



THORNTON O'CONNOR  
TOWN PLANNING

# Statement of Consistency

## Statement of Consistency

In respect of a Strategic Housing  
Development at

'Karuna' and 'Glenina' Sandyford Road,  
Dublin 18, D18 C2H6 and D18 X5T7

Submitted on Behalf of  
Midsal Homes Limited

April 2022

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## 1.0 INTRODUCTION

### 1.1 Multi-Disciplinary Team

Thornton O'Connor Town Planning in association with Horan Rainsford Architects, Torque Consulting Engineers, Murphy and Sheanon Horticulture and Landscape Architecture, NRB Consulting Engineers, The Tree File Limited, Enviroguide Consulting, KPMG Future Analytics, Renaissance Engineering Limited, 3D Design Bureau, Mitchell and Associates Landscape Architects, AWN Consulting Limited, O'Herlihy Access Consulting, JBA Consulting, Bruton Consulting Engineers Limited, Renaissance Engineering Limited, Independent Site Management, Aramark Property and RSK have been retained by Midsal Homes Limited to prepare a planning application in respect of a proposed residential development on a site at 'Karuna' and 'Glenina' Sandyford Road, Dublin 18, D18 C2H6 and D18 X5T7.

The Applicant, Midsal Homes Limited, intend to develop a high-quality residential development comprising 137 No. apartments on a plot of land that is significantly underutilised at a location in proximity to public transport, services and facilities.

The *Planning & Development (Strategic Housing Development) Regulations 2017* specify that all SHD applications must be accompanied by a statement demonstrating that the proposal is consistent with the relevant National, Regional and Local policies. This Statement of Consistency Document demonstrates that the proposed scheme is fully consistent with national, regional and local planning policy.

The following documents are discussed throughout this Statement:

#### National

1. *Project Ireland 2040 – National Development Plan 2021-2030;*
2. *Project Ireland 2040 – The National Planning Framework;*
3. *Action Plan for Housing and Homelessness, Rebuilding Ireland;*
4. *Housing for All– a New Housing Plan for Ireland, September 2021;*
5. *Urban Development and Building Heights – Guidelines for Planning Authorities (December 2018);*
6. *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (December 2020);*
7. *Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes and Sustainable Communities (2007)*
8. *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and the Urban Design Manual – A Best Practice Guide (2009);*
9. *Design Manual for Urban Roads and Streets (2019);*
10. *The Planning System and Flood Risk Management (2009); and*

11. *Guidelines for Planning Authorities on Childcare Facilities (2001) and the Child Care Act 1991 (Early Years Services) Regulations 2016.*

#### Regional

12. *Regional Planning Guidelines for the Greater Dublin Area 2010-2022;*
13. *Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly 2019-2031; and*
14. *Metropolitan Area Spatial Plan for Dublin City and Suburbs.*

#### Local

15. *Dun Laoghaire -Rathdown County Development Plan 2022-2028.*

## 2.0 DESCRIPTION OF THE DEVELOPMENT

Midsal Homes Limited intend to apply to An Bord Pleanála for permission for a strategic housing development at a site of 0.829 Ha approx. comprised of the properties known as 'Karuna' and 'Glenina' at Sandyford Road, Dublin 18, D18 C2H6 and D18 X5T7 respectively. The site is generally bound by a residential development known as 'Coolkill' to the east, a detached dwelling known as 'The Pastures' to the south, Sandyford Road (R117) to the west and a residential development known as 'Cul Cuille' to the north. Works are also proposed at Sandyford Road, which include the removal of a wall and the creation of a new pedestrian connection to the existing cul-de-sac adjacent to 'Cul Cuille' to the north (0.016 Ha approx.) and at the footpath at Sandyford Road to provide a new multi-modal entrance, pedestrian/cycle entrances and landscaping (0.015 Ha approx.). In addition, works are proposed for water services (0.05 Ha approx.): water supply to be sourced by way of a new connection to the existing 250 mm diameter water main across from the proposed main entrance at Sandyford Road; surface water drainage network to discharge to the existing 525 mm diameter surface water sewer located to the north of the site at Sandyford Road via a new 150 mm surface water sewer; and foul water to discharge to the 225 mm diameter foul sewer under construction at Sandyford Road. An additional 0.01 Ha has been assigned for Dún Laoghaire-Rathdown County Council to undertake road works to upgrade Sandyford Road. The residential development site, pedestrian connection, entrance works, water services and road works area will provide a total application site area of 0.92 Ha.

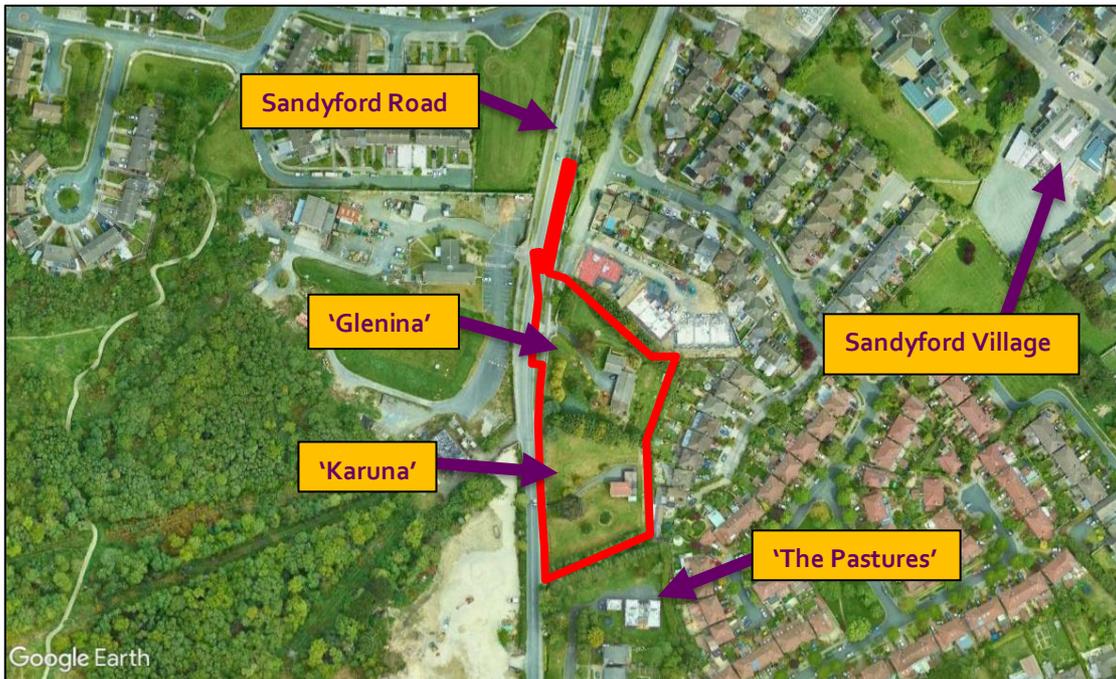
The proposed development principally consists of the demolition of the existing dwelling and ancillary buildings known as 'Glenina', the existing dwelling known as 'Karuna' and the existing boundary wall fronting Sandyford Road, and the construction of a residential development principally comprising 137 No. apartments (32 No. 1-bed units, 78 No. 2-bed units and 27 No. 3-bed units) in 4 No. blocks ranging in height from part-1 No. storey to part-6 No. storeys with a part-basement/part-undercroft level (at Blocks B, C and D).

The proposed development which has a gross floor space of 13,144 sq m (over a part-basement/part-undercroft level measuring 4,508 sq m, principally providing car and cycle parking and plant) also includes: internal communal amenities and support facilities (404 sq m); 137 No. car parking spaces, which include 127 No. spaces and 6 No. GoCar spaces located at basement level (accessed beneath Block B) and 4 No. set down spaces located at surface level adjacent to Block A; motorcycle parking spaces; cycle parking spaces; bin store; substation; switch room; meter rooms; plant rooms; new telecommunications infrastructure at rooftop level including microwave link dishes concealed in shrouds; hard and soft landscaping, including communal amenity space; private amenity space with balconies facing north, south, east and west; boundary treatments; and all associated works above and below ground.

### 3.0 SITE LOCATION, DESCRIPTION AND CONTEXT

#### 3.1 Site Location

The subject site is located on the eastern side of the Sandyford Road (R117), Leopardstown, Dublin 18. It is principally comprised of the properties known as 'Glenina' (Eircode D18 C2H6) and 'Karuna' (D18 X5T7) (Figure 3.1). The site is connected to the Sandyford Road via 2 No. existing vehicular entrances for 'Karuna' and 'Glenina'.



