

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1

11th March 2020

Dear Sir,

RE: STRATEGIC HOUSING DEVELOPMENT APPLICATION FOR ALTERATIONS TO A PERMITTED RESIDENTIAL DEVELOPMENT, REG. REF.: F17A/0615, AT THE SITE THAT FORMERLY FORMED PART OF SANTA SABINA DOMINICAN COLLEGE AND CONVENT COMPLEX, GREENFIELD ROAD, SUTTON, DUBLIN 13

Introduction

On behalf of the applicant, Parsis Ltd, The Herbert Building, The Park, Carrickmines, Dublin 18, please find enclosed a planning application for development at the site that formerly formed part of Santa Sabina Dominican College and Convent Complex, Greenfield Road, Sutton, Dublin 13

Strategic Housing Development (SHD)

The Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended) sets out that one of the types of development which falls within the definition of SHD is the alteration of an existing section 34 planning permission, where the amendments would comprise more than 100 houses, 200 student bed spaces, 200 shared accommodation bed spaces, or a combination of these types of development. The relevant wording from the Act is as follows:

“strategic housing development” means—

(a) the development of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses,

(b) the development of student accommodation units which, when combined, contain 200 or more bed spaces, on land the zoning of which facilitates the provision of student accommodation or a mixture of student accommodation and other uses thereon,

(ba) development —

(i) consisting of shared accommodation units that, when combined, contain 200 or more bed spaces, and

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(ii) on land the zoning of which facilitates the provision of shared accommodation or a mixture of shared accommodation thereon and its application for other uses,

(c) development that contains developments of the type to which all of the foregoing paragraphs, or any two of the foregoing paragraphs, apply, or

(d) 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) F1, (ba) or (c),

each of which may include other uses on the land, the zoning of which facilitates such use...” (emphasis added)

The proposal seeks to alter the permitted residential development of 96 no. units under Reg. Ref.: F17A/0615 to provide for 143 no. residential units. The total number of additional / altered residential units subject to this application is 102. The proposed alterations of an existing Section 34 permission include the provision of more than 100 residential units.

The area of development under this application is located wholly within the portion zoned RS – Residential. Accordingly, the additional units and altered units as proposed under this application are within the appropriately zoned lands under the Fingal Development Plan 2017-2023 for this SHD application.

Therefore, this application is considered to fall 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’. In other words, the proposed alteration relates to development specified in paragraph (a) of the definition of strategic housing development.

It follows also from the foregoing that the proposed strategic housing development is not in material contravention of land use zoning for the application site and An Bord Pleanála is not precluded from granting permission for this reason.

We refer to the Legal Opinion prepared by Eamon Galligan, SC, which is appended to the Statement of Response, and which addresses this matter in further detail in response to the Board’s Opinion.

Application Copies

The enclosed 2 no. hard copies and 3 no. soft copies are provided as per Article 297 (5) of the Planning and Development (Strategic Housing Development) Regulations 2017, as amended, which states:

“An applicant shall submit to the Board 2 printed copies of his or her application for permission for a proposed strategic housing development, together with 3 copies of the application in a machine readable form on digital devices”.

Proposed Development

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

“We, Parsis Ltd, intend to apply to An Bord Pleanála for permission for a strategic housing development at this site that formerly formed part of Santa Sabina Dominican College and

Convent Complex, Greenfield Road, Sutton, Dublin 13. St. Dominic's Convent Santa Sabina, located to the east of the application site, is a protected structure (RPS No. 0794).

The development comprises alterations to the development permitted under Reg. Ref.: F17A/0615 (currently under construction) consisting of the following:

- Provision of 2 additional storeys to Block A-B1 and alterations / redesign to the 3 permitted storeys below to provide a five storey building containing 42 no. apartments (consisting of 9 no. 1 beds, 29 no. 2 beds and 4 no. 3 beds), and including associated alterations to the courtyard communal amenity space.
- Provision of 2 additional storeys to Block C1 and alterations to the 3 permitted storeys below to provide a five storey building containing 28 no. apartments (consisting of 28 no. 2 beds).
- Replacement of Block D, comprising 10 no. two and three storey semi-detached houses, with 3 no. three storey apartment buildings (Block D1, D2 and D3) containing 32 no. apartments (consisting of 6 no. 1 beds, 21 no. 2 beds and 5 no. 3 beds), and including provision of communal amenity space to the north.
- The alterations to Block A-B1 and C1 include associated alterations to the basement under these blocks primarily relating to the omission of a core and associated alterations to plant, waste storage, car and cycle parking provision.
- The proposed alterations include the provision of balconies / terraces to the external elevations of Block A-B1, C1, D1, D2, and D3.
- An ESB substation and switchroom building and bin collection point are proposed in place of three permitted car parking spaces adjoining the western boundary of the site.
- The proposal includes alterations to the permitted car and cycle parking at basement and ground level, resulting in the provision of a total of 168 no. car parking and 270 no. bicycle spaces.
- The proposed alterations include all associated ancillary site development works.

