

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1,
D01 V902.

Date: 26 August 2022
Our Ref 21021 BC

Dear Sir / Madam,

RE: SHD APPLICATION IN RESPECT OF A PROPOSED STRATEGIC HOUSING DEVELOPMENT CONSISTING OF 457 NO. RESIDENTIAL UNITS, 2 NO. RETAIL/CAFÉ/RESTAURANT UNITS, A CRECHE FACILITY, OPEN SPACE AND ALL ASSOCIATED SITE WORKS AT A SITE LOCATED TO THE NORTH WEST CORNER OF THE OMNI PARK SHOPPING CENTRE, SANTRY AND AT SANTRY HALL INDUSTRIAL ESTATE, SANTRY, DUBLIN 9.

Introduction

On behalf of the applicant, Serendale Limited, we hereby submit this Strategic Housing Development application to An Bord Pleanála in respect of a proposed SHD residential development at a Site Located to the North West Corner of The Omni Park Shopping Centre, Santry and at Santry Hall Industrial Estate, Santry, Dublin 9.

This proposal falls under the definition of Strategic Housing Development as set out under Section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended) as it is a proposed development *'of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses'*.

Proposed Development

Location

The subject site comprises a portion of the overall Omni Centre lands, generally bound by Santry Hall Industrial Estate to the north, existing retail to the east, existing car parking and retail to the south, and existing residential to the west. The subject site, which accommodates a large warehouse (former Molloy & Sherry Warehouse) and a number of ancillary buildings related to its former use as a transport depot. The site is located in the northwest corner of the wider Omni landholding.

The site is served by existing access to the Omni shopping centre. The shopping centre is located in the immediate vicinity of the subject site.

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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

The site is not located within any Architectural Conservation Areas, and there are not protected structures or proposed protected structures on site. The nearest European Site is North Bull Island, located c. 6.5km southeast of the site, and the nearest pNHA is the Royal Canal, located c. 3.8km south of the site.

Land Use Zoning

The site is located within the administrative boundary of Dublin City Council and is therefore subject to the policies and objectives of the Dublin City Development Plan 2016-2022. The policies and objectives of the upcoming Dublin City Draft Development Plan 2022 are also addressed separately, having regard to its advanced stage in the Development Plan making process.

The site is zoned Z4 – District Centre with the objective “*To provide for and improve mixed-services facilities*” in the Dublin City Development Plan 2016-2022.

It is noted that residential and childcare facility uses proposed as part of this planning application are both permissible uses under this zoning objective.

Consultation with Planning Authority under Section 247

The SHD process comprises three mandatory stages including Stage 1 which is a consultation with the Planning Authority (under section 247 of the Planning & Development Act, 2000, as amended).

A formal pre-application meeting was held with Dublin City Council on 16 March 2021 via Microsoft Teams. It is considered that the comprehensive suite of documents submitted with this application address the matters raised by Dublin City Council at the Section 247 meeting.

ABP’s Consultation Opinion & Section 5 SHD - Pre-Application Consultation Meeting with the Board (Tri-Partite Meeting) ABP Reg. Ref. 312202

A tripartite pre-application meeting with representatives of the Board and the local Planning Authority was undertaken on 28 April 2022 via Microsoft Teams. The discussions during the course of the meeting focused on the following:

1. Red line boundary, *inter alia*, inclusion of car park
2. Retail Impact Assessment
3. Design & Layout, *inter alia*, height, scale and mass
4. Traffic & Transport
5. Irish Water Submission

The discussions during the course of the tripartite meeting have informed the final application, and robust justification provided for aspects of the scheme which were discussed.

The Opinion of An Bord Pleanála issued on the 13th May 2022. The Board’s Opinion stated that having regard to the consultation meeting, the submission of the Planning Authority, and the documentation submitted with the pre-application request, the pre-application request represented a reasonable basis for an application for strategic housing development.

The Opinion also set out fifteen items of specific information which should be submitted with any application for permission. In this regard, we refer the Board to the Statement of Response

to the Board's Opinion prepared by John Spain Associates, which sets out a concise response to each of the items of specific information requested, and directs the reader to the relevant documents in the application pack, which respond in full to the requirements set out by the Board at pre-application stage.

