



An
Bord
Pleanála

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

**Inspector's Report on
Recommended Opinion
ABP-311705-21**

Strategic Housing Development	212 no. apartments and associated site works.
Location	Carlisle, Kimmage, Dublin 12
Planning Authority	Dublin City Council
Prospective Applicant	1 Terenure Land Limited
Date of Consultation Meeting	21/12/2021
Date of Site Inspection	14/12/2021
Inspector	Conor McGrath

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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 (as amended) either (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 comprises a stated area of 1.25ha, located to the north of Kimmage Road West, Dublin 12, approx. 1.4km west of Terenure village and 1km southeast of Ashleaf shopping centre. The site comprises an L-shaped area located to the north and northeast of the Carlisle Ben Dunne fitness club / gym and the associated surface car park. The main part of the lands are currently under grass, with a slight fall to the north and east, while the site also includes the existing access road to the fitness centre. There are existing mature trees along the western and part northern boundaries, while the eastern boundary comprises a mature hedge. The lands are bounded to the north and east by two-storey housing on Captain's Road and in Brookfield. To the west, two-storey houses at Park Crescent separate the site from the grounds of Crumlin GAA club and Pitch and Putt course to the southwest.

The site is accessed via the existing entrance road to the gym / fitness facility, which runs north from between houses no. 50 and 56 Kimmage Road West. This road also serves a former two-storey art gallery located to the southeast of the subject site on lands zoned Zone Z9, for recreational purposes. This gallery is currently closed.

3.0 Proposed Strategic Housing Development

The proposed development comprises the construction of 212 no. residential units (106 no. 1 bed and 106 no. 2 bed apartments), in five blocks ranging in height from 2 to 6 storeys. Associated site development works include public open space in the southeastern corner of the site and communal open space at ground, podium and

roof levels. Car parking is predominantly within an undercroft area with some surface car parking adjacent. Cycle parking is provided at surface and undercroft levels.

Key development parameters include:

Development Proposal	Site Statistics
Site Area	1.25 hectares
No. of Units	212 units
Unit Breakdown	106 no. 1 bed apartments 106 no. 2 bed apartments
Density	170 units/ha
Blocks	5 no. blocks
Site Coverage	45.4%
Plot ratio	1.64:1
Building Height	From 2 to 6 storeys
Aspect	50% dual aspect
Open Space	Communal – 1,405 sq. m. Public – 1,269 sq. m. (10.15%)
Car Parking	102 no. spaces or 0.48 / unit
Cycle Parking	469

4.0 Relevant Planning History

PA ref. 2963/07: Permission granted for the change of use of an existing building from sports clubhouse into a new refurbished art gallery at Carlisle Gallery. This development included 74 no. new parking spaces and associated site works and landscaping. The site was accessed via Carlisle Fitness Club laneway.

PA ref. 4292/05: Permission granted for retention of an extension to the car park and for reconfiguration of the car park layout and amended vehicular access at Carlisle fitness club, previous planning permission ref. 4225/00.

5.0 Section 247 Consultation(s) with Planning Authority

The submitted documentation refers to a s.247 meeting with the planning authority on 21/07/2021, where the main items discussed were as follows:

- Layout of development and provision of open space.
- The quantum and layout of surface car parking provision.
- The scale and density of development.

- Relationship with adjoining development.
- Unit size / mix.
- Height, design and materials.
- Sunlight and daylight analysis.
- Pedestrian accessibility.

6.0 Planning Policy

6.1. National and Regional Planning Policy

6.1.1. Project Ireland 2040 - National Planning Framework

National Strategic Outcome 1 is identified as Compact Growth, recognising the need to deliver a greater proportion of residential development within existing built-up areas. Activating these strategic areas and achieving effective density and consolidation, rather than sprawl of urban development, is a top priority.

Objective 3A seeks the delivery of at least 40% of all new housing in existing built-up areas of cities, towns and villages on infill and/or brownfield sites.

Objective 11 favours development within existing cities, towns and villages, subject to appropriate planning standards and achieving targeted growth

Objective 13 provides that, in urban areas, planning and related standards will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth.

