

Pre Part 8 Comments

Received: By email 01/03/22 from Housing and Residential Services

Response required from Planning and Property Development: By 10/03/21

Proposing Department: Housing and Community Services

Location: East Wall site

Development:

Part 8 application for the development of 68 social housing units at a site c. 0.55 ha located on East Wall Road, Dublin 3.

Site Location:

The site of c. 0.55 ha is located c. 1.5 km north of Dublin City Centre. The site was formerly operated as concrete batching plant and it has been vacant since 2006. There is a two-storey flat roofed brick building to the front of the site totalling 297 sqm with a 85 sqm return. In addition, there is an ESB substation, and the remnants of other demolished buildings. The site currently has a variety of surfaces including concrete ground slabs, ramps and plinths. There is also an oil tank on site.

The North Strand Fire Station abuts the site to the west. The site's principal frontage is to its north on East Wall Road and faces the Tolka River. This boundary consists of a poor quality concrete wall topped with railing behind which a row of trees is planted. The east of the site is bounded by the rear gardens of Hope Avenue, a street comprising typical 1940s terraced housing. The south of the site is bounded by the rear gardens of Leinster Avenue, which comprises single storey cottages. There is an existing entrance via East Wall Road. The principal frontage of the site is north facing.

Planning Context:

Zoning & Policy – Dublin City Development Plan 2016 - 2022

The land is zoned Z4 'To provide for and improve mixed-services facilities'.

Relevant Plan Sections include the following:

Chapter 1: Strategic Context for the City Development Plan 2016 – 2022

Chapter 2 of the City Development Plan – Vision and Core Strategy:

Section 4.5.3.1 'Urban Density', Section 4.5.9 'Urban Form and Architecture', Section 5.5.2 'Sustainable Residential Areas', Section 5.5.4 'Quality Housing for All' Section 10.5.7 'Trees', 16.2.1 'Design Principles', Section 16.5 'Plot Ratio' and Section 16.6 'Site Coverage', together with Standard Standard 16.10.3 'Residential Quality Standards – Apartments and Houses', Standard 16.38 'Car Parking Standards' and Standard 16.39 'Cycle Parking'. Appendix 14 'Safety and Security Design Guidelines' and Appendix 15 'Access for All' are also of relevance.

Relevant Ministerial Guidelines and Frameworks

The National Development Plan, National Spatial Strategy (2002–2020) (NSS), Regional Planning Guidelines for the Greater Dublin Area (2010–2022) (RPG's) have been superseded by the Project Ireland 2040 including the National Planning Framework 2040 (NPF), and also the Regional Spatial and Economic Strategy 2019 -2031.

- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018).

Planning History:

4426/05

Planning Permission was Refused: Readymix (ROI) Limited intend to apply for planning permission for development consisting of the demolition of a concrete batching plant and 2 no. office blocks totalling approx. 600 sq.m. and the construction of 130 no. apartment units, made up of 11 no. 1 bedroom units, 89 no. 2 bedroom units and 30 no. 3 bedroom units, in an arrangement of 6 and 12 storey blocks. Balconies are to be provided on all floors above ground level to the front and rear of the proposed building. 214 no. underground car parking spaces and revised vehicular entrance off East Wall Road at 5/23 East Wall Road, Dublin 3.

Reasons for Refusal

1. *The proposed development consists of blocks of 6 and 12 storeys in height of very poor quality, monolithic and horizontal design, with no relationship to East Wall Road, which are of an overbearing and visually obtrusive scale that would be contrary to Section 15.1.0 of the Dublin City Development Plan 2005-11, and which would seriously injure the streetscape at this location, seriously injure the amenities of dwellings in the vicinity and seriously injure the amenities of the area. Therefore, the proposed development would be contrary to the proper planning and sustainable development of the area.*
2. *The proposed development, including the 12 storey element, is of very poor design quality, does not relate to the street, does not fit-in with existing or evolving streetscape in this area and is completely flawed in urban design terms. The proposal completely fails to meet any of the criteria provided Section 15.6.0 "Special Standards applying to medium and high rise buildings" of the Dublin City Development Plan 2005-11 and would seriously injure the amenities of the area. Therefore, the proposed development would be contrary to the proper planning and sustainable development of the area.*
3. *The proposed development provides a high proportion of single aspect apartments which would be contrary to Section 15.9.4 Layout of Apartment Developments (Daylight and Sunlight) of the Dublin City Development Plan 2005-11 and, therefore, contrary to the proper planning and sustainable development of the area.*

