

Planning Department,
Dún Laoghaire-Rathdown County Council,
County Hall,
Marine Road,
Dún Laoghaire,
Co. Dublin,
A96 K6C9

28th August 2020

Dear Sir / Madam,

RE: PROPOSED STRATEGIC HOUSING DEVELOPMENT (ALTERATIONS TO PHASE 1 RESIDENTIAL PERMISSION AND PROPOSED PHASE 2 RESIDENTIAL DEVELOPMENT) AT THE FRASCATI CENTRE, FRASCATI ROAD (N31), BLACKROCK, CO. DUBLIN (FORMERLY KNOWN AS FRASCATI SHOPPING CENTRE)

Introduction

On behalf of the applicant, IMRF II Frascati Limited Partnership acting through its general partner Davy IMRF II GP Limited, please find enclosed 6 no. hard copies and 3 no. soft copies (on CD rom) of a planning application submitted to An Bord Pleanála in respect of a proposed SHD residential development on lands at the Frascati Centre, Frascati Road, Blackrock, Co. Dublin (formerly known as Frascati Shopping Centre). We enclose 6 no. hard copies and 3 no. soft copies (on CD rom) of the pre-application request.

Proposed Development

The proposal relates to alterations to the Phase 1 permission for 45 no. apartments (Reg. Ref.: D17A/0950 & ABP Ref.: 300745-18), from second to fourth floor level of the rejuvenated Frascati Centre. The proposed development also includes the provision of 57 no. additional apartments, as an extension of the Phase 1 permission, located above the existing / permitted podium car park to the north west of the centre, as a Phase 2 residential development. The subject application therefore relates to a total of 102 no. residential units.

The proposed alterations to the 45 no. apartments (Block A and B) and associated development, permitted under the Phase 1 residential development, includes the following:

- Internal rationalisation of the permitted units, including changes in overall unit size and internal layouts, and associated external alterations including the provision of winter gardens.

Managing Director: John P. Spain BBS MRUP MRICS ASCS MRTPI MIPi

Executive Directors: Paul Turley BA MRUP Dip Environmental & Planning Law MIPi Rory Kunz BA (MOD) MScERM MAT&CP Dip EIA Mgmt. MIPi
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John Spain Associates Ltd. trading as John Spain Associates. Directors: J. Spain, S. Spain.
Registered in Ireland No. 396306. Registered Office: 39, Fitzwilliam Place, Dublin 2. VAT No. IE 6416306U

- Provision of an external walkway connection between the Phase 1 and Phase 2 residential blocks at second floor level.
- The refuse, car and cycle parking facilities permitted at lower ground floor level will be altered to cater for the additional residential units, including the introduction of a barrier control system.
- The main entrance to the Phase 1 residential scheme from Frascati Road will serve both the permitted and proposed units.
- A concierge facility room to serve the overall residential development is proposed at second floor level near the main core of Phase 1, with an associated minor reduction in the area of the permitted communal terrace at second floor level.
- The communal open space for Phase 1 and 2 will be accessible to all residents.
- Alterations to the cycle parking provision at lower ground floor / basement level and at the first-floor level podium car park.

The Phase 2 proposal consists of 20 no. studios, 22 no. 1 beds and 15 no. 2 beds (57 no. apartments) in three no. blocks (Block D, E & F), arranged around a central communal courtyard space, above the existing and permitted podium car park to the north west of the centre. Block D is a five storey block, Block E is a part two to part four storey block and Block F is a part two to part three storey block, all above three levels of podium / basement car park. Balconies / winter gardens are provided to all apartments (on the north western, north eastern, south western elevations and into the internal courtyard) and access to the blocks is via stair / lift cores and an external walkway fronting the communal courtyard. A roof terrace is also proposed at fifth floor level of Block E.

The proposal includes the allocation of 57 no. car parking spaces at lower ground floor level and 214 no. bicycle parking spaces at lower ground and surface level for the 102 no. residential units. The proposal includes alterations to existing surface car parking to provide additional landscaping and bicycle spaces, a bin storage area and stair / lift cores are proposed within the existing / permitted basement / podium car parks below the Phase 2 residential units, and the proposal includes all associated ancillary site development works. The proposal also includes alterations to the location of 30 no. permitted cycle parking spaces associated with the rejuvenation of the Frascati Centre, Reg. Ref.: D14A/0134, as amended.

The site is zoned 'Objective DC' which seeks 'To protect, provide for and/or improve mixed use district centre facilities' under the Dun Laoghaire Rathdown County Development Plan 2016-2022, under which the proposed uses are permitted in principle. The application contains a statement setting out how the proposal will be consistent with the objectives of the Dún Laoghaire-Rathdown County Development Plan 2016 – 2022 and Blackrock Local Area Plan 2015-2021.