**Figure 3.1: Aerial View of the Subject Site Outlined in Red (Indicative Only)**

(Source: Google Earth, annotated by Thornton O'Connor Town Planning, 2022)

The main site area (referred to as the 'Developable Area') extends to 0.829 Ha, although the required works to facilitate the pedestrian connection (0.016 Ha), entrance works (0.015 Ha), water services (0.05 Ha) and road works area (0.01 Ha) equate to an additional 0.091 Ha. Therefore, the total application site has an area of 0.92 Ha. These areas are clearly detailed in Horan Rainsford Architects' *Proposed Site Layout* (Drawing No. 533-HRA-00-ZZ-DR-A-P-0002) and explained in the statutory description contained in Section 2.0 of this Report.

#### 3.2 Site Description

The subject site is somewhat irregular in shape (albeit following along a north-south axis parallel to Sandyford Road) and has a topography that is defined by a slope that generally falls from south to north. The site is comprised of 2 No. existing residential dwellings. 'Glenina', a single storey dwelling with an ancillary garage occupies the northern portion of the subject site with 'Karuna', a 2 No. storey dwelling occupying the southern portion of the subject site.

As demonstrated in Figures 3.2 and 3.3 below, the 2 No. existing dwellings on the subject site are not of any architectural merit or heritage which would preclude their demolition for redevelopment.



**Figure 3.2: Aerial View of 'Glenina', the Existing Single Storey Dwelling on the Subject Site**

**(Source: Google Maps, 2022)**



**Figure 3.3: Aerial View of 'Karuna' the Existing 2 No. Storey Dwelling on the Subject Site**

**(Source: Google Maps, 2022)**

3.3 Site Context

The surrounding context of the subject site is generally characterised by established low-density residential dwellings. The subject site is bounded by a residential development known as 'Coolkill' to the east, a 2 No. storey residential dwelling known as 'The Pastures' directly abuts the southern boundary of the subject site beyond which lies a residential development comprised of 12 No. two storey houses known as Lamb's Brook. The western boundary of the subject site directly adjoins the Sandyford Road (R117), the other side of which lies a residential development comprised of 65 No. units (Whinsfield) that is presently under construction (DLRCC Reg. Ref. D17A/1003 / ABP Ref. 302954-18). Another residential development under construction (DLRCC Reg. Ref. D14A/0843/E) comprised of 12 No. units and known as 'Cul Cuille', is located directly to the north of the subject site.

It is noted that a Planning Application has recently been lodged by Thornton O'Connor Town Planning in relation to the lands directly adjoining the southern boundary of the subject site (DLRCC Reg. Ref. D21A/0595 – The Pastures site) for a residential development comprising 33 No. units (9 No. 1 beds, 21 No. 2 beds and 3 No. 3 beds) in 2 No. blocks ranging in height from part 3 to part 5 No. storeys. This development was permitted by Dún Laoghaire-Rathdown County Council (albeit with conditions reducing the height and total number of units), but this has been appealed to An Bord Pleanála by both the Application and Third-Parties (ABP Ref. PLo6D.312990). Further detail in relation to this recent Planning Application is outlined in the Planning History Section of the enclosed Planning Report.



Figure 3.4: Location of Subject Site (Indicatively Shown by the Red Dot) In Its Receiving Context

(Source: Google Earth, annotated by Thornton O'Connor Town Planning, 2022)

As shown in Figure 3.4, the subject site is located proximate to Sandyford Village, the M50 and Lamb's Cross. The Village is located approximately 300 No. metres as the crow flies to the north-east of the subject site (approximately 550 – 600 metres or a 5-7 minute walk distance via Coolkill) and includes services such as shops, a pharmacy, a pub and restaurant, a take away, a church and a café. Lamb's Cross is located to the south of the site and includes services such as a local retail

convenience outlet, a butcher’s, a veterinary clinic and a hair salon. The M50 is accessible from the subject site, approximately 1.4 km to the north-east of the site (walking/driving distance) at Junction No. 14 (approximately 600 metres as the crow flies).

3-4 Zoning

The subject site is zoned *Objective 'A'* in the *Dún Laoghaire – Rathdown County Development Plan 2022 – 2028* (“*Development Plan*”) where the objective is ‘to provide residential development and improve residential amenity while protecting the existing residential amenities’ (see Figure 3.5 below). Under *Objective 'A'*, residential development is permitted in principle.

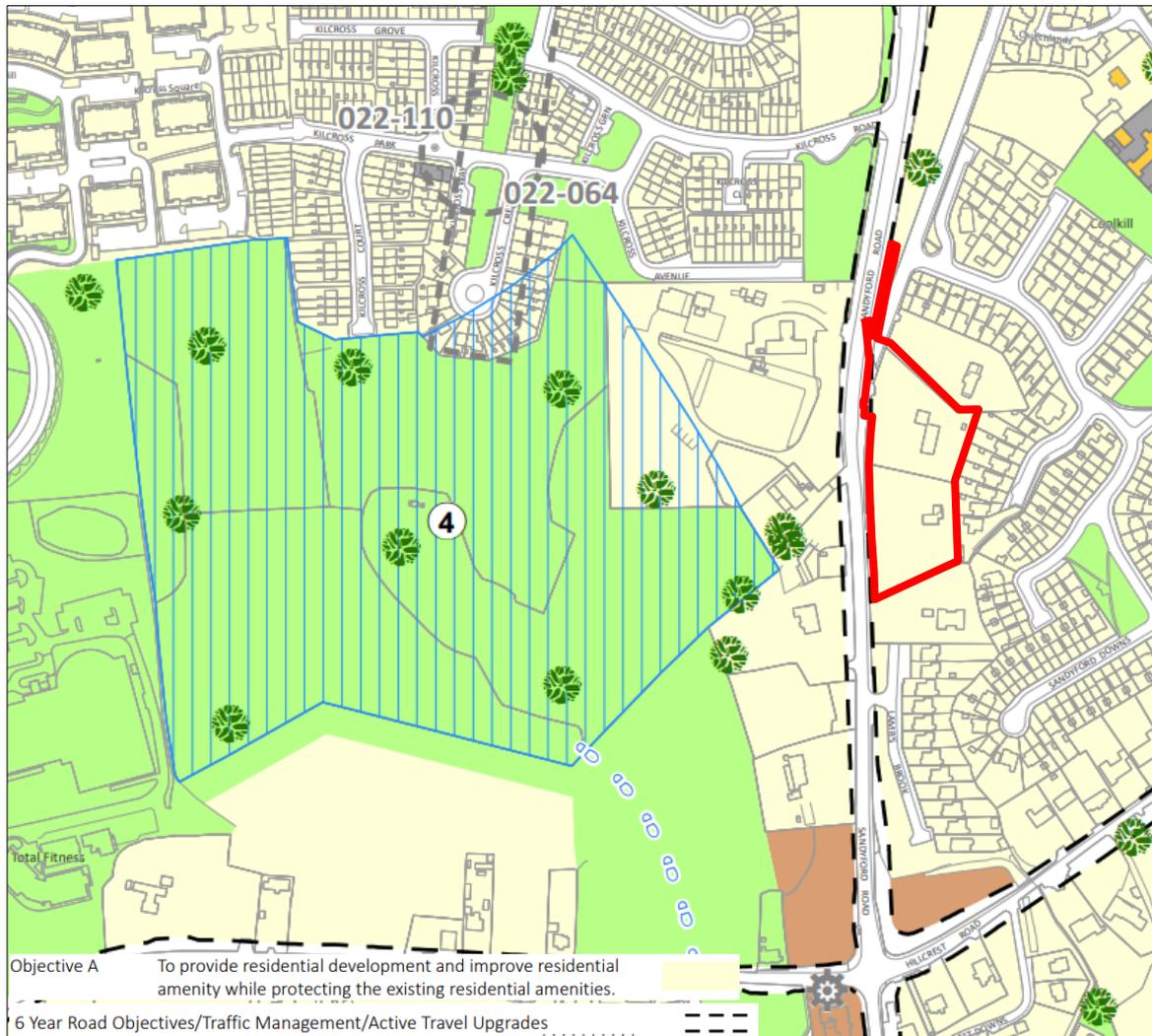


Figure 3.5: Zoning of the Subject Site (Site Outlined Indicatively in Red)

(Source: *Dún Laoghaire-Rathdown County Development Plan 2022-2028*, annotated by Thornton O’Connor Town Planning, 2022)

The provision of a residential development consisting of 137 No. apartment units is fully in accordance with the zoning objective. The subject scheme will result in the appropriate densification of an underutilised site, providing additional accommodation in lieu of the existing single storey dwelling (with ancillary garage) and 2 No. storey dwelling (to be demolished) which are not considered to be of architectural merit.

