustainable Drainage Systems/ Attenuation in the management of stormwater and to reduce surface water inflow into the receiving combined sewer. Full details of these shall be agreed with Local Authority Drainage Division.

Planning Observations:

Connection(s) to the public network are subject to a Connection Agreement with Irish Water.

All development is to be carried out in compliance with Irish Waters Standards Codes and Practices and that design layouts for the development proposal, within the redline boundary 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.

8.0 The Consultation Meeting

8.1 A Section 5 Consultation meeting took place online via Microsoft Teams on the 20th October 2021, commencing at 10 am. Representatives of the prospective applicant, the Planning Authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

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** to include inter alia density, design, height, massing, layout and open space strategy.
2. **Standard of Accommodation and Residential Support Services/Residential Facilities & Amenities.**
3. **Impact on adjoining lands/properties**, including inter alia potential impact on development potential of adjoining lands and residential amenities of adjoining properties.
4. **Issues raised by DCC Transportation Planning**, including inter alia access arrangements and parking strategy.
5. **Issues raised by DCC Drainage Division.**
6. **Excavation/enabling works/retaining structures/method of construction.**
7. **Any Other Business.**

In relation to **Development Strategy** ABP representatives sought further elaboration/discussion/consideration of:

- Justification/rationale for density
- Justification/rationale for height strategy.

- Justification/rationale for design strategy.
- Justification/rationale for open space strategy.
- Issues raised in the Planning Authority Opinion.
- Potential conflict between pedestrians/cycling and cars at access to basement car park through plaza.

In relation to **Standard of Accommodation and Residential Support/Residential Facilities & Amenities** ABP representatives sought further elaboration/discussion/consideration of:

- Compliance with standards set out in the 2020 Apartment Guidelines
- Compliance with SPPR7.
- Discrepancies in the documentation submitted.
- Further clarity in relation to the residential support services/facilities and amenities.
 - length of the corridors.
 - Issues raised in the Planning Authority Opinion.
 - Standard of residential accommodation and residential amenity of future occupants.

In relation to **Impact on adjoining lands/properties** ABP representatives sought further elaboration/discussion/consideration of:

- Potential impact on adjoining residential properties, St. Attracta Road where gardens of the units on St Attracta Road have limited depth.
- Overbearance when viewed from St. Attracta Road residences.
- Screening of balconies and quality of residential amenity of future occupiers when address potential impacts (overlooking) of the residents along At. Attracta Road
- Discrepancies in drawings and documentation submitted regarding screening and habitable rooms that will be directly impacted.
- Potential overlooking from windows facing houses along St. Attracta's Road also need to be addressed, not just balconies.

- Potential overshadowing and overlooking of Lanigan's funeral home and lands to rear of the funeral home and potential impacts on development potential of this site/lands
- Interface with the adjoining lands.

In relation to **Issues raised by DCC Transportation Planning** ABP representatives sought further elaboration/discussion/consideration of:

- Potential conflict on the plaza of pedestrians/cyclists and cars.
- Clarify one-way system into the basement and the potential for cars waiting on the plaza.
- Car parking strategy
- Issues raised by DCC Transportation Planning in the Planning Authority's Opinion.

In relation to **Issues raised by DCC Drainage Division** ABP representatives sought further

- Issues raised by the PA in relation to Natural Water Retention Measures (NWRMs)
- Issues raised in IW submission.

In relation to **Excavation/enabling works/retaining structures/method of construction** ABP representatives sought further elaboration/discussion/consideration of:

- Extent of excavation and enabling works .
- Method of excavation and construction.
- Retaining walls.
- Clarify proximity to rail line.

In relation to **any other business** ABP representatives sought further elaboration/discussion/consideration of:

- ABP highlighted to the requirement to address all technical issues prior to lodging an application as no recourse to further information under SHD.
- Address any material contraventions if they arise.
- Ensure all documentation correlates.

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 311079-21' 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.

9.0 Conclusion and Recommendation

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.

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.

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.

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.

10.0 Recommended Opinion

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.

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.

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. Design Strategy

Further consideration and/or justification of the documents as they relate to the design strategy for the site in respect of:

a) The proposed height, scale and massing of the proposal, having regard to its locational context. This should include a contextual layout plan which indicates the layout of adjoining developments, photomontages and cross sections at appropriate levels, including details of how the proposed development interfaces with contiguous lands (within and outside the applicants ownership/control), adjoining roads and rail line and residential properties.

