

**STRATEGIC HOUSING DEVELOPMENT
PLANNING APPLICATION
RESPONSE TO AN BORD
PLEANALA OPINION**

**FOR LANDS AT BALSADDEN & FORMER BAILY COURT
HOTEL, HOWTH, CO. DUBLIN**

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**Brady Shipman
Martin**

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CLIENT

Balscadden GP3 Limited

DATE

March 2022

LANDS AT BALSADDEN

Response to ABP Opinion

DOCUMENT CONTROL SHEET

Project No. 6880
Client: Balsacdden GP3 Limited
Project Name: Lands at Balscadden
Report Name: Response to An Bord Pleanala
Document No. RPSC04
Issue No. 04
Date: 21/03/22

This document has been issued and amended as follows:

Issue	Status	Date	Prepared	Checked
01	Draft – for Strategic Housing Development PAC	06 Aug 2021	ST	PB
02	Final- for Strategic Housing Development PAC	18 Aug 2021	ST	PB
03	Draft – for Strategic Housing Development Application	17 Feb 2022	HM	PB
04	Final- for Strategic Housing Development Application	21 Mar 2022	ST	PB

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1 INTRODUCTION

Brady Shipman Martin have prepared this Report in Response to the Opinion of An Bord Pleanála of 7th December 2021. This Response has been prepared under Article 285(5) (b) of the Planning and Development (Strategic Housing Development) Regulations 2017 in association with the Applicant and Design Team and also provides the specific information as requested by the Board.

In its Opinion, An Bord Pleanála concluded that having *‘considered the issues raised in the pre-application consultation process and, having regard to the consultation meeting and the submission of the planning authority, is of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development.’*

2 ISSUES TO BE ADDRESSED IN ORDER FOR THE DOCUMENTS TO CONSTITUTE A REASONABLE BASIS FOR AN APPLICATION

In its Opinion of 7th December 2021, ABP set out 1 no. item that should be specifically addressed by the application for permission in order for the documents to constitute a reasonable basis for an application under Section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016. Our response to this item is set out below and cross referenced to the Design Team Reports.

2.1 Architectural Heritage Impact Assessment

Item 1 of the ABP Opinion states:

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

The impact of the proposed development on the character and setting of the features of conservation interest in the vicinity including those buildings in the Architectural Conservation Area and the Martello Tower which adjoins the site to the north. The documentation should demonstrate that the height, design, scale and massing of the proposed development would not have an adverse impact on the architectural heritage of the area. In particular the documentation should fully address the requirements of the criteria as set out in Section 6.4.15 and Appendix B of the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and those relevant policies and objectives for the site relating to the built heritage in the development plan.

The further consideration and or justification should include additional CGIs/visualisations/3D digital modelling and cross section drawings showing the works required on the site, the proposed development relative to existing and proposed developments in the vicinity, including justification for the height of Block B at this location relative to the surrounding area. Any contextual drawings should include the Martello Tower.”

In response to the Opinion from An Bord Pleanála, the following documentation has been included in this SHD application documentation:

- An Architectural Heritage Impact Assessment has been prepared by Historic Building Consultants (HBC) in accordance with the criteria set out in Section 6.4.15, and Appendix B of the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and all relevant policies. This Conservation Assessment is incorporated into Chapter 11 ‘Archaeology and Cultural Heritage’ of the EIR accompanying this SHD application.
- CGIs/ visualisations/ 3D digital modelling and cross sections as requested by An Bord Pleanála have been provided as follows:
 - CGIs / 3D digital modelling – CGIs have been prepared by Digital Dimensions and are included as part of the application, in the Architectural Design Statement, by Plus Architects.
 - Visualisations / photomontages, and visual impact analysis
 - Visualisations / Photomontages are submitted as part of the application, as an Appendix to the EIR
 - The Landscape and Visual Chapter of the EIR (Chapter 10) includes a visual impact analysis of the proposed development.
 - Cross Sections – Site cross sections are included in the architectural drawing pack and Architectural Design Statement prepared by Plus Architects. These illustrate the proposed development relative to existing and proposed developments in the vicinity (where relevant). Contextual drawings include the Martello Tower. The Architectural Design Statement by Plus Architects include justification for the height of Block B at this location relative to the surrounding area.
- Shadow Analysis – Daylight and Sunlight is considered in the Site Planning Daylight & Sunlight Report prepared by JVT.