Assessment

Proposal

The proposed development, which will be managed by Dublin City Council, comprises of:

- Demolition of existing industrial-type structures (c. 382 sqm in total) and
- Construction of 60 apartments and 8 duplex units in 2 blocks as follows:
 - One block ranges from 3 to 6 storey high and fronts East Wall Road. It includes 60 units (13 no. 1-bed; 28 no. 2-bed and 19 no. 3-bed).
 - One duplex terrace block is 3 storey high and located to the west of the site. It includes 8 duplex units (4 no. 1-bed and 4 no. 3 bed).

The proposed development also includes surface car parking (34 spaces), communal open space, boundary treatments, public lighting, site drainage works, internal road surfacing and footpath, ESB substation, bin and bicycle storage, landscaping, play area and all ancillary site services and all ancillary site services and development works above and below ground.

Overall Unit Numbers	Communal Space Requirement		
	Area per Apartment	Total Required	
Total 1 Bed Apartments	13	5	65
Total 2 Bed Apartments	28	7	196
Total 3 Bed Apartments	19	9	171
Total 3 Bed Duplexes	4	9	36
Total 1 Bed Duplexes	4	5	20
Overall Apartment Total	68		488

Apartment Aspect Ratio		
Total Single Aspect	22	32.35%
Total Dual Aspect	46	67.6%

Apartment 10% Ratio		
Total <+10%	21	30.88%
Total >/=+10%	47	69.12%

Principle

Residential development is permissible under the Z4 zoning which applies to the site.

The subject site is brownfield site which was formerly operated as concrete batching plant and it has been vacant since 2006. The principle of demolition of the existing structures on site is considered acceptable.

Plot Ratio and Site Coverage

The indicative site coverage and plot ratio standards are set out in the Dublin City Development Plan 2016-2022. Site coverage standard is 80% for Z4 lands and the plot ratio standard is 2.0.

The proposed development has a stated site coverage of 32.2% (excluding bins and cycle parking) and the proposed plot ratio is 1.54. Dublin City Development Plan 2016-2022 Chp16.4 (Density Standards) states

“Sustainable densities promoting the highest quality of urban design and open space will be sought by the City Council in all new developments. The density of a proposal 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.”

“All proposals for higher densities must demonstrate how the proposal contributes to place making and the identity of an area, as well as the provision of community facilities and/or social infrastructure to facilitate the creation of sustainable neighbourhoods”

Dublin City Development Plan 2016-2022 Chp16.5 (Plot Ratio) states,

“Plot ratios can determine the maximum building floor space or volume on a given site, but on their own cannot determine built form. The same area or volume can be distributed on a site in different ways to generate very different environments

Consequently plot ratio standards need to be used in conjunction with other development control measures including site coverage, building height, public and private open space, the standards applied to residential roads and parking provision”

The 2016-2022 Dublin City Development Plan, therefore sets no actual upper unit density limit for any zoned lands, including Z4, with each proposal to be assessed on its own merits as per the assessment criteria above.

It should be noted that the proposed plot ratio is below the indicative plot ratio for Z4 lands but it is accepted that the proposal is for an infill development which is required to respect the residential amenities of the established neighbouring residential units of Hope Avenue and Leinster Avenue.

Height, Design and Layout

The Development Plan Height Strategy (Section 16.7.2) identifies a building height of 24m for residential development in this location. Plant, flues and lift overruns are not included in the height of the building as long as they are set back and screened properly and do not overshadow or contribute to loss of natural light beyond that of the main structure. It also sets out the criteria for assessment of higher buildings.