Objectives of Chapter 6, 'People Homes and Communities', including Objective 27, seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities.

Objective 33 seeks to prioritise the new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

Objective 35 seeks to increase densities in settlements, through a range of measures including reduced vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

6.1.2. **Rebuilding Ireland – Action Plan for Housing and Homelessness 2016**

The overarching aim of the Plan is to increase the delivery of housing, from its current undersupply across all tenures, to help individuals and families meet their housing needs. The Plan identifies a target to double the number of residential dwellings delivered annually by the construction sector and to provide 47,000 social housing units in the period up to 2021. The plan identifies five pillars for action.

Pillar 2 - Accelerate Social Housing

Pillar 3: Build More Homes, seeks to increase the output of private housing to meet demand at affordable prices. The key action is to double housing output over the Plan period.

6.1.3. **Housing for All - A New Housing Plan for Ireland (Sept 2021)**

The stated aim is to provide access to a home to purchase or rent at an affordable price, built to a high standard and in the right place, offering a high quality of life. The plan identifies the need for construction of an average of 33,000 homes per annum nationally until 2030 to meet the targets outlined in the National Planning Framework. Four overarching objectives are identified:

- Supporting Homeownership and Increasing Affordability.
- Eradicating Homelessness, Increasing Social Housing Delivery and Supporting Social Inclusion.
- Increasing New Housing Supply; and
- Addressing Vacancy and Efficient Use of Existing Stock.

The Pathway to Increasing New Housing Supply includes a focus on the adequate supply of serviced zoned lands to meet housing need, at required densities.

6.1.4. **Regional Spatial and Economic Strategy for the Eastern and Midland Region (2019)**

The Strategy supports the implementation of Project Ireland 2040 and the National Planning Framework (NPF).

RPO 3.2 promotes compact urban growth and targets at least 50% of all new homes to be built, to be within or contiguous to the existing built-up area of Dublin city and suburbs and a target of at least 30% for other urban areas.

RPO 3.3 notes that Local authorities shall, in their core strategies, identify regeneration areas within existing urban settlements and set out specific objectives relating to the delivery of development on urban infill and brownfield regeneration sites and provide for increased densities as set out in the national policy.

Regional Policy Objective 4.3. supports the consolidation and re-intensification of infill/brownfield sites to provide high density and people intensive uses within the existing built-up area and ensure that the development of future development areas is co-ordinated with the delivery of key water infrastructure and public transport.

The site lies within the Dublin Metropolitan Area (DMA). The aim of the Dublin Metropolitan Area Strategic Plan is to deliver strategic development areas to ensure a steady supply of serviced development lands to support sustainable growth.

Section 5.3 identifies guiding principles for development of the MASP area including:

Compact sustainable growth and accelerated housing delivery – To promote sustainable consolidated growth of the Metropolitan Area, including brownfield and infill development, to achieve a target to 50% of all new homes within or contiguous to the built-up area of Dublin City and suburbs, and at least 30% in other settlements. To support a steady supply of sites and to accelerate housing supply in order to achieve higher densities in urban built up areas, supported by improved services and public transport.

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’.

6.2. **S.28 Ministerial Guidelines**

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the report of the Chief Executive, and observers’

submissions, I am of the opinion that the most directly relevant section 28 Ministerial Guidelines are:

- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020).
- Urban Development and Building heights, Guidelines for Planning Authorities (2018).
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated 'Urban Design Manual').
- Circular Letter: NRUP 02/2021 in respect of Residential Densities in Towns and Villages, as set out in Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)
- Design Manual for Urban Roads and Streets (DMURS).
- National Cycle Manual.
- Childcare Facilities – Guidelines for Planning Authorities.
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment.

6.3. Local Planning Policy - Dublin City Development Plan 2016-2022

The application site is primarily zoned 'Z1' (Sustainable Residential Neighbourhoods), *'To protect, provide and improve residential amenities.'* *Residential is a permissible use under this zoning objective.*

The vision for residential development in the city is one where a wide range of accommodation is available within sustainable communities where residents are within easy reach of services, open space and facilities such as shops, education, leisure, community facilities and amenities, on foot and by public transport and where adequate public transport provides good access to employment, the city centre and the key district centres.

