

An Bord Pleanála,
64 Marlborough Street,
Dublin 1,
D01V902.

Date: 18th November 2019

Dear Sir/Madam,

RE: PLANNING APPLICATION FOR PROPOSED BUILD TO RENT APARTMENT AND COMMERCIAL DEVELOPMENT ON A SITE AT NEWTOWN, MALAHIDE ROAD (R107), DUBLIN 17

Introduction

On behalf of the applicant, Claregrove Developments Limited, Gem Group, Athlone Road, Longford, Co. Longford, this cover letter has been prepared by John Spain Associates to accompany an application for a Strategic Housing Development on a at Newtown, Malahide Road (R107), Dublin 17.

The application site contains a petrol filling station and vacant commercial buildings, including a former motor showroom (Crossan Motors) with offices, a tyre centre and a commercial workshop and office. The site is bound by a local residential access road and Clare Village residential apartments to the south east, Grove Lane to the south west, a tyre centre (First Stop) to the north east and Malahide Road (R107) to the west / north west.

This application 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 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

The proposed development is described as follows in the public notices accompanying the application:

"The proposed development comprises the following:

- *Demolition of all existing structures on the site;*
- *Provision of 331 no. **Build to Rent** residential units (82 no. 1 bed units, 13 no. 2 bed-3 person units, 226 no. 2 bed-4 person units, 8 no. 2 bed duplex units and 2 no. 3 bed duplex units), in two no. blocks (Block A, containing 93 units, to the south west and Block B, containing 238 units, to the north east), ranging in height from 8 to 10 no. storeys (including ground and mezzanine floor levels);*

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- *Block A contains a double height ground floor level containing two no. commercial units (for Class 1- Shop / Class 2- Office / Restaurant / Café use), a reception area, and an internal / undercroft ground floor car park accessed off Grove Lane incorporating bicycle parking and refuse storage areas. 2 no. duplex units over two levels are located to the rear of Block A;*
- *Block B contains a double height ground floor level containing ancillary communal support facilities and amenities, which includes a reception area, a shared work space, a gym and a laundry, a commercial unit (for Class 1- Shop / Class 2- Office / Restaurant / Café use), and a childcare facility, with associated outdoor play area. 8 no. duplex units are located to the rear of Block B over two levels. Block B includes an internal / undercroft car park area over four levels (including partial basement) to be accessed from the Malahide Road and incorporating car, motorcycle, bicycle parking and refuse storage areas;*
- *Block B contains an internal communal amenity space at seventh floor level, lettable storage space from first to eighth floor level and office space from first to sixth floor level and eighth floor level;*
- *The proposal contains a total of 201 no. car parking spaces, 640 no. cycle spaces and 11 no. motorcycle spaces;*
- *Public realm improvements are proposed along the Malahide Road and Grove Lane frontage and a central area of public open space is proposed between Block A and B. Outdoor communal open space areas are proposed at podium level and roof level;*
- *The proposed development will provide balconies / terraces on all elevations, boundary treatments and landscaping, two no. ESB sub-stations, drainage and service works, the closing off of existing vehicular entrances, the creation of a vehicular access and egress point from the Malahide Road (R107) and from Grove Lane, an enhanced pedestrian / cycle crossing on the Malahide Road and other associated works, and all ancillary site development works necessary to facilitate the development.”*

The proposed residential development has been prepared in accordance with the requirements of the Dublin City Development Plan 2016-2022, the Clongriffin – Belmayne (North Fringe) Local Area Plan 2012-2018 (extended to 2022) and relevant Section 28 Guidelines, having regard to section 9(3) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, which provides that where local planning policy differs from the provisions of a Specific Planning Policy Requirement (SPPR) within Guidelines issues under section 28 of the 2000 Act (as amended), the SPPR should be applied instead of the differing local planning policy.

Please refer to the Statement of Consistency and Planning Report, the Architect’s Design Statement and Architectural Drawings for further details and justification for the proposed development.

Site Context and Land Use Zoning

The subject site is located on the eastern side of the Malahide Road (R107). The subject site adjoins the R107 for a distance of c. 200 metres and is currently occupied by existing areas of hardstanding / surface car parking, a petrol / filling station and a car repair centre / garage.

The application site has a total site area of c. 1.22 hectares. This application site area includes lands within DCC ownership on which works will be carried out including upgrading of a pedestrian crossing and connections to services. The site area excluding the area of lands within DCC’s control is 1.054 hectares.

The subject site is relatively flat and is currently completely under hard surfaces or existing buildings (i.e. it constitutes a brownfield site). None of the buildings on the subject site are

of any architectural merit and the southern portion of the site (covered by hard surfacing) detracts from the visual amenities of the area.