## 4.0 NATIONAL POLICY

This section will demonstrate that the proposed development has been designed with due consideration of National Policy and is consistent with the objectives and guidance as set out within each of the respective policy documents. The following National Policy documents are discussed in this section:

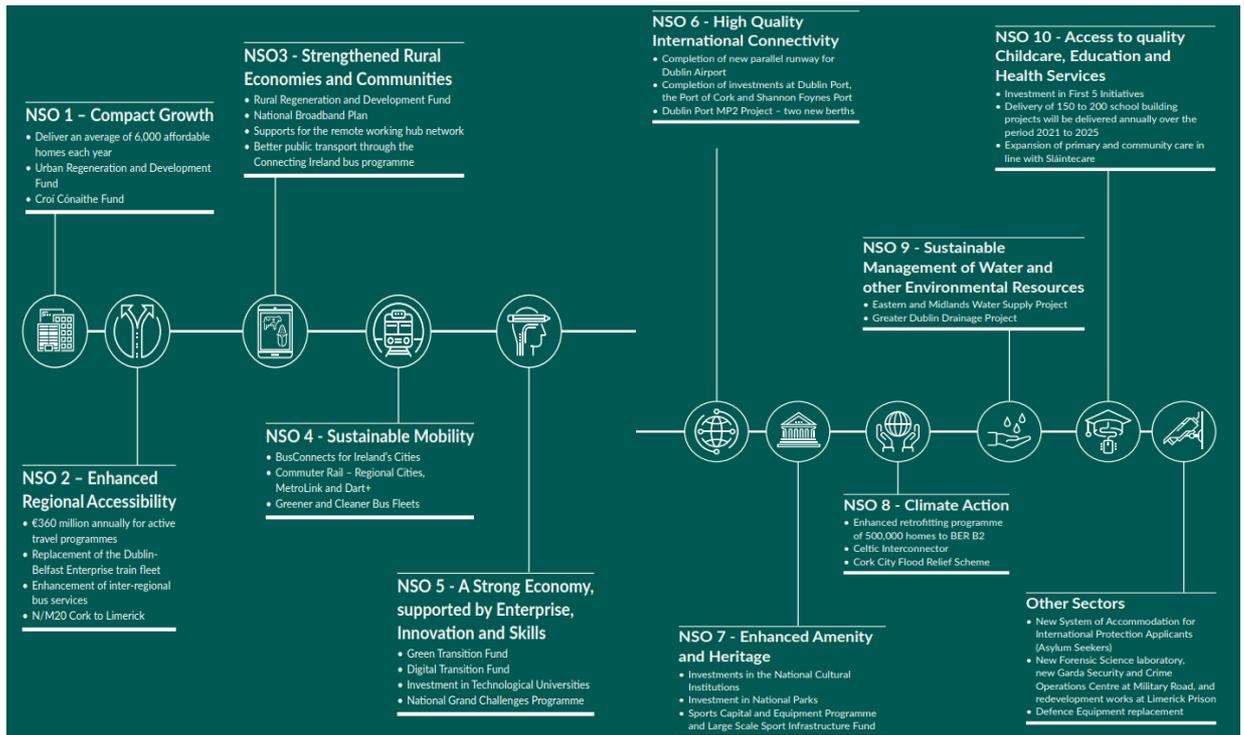
1. *Project Ireland 2040 – National Development Plan 2021-2030;*
2. *Project Ireland 2040 – The National Planning Framework;*
3. *Action Plan for Housing and Homelessness; Rebuilding Ireland;*
4. *Housing for All – a New Housing Plan for Ireland, September 2021;*
5. *Urban Development and Building Heights – Guidelines for Planning Authorities (December 2018);*
6. *Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (2020);*
7. *Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes and Sustainable Communities (2007)*
8. *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and the Urban Design Manual – A Best Practice Guide (2009);*
9. *Design Manual for Urban Roads and Streets;*
10. *The Planning System and Flood Risk Management; and*
11. *Guidelines for Planning Authorities on Childcare Facilities (2001) and the Child Care Act 1991 (Early Years Services) Regulations 2016.*

### 4.1 **Project Ireland 2040 – The National Development Plan 2021 - 2030**

The *National Development Plan 2021 – 2030*, (“NDP”) document was published in 2021 as an updated version of the previous *National Development Plan 2018 – 2027*.

As part of *Project Ireland 2040*, the *NDP* sets out the Government’s over-arching investment strategy and budget for the period 2021-2030. It is an ambitious plan that balances the significant demand for public investment across all sectors and regions of Ireland with a major focus on improving the delivery of infrastructure projects to ensure speed of delivery and value for money.

The *NDP* sets out funding to underpin key Government priorities. Specifically, allocations will support the realisation of critical goals laid out in *Housing for All* and will enable a step-change in investment to ameliorate the effects of climate change. The *NDP* underpins the overarching message of the *National Planning Framework* (“NPF”).



**Figure 4.1: Major Investments – National Strategic Outcomes**

(Source: *National Development Plan 2021-2030*)

The *NPF* has 10 No. National Strategic Outcomes, which are referenced in the *NDP*. The relevant strategic outcomes and objectives are discussed below at Section 4.2 of this report.

## 4.2 Project Ireland 2040: National Planning Framework

### 4.2.1 Introduction

*Project Ireland 2040: National Planning Framework* (“*NPF*”) is the Government’s high-level overarching strategic plan that aims to shape the future growth and development of the country. The *NPF* is a long-term Framework that sets out how Ireland can move away from the current ‘business as usual’ pattern of development.

As set out in Section 6.6 of the *NPF*, a core principle of the *NPF* is to:

*‘Allow for choice in housing location, type, tenure and accommodation in responding to need’, in addition to tailoring ‘the scale and nature of future housing provision to the size and type of settlement where it is planned to be located’.*

Therefore, we submit that the provision of high-quality development comprising 137 No. residential units (mix of 1, 2 and 3 No. bedroom apartments) at the subject site will contribute to achieving this core principle of the *NPF*.

Section 6.6 of the *NPF* states that:

*'while apartments made up 12% of all occupied households in Ireland and 35% of occupied households in the Dublin City Council area in 2016 (Census data), we are a long way behind European averages in terms of the numbers and proportion of households living in apartments, especially in our cities and larger towns. In many European countries, it is normal to see 40%-60% of households living in apartments.'*

The *NPF* further calculates at Section 6.6 that:

*'between 2018 and 2040, an average output of at least 25,000 new homes will need to be provided in Ireland every year to meet the needs for well-located and affordable housing, with increasing demand to cater for one and two-person households'. [Our Emphasis].*

Furthermore, it is noted in this section of the *NPF* that *'achieving this level of supply will require increased housing output into the 2020s to deal with a deficit that has built up since 2010.'*

The *NPF* highlights in Section 6.6 that 7 No. out of 10 No. households in the state consist of three people or less. In terms of changing family size, *'in Dublin city, one, two and three-person households comprise 80 percent of all households.'* The policy document denotes that *'...meeting the housing requirements arising in major urban areas for people on a range of incomes will be a major priority for this framework and the actions flowing from it'. [Our Emphasis]*

The proposed development is a direct response to the national housing shortage that is readily reported and identified in recent planning policy. The proposed development is consistent with the policy objectives as set out throughout this section, as it provides 1, 2 and 3 No. bedroom units with a range of supplementary resident amenities and facilities that will meet the needs of a changing population that is made up of much smaller household sizes than seen historically and provides options for those who want to live in the area.