Drawings, Plans and Particulars

This SHD application is accompanied by architectural, landscape, arborist, civil engineering, structural and public lighting drawings. The full list of enclosures is set out below. Each drawing pack is accompanied by a schedule of drawings as required under the SHD application form.

Statement of Consistency with Planning Policy

A stand-alone Statement of Consistency with Planning Policy and Planning Report, prepared by John Spain Associates, accompanies this application, demonstrating that the proposal is consistent with the relevant guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended), the Dublin City Development Plan 2016-2022.

Material Contravention Statement

As set out within the public notices for the 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.

As set out within the Material Contravention Statement submitted herewith, it is considered that the proposed development may represent a material contravention in relation to the building height, unit mix and plot ratio.

The Material Contravention Statement provides a justification that the Board may have regard to in the event that the development is considered to represent a Material Contravention of the County Development Plan or the Local Area Plan for the area. The proposed development does not represent a material contravention in relation to the zoning of land, as the subject site is zoned to facilitate the proposed uses.

Environmental Impact Assessment Report

An Environmental Impact Assessment Report and a Non-Technical Summary have been prepared for and accompany this planning application.

In this context the following topics/issues have been reviewed and addressed in the context of the proposed development:

- Introduction
- Description of the Proposed Development
- Alternatives
- Planning and Development Context
- Population and Human Health
- Land, Soils, Geology & Hydrogeology
- Hydrology
- Biodiversity (including AA Screening Report)
- Air Quality & Climate
- Noise & Vibration

- Microclimate
- Landscape and Visual
- Archaeological, Architectural and Cultural Heritage
- Traffic & Transportation
- Material Assets
- Waste Management (including Resource and Waste Management Plan, and Operational Waste Management Plan)
- Interactions- Interrelationship between the Aspects

In accordance with the requirements of the Regulations the following copies have been provided to the relevant parties:

- 2 no. hard and 3 no. soft copies to An Bord Pleanála
- 6 no. hard and 3 no. soft copies to the Planning Authority

Copies to the 8 no. prescribed authorities listed in the Board's Opinion on the proposed application, noting that some prescribed bodies requested soft copies only. A copy of the notification letters issued to the prescribed bodies is included for information purposes.

EIA Portal

Appendix 3 of the Application Form comprises of a copy of a confirmation notice email from the Department of Housing, Planning and Local Government EIA Portal, stating that the information provided to the portal has been uploaded to the EIA Portal on the 23rd August 2022 under Portal ID number **2022158**.

Application Site Boundary

Please note that the application site boundary has been provided in .dwg format on CD ROM with all geometry referenced to ITM as specified in the SHD Application Form.

Irish Water Requirements

The applicant, and the project Consulting Engineer DBFL, have undertaken consultation with Irish Water prior to the lodgement of this application. A Confirmation of Feasibility has been received from Irish Water following the Pre-Connection Enquiry (PCE) in relation to the proposed development which states that "*your proposed connection to the Irish Water networks(s) can be facilitated at this moment in time*".

The Applicant confirms that all water and foul drainage services will be designed and installed in accordance with Irish Water standards.

A Statement of Design Acceptance has also been received from Irish Water in respect of the proposed development. A copy of the Statement of Design Assessment correspondence is included as part of the application (please see Appendix 2 of the Irish Water Correspondence).

Prescribed Bodies

As required in the Board's Consultation Opinion a copy of the application has been sent to the prescribed bodies set out below. Several prescribed bodies have stated that they would prefer to receive a soft copy of the planning application documentation only. These are noted below.

1. **Irish Water**
2. **Transport Infrastructure Ireland**

3. **National Transport Authority**
4. **Dublin City Childcare Committee**
5. **Irish Aviation Authority**
6. **Dublin Airport Operator**
7. **Fingal County Council**

Fee

The requisite fee of **€79,900.40** (maximum fee), made payable to An Bord Pleanala for a proposed Strategic Housing Development application as prescribed in the Strategic Housing Development Fee Schedule on the website of the Board.