The building fronting East Wall has a proposed parapet level of 23m (26.25m AOD) above ground level and is within the permissible heights considered under section 16.7.2. Above parapet, lift overrun reaches a height of 23.85m (26.85m AOD). The lift overrun is setback and does not overshadow or

contribute to loss of light. At its highest point, to the west, the building is proposed to be 6 storey high, whereas it will be 3 storey high to the east. The proposed duplex block to the rear is proposed to be 14.76 m which is three storey. This aligns with the low-rise nature of residential units located to the south to the site.

The proposed new development serves to address the existing poor boundary with new frontage to East Wall Road establishing an urban edge, animated by front doors and overlooked by balconies and apartments. A stepped increase in height is proposed from east to west along East Wall Road where 3/4-storey buildings are proposed adjacent No. 24 East Wall Road, rising to 6 stories at the western boundary. It would appear that properties to the east of the site are not significantly overshadowed by the proposed development, and that their gardens are not directly overlooked by balconies or living spaces. The main building along the East Wall Road site frontage is sufficiently set back from the site's southern boundary, so as not to affect the amenity of existing dwellings on Leinster Avenue further south. The 3 storey duplex terrace within the courtyard serves as a transition in scale between the taller main apartment building and existing 2-storey dwellings to the east and south.

The subject site is located in an accessible location and the scheme is in close proximity to the North Strand which is a Dublin Bus QBC. The site is therefore suitable for a higher density of development in accordance with the principles established in the National Planning Framework

The Applicant has submitted a Design Statement, which states adherence to objectives relating to visual impact, including townscape views, urban design and protection of the character and identity of the neighbourhood. The design statement indicates the proposed new development, in the context of the surrounding area. A rationale is set out for the proposed height, which includes location adjacent to public transport, and government policy to promote appropriate height in such locations. It is stated that the design and finishes proposed are simple and contemporary and the street façade to East Wall Road is ordered and repetitive, with projecting bays on upper floors forming the frontage to both 2 bed and 3 bed apartments.

The design of the scheme aims to ensure a sustainable development density for this key urban site, in which the target design densities are considerably in excess of the 2-storey dwelling landscape immediately adjacent. To address a potentially significant difference in scale at the site boundary interface, a tiered increase in height is proposed from east to west along East Wall Road. 3&4-storey buildings are proposed adjacent the existing 2-storey dwelling at No. 24 East Wall Road, rising to 6 stories at the western boundary.

The submitted photomontages and images of the scheme indicate the views of the proposed new buildings from the surrounding context. The scale of the proposed scheme is undoubtedly large however, a repetitive order of projecting bays helps to establish a rhythm to the façade and helps to break up the scale of the building and allows the proposal to harmonise with the surrounding urban context.

The views submitted clearly show the proposal's influence on the surrounding context. Views within the Design Statement clearly indicate the proposal will have a visual impact on the immediate context. The prominent location of the scheme, along the East Wall Road, including the tiering of the scheme up to 6 storeys, are a significant improvement on the existing vacant Brownfield site. The scheme is tiered across the site and the massing and horizontal plane of the various buildings have been broken down through the use of varying materials and finishes and it is considered that the proposed development through incorporating a variety of building forms, heights and façade treatments will not be considered visually obtrusive, despite its scale.

The Design Statement sets out in detail the design rationale. In summary, the site abuts a stretch of the River Tolka that is designated as an Architectural Conservation Area within the DCC Development Plan. The proposed East Wall frontage will provide views over Fairview Park opposite.

The views of the proposal are considered, in this instance, to be acceptable and while the massing and verticality of the building may perch above the framed view of the site, this can be justified given the modern and high quality design. The views along with elevation drawings also indicate that the articulation of a higher building scale within site and the layering of the higher elements is aided by the scale of the subject site and will ensure the proposal is in alignment with the surrounding context.