Section 2.2 of the *NPF* sets out an overview of the *NPF* Strategy which includes reference to 'Compact Growth' as follows:

- *Targeting a greater proportion (40%) of future housing development to be **within and close to the existing 'footprint' of built-up areas.** [Our Emphasis].*
- ***Making better use of under-utilised land and buildings, including 'infill', 'brownfield' and publicly owned sites and vacant and under-occupied buildings, with higher housing and jobs densities, better serviced by existing facilities and public transport'. [Our Emphasis]***

The *NPF* expressly seeks the densification of brownfield, infill sites close to public transport and services and facilities such as the subject site. National Policy Objective 35 states that it is an objective to:

*'Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and **increased building heights.**' [Our Emphasis].*

The *NPF* also sets out the following regarding future growth needs in Section 6.6:

*'Increased residential densities are required in our urban areas...to more effectively address the challenge of meeting the housing needs of a growing population in our key*

*urban areas, it is clear that we need to build inwards and upwards, rather than outwards. This means that apartments will need to become a more prevalent form of housing, particularly in Irelands cities.’ [Our Emphasis]*

The *NPF* recognises that building inwards and upwards is important to effectively address the housing crisis. Therefore, we consider that there is a significant importance placed in the *NPF* to develop high quality accommodation by increasing building heights in existing urban areas.

In our professional planning opinion that the *NPF* supports the provision of the proposed residential development through increased density and height at the subject site having regard to the brownfield, underutilised status of the site in proximity to public transport and local amenities and facilities, the express requirement of national policy to increase densities and the surrounding planning history. The subject site is therefore ideally positioned to absorb the heights proposed as part of the subject scheme, as detailed in the appropriate technical assessments including Daylight/Sunlight and a Landscape Visual Impact Assessment.

#### 4.2.2 National Strategic Outcomes and Objectives

Section 10.3 of the *NPF* identifies a list of 10 No. National Strategic Outcomes which sets out the vision of the *NPF* (to create a shared set of goals for every community across the country) as follows:

1. Compact Growth;
2. Enhanced Regional Accessibility;
3. Strengthened Rural Economies and Communities;
4. Sustainable Mobility;
5. A strong Economy supported by Enterprise, Innovation and Skills;
6. High Quality International Connectivity;
7. Enhanced Amenity and Heritage;
8. Transition to a Low Carbon and Climate Resilient Society;
9. Sustainable Management of Water, Waste and other Environmental Resources;
10. Access to Quality Childcare, Education and Health Services.

A number of key National Policy Objectives (“*NPOs*”) have been identified throughout the *NPF* in order to successfully deliver the 10 No. Strategic Outcomes.

**National Policy Objective 74** states that proposals should ‘*secure the alignment of the National Planning Framework and the National Development Plan through delivery of the National Strategic Outcomes.*’

The table below sets out how the proposed development will contribute towards achieving the 10 No. National Strategic Outcomes identified in the *NPF* as follows:

Consistency with National Strategic Outcomes			
No.	Objective?	How it is Addressed by this development?	Meet criteria?
1:	Compact Growth;	Sustainable and efficient redevelopment of a key underutilised site in an existing residential area.	Yes
2:	Enhanced Regional Accessibility;	The subject site is located within c. 1.5 kilometres to Beacon Hospital and c. 1.6 kilometres – c. 2 kilometres to Sandyford Business Park, a significant employment district area containing over 500 No. companies. The closest LUAS station to the site is the Glencairn Station, which is 1.9 kilometres away (20-25 minute walk or 7 minute cycle), providing access to light rail services north to Dublin City and south towards Cherrywood and connecting the subject site with the city centre and the wider region.	Yes
3:	Strengthened Rural Economies and Communities;	N/A – Urban Area	N/A
4:	Sustainable Mobility;	Promoting active and sustainable transport due to a reduced car parking provision (1 No. space per unit including 6 No. car share spaces), proximity of public transport and provision of 340 No. bicycle spaces.	Yes
5:	A Strong Economy supported by Enterprise, Innovation, and Skills;	Sandyford Business Park, a significant employment district area containing over 500 No. companies, is easily accessible from the subject site and therefore the proposed development is in close proximity to significant employers.	Yes
6:	High Quality International Connectivity;	N/A –Relates to Ports and Airports	N/A
7:	Enhanced Amenity and Heritage;	The scheme provides high quality amenity space for future residents with the provision of internal communal amenity space (404 sq m) and external open space (1,299 sq m).	Yes
8:	Transition to a Low Carbon and Climate Resilient Society;	Sustainable modes of transport are encouraged through the large provision of bicycle parking, car share spaces and new links onto Sandyford Road. Green Roofs and SUDS infrastructure have been included within the design of the subject scheme to achieve a high energy rating and compliance with building standards.	Yes

9:	Sustainable Management of Water, Waste and other Environmental Resources; and	Sustainable modes of transport encouraged, and sustainable management of water use and waste output, as detailed in accompanying reports.	Yes
10:	Access to Quality Childcare, Education, and Health Services.	The subject site is located c. 1.5 kilometres to the Beacon Hospital, c. 2.5 kilometres to Dundrum Town Centre, proximate to the M50 and within easy reach of Dublin City Centre via public transport. There are therefore a wide range of Childcare, Education, Hospitals and Healthcare facilities within a short distance from the subject site. The Social Infrastructure Audit prepared by KPMG Future Analytics confirms that the existing social infrastructure provision identified in the area is capable of serving the existing population and potential demand generated by the proposed development scheme.	Yes

A number of key national policy objectives are outlined in the *NPF* in order to successfully achieve the 10 No. Strategic Outcomes outlined above.

We have carried out an assessment of the NPOs identified in the *NPF* and have identified the relevant objectives that are applicable to the proposed residential development. The relevant NPOs that are applicable to the proposed development are discussed under the following headings:

- Population Growth and Employment;
- Current Trends in Tenure and Household Formation in Ireland;
- Sustainable Modes of Transport;
- Scale, Massing and Design;
- Justification and Housing Need;
- Waste Environmental Issues; and
- Implementing the National Planning Framework.

#### 4.2.3 Population Growth and Employment

The *NPF* sets out a number of planning policy objectives that specifically relate to the population growth in Ireland and in particular the 5 No. main cities. The following objectives are considered to be the most relevant to the subject scheme of this planning application:

- **National Policy Objective 1b** projects that the population of approximately the Eastern and Midland Region will increase by 490,000 – 540,000 No. additional people.
- **National Policy Objective 1c** projects an additional 320,000 No. people in employment in the Eastern and Midland Region.
- **National Policy Objective 2a** – A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs.
- **National Policy Objective 3a** – Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.
- **National Policy Objective 3b** – Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.
- **National Policy Objective 4** - Ensure the creation of attractive liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
- **National Policy Objective 5** – Develop cities, towns and villages of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity.
- **National Policy Objective 8** – Aims to ensure the targeted pattern of population growth of Ireland’s cities to 2040 is in accordance with the targets. The targeted population growth for Dublin (city and suburbs) is a 20-25% increase from 1.173,000 No. (2016) to 1,408,000 No. (2040).
- **National Policy Objective 11** – In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.

The development will facilitate the projected growth in population and persons in employment in the Eastern and Midland Region as identified in NPO 1b and 1c.

A core principle of the *NPF* set out in Section 6.6 states that proposals should:

*'prioritise the location of new housing provision in existing settlements as a means to maximizing a better quality of life for people through accessing services; ensuring a more efficient use of land and allowing for greater integration of existing infrastructure.'* [Our Emphasis]

Section 2.5 of the *NPF* outlines that compact development is the preferred approach which focuses on:

*'Reusing previously developed, 'brownfield' land, building up infill sites, which may not have been built on before and either reusing or redeveloping existing sites and buildings.'* [Our Emphasis]

The proposed development is located on infill, brownfield land in Dublin, served by public transport and is within a short distance of key employment locations including the Sandyford Business Park, a significant employment district area containing over 500 No. companies and Dundrum Town Centre.

As such the proposed development is consistent with NPOs 2a, 3a and 3b which aim to provide for 50% of future population and employment growth with the existing five main cities, 40% of new homes within the build-up of existing settlements and 50% of all new homes within the existing built-up footprints. The *NPF* recognises that to achieve the targets set out in NPOs 3a and 3b of the framework which relate to the delivery of new homes, housing outputs will undoubtedly necessitate a significant increase of apartment type developments. NPO 8 requires targeted population growth for Dublin city and suburbs and the proposed development will contribute towards increasing the population of this area of Dublin.

Furthermore, it is noted in Section 6.6 that *'achieving this level of supply will require increased housing output into the 2020's to deal with a deficit that has built up since 2010.'*

The communal areas are high quality, attractive and liveable spaces where the residents will have the opportunity to interact with each other ensuring an integrated community within the scheme. Therefore, it is considered that the proposal will contribute to creating an attractive, livable, well designed and high-quality urban place as set out in NPO 4 and will ensure the site is sustainably developed contributing towards achieving NPO 5 which aims to develop cities and towns of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity.

