



An
Bord
Pleanála

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

**Inspector's Report on
Recommended Opinion
312231-21**

Strategic Housing Development

137 dwellings, comprising 40 houses and 97 apartments, plus a crèche and all associated site works.

Location

Lands at Stepside County Dublin.

Planning Authority

Dun Laoghaire Rathdown County Council.

Prospective Applicant

McGarrell Reilly Homes Ltd.

Date of Consultation Meeting

24th March 2021

Date of Site Inspection

11. 03. 2021

Inspector

F. Fair

1.0 Introduction

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

2.0 Site Location and Description

- 2.1.1. The subject lands are situated c.11 km south of Dublin City Centre and c.400 metres from Stepside village. They are situated to the west of Clay Farm Phase 2, currently under construction (as approved under ABP Reg. Ref. 301522), and to the north-east and north-west of Stepside Park. Stepside Golf Club and Cruagh Manor housing estate are located to the south-east of the subject lands with undeveloped lands adjoining the site to the north.
- 2.1.2. The subject lands have a combined area of 2.75 hectares and are comprised of two separate greenfield landholdings bordering the existing housing at Stepside Park, referred to as the 'Upper' and 'Lower' sites. The 'Upper site' (0.68 hectares) is located to the immediate north-west of Stepside Park and it should be noted that the applicant was involved in its development.
- 2.1.3. The 'Lower site' (2.07 hectares) is irregular in shape and is bound by existing two-storey residential dwellings along its western and southern boundaries (Stepside Park) and by Clay Farm - Phase 2 lands to the east. The 'Lower site' lies on the route of the proposed Clay Farm Loop Road that will be extended should this application be approved.

- 2.1.4. The wider area is comprised of a mix of suburban low to medium houses (i.e., Stepside Park) and medium-scale apartment blocks (i.e., Clay Farm Phase 1 & 2).
- 2.1.5. In terms of current access and connectivity, the existing development at Stepside Park, that borders the subject lands to the west and south, is accessed directly from the Enniskerry Road. The Luas Green Line runs along Ballyogan Road with Ballyogan Wood Luas stop 1Km to the north east.
- 2.1.6. A Recorded Monument (026-123) 'Urn Burial' is located to the north-east of the proposed development lands but outside the area where development will take place.

3.0 Proposed Strategic Housing Development

- 3.1.1. The proposed development consists of

Site Parameters	
Site Area	2.75 hectare - 'Upper site' (0.68 hectares) 'Lower site' (2.07 hectares))
No. of Units	137 (97 apartments and 40 no. dwellings)
Creche	156 sq.m (30 child space)
Density	56.8 u/ha
Site Coverage	27.5%
Plot Ratio	0.275:1
Height	2 – 6 storey
Dual Aspect	60%

POS	5,880 sq. m (required 5,710 sq. m)
COS	1,454 sq. m (required 618 sq. m)
Car Parking Spaces	191 (4% disabled) (1.39 per unit) (Incl. 6 creche)
Motorcycle spaces	4
Bicycle Parking spaces	297
Part V	18 units
Access	The provision of an extension to the Clay Farm Loop Road – Letter of consent incl. from adjoining land owners of Clay Farm & From Stepside Park

Building	1 Bed	2 Bed	3 Bed	4 Bed	Total	%
Apartment	28	-	-	-	28	20
Apartment	-	69	-	-	69	50
House	-	-	11	-	11	8
House	-	-	-	29	29	21
Total	28	69	11	29	137	100

4.0 National and Local Planning Policy

4.1.1. National

Project Ireland 2040 - National Planning Framework

Chapter 4 of the Framework addresses the issue of ‘making stronger urban places’ and sets out a range of objectives which it is considered will assist in achieving same. National Policy Objective 4 sets out to 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.

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 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.

National Policy Objective 57 sets out to enhance water quality and resource management, this includes the requirement to ensure that flood risk management informs place making by avoiding inappropriate development in areas at risk of flooding in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities. Relevant Section 28 Ministerial Guidelines:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual')
- Design Manual for Urban Roads and Streets (Interim Advice Note Covid -19, May 2020)
- Guidelines for Planning Authorities on Urban Development and Building Heights, 2018
- Sustainable Urban Housing: Design Standards for New Apartments (2018),
- The Planning System and Flood Risk Management (including associated Technical Appendices).
- Appropriate Assessment of Plans and Projects in Ireland – Guidelines for Planning Authorities (2009).
- The Architectural Heritage Protection Guidelines for Planning Authorities (2011).