It would appear that in terms of height, the proposal responds to the existing context and provides for a new urban environment. The proposed development provides new accessible open space and there are a variety of heights utilized throughout the site in response of the context. Given the scale of the subject site, the tiering, mass and scale of the buildings appear to respond to the patterns of the existing site and are likely to add visual interest to wider views of the scheme

It is considered that the proposed scheme will enhance the presentation of the site to East Wall Rd by redefining the entrance to the subject site and therefore enhancing and encouraging use of the new communal open space within the site.

On balance, the scale and massing of the blocks is not considered negative and is unlikely to have a detrimental visual impact on the subject site or the surrounding context.

Materials

The proposed materials for both the public realm and buildings have been proposed to strike a reasonable balance between aesthetics, cost effectiveness and long-term maintenance. For example, the north façade to East Wall Road features higher quality materials and detailed articulation, with more cost-effective proposals on facades within the courtyard.

The dominant form to the east Wall Road façade is a series of projecting bays on upper floors, which forms the frontage to the majority of apartments on this facade. These projecting bays are proposed to be finished in a red-buff coloured clay brick with off-white mortar. However, the lighter tones, in particular when combined with a light-coloured mortar pointing, give some brightness to this predominantly north facing façade. The remainder of the street façade forms a backdrop to the projecting bays. This façade, primarily to lift and stair cores, is set back from the main frontage. To mark this contrast and provide sufficient intelligibility and articulation to the design, it is proposed that these elements will be finished in a dark brown multi clay brick with off-white mortar.

At ground floor level, the walls immediately adjacent to the entrances to common cores are finished in a bold statement of colour, and also feature a generous canopy to help denote the importance of these entrances. These walls are to be rendered, and finished with a high-quality mineral paint.

The ground floor curtilages are typically in the same plane as the stair cores, and therefore are overshadowed by the projecting bays of the floors above. In order to differentiate these overshadowed own door curtilages from other building elements, they are to be finished in a white coloured clay brick, with grey mortar.

Balconies have a perforated balustrade to the street edge, finished with PPC vertical metal railings. The vertical balcony railings are to have a deep profile and an approx.100mm spacing.

Other façade finish materials, including windows, window reveal trims, doors, rainwater goods and parapet cappings, will be of either aluminium or alu-clad, with a painted or PPC coating for longevity and to minimize maintenance.

The rear façade of the main building, facing the courtyard, is of a simpler and more cost-effective composition. Generally, the finish is to be rendered, with an off-white paint finish. Select brick features are proposed, which will be in dark brown multi clay brick with off-white mortar.

The duplex terrace is to feature a similar level of finish as the rear façade of the main building. All proposed window frame, window reveal, balcony and rainwater goods treatments are consistent across both elements. The main exceptions are the ground floor frontage to the duplex terrace, and the recessed 2-storey void that accommodates the external stair. These are all to be finished in the dark brown multi clay brick with off-white mortar. Also, the parapets to this building are to have a feature detail, as per the 4no. projecting bays at East Wall Road.

To the street edge, all plinth walls are to be finished in the proposed dark brown multi clay brick with off-white mortar, topped with galvanised mild steel railings

On balance the use of brick and metal, which are high quality materials, is welcomed and is likely to provide the scheme with a richness and value, which should have a positive visual impact on the subject site and the surrounding context.

Residential mix and dwelling typology

The proposed development is for social/affordable housing and the scheme has a total of 68 residential units. The proposal includes 17 x 1 bed units (25%), 28 x 2 bed units (41.2%) and 23 x 3 bed units (33.8%).