Lands to the south and southwest of the site are zoned Z9: *To preserve, provide and improve residential amenity and open space and green networks.* A small area of the site, comprising a section of the existing access road, is within this Z9 zone.

The plan notes that in exceptional circumstances, in order to serve the long-term retention and consolidation of the sporting facility in a locality and to secure the primary sporting land use on the site, some limited once off development is open to consideration. Specifically, residential development shall not be permitted on public or privately owned open space unless exceptional circumstances are demonstrated. In certain specific circumstances where it has been demonstrated to the satisfaction of the planning authority that there is a need for ancillary development to take place in order to consolidate or retain the sporting and amenity nature of Z9 lands or an existing facility in a local area, some limited degree of (residential/retail) development may be permitted on a once-off basis and subject to the primary use of the site being retained for sporting or amenity uses.

Section 4.5.3, Making a more Compact Sustainable City, promotes the consolidation of the city. Policy SC13 promotes sustainable densities, particularly in public transport corridors, which will enhance the urban form and spatial structure of the city, which are appropriate to their context, and which are supported by a full range of community infrastructure.

Policy SC14 promotes variety of housing and apartment types which will create both a distinctive sense of place in particular areas and neighbourhoods, including coherent streets and open spaces.

Chapter 5 deals with Quality Housing, and policies include:

QH6: To encourage and foster the creation of attractive mixed-use sustainable neighbourhoods which contain a variety of housing types and tenures with supporting community facilities, public realm and residential amenities, and which are socially mixed in order to achieve a socially inclusive city.

Policy QH5 promotes residential development addressing any shortfall in housing provision through active land management and a co-ordinated planned approach to developing appropriately zoned lands at key locations including regeneration areas, vacant sites and under-utilised sites.

QH7: To promote residential development at sustainable urban densities throughout the city in accordance with the core strategy, having regard to the need for high

standards of urban design and architecture and to successfully integrate with the character of the surrounding area.

QH8: To promote the sustainable development of vacant or under-utilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and the character of the area.

Section 16.4 promotes sustainable residential densities. Density should respect the existing character, context and urban form of an area and seek to protect existing and future residential amenity. Public transport capacity will also be used to determine the appropriate density allowable.

An urban design and quality-led approach to creating urban densities is promoted, focused on the creation of sustainable urban villages and neighbourhoods. A varied typology of residential units will be promoted within neighbourhoods in order to encourage a diverse choice of housing options in terms of tenure, unit size, building design and to ensure demographic balance in residential communities.

Section 16.5 notes that the indicative plot ratio for outer city Z1 lands is 0.5 – 2.

In accordance with section 16.7.2, the site is considered to be 'outer city', wherein a maximum building height of 16m is specified for commercial and residential development.

7.0 Submissions Received

7.1. Irish Water:

A wastewater connection will require the installation of approx. 180m of rising main through third party lands to Kimmage Road West. Evidence of the consent of the third-party owner should be provided. This infrastructure will have to be constructed to Irish Water standards and a wayleave to the benefit of Irish Water shall be provided. A pumping station is required on the applicant's site. The applicant will be responsible for delivering, commissioning and operating this piece of infrastructure.

The proposed water connection requires a new 350m watermain extension, funded by the applicant and which will be delivered by Irish Water in the public domain.

The applicant has proposed an alternative connection to the watermain in Kimmage Road West. Upgrade works are required to upsize the existing 6" diameter watermain to 200/250mm watermain for approximately 950m. Should the applicant wish to progress with this connection they will be required to fund this network upgrade and to install approximately 180m of new watermain through third party lands from Kimmage Road West. Evidence of consent of the third-party landowner would be required.

8.0 Forming the Opinion

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 submission of the planning authority and other parties, and the discussions which took place during the tripartite consultation meeting.

8.1. 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 documentation submitted with this pre-application consultation request is set out in Appendix 1 to this report.