The fee has been calculated on the basis of the 457 no. residential units proposed, inclusion of an EIAR, and the non-residential floorspace forming part of the development.

Enclosures

The following documentation accompanies this SHD application in accordance with the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended and the Planning and Development (Strategic Housing Development) Regulations 2017:

- Application Form in respect of a Strategic Housing Development and attachments (Letters of Consent, Correspondence from Irish Water, EIAR Portal Receipt and Correspondence from IAA);
- Copy of Site Notice prepared by John Spain Associates;
- Original Newspaper notice prepared by John Spain Associates;
- Letters to Prescribed Bodies prepared by John Spain Associates;
- Soft copy of application documentation (disc);
- Site Boundary DWG file (on disc);
- Cover Letter to ABP prepared by John Spain Associates (JSA)
- Cover Letter to DCC prepared by John Spain Associates (JSA);
- Part V Pack prepared by the Applicant
- Planning Report and Statement of Consistency prepared by John Spain Associates (JSA);
- Statement of Consistency with the Draft Dublin City Development Plan 2022-2028 prepared by John Spain Associates (JSA);
- Statement of Material Contravention prepared by John Spain Associates (JSA);
- Statement of Material Contravention with the Draft Dublin City Development Plan 2022-2028 prepared by John Spain Associates (JSA);
- Statement of Response to An Bord Pleanala's Opinion, prepared by John Spain Associates (JSA);
- Santry Community and Local Needs Audit prepared by John Spain Associates (JSA);
- Environmental Impact Assessment Report and Non Technical Summary prepared by AWN and other consultants;
- Basement Impact Assessment (BIA) Report prepared by AWN
- Construction and Environmental Management Plan prepared by AWN;
- Architectural Drawings, Schedule of Accommodation, Urban Design & Architectural Design Statement, HQA, Part V Unit Schedule and Drawing Register prepared by John Fleming Architects;
- Universal Design Statement prepared by John Fleming Architects;
- Omni District Centre Land Use Analysis prepared by John Fleming Architects;
- Building Lifecycle Report prepared by John Fleming Architects;

- Landscape Design Report and drawings prepared by Murray & Associates;
- Landscape and Visual Impact Assessment prepared by Murray & Associates;
- Arboricultural Inventory and Impact Assessment including Tree Protection Strategy prepared by Murray & Associates;
- Engineering Planning Report, issue sheet and associated drawings prepared by Eireng Consulting Engineers;
- Site Specific Flood Risk Assessment prepared by Eireng Consulting Engineers;
- Operational Waste Management Plan prepared by Eireng Consulting Engineers;
- Resource and Waste Management Plan prepared by Eireng Consulting Engineers;
- Planning Structural Design Report, drawings and issue sheet prepared by Eireng Consulting Engineers;
- Transportation Assessment Report prepared by NRB Consulting Engineers including the following Appendices (G-J):
 - Preliminary Mobility Management Plan/Travel Plan
 - DMURS Statement of Consistency
 - Stage 1 Independent Road Safety Audit
 - Bus Capacity/Demand Study
- Report on the impact of the proposed development of Omni Plaza SHD on the existing retail and services provision at Omni Park Shopping and District Centre prepared by Mason Owen and Lyons;
- Public Lighting Calculation Report and Public Lighting Layout prepared by Sabre Electrical Services;
- Daylight and Sunlight Assessment Report prepared by 3D Design Bureau;
- Verified Views and CGIs prepared by 3D Design Bureau;
- Impact of Wind on Microclimate Effects & Pedestrian Comfort Report prepared by B-Fluid
- Telecommunications Impact Assessment prepared by ISM;
- Appropriate Assessment Screening Report prepared by Altamar Ltd.
- Operational Management Plan prepared by Serendale Ltd.

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

In preparing this application we have had regard to the issues raised during pre-application consultation with Dublin City Council, the Opinion of An Bord Pleanála, and the requirements of relevant Section 28 Guidelines and the Dublin City Development Plan 2016-2022.

Six no. hard copies, and three no. soft copies, of this application have been sent to Dublin City Council as the appropriate planning authority in which the proposed Strategic Housing Development (SHD) is located.

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

Yours faithfully,



John Spain Associates