4.1.2. **Regional Policy**

Regional Spatial and Economic Strategy (RSES) for Eastern and Midland Assembly, 2019

The Regional Spatial and Economic Strategy for the Eastern and Midlands Region seeks inter alia to consolidate the Dublin Metropolitan Area by focusing at least 50% of all new homes within or contiguous to the existing built up areas of Dublin.

4.1.3. **Local Policy**

Dun Laoghaire Rathdown Development Plan 2016-2022

The subject lands are zoned Objective A in the Dun Laoghaire Rathdown County Development Plan and the objective is 'to protect and-or improve residential amenities.'

New Dun Laoghaire Rathdown Development Plan 2022-2028

The subject lands are zoned Objective A in the Dun Laoghaire Rathdown County Development Plan and the objective is 'to protect and-or improve residential amenities.' With a portion of the upper site zoned OS – Open Space.

Ballyogan & Environs LAP 2019-2025

In addition to the current County Development Plan, a Local Area Plan has been designed to ensure the successful development of the area. The Ballyogan & Environs Local Area Plan (BELAP) 2019-2025 was adopted on 1st July 2019. The primary land use within the BELAP area is residential, and the two undeveloped greenfield land holdings are all zoned to accommodate residential development.

The BELAP identifies five distinct quarters and 16 neighbourhoods within the boundary of the LAP. The Quarter and Neighbourhood relevant to the development sites are the Kilgobbin Quarter and Neighbourhood no. 11 – Kilgobbin South

'Kilgobbin Quarter. The Plan will guide the further sustainable development of Kilgobbin East and Kilgobbin South as a high-quality residential area and will seek to preserve where possible the sylvan character of Kilgobbin West, and in particular the central section of Kilgobbin Road. A Site Development Framework for the western portion of the Quarter will be prepared. Delivering pedestrian and cycle links along the Ballyogan Stream corridor and to Stepside will be a focus of the plan.'

5.0 Planning History

ABP PL.06D.242585 / Reg. Ref. D13A/0190 Permission Granted (March 2014) for development consisting of 46 no. houses, open space including play areas, surface water attenuation and associated site works.

Amendment Application - DLR Reg. Ref. D16A/0650 (granted March 2017)
Permission for revisions to permitted development Reg. Ref. D13A/0190 regarding internal house layouts.

PL06D.236375 / Reg. Ref. D09A/0934 (Dec 2010) Planning permission refused for 206 dwellings, a 228sq.m crèche and a 52sq.m local commercial unit all on lands at Stepside Park, Stepside, Co. Dublin. Applicant McGarrell Reilly Homes.

1. The proposed development would be accessed by circuitous and steep access roads from the R117 through Stepside Park. The proposed development would also contravene conditions attached to previous permissions relating to lands at Stepside Park granted under planning register reference numbers/appeal reference numbers D98A/1000 (PL 06D.111521), D00A/1279 (PL 06D.124391) and D03A/1213 (PL 06D.207092), all of which sought to limit the quantum of development accessed directly from the R117 through Stepside Park pending completion of the Ballyogan Loop Road. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed emergency access route on the southern side of Stepside Park would contravene the zoning objective 'F', as set out in the current development plan for the area, "to preserve and provide for open space with ancillary active recreational amenities" by reason of the introduction of hard surfacing, which would prevent the use of the lands as a kickabout area. The proposed development would,

therefore, be contrary to the proper planning and sustainable development of the area.

3. It is considered that the proposed provision of public open space is inadequate in regards to quality and quantity, and would be contrary to the recommendations of the 'Sustainable Residential Development in Urban Areas (Cities, Towns and Villages) Guidelines for Planning Authorities' issued by the Department of the Environment Heritage and Local Government in May, 2009. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

NOTE: The Board concluded that the development was premature by reason of pending completion of the Ballyogan Loop Road. In addition, the design of the emergency access was contrary to the zoning objective for the area and the provision of public amenity space was considered to be sub-standard.

Planning History in the Surrounding Area of Relevance

ABP Reg. Ref. 304288-19 Permission Granted July 2019 for Strategic Housing Development – Phase 1 Clay Farm The application site relates to the western-most part of Phase 1C of the under construction / permitted Phase 1 Clay Farm development (ABP Ref: PL06D.246601 / DLRCC Ref.: D15A/0247).