The proposed apartment building to East Wall Road accommodates 60no. of the 68no. total apartments. A mix of 1bed, 2bed and 3bed apartments are provided on each floor, with typically repetitive layouts on each floor. Apartments are located around a common core, with typically 6 apartments per floor per core, and with 2 cores in total. On each floor, there is a mix of single aspect south facing apartments, north-east corner aspect apartments, and north-south dual aspect apartments. This allows for a wide variety of apartment types throughout the development, which will suit a variety of household types. At ground floor, the layout of the apartment building does not repeat from upper floors and all apartments to the East Wall Road frontage are to be own-door and dual-aspect. It is proposed that all UD apartments are to be located at ground floor, in a mix of 1bed and 3bed sizes. This ground floor location ensures ease of access from the street, generous external private terrace areas facing the courtyard, and flexibility in layout relative to the repetitive layouts of general needs apartments to levels above

For the duplex block, 2-storey 3bed apartments are provided at ground and first floor, with access at ground level. These are arranged as a traditional maisonette, with living spaces at ground floor, and bedrooms to first floor. At second floor level, a series of 1bed apartments are accessed by means of own door entrances at first floor level. An external stair from ground floor to first floor, common to 2no apartment in each case, provides access to these own door entrances

On balance the proposed residential mix and dwelling typology is considered appropriate and is likely to provide a sustainable balance of homes across the subject site. It is considered that the scheme is likely to create an integrated, mixed income and sustainable new community with a full range of apartment sizes and most importantly a significantly greater ratio of 2 and 3 bed (family) units.

Residential Quality/standards

In accordance with The Dept of Housing, Planning & Local Government Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, 3.0 Apartment Design Standards, the minimum floor area for a 1 bedroom apartment is 45sqm, 63sqm for 2 bed unit (3 person), 73sqm for a 2 bed unit (4 person) and 90sqm for a 3 bed unit (5 person). It should be noted that the 2 bed (3 person) units have not been proposed within this scheme. In relation to apartment floor areas, the 1-bed, 2-bed and 3 bed apartments are all above the current minimum standards.

Section 3.8 (a) of the Apartment Guidelines 2020 provides that 'the majority of all apartments in any proposed scheme of 10 or more apartments shall exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3 bedroom units types by a minimum of 10%.....'. The schedule of accommodation and HQA demonstrates compliance, that the majority of the proposed apartments (47 No. or 69 %) are in excess of ten percent larger than the minimum floor area.

As part of required minimum apartment floor areas, provision should be made for general storage and utility to accommodate household utility functions such as clothes washing and the storage of bulky personal or household items. Minimum requirements for storage areas are set out in The Dept of Housing, Planning & Local Government Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, which states minimum storage space of 3sqm for a 1 bed, 6sqm for a 2 bed (4 person unit) and 9sqm for a 3 bed unit. Storage areas are shown on the floor plans of each unit and are above the minimum standards.

"Dual aspect apartments maximise the availability of sunlight and should be provided where possible. It is a specific planning policy requirement in the 2015 Department Guidelines that the minimum number of dual aspect apartments that may be provided in any single apartment scheme shall be 50%. In certain circumstances, usually on inner urban sites, this may be further reduced to an absolute minimum of 33% where it is necessary to ensure good street frontage and subject to high quality design. Ideally 3-bedroom apartments should be dual aspect. Dual aspect can include corner units.

In regard to the provision of dual aspect apartments, the proposed apartments and houses offer dual aspect vistas with views looking north, south, east and west. 67.6% of the proposed apartments are dual aspect, which is in accordance with the updated Department Guidelines on New Apartments, which states a minimum requirement of 33% of new apartments to achieve dual aspect.

Section 16.10.1 of the Development Plan Private Open Space indicates that the minimum private open requirement for apartments is 5sqm for a 1 bed unit, 6 sqm for a 2 bed (3 person) unit, 7sqm for a 2 bed (4 person) unit and 9sqm for a 3 bed unit. The Applicant indicates private open space in the form of balconies and rear gardens throughout the scheme and the proposed private open space provision is in excess to the minimum requirements and is considered appropriate in this instance.