The proposed alterations to the permitted development relate to 102 no. residential units, including the provision of 47 no. additional residential units and alterations / redesign of 55 no. permitted residential units, which results in an increase in the total number of residential units on the site from 96 to 143.

The proposed alterations to the permitted development are located entirely on lands zoned RS- Residential. No alterations are proposed to Block B2-B3 (24 no. units) and C2 (17 no. units), which contain a total of 41 no. permitted apartments and a creche. The permitted access road to the adjacent school has been implemented and other site development works associated with the permitted residential development, which are not the subject of the proposed alterations, have commenced on the application site as provided for under Reg. Ref.: F17A/0615.

The application contains a statement setting out how the proposal will be consistent with the objectives of the Fingal County Development Plan 2017-2023.

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.

A Natura Impact Statement (NIS) has been prepared in respect of the proposed development and accompanies this application.”

Site Context

The subject site is located to the north of Greenfield Road, Sutton, and located within the grounds of the Santa Sabina Dominican College and Convent Complex. The site is irregular in shape and does not include the sports pitches and indoor sport facilities as owned by the adjacent school (please consult the accompanying site plans for further information). The site is bounded to the north by the established Glencarraig residential area, to the east by the Santa Sabina Dominican College (including St. Dominic's Convent Santa Sabina, a protected structure), the south by Greenfield Road, and to the west by St. Fintan's Parish Church (a protected structure).

The application site area, as per the parent permission Reg. Ref.: F17A/0615, is c. 2.46 hectares.

Permitted Development- Under Construction

In November 2018, Parsis Ltd. received planning permission from Fingal County Council (FCC planning reg. ref.: no.: F17A/0615) for a residential development of 96 no. dwelling units, a crèche, a revised access to the proposed development and a new access to the Santa Sabina Dominican College & Convent Complex, on a c. 2.46 hectare site off Greenfield Road, Sutton, Dublin 13.

Works for the provision of the new entrance and revised access to the college and convent complex, together with associated surface water attenuation and infrastructure works, commenced in February 2019. All trees scheduled for removal under the permission were felled as part of the initial works in February 2019. The new entrance and revised access were opened in summer 2019 and associated works were completed in late 2019. Tree and shrub planting scheduled for revised entrance/access is programmed for completion in February 2020.

Construction works associated with the permitted residential scheme are currently on-going on site and include tree protection measures; establishment of site compound, site stripping, topsoil storage, provision of a second surface water attenuation tank and associated services; construction of site access, which utilises the route of the permitted development access road, and excavation of the permitted basement located under Apartment Blocks A-B1, B2-B3, C1 & C2.

As set out in the public notices, Parsis Ltd are now applying for planning permission through the Strategic Housing Development process for alterations to the permitted residential development. The proposed alterations relate to a c. 0.76 hectare portion of the previously permitted development site. The remainder of the development is being constructed in accordance with the existing permission (FCC planning reg. ref.: no.: F17A/0615).

The alterations to the development seek to provide for an increase from 55 no. residential units to 102 no. residential units within the portion of the overall site subject to the proposed alterations, thereby increasing the overall unit numbers from 96 to 143. The proposed alterations are located entirely on lands zoned RS-Residential in the Fingal County Development Plan 2017-2023.

No alterations are proposed to permitted Blocks B2-B3 (24 no. units) and C2 (17 no. units), which contain a total of 41 no. apartments and a crèche, or that portion of the basement located beneath these blocks.

Likewise, no changes are proposed to the previously permitted public open spaces and play areas located to the south and east of the development. No trees other than those

previously permitted for removal, and felled in February 2019, are to be removed for the proposed amended development.

Land Use Zoning

The proposed alterations to the permitted development are solely proposed on lands zoned RS - Residential - *'Provide for residential development and protect and improve residential amenity.'*

Part of the permitted development is located on lands CI – Community Infrastructure – *'Provide for and protect civic, religious, community, education, health care and social infrastructure'*, however, no alterations to these elements of the parent permission are proposed under this application.

Please refer to the accompanying site layout plan drawings prepared by OMP Architects which indicates the extent of development permitted and proposed on 'RS' and 'CI' zoned lands.

Thus, the area of development proposed under this application is located wholly within the portion zoned RS – Residential. Accordingly, the additional units and altered units as proposed under this application are within the appropriately zoned lands under the Fingal Development Plan 2017-2023 for this SHD application.

The Statement of Response report is accompanied by a Legal Opinion prepared by Eamon Galligan S.C., which confirms that the current application falls within the provisions of the SHD legislation and does not materially contravene the land use zoning objective pertaining to the SHD application site under the statutory Development Plan.

Part V

The Part V package accompanying this application includes the following:

- JSA Cover Letter.
- A Part V Document prepared by OMP Architects indicating the location of and details of the Part V units.
- An Estimate of Costs prepared by the applicant.
- A Part V validation letter from FCC.