ABP Reg. Ref. 301522-18 Permission Granted August 2018 SHD application (Clay Farm Phase 2) submitted for 927 no. residential units, neighbourhood centre, childcare facility, section of the Clay Farm Loop Road from the bridge road link with Phase 1 Clay Farm and all associated site development works. Of particular note: Compliance with Condition no. 2 – On 19 October 2018, the Council approved the compliance submission made in relation to the extension of the Loop Road over the adjoining lands which are under the control of the developer. The Planning Authority

concluded: • Submitted phasing is acceptable; and • were satisfied that the full extent of the Loop Road within their ownership has been included within the proposal.

D15A/0247 Planning permission – Permission Granted April 2016 for Phase 1 Clay Farm Residential development of 410 no. residential units and a childcare facility of 339sqm and including vehicular access from Ballyogan Rd.

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

It is stated by the prospective applicant that pre-application consultations took place with the planning authority on the 29th June 2021. The minutes of the meeting are attached to the file.

7.0 **Submissions Received**

Irish Water (report dated 19th January 2022)

Irish Water has assessed the proposal and confirms a Confirmation of Feasibility has been issued to the applicant advising that connection(s) are feasible subject to the following contingencies:

In respect of Water:

There is sufficient capacity in the existing Water Treatment Plant to facilitate the proposed development.

It is noted in the previous Confirmation of Feasibility issued by Irish Water (dated 28th January 2021), that the response issued, to connect to the Irish Water infrastructure, does not extend to fire flow requirements.

Please note, Irish Water cannot guarantee a flow rate to meet fire flow requirements and in order to guarantee a flow to meet the Fire Authority requirements. The applicant was therefore advised to provide adequate fire storage capacity within the subject development.

In respect of Wastewater:

There is sufficient capacity in the existing Wastewater Treatment Plant to facilitate the proposed development.

It is noted that according to their records there is an existing sewer running through the subject site. It will not be permitted to build over any Irish Water infrastructure. The layout of the development must ensure that this pipe is protected and adequate separation distances are provided between Irish Water infrastructure and any structures on site.

Alternatively, the applicant may enter into a diversion agreement with Irish Water and divert the pipe to accommodate the subject development. The applicant has previously been directed, should they wish to explore this route further, to contact Irish Water at diversions@water.ie.

8.0 Forming of 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 planning authority submissions and the discussions which took place during the tripartite consultation meeting. I shall provide brief detail on each of these elements hereunder.

9.0 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. This information included, inter alia,

- Architectural Design Report (CCK Architects);
- Housing Quality Assessment (CCK Architects)

- Statement of Consistency (MH Planning);
- Environmental Report (MH Planning);
- Childcare Demand Report (MH Planning);
- Social Infrastructure Audit (MH Planning);
- Landscape Report (BRR Landscape Architects)
- Infrastructure Design Report (DBFL Engineers);
- Traffic and Transport Assessment & Framework Mobility Management Plan (DBFL Engineers);
- Site Specific Flood Risk Assessment (DBFL Engineers);
- Daylight, Sunlight and Overshadowing Analysis Report (Passive Dynamics)
- Photomontages –(Digital Dimensions);
- Outdoor Lighting Report (Sabre Electrical)
- Arboricultural Assessment & Impact Report (CMK Hort. + Arb);
- Appropriate Assessment Screening Report (Altemar Environmental);
- Ecological Impact Assessment – (Altemar Environmental)

I have considered all of the documentation submitted by the prospective applicant, relating to this case.

10.0 Planning Authority Submission

In compliance with section 6(4)(b) of the 2016 Act the planning authority for the area in which the proposed development is located, Dun Laoghaire Rathdown County Council, submitted a copy of their section 247 consultation with the prospective applicant and also submitted their opinion in relation to the proposal. These were received by An Bord Pleanála on the 21st January 2022.

The Planning Authority has identified a number of considerations which may have a bearing on the Board's decision as to whether the proposal constitutes a reasonable basis for an application. Summarised as follows:

- Compliance with relevant BELAP policies:
 - Streetscape and historic character
 - Impacts on adjoining structures, overlooking, residential amenity
 - Relationship to OS and Public realm
 - Views and vistas
 - Daylight and Sunlight incl. Shadow
 - Wind and microclimate
 - Noise
 - Placemaking & Wayfinding
 - Neighbourhood
- Density is queried (Neighbourhood 11 and 13 have a target net density of 60 units and 35 units per ha respectively)
- Northern portion concern with respect to low density and access via Stepside Park
- Part of the site lies within Neighbourhood 13 – Stepside East – issue with building height by neighbourhood
- New Linkages – Pedestrian and Cycle Network
- SuDS – Concerns raised in Drainage Report
- S18 – POS
- Design - Blank gables
- CGI's need to be supplemented
- Planning History and the access – until the Clay Farm loop road is delivered, the proposal is premature

I have reviewed and considered all of the documentation submitted by the planning authority relating to this case.