In regard to communal open space, the Dept of Housing, Planning & Local Government Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities indicates that the minimum communal open requirement for 1 bed units is 5sqm, 2 bed (4 person) apartments is 7sqm and 3 bed units is 9sqm. The Applicant has proposed communal open space in the form a courtyard within the subject site. The minimum requirement for communal open space within the scheme is 488sqm and the proposal includes 755sqm of communal open space. The communal open spaces within the courtyard provide for a mix of amenities, with a benched seated area, children's play area, and some mown grass areas. A mix of trees and low-level planting are included, with dense planting for both visual interest and screening purposes. Swales have also been included within the landscaping, for biodiversity and SUDS gains. All amenities, including the children's play area are centrally located, and well overlooked from apartments on all levels. On balance, it would appear from the submitted drawings that the extensive landscaping proposals are acceptable.

In accordance with SPPR 6 of the Apartment Guidelines, there is a maximum of 12 apartments per floor per core in apartment schemes. The proposed development complies with SPPR6 as generally, there are 6 apartments per core.

The Development Plan states that 10% of the site area should be given over to public open space. The proposal does not provide public open space as part of the scheme. The Applicant has stated proposed development is located directly south of the Tolka River which bounds Fairview Park to the south. A specific allocation is made for open space at 755 sqm open space (ie 12.5 % of net site). It is judged that this communal open space which is not closed to the public exceeds the 10 % requirement. Fairview Park is also located just north of the site. It is 20 ha and include GAA and soccer pitches, a large playground and a skatepark. The park is operated by Dublin City Council and opened 7 days a week. In addition, some 1.3 km north east is located Alfie Byrne Park which also includes soccer pitches and a motocross track. The park is also opened 7 days a week and operated by DCC. Both parks are within reach on foot or by bike of the prospective residents.

Provision should also be made for the storage and collection of waste materials in apartment schemes. Refuse facilities should be accessible to each apartment stair/ lift core and designed with regard to the projected level of waste generation and types and quantities of receptacles required. Bin storage and recycling facilities have been allowed for within the communal courtyard. These are located in areas where they are readily accessible for residents as they exit the building, whilst still ensuring that bin stores are adequately screened so as not to be a visual nuisance to adjacent apartments. This location is within easy access of the apartments and to the street, therefore the proposed refuse storage space is considered acceptable in principle.

Sunlight & Daylight

A Daylight Analysis and Overshadowing Report has been submitted as part of the proposal. The Applicant has also set out in the Design Strategy that the proposal has undergone and has been designed in combination with the Daylight and Sunlight Analysis. The Design Statement sets out that

the residential units are sustainably designed energy efficient and have followed guidance from BRE Report "Site Layout and Planning for Daylight and Sunlight: Guide to Good Practice 2nd Edition 2011.

Within the Daylight Analysis and Overshadowing Report, in regard to Average Daylight Factor (ADF), the report considers whether proposed residential units provided as part of the proposed development provide an acceptable standard of amenity in respect of daylight. In regard to Daylight Analysis, the scheme proposes to use standard "BS 8206-2:2008: Lighting for buildings - Part 2: Code of practice for daylighting" and the intention is that the scheme is in line with the minimum recommendations for daylight based on room function which are:

- 1.0% ADF for bedrooms
- 1.5% ADF for living rooms
- 2.0% ADF for kitchens

All 95 no. spaces assessed meet or exceed the required BRE values of 1.0% for bedrooms and 2.0% for combined kitchen/living/dining spaces. So, the proposed apartments are considered to provide an acceptable standard of amenity from a daylight perspective. Future occupants will enjoy good levels of daylight within the proposed scheme along with access to amenity areas that can receive excellent levels of sunlight.

In regard to Vertical Sky Component (VSC), the BRE document definition of the (VSC) is: Ratio of the part of illuminance, at a point on a given vertical plane, that is received directly from a CIE standard overcast sky, to illuminance on a horizontal plane due to an unobstructed hemisphere of this sky. Usually the 'given vertical plane' is the outside of a window wall. The VSC does not include reflected light, either from the ground or from other buildings. A VSC Analysis was carried out on the rear windows of the properties facing the proposed development from Hope Avenue and Leinster Avenue.