The Part V proposals relate to the provision of 14 no. units on site, consisting of 4 no. 1 beds, 2 no. 3 beds and 8 no. 2 beds. These proposals are subject to agreement with Fingal County Council following a grant of permission.

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 architectural drawing package includes a full set of architectural drawings prepared by OMP, including a Site Location Map and Site Layout Plans. In addition, a Landscape drawing pack and Engineering drawing pack accompanies the application. Each drawing pack submitted is accompanied by a schedule / register 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) and with the Fingal County Development Plan 2017 - 2023.

Pre-Application Consultation Meeting with the Board (Tri-Partite Meeting)

A pre-application meeting was undertaken with An Bord Pleanála on the 13th June 2019, under Section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

This planning application is accompanied by a Statement of Response to the Board's Opinion issued on the 1st of July 2019 following the pre-application meeting with ABP and FCC.

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.

Consultation with the 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). A formal section 247 meeting was undertaken with the Planning Authority on the 18th October 2018 at which the development proposals were discussed.

EIA Screening Statement

Please note an EIA Screening Statement 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 and that the proposal will not result in any significant adverse impacts on the environment and that it falls well below the relevant thresholds above which mandatory EIA is required.

Application Site Boundary

Please note that the application site boundary has been provided by OMP 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 and the Engineering Services Report as prepared by DBFL.

The application is accompanied by an Irish Water Confirmation of Feasibility Letter and Statement of Design Acceptance Letter.

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

Fee

Please find enclosed a cheque for the application fee of €16,630 made payable to An Bord Pleanála for a Section 4 SHD application as prescribed in the Strategic Housing Development Fee Schedule. Please see the application form for details of the fee calculation for this SHD alterations application.

Website

The application may also be inspected online at the following website set up by the applicant:

- www.seafieldshd.ie

A final PDF of all application documents has been uploaded to the above website address, which is scheduled to go live on the day of lodgement.

Enclosures

Two no. copies of the following documentation is herein submitted to An Bord Pleanála in accordance with Article 297 (6) of the Planning and Development (Strategic Housing Development) Regulations 2017:

- Strategic Housing Development Application Form including attachments (letter of consent and Irish Water letters);
- Application Fee cheque €16,630;
- 3 no. Digital Copies – CD;
- Copy of Site Notice;
- Original and Copy of Newspaper Notice, published in the Daily Mail;
- Cover Letter prepared by John Spain Associates;
- Statement of Response to the Board's Opinion prepared by John Spain Associates;
- Statement of Consistency and Planning Report prepared by John Spain Associates;
- Statement of Material Contravention (Building Height Guidelines Consistency Statement) prepared by John Spain Associates;
- EIA Screening Statement prepared by John Spain Associates;
- Architectural Drawings, Design Statement and Technical Document / HQA prepared by OMP Architects;
- Part V Pack prepared by OMP Architects, JSA and the applicant, and including FCC Part V Validation Letter;
- Visual Impact Assessment Report and Photomontages prepared by Brady Shipman Martin;
- Daylight and Sunlight Assessment prepared by Digital Dimensions;
- Wind and Microclimate Assessment report prepared by ARUP;
- Architectural Heritage Impact Assessment prepared by Cathal Crimmins;
- Building Lifecycle Report prepared by OMP Architects;
- Engineering Drawings, Drawing Schedule and Engineering Services Report prepared by DBFL Consulting Engineers;
- Site Specific Flood Risk Assessment prepared by DBFL Consulting Engineers;
- Construction & Environmental Management Plan and Construction & Demolition Waste Management Plan prepared by DBFL Consulting Engineers;
- Traffic and Transportation Assessment and accompanying drawings prepared by AECOM;

- Landscape Drawings, Register and Landscape Design Statement prepared by Brady Shipman Martin Landscape Architects;
- Arboricultural Assessment Report and Drawing prepared by Arborist Associates;
- Operational Waste Management Plan prepared by Byrne Environmental Consulting Ltd.;
- Appropriate Assessment Screening and Natura Impact Assessment Report prepared by Biosphere Environmental Services;
- Hydrological and Hydrogeological Qualitative Risk Assessment Report prepared by AWN Consulting;
- Ecology Report prepared by Biosphere Environmental Services;
- Public Lighting Report and Drawings prepared by P MEP Consulting Engineers; and
- Energy Statement and EV Parking Proposal prepared by P MEP Consulting Engineers.

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

Four prescribed bodies were specified by the Board within their Opinion on the pre-application stage. Of these, Irish Water, An Taisce, and the Heritage Council have previously expressed a preference for receiving soft copies on CD only of SHD applications. Therefore, soft copies of the application have been issued to these three bodies. A full hard and soft copy of the application has been issued to the Department of Culture Heritage and the Gaeltacht.

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 have any queries, please do not hesitate to contact us.

Yours sincerely,



John Spain Associates