11.0 Consultation Meeting

A Section 5 Consultation meeting took place via teams on the 24th March 2022, commencing at 10.00 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 as follows:

1. Compliance with CDP Policy and specific policies of the Ballyogan and Environs Local Area Plan 2019 – 2025
2. Transportation, Movement, Carparking and Access
 - Planning History
 - Deliverability and timeframe for the Clay Farm Loop Road.
 - Phasing (requirements of LAP)
3. Residential Amenity
4. Drainage Planning Matters
5. AOB

11.1.1. In respect of compliance with CDP Policy and specific policies of the Ballyogan and Environs Local Area Plan 2019 – 2025, An Bord Pleanála representatives sought further elaboration / discussion / consideration on the following:

- Further consideration of building height by neighbourhood and density given specific policies stated in the BELAP 2019 – 2025. Part of the site lies within Area 11 'Kilglobbin South' and Area 13 'Stepaside East'. There is an LAP requirement for analysis of building height over 4 storeys.
- Further consideration and justification of the low density proposed (19 units) on the upper site to the north given the specific objectives of the BELAP 2019 – 2025. Neighbourhood 11 and 13 have a net density target of 60 u/ha and 45 u/ha respectively.

- Further justification of the proposal in terms of design requirements of the Ballyogan & Environs LAP with respect to:
 - Pedestrian and cycle network,
 - Linkages,
 - Housing for all,
 - Building height by neighbourhood,
 - Suds,
 - Public open space,
- Further consideration and justification of the proposal in terms of the BELAP 2019 – 2025.
- Consideration that any possible material contravention issues are advertised accordingly, and the application documentation should refer to both the Development Plan in place at the time the application is made and the new Draft Development Plan, where it is considered that the new Development Plan could be adopted prior to a decision forthcoming from the Board.

11.1.2. In relation to, transportation, movement, carparking and access, An Bord Pleanála representatives sought further elaboration / discussion / consideration on the following:

- Further consideration and justification of roads and access to the proposed two parcels of lands.
- Further justification for access to the upper site (19 units) via Stepside Park, given the issues raised by the planning authority with respect to circuitous route, steep gradients, junction access with Enniskerry Road, phasing requirements for the Clay Farm Loop Road, access arrangements and density requirements set out the in BELAP 2019 – 2025.
- Further consideration and justification for concerns in relation to increased number of dwellings proposing access via Clay Farm Loop Road which is essentially a cul de sac.

- Clear indication on what section of the loop road will be delivered by the applicant under the subject application.
- Further justification for the proposal in relation to section 12.1 phasing of the LAP regarding the provision of Clay Farm Loop Road.
- Further consideration that all documentation submitted is clear with respect to the portion of the Loop Road proposed to be delivered, that it's specification and design accords with the Clay Farm Loop Road Scheme and would not prejudice the delivery of the road to the standard required. Plans to include specification for vulnerable users, pedestrians and cyclists.
- Further consideration that the proposal has regard to DUMRS and the National Cycle Plan.

11.1.3. In relation to, residential amenity, An Bord Pleanála representatives sought further elaboration / discussion / consideration on the following:

- Further justification and consideration that the following specific objectives of the LAP have been addressed:
 - impacts on adjoining structures
 - overlooking,
 - relationship of open space and public realm
 - views and vistas
 - daylight and sunlight incl. shadow assessment
 - placemaking and wayfinding
 - creation of neighbourhoods
- A detailed statement demonstrating how the proposed development ties in with wider development strategy for the landholding and the overall Kiltiernan Area, with regard to a phasing strategy.

11.1.4. In relation to drainage planning matters An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- Clarification that all items raised by drainage department in their report submitted to the Board are addressed, further meetings should be sought to resolve outstanding issues.
- Further consideration of the proposal in respect to level of detail provided, particularly in relation to surface water drainage proposals and relating to site specific flood risk assessment and movement of overland flow rates.
- Clarity that issues raised by the IW report are addressed, in particular with regard to infrastructure on the site sets backs or diversions and that a flow rate to meet fire flow requirements can be guaranteed.
- Consideration that each application stands on its own merits and that should issues or disagreements arise with respect to infrastructure deficits the Board precedent is to uphold the opinion of the planning authority, given their responsibility and authority on such matters.
- Consideration that there is no further information facility available to the Board, only in exceptional circumstances, therefore all information submitted needs to be clear and of a high quality and accurate to ensure that the Board can make an informed decision.