The proposed scheme involves the development of an existing underutilised, infill site and therefore is fully in accordance with the preferred approach of the *NPF*. The development will encourage social interaction between the residents of the scheme particularly by providing high-quality communal spaces, creating a strong sense of community. The proposed development is consistent with the NPOs set out within this Section.

#### 4.2.4 Current Trends in Tenure and Household Formation in Ireland

The *NPF* acknowledges at Section 4.5 that Ireland’s housing crisis has resulted in:

*‘a time when many people, including those on average incomes, wish to live close to where they work and the services and amenities necessary to enjoy a good quality of life, they struggle to do so because the urban housing market has become constrained’.*

The following objectives respond to the changing nature of household formations and trends in tenure in current planning discourse:

- **National Policy Objective 6** – Regeneration and rejuvenate cities, towns and villages of all types of scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area.
- **National Policy Objective 11** – Outlines that there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages.
- **National Policy Objective 32** – Details the target of delivering 550,000 No. additional households to 2040.

In accordance with NPOs 6,11 and 32, the development will rejuvenate this site and is a direct response to current trends in tenure and household formation in Ireland by providing much needed housing for Dublin. This will encourage more people to live in the existing urban footprint whilst also contributing towards generating more jobs and activity within the existing urban area and will contribute towards the target of delivering 550,000 No. additional households to 2040.

The *NPF* highlights at Section 6.6 that 7 No. out of 10 No. households in the State consist of three people or less. In terms of changing family size, *‘in Dublin city, one, two and three-person households comprise 80 percent of all households.’* The document denotes that *‘...meeting the housing requirements arising in major urban areas for people on a range of incomes will be a major priority for this framework and the actions flowing from it.’* [Our Emphasis]

The proposed development is a direct response to current trends in tenure and household formation in Ireland. As such the scheme provides for a larger proportion of one and two bedroom units in addition to a smaller number of three bedroom units. The proposed development provides 137 No. residential units in total which will positively contribute towards addressing the deficit in housing supply in Dublin.

The development offers high quality accommodation at a time when the *NPF* acknowledges the constrained urban housing market. The scheme represents sustainable development as the site is situated in an existing residential area and the future residents of the scheme will benefit from the site’s close proximity to public transport and the M50, employment, services and facilities.

#### 4.2.5 Sustainable Modes of Transport

The *NPF* sets out a number of planning policy objectives that specifically relate to Sustainable Modes of Transport. The following objectives are considered to be the most applicable to the proposed residential development at the subject site:

- **National Policy Objective 26** – Outlines the objectives of integrating Public Health Policy such as Healthy Ireland and the National Physical Activity Plan with Planning Policy.
- **National Policy Objective 27** – Aims to ensure the integration of safe and convenient alternatives to the car into the design of our communities by prioritising walking and cycling accessibility to both the existing and proposed developments and integrating physical activity facilities for all ages.

The closest LUAS station to the site is the Glencairn Station, which is c. 1.9 kilometres away (20-25 minute walk or 7 minute cycle), providing access to light rail services to Dublin City and towards Cherrywood. The subject site is within the catchment of the Section 49 LUAS Development Contribution Scheme and thus we consider that higher densities are required in the context of National and Local policy and the principles of proper planning and sustainable development.

The subject site is a 2-5 No. minute walk to bus stops on Sandyford Road, where services connect the site to Dublin City Centre. The existing bus services will be enhanced as part of Bus Connects, the future bus network proposals providing frequent public transport (bus services every 12 minutes).

The proposal actively encourages the use of sustainable modes of transport such as public transport through the discouragement of car ownership and provision of car share spaces and bicycle parking. The development also includes high-quality and attractive open spaces which will encourage occupants to engage in regular physical activity.

The proposed development is consistent with NPOs 26 and 27 as set out above.

#### 4.2.6 Scale, Massing and Design

The *NPF* sets out a number of planning policy objectives that specifically relate to the Scale, Massing and Design of developments. The following objectives are considered to be most applicable to the residential development at the subject site:

- **National Policy Objective 13** outlines that to achieve well-designed high-quality outcomes performance-based standards will be put in place such as building height and car parking.
- **National Policy Objective 33** states residential development at appropriate scales within sustainable locations will be prioritised.
- **National Policy Objective 35** outlines the requirement to '*increase residential density in settlements, though a range of measures including reductions in vacancy, re-*

*use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.'*

The proposed development has been subject to a high quality standard of design, siting and layout, innovatively created by Horan Rainsford Architects, with the highest elements of the scheme located at the least sensitive locations within the site and the lower elements positioned adjacent to neighbouring residential properties.

It is our professional planning opinion that the subject scheme has been designed at an appropriate scale within the surrounding context and represents the appropriate densification of this key underutilised site, contributing positively to the regeneration of the surrounding area. The Landscape and Visual Impact Assessment and Daylight/Sunlight Assessment both demonstrate that no significant material impacts will occur as a result of the proposed development. The layout of the development has been thoroughly considered and greater heights are positioned away from nearby residential dwellings. It is considered that the scheme design strikes a balance between respecting the surrounding environment of the scheme and ensuring the development potential of a strategically positioned and underutilised plot is maximised and appropriately densified in accordance with the objectives of the *NPF*.

Having regard to the new policy context and increased housing demand, the subject scheme appropriately addresses criteria as set out in the *Apartment Guidelines, 2020*. In line with NPO 13, the *Apartment Guidelines, 2020* set out the specific standards for apartment developments, as discussed in Section 4.6 of this report. The proposed development is also appropriate in terms of scale, mass and height in responding to NPO 33. In addition, the proposed development provides increased height and density in an existing settlement, which is therefore in accordance with NPO 35.

#### 4.2.7 Waste and Environmental Issues

The *NPF* sets out a number of planning policy objectives that specifically relate to Waste and Environmental issues. The following objectives are considered to be most applicable to the proposed development of this planning application:

- **National Policy Objective 52** sets out the planning systems must respond to the environmental challenges and have regard to relevant environmental legislation.
- **National Policy Objective 53** is concerned with supporting greater land efficiency and use of renewable resources by reducing the rate of urban sprawl and new development.
- **National Policy Objective 54** aims to reduce the carbon footprint by integrating climate action into the planning system.
- **National Policy Objective 56** sets out the intentions to sustainably manage waste generation.
- **National Policy Objective 58** states that Green Infrastructure and ecosystem services will be incorporated into the preparation of statutory land use plans.
- **National Policy Objective 63** aims to ensure that efficient and sustainable management and conservation of water resources and water services infrastructure.

- **National Policy Objective 64** aims to improve air quality through integrated land use and spatial planning that supports public transport, walking and cycling as more favourable modes of transport.
- **National Policy Objective 65** supports the aims of the Environmental Noise Regulations.
- **National Policy Objective 75** stipulates that '*all plans, projects and activities requiring consent arising from the National Planning Framework are subject to the relevant environmental assessment requirements including SEA, EIA and AA as appropriate*'.

The subject site is a key underutilised infill site ideally located for residential development and thus the redevelopment of these underutilised lands is in accordance with the waste and environmental policies outlined above.

The proposed scheme has had regard to relevant environmental legislation as set out in the enclosed reports in accordance with NPO 52. The development will support the efficient use of core urban land and will contribute towards reducing the rate of urban sprawl in accordance with NPO 53. The redevelopment of the subject site will provide a population in close proximity to public transport and encourage walking and cycling, in accordance with NPO 54 and NPO 64 which sets out to improve air quality through promoting development that facilitates sustainable modes of transport. The proposed development will positively contribute to the surrounding area as it will enhance permeability and wider connectivity for the wider area and will contribute to the green infrastructure network (NPO 58).

The proposed scheme provides 137 No. car parking spaces (including 31 No. electric vehicle parking spaces and 6 No. car share spaces) and 340 No. bicycle parking spaces. The subject site is a 2-5 No. minute walk to bus stops on Sandyford Road, where services connect the site to Dublin City Centre. The existing bus services will be enhanced as part of Bus Connects, the future bus network proposals providing frequent public transport. The proposed scheme will promote sustainable modes of transport resulting in a lower carbon footprint and will be consistent with NPO 54. Having regard to the context of the subject site, in our professional planning opinion it is incumbent to consider a reduced car parking provision in line with Paragraph 4.21 of the *Apartment Guidelines, 2020*.