An Environmental Impact Assessment Report has been prepared in respect of the proposed development and accompanies this application.

Section 3(d) of the Planning and Development (Housing) and Residential Tenancies Act 2016 states that Strategic Housing Development can be "*the alteration of an existing planning permission granted under section 34 (other than under subsection (3A)) where the proposed alteration relates to development specified in paragraph (a), (b) or (c)*". As the total number of units subject of this proposed application, i.e. alterations to a permitted development containing 45 residential units and the provision of 57 residential units as an extension of the Phase 1 permission / above the permitted podium, is above 100 no. units, it is our understanding that this scheme falls within the definition of Strategic Housing Development and therefore the application should be made directly to the Board.

Section 3(d)(ii)(i) of the Planning and Development (Housing) and Residential Tenancies Act 2016 relates to other uses which would be acceptable as part of a SHD application, if

the uses do not exceed 4,500 sq.m gross floor space. As noted above, access is provided to the residential units via the lower ground floor and ground floor level of the Frascati Centre and the proposed residential development does not impact on the retail/restaurant floorspace. Thus, for this application it is submitted that the recently completed retail and restaurant floorspace within the rejuvenated Frascati Centre should not be regarded as *'other proposed uses on the land'* for the purposes of this application, although the red line will be above part of the shopping centre.

Enclosures

The following documentation accompanies this planning application in accordance with Section 4 and 8 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, and Articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, as amended:

Planning Particulars

- completed Application Form for a Section 4 SHD Planning Application and attachments (2 no. letters from Irish Water),
- Newspaper Notice;
- Site Notice;
- Cover letter to An Bord Pleanála prepared by John Spain Associates (JSA) including EIA Portal confirmation (Appendix 1);
- Part V proposals including a Part V plan prepared by Reddy Architecture + Urbanism, a Part V Cover Letter and an Estimate of Costs prepared by the Applicant;

Planning Reports

- Statement of Consistency / Planning Report prepared by John Spain Associates (JSA);
- Statement of Material Contravention prepared by John Spain Associates (JSA);
- Statement of Response prepared by John Spain Associates (JSA);
- Creche Demand Audit prepared by John Spain Associates (JSA);
- Environmental Impact Assessment Report and NTS prepared by John Spain Associates (JSA) and Consultants;

Architecture

- Architectural Drawings and Schedule, A3 Brochure of Architectural Drawings,
- Housing Quality Assessment (HQA) Spreadsheet prepared by Reddy Architecture + Urbanism;
- Architectural Design Statement prepared by Reddy Architecture + Urbanism;
- Architectural Response to ABP Opinion prepared by Reddy Architecture + Urbanism;
- Building Life Cycle Report prepared by Reddy Architecture + Urbanism;

Landscape

- 2 no. copies of Landscape Drawings, Landscape Report and Schedule prepared by Stephen Diamond Landscape Architects;
- 2 no. copies of Landscape Architectural Statement of Response to Pre-Application Consultation prepared by Stephen Diamond Landscape Architects;

Engineering

- Civil Engineering Infrastructure Services Report, including Flood Risk Assessment, prepared by Barrett Mahony Consulting Engineers;
- Engineering drawings and drawing schedule prepared by Barrett Mahony Consulting Engineers;
- Construction Management Plan prepared by Barrett Mahony Consulting Engineers;

- Transportation Assessment Report (including Preliminary Travel Plan, DMURS Statement of Consistency and Independent Road Safety Audit including Quality Audit) prepared by NRB Consulting Engineers;

Other Reports

- Photomontage Brochure prepared by Brady Shipman Martin;
- Outline Construction and Demolition Waste Management Plan prepared by AWN Consulting Engineers;
- Operational Waste Management Plan prepared by AWN Consulting Engineers;
- Appropriate Assessment Screening Report prepared by Openfield;
- Hydrological & Hydrogeological Qualitative Risk Assessment prepared by AWN Consulting;
- Site Lighting Report prepared by Homan O'Brien Consulting Engineers;
- Sustainability, TGDL and NZEB Report prepared by Homan O'Brien Consulting Engineers; and
- Daylight and Sunlight Assessment report prepared by BPG3 Consulting.

We trust that the documentation as submitted meets the requirements of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, and specifically the Planning and Development (Strategic Housing Development) Regulations 2017, as amended, and application guidance documents issued by An Bord Pleanála.

In preparing this planning application, including all drawings and reports, we had regard to the issues raised during pre-application meetings with Dun Laoghaire Rathdown County Council and the tri-partite meeting with the Board and the requirements of relevant Section 28 Guidelines, the Dun Laoghaire Rathdown County Development Plan 2016-2022 and Blackrock LAP.

If you require any additional information please do not hesitate to contact us.