11.1.5. In regard to other matters, An Bord Pleanála sought further elaboration / discussion / consideration of the following:

- Further consideration of the proposal in terms of:
 - Construction Management Plan,
 - Taking in Charge and
 - Quality Audit
- Clarification that all items raised by the PA in their report submitted to the Board are addressed, further meetings should be sought to resolve outstanding issues.

- Further consideration that the SHD process does not allow for further information, only in exceptional circumstances, therefore all information submitted needs to be clear and of a high quality and accurate to ensure that the Board can make an informed decision.

12.0 Conclusion and Recommendation

- 12.1.1. Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 12.1.2. I have examined all of the information and submissions before me including the documentation submitted by the prospective applicants, the submissions of the planning authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, via the section 28 Ministerial Guidelines and local policy via the statutory plans for the area.
- 12.1.3. Having regard to all of the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act **constitutes a reasonable basis for an application for strategic housing development** under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 12.1.4. I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application.

13.0 Recommended Opinion

- 13.1.1. An Bord Pleanála refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and amendment in order to constitute a reasonable basis for an application under section 4.
- 13.1.2. 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 with the request to enter into consultations constitute a reasonable basis for an application for strategic housing development.**
- 13.1.3. Furthermore, 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. 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 zoning objectives of the development plan for the area. Such statement should have regard to the development plan or local area 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.

2. 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 specific objectives of the Ballyogan and Environs Local Area Plan (BELAP) 2019 – 2025 for area 11 Kilglobbin South and area 13 Stepside East. Such statement should have regard to the development plan and or local area 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.
3. A detailed statement demonstrating how the building height by neighbourhood and density proposed is appropriate, given the Dun Laoghaire Rathdown Development Plan 2016 – 2022 and the new Draft Dun Laoghaire Rathdown Development Plan 2022 – 2028 and the BELAP 2019 – 2025.
4. A detailed statement demonstrating further justification and clarity of the proposal with respect to:
 - (i) access to the upper site (19 units) via Stepside Park, given the issues raised by the planning authority with respect to circuitous route, steep gradients, junction access with Enniskerry Road, phasing requirements for the Clay Farm Loop Road, access arrangements and density requirements set out in BELAP 2019 – 2025.
 - (ii) proposals to further increase the number of dwellings (118 units) accessing via Clay Farm Loop Road which is essentially a cul de sac.
 - (iii) clear indication on plans and drawings what section of the Loop Road will be delivered by the applicant under the subject application.
 - (iv) Further justification for the proposal in relation to section 12.1 phasing of the BELAP 2019 – 2025 regarding the provision of Clay Farm Loop Road.

5. A detailed statement demonstrating how the proposed development ties in with the wider development strategy for the landholding and the overall Stepside Area, with regard to a phasing strategy.
6. A detailed statement, which should provide adequate identification of all such elements and justification as applicable, where / if the proposed development materially contravenes the statutory County Development Plan or LAP for the area other than in relation to the zoning of the land, indicating why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.
7. Detailed landscape drawings that illustrate hard and soft landscaping, useable communal open space, meaningful public open space, quality audit and way finding. The public open space shall be usable space, accessible and overlooked to provide a degree of natural supervision. Details of play equipment, street furniture including public lighting and boundary treatments should be submitted.
8. A Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to:
 - Impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.
 - Impact to any neighbouring properties devoid of proposed and existing landscaping and trees.
9. Additional CGIs are required, as well as a Landscape and Visual Impact Assessment with photomontages, to include, consideration of winter views from the surrounding areas.
10. An up to date Ecological Assessment, inclusive of a Bat Survey.

11. Where an EIAR is not being submitted the applicant should submit all necessary information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 for the purposes of EIAR screening.
12. A response to matters raised within the PA Opinion submitted to ABP on the 21st January 2022.
13. A life cycle report shall be submitted in accordance with section 6.13 of the Sustainable Urban housing: Design Standards for New Apartments (2020). The report should have regard to the long-term management and maintenance of the proposed development. The applicant should consider the proposed materials and finishes to the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings, landscaped areas, child friendly spaces, pathways, and all boundary treatments. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for the development.
14. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.
15. Site Specific Construction and Demolition Waste Management Plan.
16. Details of public lighting.

13.1.4. 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. Dun Laoghaire Rathdown County Childcare Committee

PLEASE NOTE:

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

Fiona Fair
Planning Inspector
28.03.2022