All the points tested have a VSC above 27% or not less than 80% of their former value (i.e., the Existing Scheme). Therefore, all points tested exceed BRE recommendations

The Daylight Analysis and Overshadowing Report demonstrates the amenity overshadowing within the site. The analysis shows that the amenity areas will receive at least 2 hours of direct sunlight on the 21st of March thus passing the BRE guideline level for overshadowing.

Community Facilities

A Social Infrastructure Audit has been submitted as part of the proposal. The purpose of this report is to provide an audit of the existing community facilities serving the East Wall area where the site, the subject of proposed part 8 for social housing, is located. Social Infrastructure Audits are carried out to ensure new developments take account of existing social infrastructure and provide for new community services where required. These are facilities that will form elements to the key fabric of the area in terms of social, physical, and mental well-being of the community.

The Report concluded that the proposed development will generate an added demand on the existing services and facilities, however the demand will be minimal, given the general scale of the development in relation its locality. The audit has confirmed that there is limited capacity in the existing childcare facilities but this capacity will expand in the coming years. There is sufficient school provision in the area to absorb the minimal population increase. There is also numerous GP, health clinics and pharmacies operating in the area, so a dedicated health clinic would not be required given the scale of the development.

The proposed development is also located in proximity of extensive outdoor public facilities and amenities, open spaces and public parks that would meet the needs of the residents, it is not considered that the development would generate undue pressure on these. Important community facilities are located in Ballybough and East Wall.

Notwithstanding this, it should be noted that apartment 4 located at ground floor level in the north-west block has been designed so that it could be converted should a need for more community space arise.

The area is also adequately supplied with commercial retail facilities with a short walking distance of the development and, it would be unnecessary to cater to additional retail or commercial space on site, as it would detract from the existent retail units located on the North Strand Road, through to Fairview or located further east on East Wall Road.

Technical issues

Pre-planning comments from the Drainage Division, DCC Housing Section, Parks and the Transportation Planning Division were sought and the comments included in this pre-planning submission.

The Transportation Planning Division raised no objections.

The Drainage Division raised no objections.

Parks and Landscaping Division raised no objections

The Public Lighting & Electrical Services Division must be contacted prior to detailed design

Requirement for Appropriate Assessment

Under Article 6 (3) of the EU Habitats Directive and Regulation 30 of SI NO.94/1997 "European Communities (Natural Habitats) Regulations (1997) any plan or project which has the potential to significantly impact on the integrity of a Natura 2000 site must be subject to an Appropriate Assessment. This requirement is also detailed under Section 177 (U) of the Planning and Development Act 2000 (as amended).

A Natura 2000 Impact Screening Report concluded that there would be no significant negative effects on any Natura 2000 site as a result of the proposed development. As a result, a Stage 2 Appropriate Assessment would therefore not be required. The Planning Department concurs with this finding.

Environmental Impact Assessment

The Applicant underwent an EIA Screening Exercise. It was concluded that the nature of the proposed development is not considered to have likely significant effects on the environment (direct or indirect). The scale of the proposed development, when viewed individually and cumulatively, is small in the context of both the EIA threshold criteria and types of projects listed in the regulations which require EIA

It is considered therefore, given the nature and scale of the development that an EIA is not required in this instance.

Conclusion

The proposal is considered to be with the Dublin City Development Plan and the proper planning and sustainable development of the area. The following shall be addressed prior to the submission of the final application:

- The separation distances to boundaries should be indicated on the floor plans.
- The formal Part 8 should address all the issues raised by the Transportation Planning Division
- Parks and Landscape Services should be consulted in relation to the overall landscaping proposals.
- The Public Lighting & Electrical Services Division must be contacted prior to detailed design

Note: The Applicant should note that Article 81(2)(ca) of the Planning and Development Regulations 2001 (as amended) require that public notices indicate the conclusion under article 120(1)(b)(i) of the Planning and Development (Environmental Impact Assessment) Regulations 2018. It has been

concluded that there is no real likelihood of significant effects on the environment and as such an EIAR is not required.

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