Yours faithfully,



John Spain Associates

TII - Transport Infrastructure Ireland
Parkgate Business Centre,
Parkgate Street,
Dublin 8,
D08 DK10,
Ireland

28th August 2020

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Pursuant to Article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, and Section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended), a copy of the application is enclosed for your information.

A dedicated project website has also been established, on which the application details are uploaded, and this website can be viewed at: www.frascaticentreshd.ie.

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An Environmental Impact Assessment Report has been prepared in respect of the proposed development and accompanies this application.

The application contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in Section 37(2)(b) of the Planning and Development Act, 2000, as amended, notwithstanding that the proposed development materially contravenes a relevant development plan or local area plan other than in relation to the zoning of the land.

The application together with the Environmental Impact Assessment Report may be inspected, or purchased at a fee not exceeding the reasonable cost of making a copy, during public opening hours at the offices of An Bord Pleanála and Dun Laoghaire Rathdown County Council. The application may also be inspected online at the following website set up by the applicant: www.frascativcentreshd.ie.

Any person may, within the period of 5 weeks beginning on the date of receipt by An Bord Pleanála of the application and on payment of the prescribed fee of €20 (except for certain prescribed bodies), make a submission or observations in writing to An Bord Pleanála, 64 Marlborough Street, Dublin 1, relating to the implications of the proposed development, if carried out, for proper planning and sustainable development in the area or areas concerned, and the likely effects on the environment or the likely effects on a European site, as the case may be, of the proposed development, if carried out. Submissions or observations duly made will be considered by An Bord Pleanála in making a decision on the application. Such submissions or observations must also include the following information:

- (a) the name of the person, authority or body making the submission or observations, the name of the person, if any, acting on behalf of that person, authority or body, and the address to which any correspondence relating to the application should be sent,
- (b) the subject matter of the submission or observations, and
- (c) the reasons, considerations and arguments on which the submission or observations is or are based.

An Bord Pleanála may grant permission for the strategic housing development as proposed, or may grant permission subject to such modifications as it specifies in its decision, or may grant permission in part only, with or without any other modifications it may specify in its decision, or may refuse to grant permission for the proposed development. An Bord Pleanála may attach to a grant of permission such conditions as it considers appropriate.

Any enquiries relating to the application process should be directed to the Strategic Housing Development Section of An Bord Pleanála (Tel. 01-8588100). A person may question the validity of a decision of An Bord Pleanála by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No. 15 of 1986), in accordance with sections 50 and 50A of the Planning and Development Act 2000 (No. 30 of 2000), as amended. Practical information on the review mechanism can be found in the Judicial Review Notice on the An Bord Pleanála's website: www.pleanala.ie or on the Citizens Information Service website: www.citizensinformation.ie.

If you require any additional information please do not hesitate to contact us.

Yours faithfully,



John Spain Associates

NTA - National Transport Authority
Dún Scéine
Harcourt Lane
Dublin 2
D02 WT20

28th August 2020

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The application contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in Section 37(2)(b) of the Planning and Development Act, 2000, as amended, notwithstanding that the proposed development materially contravenes a relevant development plan or local area plan other than in relation to the zoning of the land.

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Irish Water
C/O Suzanne Dempsey,
Colvill House,
94-96 Talbot Street,
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Yours faithfully,



John Spain Associates

The Heritage Council
Áras na hOidhreachta
Church Lane
Kilkenny
R95 X264

28th August 2020

Dear Sir / Madam,

RE: PROPOSED STRATEGIC HOUSING DEVELOPMENT (ALTERATIONS TO PHASE 1 RESIDENTIAL PERMISSION AND PROPOSED PHASE 2 RESIDENTIAL DEVELOPMENT) AT THE FRASCATI CENTRE, FRASCATI ROAD (N31), BLACKROCK, CO. DUBLIN (FORMERLY KNOWN AS FRASCATI SHOPPING CENTRE)

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The proposal includes the allocation of 57 no. car parking spaces at lower ground floor level and 214 no. bicycle parking spaces at lower ground and surface level for the 102 no. residential units. The proposal includes alterations to existing surface car parking to provide additional landscaping and bicycle spaces, a bin storage area and stair / lift cores are proposed within the existing / permitted basement / podium car parks below the Phase 2 residential units, and the proposal includes all associated ancillary site development works. The proposal also includes alterations to the location of 30 no. permitted cycle parking spaces associated with the rejuvenation of the Frascati Centre, Reg. Ref.: D14A/0134, as amended.

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Yours faithfully,



John Spain Associates

Minister for Culture, Heritage and the Gaeltacht
C/O The Manager,
Development Applications Unit
Department of Culture, Heritage and the Gaeltacht
Newtown Road
Wexford

28th August 2020

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An Taisce
Tailors' Hall,
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