The proposed development is supported by the following reports which detail the measures which have been taken in order to meet the above policy objectives relating to waste and environmental issues, particularly in accordance with NOP 63, 65 and 75:

- Landscape Design Report prepared by Murphy and Sheanon Horticulture & Landscape Architecture;
- Environmental Impact Assessment Screening Report prepared by Enviroguide Consulting;
- Statement in accordance with Article 299B (1) (b)(ii)(II)(C) of the Planning and Development Regulations 2001, as amended, prepared by Enviroguide Consulting;
- Appropriate Assessment Screening Report prepared by Enviroguide Consulting;
- Transportation Assessment prepared by NRB Consulting Engineers;
- Engineering Services Report by Torque Consulting Engineers;
- Flood Risk Assessment Report by Torque Consulting Engineers;

- Arboricultural Report by The Tree File;
- Noise Impact Assessment by RSK;
- Resource and Waste Management Plan by AWN Consulting;
- Construction Environment Management Plan by AWN Consulting; and
- Operational Waste Management Report prepared by AWN Consulting.

It is considered that the proposed development is consistent with the environmental objectives as set out in the *NPF*.

#### 4.3 **Action Plan for Housing and Homelessness, Rebuilding Ireland (2016)**

*The Action Plan for Housing and Homelessness – Rebuilding Ireland* recognises that a significant increase in new homes is needed and is referenced in the long title to the *Planning and Development (Residential Tenancies) act 2016, as amended*. The Action Plan outlines a five-pillar approach:

- Pillar 1 – Address Homelessness;
- Pillar 2 – Accelerate Social Housing;
- Pillar 3 – Build More Homes;
- Pillar 4 – Improve the Rental Sector; and
- Pillar 5 – Utilise Existing Housing.

It is noted that a number of these pillars are inter-related and therefore the proposal will to an extent have a positive impact on each of the abovementioned pillars. It is considered that the proposed development directly addresses the objectives set out within Pillar 2, Pillar 3 and Pillar 4.

- Pillar 2: Increase the level and speed of delivery of social housing and other state-supported housing.
- Pillar 3: Build More Homes – Increase the output of private housing to meet demand at affordable prices.

The publication outlines that the affordability of property in the current economic climate is the basis for the decline in home ownership. As a result, there is a growing number of households paying a greater proportion of their incomes on accommodation which has subsequent impacts on their quality of life and their ability to save.

The publication stipulates in relation to the delivery of housing that:

*‘the housing challenge is not simply about providing more homes – it is also about moving away from cycles of volatility in supply and affordability. Ireland needs to move towards a more stable, cost effective, affordable housing provision model that also delivers the right level of housing, in the right places and at the right time.’*

The subject scheme proposes the development of an underutilised, infill site. The proposed development will contribute towards addressing the national housing crisis through the provision of 137 No. apartments (32 No. 1 bedroom units, 78 No. 2 bedroom units and 27 No. 3 bedroom units). The development will directly address the evident housing need by significantly increasing housing accommodation in this highly attractive and sought-after location and responds proportionately to the pillars as set out above, with particular emphasis on Pillars 2 and 3.

The proposed development will provide additional housing options including some 13 No. social housing units, which represents 10% of the proposed units in accordance with Part V of the *Planning and Development Act 2000 (as amended)*.

It has been demonstrated that the proposal subject of this statement is consistent with the policy guidance of the *Action Plan for Housing and Homelessness, Rebuilding Ireland*.

#### 4.4 ***Housing for All– a New Housing Plan for Ireland, September 2021 (“Housing for All”)***

*Housing for All - a New Housing Plan for Ireland (“Housing for All”)* is the government’s housing plan to 2030. It is a multi-annual, multi-billion euro plan which will improve Ireland’s housing system and deliver more homes of all types for people with different housing needs.

The overall objective of *Housing for All* is that:

*‘Every citizen in the State should have access to a home to purchase or rent at an affordable price, built to a high standard and in the right place, offering a high quality of life.’*

Section 3 of *Housing for All* states:

*‘An average of 33,000 homes must be provided every year between now and 2030.’*

The policy has 4 No. pathways to achieving *Housing for All*:

- Supporting Home Ownership and Increasing Affordability;
- Eradicating Homelessness, Increasing Social Housing Delivery and Supporting Social Inclusion;
- Increasing New Housing Supply; and
- Addressing Vacancy and Efficient Use of Existing Stock

The pathways contain actions to be taken to achieve the objectives outlined above.

The subject scheme providing 137 No. residential units in an ideal location in proximity to high-quality public transport, employment locations, services and facilities will contribute towards achieving the objectives of *Housing for All*, by providing housing options in the area which will increase supply, will densify these underutilised lands and will support social inclusion by providing 13 No. Part V units (10%). The scheme will provide 137 No. residential units in lieu of the existing 2 No. dwellings (to be demolished), which are not considered to be of architectural merit and currently do not represent sustainable occupation of accessible and brownfield urban lands. Therefore, the proposed development will contribute towards meeting the 4 No. pathways outlined in *Housing for All*.

#### 4.5 ***Urban Development and Building Heights Guidelines for Planning Authorities (December, 2018)***

The *Urban Development and Building Heights Guidelines for Planning Authorities* (“*Building Height Guidelines*”) were adopted in December 2018 under Section 28 of the 2000 Act. An Bord Pleanála and Planning Authorities must have regard to these Guidelines and, in particular, compliance with the Specific Planning Policy Requirements (SPPRs) is mandatory (see Section 9(3)(b) of the SHD Act).

The *Building Height Guidelines* set out that a key objective of the *NPF* is to significantly increase the building heights and overall density of developments. The Minister's foreword to the *Building Height Guidelines* acknowledges that Ireland's classic development models for city and town cores has tended to be dominated by employment and retail uses, surrounded by extensive and constantly expanding low-rise suburban residential areas which is an unsustainable model. There is an opportunity for our cities and towns to be developed differently. Urban centres could have much better use of land, facilitating well located and taller buildings, meeting the highest architectural and planning standards. The *Building Height Guidelines* are intended to set a new and more responsive policy and regulatory framework for planning the growth and development of cities and towns upwards rather than outwards.

The *Building Height Guidelines* state that the:

*‘Government considers that there is significant scope to accommodate anticipated population growth and development needs, whether for housing, employment or other purposes, **by building up and consolidating the development of our existing urban areas.**’ [Our Emphasis]*

The *Building Height Guidelines* further note that:

*‘A key objective of the *NPF* is therefore to see that greatly increased levels of residential development in our urban centres and significant increases in the building heights and overall density of development is not only facilitated but actively sought out and brought forward by our planning processes and particularly so at local authority and An Bord Pleanála levels.’ [Our Emphasis]*

The *Building Height Guidelines* also emphasise that increasing prevailing building heights have a critical role to play in addressing the delivery of more compact growth in our urban areas, particularly our cities and large towns through enhancing both the scale and density of development and it notes that the planning process must actively address how this objective will be secured.

The *Building Height Guidelines* expressly seek increased building heights in urban locations:

*‘In relation to the assessment of individual planning applications and appeals, it is Government policy that **building heights must be generally increased in appropriate urban locations.** There is therefore a presumption in favour of buildings of increased height in our town/city cores and in other urban locations with good public transport accessibility.’ [Our Emphasis]*

The *Building Height Guidelines* also advise that taller buildings can assist in contributing to a sense of place:

*'Furthermore, while **taller buildings** will bring much needed additional housing and economic development to well-located urban areas, they **can also assist in reinforcing and contributing to a sense of place** within a city or town centre, such as indicating the main centres of activity, important street junctions, public spaces and transport interchanges. In this manner, **increased building height is a key factor in assisting modern placemaking and improving the overall quality of our urban environments**.'* [Our Emphasis]

The layout of the proposed development has comprehensively considered the position of the 4 No. blocks which allows high-quality open spaces to be provided for all 137 No. units with the scheme providing an active frontage onto Sandyford Road. Therefore, it is considered that the scheme as proposed is the optimal solution for the lands.

The development will range in height from part 1 No. to 6 No. storeys (over a part-basement/part-undercroft level) with setbacks provided in each block at the upper levels. It is considered that the scheme design strikes a balance between respecting the surrounding environment of the scheme and ensuring the development potential of a strategically positioned and underutilised plot is maximised, in close proximity to Sandyford Business District and Dundrum Town Centre, which allows additional height to be absorbed into the area.

A Landscape and Visual Impact Assessment and Daylight and Sunlight Assessment have been carried out in conjunction with the design of the subject development. These assessments demonstrate that the proposed layout and design will not have an undue negative impact on its receiving environment and thus can be assimilated into the surrounding environment.