In accordance with section 5(5)(b) of the Act of 2016, the documentation includes a statement that, in the prospective applicant's opinion, the proposal is consistent with the relevant objectives of the development plan concerned, and the relevant guidelines issued by the Minister under section 28 of the Act of 2000. This Statement of Consistency considers the following policy documents:

- Project Ireland 2040 Our Plan - National Planning Framework (2018).
- Rebuilding Ireland – Action Plan for Housing and Homelessness 2016.
- Urban Development and Building Heights: Guidelines for Planning Authorities (2018).
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)
- Urban Design Manual – A Best Practice Guide, 2009

- Quality Housing for Sustainable Communities: Best Practice Guidelines for Sustainable Communities (2007).
- Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments (2018).
- Design Manual for Urban Roads and Streets (2019).
- Guidelines for Planning Authorities on Childcare Facilities, 2001
- Smarter Travel – A New Transport Policy for Ireland (2009-2020).
- The Planning System and Flood Risk Management (2009).
- Regional Spatial and Economic Strategy 2019- 2031.
- Transport Strategy for Greater Dublin Area 2016-2035
- Dublin City Development Plan 2016 - 2022

The policy documents are described and relevant policies / objectives, including relevant Specific Planning Policy Requirements (SPPR's) are generally set out in tabular form along with a response demonstrating how the development is consistent therewith. This includes an assessment of the development against the criteria set out in section 3.2 of the Building Height Guidelines.

In accordance with section 5(6) of the Act, a statement has also been submitted in respect of the material contravention of the building height provisions of the Dublin City Development Plan. The proposed development is up to 6 storeys and c. 20.145m in height which exceeds the 16m building height standard in the development plan for this area. The statement refers to Sections 37(2)(b)(i) & (iii) of the 2000 Act, as amended, and considers the development in the context of Section 3.2 of the Urban Development & Building Heights Guidelines. It concludes that the Board could grant permission for the proposed development under Section 5(6) of the 2016 Act at planning application stage.

8.2. Planning Authority Submission

A submission from Dublin City Council was received by An Bord Pleanála on the 15th November 2021 in accordance with Section 6(4)(b) of the 2016 Act. The submission includes a copy of the record of s.247 consultation meetings, a copy of the Planning Authority's opinion on the proposed development and a list of relevant applications in

the area. The submission also includes copies of internal technical reports from the following departments of the Council:

- Transportation Planning
- Housing
- Drainage
- EHO
- Parks
- Waste Regulation

The report containing the opinion of the planning authority makes the following points:

- The proposed development is permissible and generally consistent with the Z1 zoning objectives on the site.
- Redevelopment of this vacant site is welcome and represents a more efficient use within a mature residential area, on a bus route and the services and amenities of Kimmage and Crumlin, and a short walk from Stannaway Park.
- While the site is suitable for high density development, the Development Plan, requires that densities should respect the existing character, context and urban form of an area and protect existing and future residential amenity.
- Consideration should be given to the relationship with properties to the east.
- Detailed shadowing analysis is also required.
- The bike store/refuse in the communal and public open space should be relocated to the car parking area.
- The contemporary design approach sits well within its receiving environment. Materials add visual interest and break up scale and visual impact.
- Universal access to podium open space should be demonstrated.
- There is no objection to the design and layout and in particular the setting back of the higher elements from existing residential properties.
- Clarity regarding the description of building heights is required. The development materially contravenes the building height provisions of the development plan.
- The height is acceptable.

- The development overlooks an extensive area of parking to the south and there is good spacing from neighbouring two storey properties.
- Additional analysis of views from Captain's Road and Park Crescent are required.
- There are concerns regarding the mass and extensive width of Block 4/5 and visual impact on Brookfield Green.
- Revisions to its bulk and massing should be considered, such as a top floor set back, reductions in height at the northern and southern ends, and a definite break in the two buildings.
- The proposal should not result in overlooking of adjacent properties from proposed balconies.
- Internal separation distances are acceptable.
- The proposed housing mix complies SPPR1.
- A detailed HQA is required but apartments appear to comply with the guidelines.
- Greater clarity with regard to dual aspect units is required.
- Roof level communal open space should be managed to avoid impacts on residential amenity of adjoining apartments.
- Consideration should be given to providing some communal facilities given the scale of this development, in line with para 4.5 of the guidelines.
- A building life cycle report and management proposals should be submitted.
- The lack of a childcare facility for the level of one and two-bed units is acceptable.
- Existing and proposed overshadowing of neighbouring properties and adjoining amenity spaces should be addressed.
- The daylight and sunlight assessment should consider communal and public open spaces as well as roof level open space.
- ADF and daylight sunlight analysis is required for all proposed units.
- Further detail is required in relation to boundary treatments particularly to the south, green roof provision and tree protection.
- Details of biodiversity enhancement and compensatory planting are required.
- Part of the site for development is zoned Z9. Given the small size of this area, the Planning Authority has no issues with this forming part of the development area.
- Engagement regarding Part V compliance is required.