Particular regard should also be had to creating suitable visual relief in the treatment of elevations and interface with adjacent lands. An architectural report, urban design statement and additional CGIs/visualisations should be submitted with the application.

- b) Open Space Strategy.
- c) Response to the issues raised by the Planning Department of Dublin City Council, as contained in the Planning Authority's Opinion dated 6th September 2021.
- d) Rationale/justification regarding the suitability of the proposed site to accommodate the proposed height and housing mix with regard to the provisions of the Dublin City Development Plan 2016-2022 and relevant national and regional planning policy including the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual'); The 'Design Standards for New Apartments – Guidelines for Planning Authorities' (2020) and the 'Urban Development and Building Heights – Guidelines for Planning Authorities' (2018).
- e) In addition to the consideration of local statutory policy and national policy and guidelines, particular regard should be had to demonstrating that the proposal satisfies the criteria set out inter alia in section 3.2 and SPPR3 of the Urban Development and Building Heights, Guidelines for Planning Authorities (December 2018). The applicant should satisfy themselves that the design strategy for the site, as outlined in red, provides the optimal outcome for the subject lands.

The response should also include a report that specifically addresses the proposed materials and finishes and the requirement to provide high quality and sustainable finishes and details Particular attention is required in the context of the visibility of the site and to the long-term management and maintenance of the proposed development. A Building Life Cycle report shall also be submitted in accordance with section 6.13 of the Sustainable Urban Housing: Design Standards for New Apartments (2020).

The further consideration / justification should have regard to, inter alia, the guidance contained in the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2020, the Urban Development and Building Height Guidelines for Planning Authorities 2018; the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and the accompanying Urban Design Manual; the Design Manual for Urban Roads and Streets 2013; and the Dublin City Development Plan 2016-2022.

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

2. Residential Amenities

Further consideration and / or justification of the documents as they relate to residential amenity, having particular regard to the potential for overlooking, overshadowing and overbearing impacts on existing adjoining residential properties and proposed residential units within the scheme. The response should include a detailed Sunlight, Daylight and Shadow Assessment of inter alia units proposed, communal open spaces, public open spaces and adjoining lands and properties.

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

3. Traffic and Transportation

Further consideration and/or justification of the documents as they relate to the:

- (a) Access arrangements off Fassaugh Avenue.
- (b) The Car Parking Strategy for the proposed development, having particular regard to the quantum of residential parking proposed, how it is intended

to be assigned and managed and measures proposed to address visitor parking and shared parking with other uses proposed as part of the SHD application.

- (c) Pedestrian and cycle links and connections to public transport routes and cycle/pedestrian infrastructure.
- (d) A response to the issues raised in the Report of the Transportation Planning Division of Dublin City Council, as contained in the Planning Authority's Opinion dated 6th September 2021.

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

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. A Housing Quality Assessment which provides the specific information regarding the proposed apartments required by the 2020 Guidelines on Design Standards for New Apartments. The assessment should also demonstrate how the proposed apartments comply with the various requirements of those guidelines, including its specific planning policy requirements.
2. A Report that addresses the quantum and quality of services, facilities and amenities proposed having regard to the future needs of the occupants of the proposed development. And a Site Specific Management Plan which includes details on management of the communal areas, public space, residential amenity and apartments.
3. A report identifying the demand for school and crèche places likely to be generated by the proposal and the capacity of existing schools and crèches in the vicinity to cater for such demand.
4. Wind micro-climate study, including analysis of balconies, pedestrian areas and amenity areas.
5. Ecological Impact Assessment.

6. Address issues raised in the Irish Water Submission dated 18th October 2021.
7. A draft Construction Management Plan, draft Construction and Demolition Waste Management Plan and a draft Waste Management Plan and a draft Methodology Statement. These shall include details relation to excavation, enabling works, retaining structures and method of construction and excavations.
8. Response to issues raised in reports contained in Addendum B of the Planning Authority Opinion received by An Bord Pleanála on 6th September 2021.
9. A site layout plan clearly indicating what areas are to be taken in charge by the Local Authority.
10. 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.
11. The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, unless it is proposed to submit an EIAR at application stage.

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. National Transport Authority
3. Transport Infrastructure Ireland
4. Coras Iompair Éireann

5. Commission for Railway Regulation
6. DCC 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.

Dáire McDevitt

Senior Planning Inspector,

26th October 2021.