The site is bound to the west / northwest by the R107 Malahide Road, to the south by Grove Lane (beyond which is Grove Park, an existing residential area), to the east / southeast by a private roadway and existing area of residential development (Clare Village) and to the north by a tyre centre (First Stop) beyond which is the Clarehall Shopping Centre.

The lands are zoned Z14 under the Dublin City Development Plan 2016-2022 and are also located within the defined area of a Key District Centre (KDC), as illustrated on Zoning Map K of the Development Plan, and a Strategic Development and Regeneration Area.

ABP's Consultation Opinion & Section 5 SHD - Pre-Application Consultation Meeting with the Board (Tri-Partite Meeting)

A pre-application meeting was undertaken with An Bord Pleanála on the 20th of August 2019, under Section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. This meeting was attended by representatives from Dublin City Council and the items on the Board's agenda were discussed on the proposed development as submitted as a pre-application request to ABP.

This planning application is accompanied by a Statement of Response to the Board's Opinion of the proposed development (which was dated the 4th of September 2019). The Statement of Response, which should be read in conjunction with all application documentation, clearly sets out how the specific information items requested by the Board have been fully addressed in the documentation now submitted for approval.

John Spain Associates Statement of Response is intended to provide a useful overview of the responses to the items in the Board's Opinion, which reflect the Opinion of the Planning Authority and the points discussed at the tripartite pre-application meeting. This overall Statement of Response refers the reader to other documentation within the application pack which specifically address the information requested by the Board.

Consultation with Planning Authority under Section 247

The first stage of the SHD process is a consultation with the Planning Authority (under section 247 of the Planning & Development Act, 2000, as amended).

The proposals for the site have been subject to a formal Section 247 meeting with the Planning Authority on the 8th of February 2019.

A summary of the pre-application discussions undertaken by the Applicant with Dublin City Council under Section 247 is included in Section 4 of the Planning Report and Statement of Consistency which accompanies this planning application.

Part V

The Part V package accompanying this application a Part V Layout Plan drawing prepared by JFA Architects indicating the location of the Part V units. An Estimate of Costs has also been prepared by the applicant. Subject to agreement with DCC Housing Department, it is proposed to deliver 33 (10%) no. Part V units within the proposed development. A Part V validation letter from DCC in relation to the applicant's initial Part V consultations with the Planning Authority accompanies the application.

This provision comprises of 8 no. 1 bed units, 16 no. 2 bed units, located on floors 1 and 2 of Block A, 8 no. stand-alone 2 bed duplex units, and 1 no. 3 bed duplex unit.

The applicant agrees to accept a condition on a grant of planning permission, if the Board is minded to approve the proposed development, which requires the applicant to enter into a Part V agreement with Dublin City Council as per their requirements prior to the commencement of development.

Drawings, Plans and Particulars

The planning application is accompanied by a full set of architectural drawings which have been prepared in accordance with the requirements of Articles 297 and 298 of the Planning and Development Regulations 2001 (as amended).

The scales of the drawings submitted herewith have been discussed and agreed with the SHD Section in An Bord Pleanála on the 15th of November 2019.

A typical floor plan of each of the apartment types proposed at a scale of 1:50 accompanies the architectural pack, which provides details of each unit in accordance with the requirements of the Apartment Guidelines 2018.

The architectural drawing package includes a full set of architectural drawings prepared by JFA, including a Site Location Map and Site Layout Plans. In addition, a Landscape drawing, Engineering drawing and M&E drawing pack accompanies the application. Each drawing pack is accompanied by a schedule of drawings as required under Q. 23 of the Application Form.

Statement of Consistency with Planning Policy

A Statement of Consistency with Planning Policy and Planning Report prepared by John Spain Associates is enclosed with this planning application which demonstrates that the proposal is consistent with the relevant guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended) with the LAP pertaining to the area, and with the City Development Plan 2016-2022.

EIA Screening Report

Please note an EIA Screening Report has been enclosed with this planning application which provides a description of the possible effects on the environment and which demonstrates that an EIAR is not required.

Application Site Boundary

Please note that the application site boundary has been provided by JFA Architects in .dwg format on CD ROM with all geometry referenced to ITM as specified in Section 5 of the Application Form.

Irish Water Requirements

The requirements in respect of Irish Water (IW) set out in Section 20 of the SHD Application Form are addressed in the form, the IW correspondence received (COF and Statement of Design Acceptance are enclosed with the application form) and the Engineering Services Report, including appendices, prepared by JOR.