- A Community and Social Infrastructure Audit is required under section 16.10.4 of the development plan.
- Clarification is required with regard to surface water management.
- Further analysis and design interventions are required on the private road access and the entrance and exit to the gym car park to improve the pedestrian and cycle environment. A Road Safety Audit should be undertaken.
- Issues with the internal road layout are identified including operational / service requirements and cycle parking design and location.
- The parking ratio is low car having regard to the high rate of car ownership in the area, the availability of proximate public transport and potential overspill car parking. The level of proposed car parking provision should be reviewed.
- An Outline Construction Traffic Management Plan should be submitted.

Opinion from other Departments

- Transportation Planning: Further detail sought on access and parking.
- Parks: Further detail sought on green roof compliance, boundary treatments and sunlight to public and communal spaces.
- Drainage: Clarity regarding surface water management.
- Waste: Identifies information to the submitted at application stage.
- Housing: A meeting will be required to discuss Part V obligations.
- EHO: No objection subject to conditions.

8.3. The Consultation Meeting

A Section 5 Consultation meeting was held on 21/12/2021, commencing at 2pm, via Microsoft Teams. I refer to the record of the meeting in respect thereof.

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

1. Land use and development principle.
2. Design and layout
 - Height and scale
 - Daylight and sunlight
 - Residential amenity

3. Access and parking
4. AOB

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-311705-21' 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.

In relation to Land Use and Development Principle, An Bord Pleanála sought clarification and further elaboration for the proposed development in respect of the following matters:

- Ownership of the access road and relationship with the adjoining gym / leisure centre lands.
- The zoning of lands which are traversed by the access road serving the proposed development as Z9 in the Dublin City Development Plan.

In relation to Design and Layout, An Bord Pleanála sought clarification and further elaboration in respect of the following matters:

- The development strategy for the proposed development and response to the concerns of the planning authority in relation to Block 4 & 5.
- Relationship with adjoining properties.
- The assessment of daylight and sunlight to proposed dwelling units and potential impacts on adjoining properties.
- The assessment of microclimatic impacts.

In relation to Access and Parking, An Bord Pleanála sought clarification and further elaboration in respect of the following matters:

- Response to the issues raised by the planning authority in relation to the design and capacity of the access road.

- Confirmation of the ability to carry out necessary improvement works to the existing access road.
- The levels of car parking provision within the development.

In relation to Any Other Business, An Bord Pleanála noted that the proposed means of connection to water supply networks should be clearly identified, along with evidence of the consent of any third-party landowners affected.

The Planning Authority queried the layout and distribution of communal and public open space across the site.

9.0 Conclusion and Recommendation

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 other bodies, and the discussions which took place at the tripartite meeting. I have had regard to national policy, including s.28 Ministerial Guidelines, and local policy, via the statutory plan for the area.

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.

Having regard to the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act **constitutes a reasonable basis for an application** under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

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 **would constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála**

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 Housing Quality Assessment (HQA) which provides the specific information regarding the proposed apartments/duplex units as required by the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020). The assessment should also demonstrate how the proposed apartments comply with the various requirements of those guidelines, including its specific planning policy requirements and the floor areas and standards set out in Appendix 1.
2. A report that addresses the relationship with adjoining properties and the protection of residential amenity, specifically with regard to potential impacts in terms of overlooking, overshadowing and overbearing. The report shall include

cross-section drawings and other imagery showing the relationship between existing and proposed development in this regard.