It is our professional planning opinion that the site has the capacity and capability to accommodate increased height that is actively sought in National policy guidance, particularly given the strategic location of the subject site in proximity to public transport, employment locations and services and facilities. It is considered that the scheme design strikes a balance between respecting the surrounding environment of the scheme and ensures that the development potential of a strategically positioned and underutilised plot is maximised.

Chapter 3 of the *Building Height Guidelines* expressly seeks increased building heights in urban locations:

*'In relation to the assessment of individual planning applications and appeals, it is Government policy that **building heights must be generally increased in appropriate urban locations**. There is therefore a presumption in favour of buildings of increased height in our town/city cores and in other urban locations with good public transport accessibility.'* [Our Emphasis]

Under the heading, Development Management Principles, the *Building Height Guidelines* state (at paragraph 3.1) that it is Government policy that building heights must generally be increased, and that Planning Authorities must apply certain broad principles when considering development proposals for buildings taller than prevailing building heights in pursuit of the *Building Height Guidelines*. In addition, the Specific Planning Policy Requirements in the *Building Height Guidelines* are relevant to the assessment of this proposed development.

Section 3.1 of the *Building Height Guidelines* states that 'Planning Authorities must apply the following broad principles in considering development proposals for buildings taller than prevailing building heights in urban areas in pursuit of these guidelines':

***Does the proposal positively assist in securing National Planning Framework objectives of focusing development in key urban centres and in particular, fulfilling targets related to brownfield, infill development and in particular, effectively supporting the National Strategic Objective to deliver compact growth in our urban centres?***

The proposed scheme involves the redevelopment of an existing underutilised, brownfield, infill site in a sustainable location. The subject development will contribute towards delivering compact growth in our urban areas. The scheme is therefore fully in accordance with the preferred approach of the *NPF*.

***Is the proposal in line with the requirements of the development plan in force and which plan has taken clear account of the requirements set out in Chapter 2 of these Guidelines?***

Other than as set out in the Material Contravention Statement, the proposal is in line with the *Development Plan*. The *Development Plan* allows an assessment of development proposals with increased height and sets out principles that will be considered when assessing capacity for height.

It is our professional planning opinion that the heights proposed principally ranging from part 1 No. storeys to part 6 No. storeys with a part-basement/part-undercroft level (at Blocks B, C and D) are appropriate at the subject lands especially having regard to the site's frontage onto Sandyford Road, in order to accord with Government policy to increase building heights in sustainable locations.

The subject scheme has been broken down into 4 No. (with set backs at the upper levels) to have minimal impact on the residential amenity of surrounding existing dwellings, which will assist in assimilating the development into the area. The Daylight and Sunlight Assessment and Landscape and Visual Impact Assessment demonstrate that these design measures have been successful in reducing any potential adverse impact on the surrounding area.

***Where the relevant development plan or local area plan pre-dates these guidelines, can it be demonstrated that implementation of the pre-existing policies and objectives of the relevant plan or planning scheme does not align with and support the objectives and policies of the National Planning Framework?***

The *Development Plan*, which was recently adopted on 21<sup>st</sup> April 2022, allows an assessment of increased height to be carried out (Table 5.1 of Appendix 5). We have provided a detailed response to Table 5.1 and in our opinion, the proposed development ranging in height from part 1 No. storeys to part 6 No. storeys with a part-basement/part-undercroft level (at Blocks B, C and D) is appropriate for the subject site. However, we have included building height in the Material Contravention Statement in the event that An Bord Pleanála consider the increase in building height to represent a material contravention of the *Development Plan*.

If a scheme of lower heights was provided, it is our opinion that this would not represent sustainable development of underutilised lands and thus it could be considered that the *Development Plan* policy seeking 3 to 4 No. storeys (with an opportunity for an assessment of further increased height allowed with respect to Table 5.1) does not align with the objectives

and policies of the *National Planning Framework* ("NPF"). As detailed herein, this is delivered in a careful manner by way of stepped and staggered block massing. Based on the west elevation, Block B reads as the tallest parapet at 18.975 metres. Blocks C and D are up to 18.525 metres at parapet level, although Block D increases to 20.25 metres at the top of the proposed microwave link dishes at the highest point.

We note, in particular, National Policy Objective 35 of the *National Planning Framework*, which seeks an increase in residential density in settlements, through a range of measures including infill development schemes, area or site-based regeneration and increased building heights.

It is our opinion that the subject site has the potential for increased heights to sustainably densify this strategic site having regard to the high quality architectural composition of the scheme, the open spaces provided and the site's location at a prominent frontage onto Sandyford Road, which will all contribute towards absorbing the proposed building heights.

A Landscape and Visual Impact Assessment and Daylight and Sunlight Assessment have been carried out in conjunction with the design of the subject development which highlight that the subject site has the potential to absorb the proposed greater heights. These technical assessments demonstrate that the proposed development will not have an undue negative impact on its receiving environment.

### Specific Planning Policy Requirement 3

SPPR<sub>3</sub> of the *Building Height Guidelines* sets out that:

*'It is a specific planning policy requirement that where;*

- (A) *1. an applicant for planning permission sets out how a development proposal complies with the criteria [below]; and*
- 2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines;*

*then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise.'*

Section 9(3) of the SHD Act provides as follows:

*'(3) (a) When making its decision in relation to an application under this section, the Board shall apply, where relevant, specific planning policy requirements of guidelines issued by the Minister under section 28 of the Act of 2000.*

*(b) Where specific planning policy requirements of guidelines referred to in paragraph (a) differ from the provisions of the development plan of a planning authority, then those requirements shall, to the extent that they so differ, apply instead of the provisions of the development plan.'*

We now wish to consider how the proposed development complies with the specified criteria under Section 3.2 of the *Building Height Guidelines*, which are referred to in SPPR<sub>3</sub> as follows:

Development Management Criteria	
At the Scale of the Relevant City/ Town	
Assessment Criteria	Comment
<ul style="list-style-type: none"> <li><i>The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.</i></li> </ul>	<ul style="list-style-type: none"> <li>Presently, Sandyford Road to the immediate front of the site, is served by Bus Route Nos. 44B (Dundrum – Glencullen) and 114 (Sandyford/Ballinteer – Blackrock). In Sandyford Village (within short walking distance) Bus Route No. 44 is available (Enniskerry – Dublin city centre). In addition, the Green Luas line Glencairn stop (Bride’s Glen – Broombridge) is approximately a 20–25-minute walk or 7-minute cycle from the site. It is also noted that the subject site falls within the Section 49 LUAS Development Contribution Scheme area and, therefore, is recognised by the Council as benefiting from the Luas.</li> <li>These modes of transport provide direct connections throughout the city region, including the city centre, where residents can easily transfer to other routes and modes for onward connectivity.</li> <li>It is also noted that Sandyford Road is identified in the Development Plan as having a 6-Year Road Objective, which if delivered, will significantly increase the capacity of the road network, which may support additional bus services available to future residents of the proposed development.</li> <li>The development itself proposes cycle parking that exceeds the minimum standards, with the site itself well served by northbound and southbound off-road cycle paths at Sandyford Road.</li> <li>A Preliminary Planning Stage Mobility Management Plan/Travel Plan’ prepared by NRB Consulting Engineers and enclosed within the Transportation Assessment provides further detail in relation to the existing and proposed public transport facilities serving the subject site.</li> </ul>

	<ul style="list-style-type: none"> <li>• A <i>Bus/LUAS Capacity Assessment Report</i> prepared by NRB Consulting Engineers has also been submitted as part of this application which contains details of current and future bus services and bus capacity serving the site and local area, noting that the small additional demand for Luas and bus services as a result of the proposed development '<i>can easily be accommodated within the existing services</i>'. Visual surveys were carried out on a weekday in April 2022 during normal school term to review existing demand and these surveys at AM and PM peak show bus services had in excess of 50% spare capacity (with many closer to 80% or more spare capacity). The predicted demand for Luas services will equate to 0.4% of the current carrying capacity which is considered negligible. The report concludes '<i>that the additional demand for bus/Luas trips as a result of the proposed development can be accommodated on the existing and improved services without any noticeable effect</i>'.</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views. Such development proposals shall undertake landscape and visual assessment (LVIA), by a suitably qualified practitioner such as a chartered landscape architect.</i></li> </ul>	<ul style="list-style-type: none"> <li>• It is our professional opinion that the proposed scheme will successfully assimilate into the surrounding context, regenerating the subject site through the replacement of 2 No. existing low-density houses with much needed higher density residential units, which will contribute positively towards addressing the national housing crisis. The topography of the site has also been considered in the layout i.e. there is a c. 1.5 metre – 1 metre difference between the level along Sandyford Road boundary and the eastern boundary of the site (see Section 3.5 of the Architectural Design Statement).</li> <li>• The proposed development will create a strong and defined frontage along Sandyford Road, albeit with an appropriate setback to protect future residents' amenities and to provide attractive planting and necessary infrastructure. This will also support the</li> </ul>