JOR received a Statement of Design Acceptance from Irish Water, enclosed with the application form, following further consultation prior to lodgement.

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

A copy of the final application has also been submitted to Irish Water.

Fee

Please find enclosed a cheque for the application fee of **€47,774.80** made payable to An Bord Pleanála for a Section 4 SHD application as prescribed in the Strategic Housing Development Fee Schedule issued April 2019.

Website

The following website has been set up by the applicant and a final PDF of all application documents have been uploaded to the website, which goes live on the day of lodgement:

- www.malahideroadshd.ie

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:

- 1 no. fee cheque of €47,774.80;
- 2 no. copies of the Application Form and attachments for a Section 4 SHD Planning Application (including Irish Water Correspondence and Letters of Consent);
- 1 no. original and 1 no. copy of the Newspaper Notice;
- 2 no. copies of the Site Notice;
- 2 no. copies of the 7 no. letters to the prescribed bodies and the letter to DCC;
- 3 no. soft copies of the full SHD application documentation;
- 2 no. copies of this Cover Letter prepared by John Spain Associates (JSA);
- 2 no. copies of a Statement of Response to the Board's Opinion prepared by JSA and others;
- 2 no. copies of a Planning Report and Statement of Consistency prepared by JSA;
- 2 no. copies of an EIA Screening Report prepared by JSA;
- 2 no. copies of the Statement of Material Contravention prepared by JSA;
- 2 no. copies of the Social and Community Infrastructure Audit / Assessment prepared by JSA;
- 2 no. copies of Architectural drawings, schedule of accommodations and drawing schedule prepared by JFA Architects;
- 2 no. copies of Architectural Design Statement prepared by JFA;
- 2 no. copies of Part V cover letter (JSA), Part V drawing (JFA), Estimate of Costs (Applicant) and a DCC Part V validation letter;
- 2 no. copies of the Photomontage / CGI brochure prepared by 3DDB;
- 2 no. copies of the Daylight / Sunlight Assessment prepared by 3DDB;
- 2 no. copies of the Building Lifecycle Report prepared by JFA Architects;
- 2 no. copies of Engineering Drawings and Drawing Schedule prepared by JOR Consulting Engineers;
- 2 no. copies of Engineering Services Report prepared by JOR Consulting Engineers;
- 2 no. copies of a Foul & Surface Water Manhole Schedule and Longsection Booklet prepared by JOR Consulting Engineers;
- 2 no. copies of a Flood Risk Assessment prepared by JOR Consulting Engineers;
- 2 no. copies of a Demolition Method Statement prepared by JOR Consulting Engineers;

- 2 no. copies of an Outline Construction Management Plan prepared by JOR Consulting Engineers;
- 2 no. copies of a Construction, Demolition and Operation Works Waste Management Plan prepared by JOR Consulting Engineers;
- 2 no. copies of an Operational Waste Management Plan prepared by JOR Consulting Engineers;
- 2 no. copies of Landscape drawings and schedule prepared by Parkhood;
- 2 no. copies of Landscape Design and Access Statement prepared by Parkhood;
- 2 no. copies of a Townscape and Visual Impact Assessment prepared by Parkhood;
- 2 no. copies of a Landscape Management and Maintenance Plan prepared by Parkhood;
- 2 no. copies of Tree Survey Report and Drawing prepared by The Tree File (included with Parkhood package);
- 2 no. copies of Traffic and Transport Assessment (including appendices) prepared by NRB;
- 2 no. copies of Archaeological Assessment prepared by IAC Archaeology;
- 2 no. copies of Appropriate Assessment Screening Report prepared by Openfield;
- 2 no. copies of Description of Proposed Utilities Report (including lighting) and Drawings prepared by McElligott;
- 2 no. copies of Energy Statement prepared by McElligott;
- 2 no. copies of a Noise Impact Assessment Report prepared by TMS Environment;
- 2 no. copies of a Microclimate Assessment Report prepared by TMS Environment;
- 2 no. copies of a Draft BTR Legal Covenant prepared on behalf of the applicant; and
- 2 no. copies of the Build to Rent management Plan prepared by the applicant.

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

One no. hard copy and one no. soft copy of the application documentation has been issued to two of the seven prescribed authorities listed in the Board's Opinion (The Commission for Energy Regulation and Dublin Airport Authority), and one no. soft copy each has been issued to the remaining five prescribed bodies, as they have confirmed they do not require hardcopies.

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, the applicant and design team have responded to the items raised in pre-application consultation meetings and the Board's Opinion.

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

Yours faithfully,



John Spain Associates