3 SPECIFIC INFORMATION REQUESTED BY AN BORD PLEANALA

In its Opinion of 7TH December 2021 ABP sets out 4 no. items of specific information that should be enclosed with the application under Article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017.

3.1 Landscape Plan

Item 1 of the ABP Opinion requests:

1. *“A detailed landscaping plan clearly illustrating the quantum and functionality of all areas designated for communal and public open space. The landscaping details shall include, inter alia, designated communal open space, the inclusion of useable space for play provision necessary to comply with Section 4.13 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities and the design, a detailed trees survey and proposed tree planting scheme and shall clearly indicate the quantum and designated areas of useable public open space.”*

A detailed Landscape Design Report and the Architectural Design Report has been prepared by Plus Architecture and sets out the quantum and functionality of all areas designated for communal and public open space, which equates to c.4,108 sq.m.

A total of 1,174 sq.m of communal open space is required, however the proposed development provides a high standard of communal open space with a total of 4,108 sq.m. Residents communal space is provided in the form of large communal courtyards, landscaped roof gardens and the addition of 4 no. play areas with a dedicated area for young persons and older children.

A minimum of 10% of the site area (1.43ha) should be designated public open space. The proposed development is providing c.1,470 sq.m of public open space which equates to c.10.3%.

A detailed Arboricultural Report and associated Tree Constraints Plan, Tree Impacts Plan, and Tree Protection Plan, are submitted as part of this application, prepared by The Tree File. A Planting Schedule has been prepared by Plus Architecture and sets out details of tree species, hedging and planting mix for all open space and public realm areas.

3.2 Construction Management Plan

Item 2 of the ABP Opinion requests:

2. *“Submission of an updated Construction Management Plan.”*

An updated Outline Construction & Demolition Management Plan has been prepared by Waterman Moylan and is enclosed as part of the SHD application. The report sets out typical arrangements and measures which may be undertaken during the demolition and construction stages of the proposed development in order to mitigate and minimise disruption and disturbance to the surrounding area.

3.3 Sunlight/Daylight/Overshadowing Analysis

Item 3 of the ABP Opinion requests:

3. *“An updated Sunlight/Daylight/Overshadowing analysis showing an acceptable level of residential amenity for future occupiers and existing residents, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE2019/BS2011, as applicable.”*

A Site Planning for Daylight & Sunlight Report has been prepared by J.V. Tierney & Co. (JVT) which addresses all the requirements set out above noting that the opinion specifically requests that the report *“should address the full extent of requirements of BRE209/BS2011, as applicable”*. We understand that this request specifically relates to the standard, *“Site Layout Planning for Daylight and Sunlight 2011: A Guide to Good Practice, Second Edition by Paul Littlefair”*, which is also known as *“BRE209”*. There is no applicable *“BS 2011”* standard for testing of daylight/ sunlight impacts. This is further set out in the accompanying JVT Site Planning for Daylight & Sunlight Report.

3.4 Environmental Impact Assessment

Item 4 of the ABP Opinion requests:

4. *“The information referred to in article 299B(1)b(ii)(II) and article 299B(1)(c) of the Planning and Developments Regulations 2001-2018, unless it is proposed to submit an EIAR at application stage.”*

An EIAR has prepared by Enviroguide to accompany the proposed application.

4 CONCLUSION

The Response set out herein outlines the specific items requested by An Bord Pleanála to be contained within an SHD application for the site at Balscadden, Howth, Co. Dublin.

It is respectfully submitted that the proposed development will provide an appropriate form of high-quality residential development for this under-utilised, centrally located, brownfield site which is highly accessible and well served by public transport.

In conclusion, it is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area, and with all relevant national, regional, and local planning policies and guidelines and that the proposal should be permitted by An Bord Pleanála.