3. A comprehensive daylight and sunlight assessment examining the proposed dwelling units and amenity / open spaces, as well as potential impacts on daylight and sunlight to adjoining properties. In preparing such assessment regard should be had to the provisions of section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities (2018) and to the approach outlined in guides like the BRE 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'.

The assessment should provide a comprehensive view of the performance of the entire development in respect of daylight provision, including accommodation at ground and first floor levels. Where any alternative, compensatory design solutions in respect of daylight are proposed, these should be clearly identified and their effect appropriately described and / or quantified.

4. The *Microclimatic Wind Analysis and Pedestrian Comfort Report* should consider the safety and comfort of residential amenity spaces across the entire development, including roof terrace / communal spaces and private upper floor balconies. Any required mitigation or other design measures arising from such assessment should be clearly described and assessed in the report.
5. A statement as to how the proposed Strategic Housing Development has sought to comply with the principles of Universal Design (to encourage access and use of the development regardless of age, size, ability or disability).
6. The application should respond to the issues raised in the report of the Dublin City Council Transport Planning Division, dated 9th November 2021. In particular, the application should address concerns raised with regard to the design and layout of the existing access road serving the proposed development and compliance with the requirements of the Design Manual for Urban Roads and Streets (DMURS) for such roads. Particular attention should be paid to the requirement to safely accommodate the pedestrian and cycle movements likely to be generated by the proposed development. Any required improvements to the existing access road should be fully detailed and described in the application and

evidence of the ability / landowner consent to complete such improvements should also be provided.

7. A quality audit in accordance with Annex 4 of DMURS, including a Road Safety Audit which should address the proposed access arrangements, as well as the internal layout of the proposed development.
8. A preliminary Construction Traffic Management Plan.
9. Details and specification of proposed cycle parking provision within the development, demonstrating how the required levels of parking can be accommodated, in accordance with the provisions of the Guidelines for Sustainable Urban Housing: Design Standards for New Apartments (2020).
10. A report that specifically addresses the proposed materials and finishes to the scheme, including specific detailing of external finishes, landscaping and paving, pathways, entrances and boundary treatments. Particular regard should be had to the requirement to provide high quality, durable and sustainable finishes which have regard to the context of the site.
11. A Building Lifecycle Report in accordance with section 6.13 of the Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning Authorities (2020) guidelines which should consider the external materials on all elevations. The report shall also address the management and maintenance of public spaces and access routes to the development
12. The application should clearly identify the areas intended to be taken in charge by the Local Authority.
13. In accordance with section 5(5)(b) of the Act of 2016, as amended, any application made on foot of this opinion should be accompanied by a statement that in the prospective applicant's opinion the proposal is consistent with the relevant objectives of the development plan for the area. Such statement should have regard to the development plan in place or, likely to be in place, at the date of the decision of the Board in respect of any application for permission under section 4 of the Act.
14. 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. Dublin City 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.

Conor McGrath
Planning Inspector

24th December 2021

Appendix 1 – Documentation accompanying the S.5 request

- Completed Planning Application Form and appropriate fee
- Part V Submission
- Cover letter to ABP
- Cover letter to Dublin City Council
- Planning Report including
- Statement of Consistency
- Material Contravention
- Response to S247 meeting
- EIA Screening
- Childcare Assessment
- Architectural Design Rationale
- Schedule of Accommodation
- Architectural drawings
- Landscape Architecture Design Rationale
- Landscape drawings
- Infrastructure Report
- Site Specific Flood Risk Assessment
- Outline Construction and Demolition Waste Management Plan
- Outline Construction Management Plan
- Car Park Management Strategy
- Parking Provision Report & Residential Travel Plan
- Traffic impact Assessment
- DMURS Statement
- Engineering drawings
- Report for the Purposes of Appropriate Assessment Screening
- Ecological Impact Assessment
- Tree Survey
- Tree survey drawings
- Energy Analysis Report
- Daylight & Sunlight Report
- Microclimatic Wind Analysis and Pedestrian Comfort Report
- Electrical Services drawings
- Operational Waste & Recycling Management Plan
- Environmental Noise Survey
- Verified View and CGI
- Copy of Irish Water Correspondence