	<p>activation of the site, which is currently muted due to the long stretch of relatively high boundary wall.</p> <ul style="list-style-type: none"> <li>• The design of the development and its layout is such that the taller elements front Sandyford Road (west), with a transition down in levels to generally 3 No. storeys (in the east). This ensures that the development integrates with the existing 2-storey development to the east in Coolkill and Sandyford Downs, respecting the pattern of development present thereat, but allowing for a gradual uplift in height in select locations, and an increase in density overall. Therefore, the subject scheme will result in the appropriate densification of a key infill site, providing much needed residential units which will contribute towards addressing the national housing crisis.</li> <li>• The subject scheme includes the provision of 1,299 sq m of communal open space which has been subject to detailed design by Murphy and Sheanon Horticulture and Landscape Architecture.</li> <li>• A Daylight and Sunlight Analysis has been carried out by 3D Design Bureau, which demonstrates that no significant material impacts will occur to the surrounding properties.</li> <li>• A Landscape Visual Impact Assessment has been carried out by Mitchell and Associates Landscape Architecture. The Assessment clearly demonstrates that there will be no adverse visual impact as a result of the proposed development.</li> </ul>
<ul style="list-style-type: none"> <li>• <i>On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining</i></li> </ul>	<ul style="list-style-type: none"> <li>• The subject scheme seeks to limit urban sprawl by making best use of an existing brownfield site. The proposed scheme will make a positive contribution to the surrounding area by densifying a key underutilised site and providing a high-quality residential development which will contribute positively towards addressing the national housing crisis.</li> </ul>

<p><i>developments and create visual interest in the streetscape.</i></p>	<ul style="list-style-type: none"> <li>• The proposed development seeks to appropriately densify the subject site through increased height, providing a defined urban edge along the Sandyford Road.</li> <li>• The subject scheme includes the provision of 1,299 sq m of communal open space for future residents which has been subject to detailed design by Murphy + Sheanon Horticulture and Landscape Architecture. The open spaces will enhance the quality of living of future occupants and thus will positively contribute to place-making. The development will animate Sandyford Road and will provide a pedestrian connection to Cul Cuille to the north. This will be facilitated by the demolition of a short section of existing wall and the removal of some existing low-grade vegetation, with its delivery seen as being of notable benefit to the community in terms of permeability and accessibility. This will positively contribute to place-making and create visual interest in the streetscape.</li> <li>• There will be limited vehicular activity within the subject scheme which provides a public realm that prioritises ease of movement for pedestrians and bikes, by diverting vehicles to the basement shortly after entering the development site.</li> <li>• The scheme will result in a high-quality architectural design, which has been informed by the surrounding existing context, appropriately densifying an underutilised brownfield site, creating a clear definition to the urban edge along the Sandyford Road and providing a varied and visually interesting façade for the surrounding streetscape.</li> </ul>
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Development Management Criteria	
At the scale of District/ Neighbourhood / Street	
Assessment Criteria	Comment
<ul style="list-style-type: none"> <li><i>The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape.</i></li> </ul>	<ul style="list-style-type: none"> <li>The existing site does not include any notable natural features, with all trees and hedges thereat deemed to be unsustainable (The Tree File) and appropriate for removal. In terms of the built environment, there are no Protected Structures, Recorded Monuments or Places, or Architectural conservation Areas at, or in the immediate environs of, the subject site. Consequently, there are no protected or sensitive natural or built features at risk of negative impacts that may arise as a result of the realisation of up to 6 No. storeys at the subject site.</li> <li>The high-quality design of the proposed development will allow the development to be integrated into the surrounding area and as noted above, will positively enhance the legibility and streetscape of the surrounding area.</li> <li>The proposed development strikes a balance between respecting the residential amenity of the existing 2-storey residences to the east, and also using height to increase land-use intensity and residential density in a sustainable and efficient manner in accordance with national, regional and local policy. This has been achieved by providing ample separation distances, obscuring windows at upper levels where necessary, gradually increasing height from lower levels at the east to higher levels at the west of the site and providing ample, carefully considered landscape planting along the length of the eastern boundary (as well as northern and southern boundaries).</li> <li>The development will make a positive contribution to the neighbourhood and streetscape by: delivering a new pedestrian connection to Cul Cuille to the north; bringing the building line forward</li> </ul>

	<p>and creating a newly defined urban edge at Sandyford Road, with activation at street level; enhancing the natural vegetation at the site by introducing a broad planting regimen; augmenting the critical mass required to sustain local service provision and businesses; and broadening the number and type of housing options available in the area.</p> <ul style="list-style-type: none"> <li>• In designing the subject scheme, the Applicant has ensured that sufficient land is reserved along the western boundary of the subject site to allow for the future upgrade works to take place.</li> <li>• The design of the 1,299 sq m of communal open space includes toddler’s play area, children’s play area, seating, lawns, planting and pedestrian paths, which will positively contribute to the natural environment.</li> <li>• Given the context and size of the subject site, the site is suitable to accommodate building heights of part 1 to part 6 No. storeys, whilst remaining respectful of the surrounding context through the adoption of separation distances to sensitive boundaries and the set back of the uppermost levels of the proposed blocks. Therefore, it is our opinion that, through a high standard of design, siting and layout the proposed development knits successfully with the surrounding context.</li> </ul>
<ul style="list-style-type: none"> <li>• <i>The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered.</i></li> </ul>	<ul style="list-style-type: none"> <li>• The Architectural Design Statement prepared by HRA enclosed with application, details the use of materials, the elevational treatment and modulated height arrangement which break up the massing of the proposed development.</li> <li>• The design of the proposed blocks has sought to intentionally avoid the inclusion of monolithic elevations and large blank facades, actively articulating and fenestrating them to make them attractive, engaging and rhythmic. For example, alternating brickwork, with</li> </ul>

	<p>some horizontal and some vertical features, and elements of slightly recessed brickwork, activate and diffuse the elevations where no windows are proposed (e.g. west elevation of Block D). Where small portions of blank elevations are present, this is to prevent overlooking and/or where they are amply screened by proposed or existing vegetation; therefore, they will not be directly visible.</p> <ul style="list-style-type: none"> <li>• In terms of the development being perceived as monolithic, this is not the case, with the breakdown of the built massing achieved by the creation of 4 No. Blocks, the transitioning in heights and the active fenestration of elevations.</li> <li>• An Bord Pleanála is directed to the following Drawings prepared by HRA, which emphasise these points: Proposed Site Elevations, Proposed Contiguous Elevations and the Proposed Elevations &amp; Sections Drawings for each of the 4 No. blocks.</li> <li>• Per the Material Treatment Drawing prepared by HRA, a mix of high-quality materials is proposed to deliver an attractive and hard-wearing development that requires lower levels of maintenance, which demonstrates that the materials and building fabric are well considered. These include light red brick (laid vertically and horizontally), light red render and charcoal metalwork for Blocks A and C and cream brick (laid vertically and horizontally), cream render and charcoal metalwork for Blocks B and D. The colours and tones of the materials are of a respectful palette and will create rhythm and distinction as they alternate between the Blocks.</li> </ul>
<ul style="list-style-type: none"> <li>• <i>The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and</i></li> </ul>	<ul style="list-style-type: none"> <li>• In the case of the proposed development, as detailed above, it will create a newly redefined frontage onto Sandyford Road. This will be a new urban edge and interface at this location, due to the current context at the site being that of low-rise, low density dwellings that do</li> </ul>

*enclosure while being in line with the requirements of "The Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009)".*

not relate to the road frontage. The benefit of this will also be the creation of a new active edge, creating a more vibrant and engaging environment.

- Importantly, the development will not be gated or setback behind the boundary wall that exists at Sandyford Road, ensuring that it reads as being open and connected with the public realm along the Road.
- The scheme includes 15.6% of the developable site area designated as high-quality communal open space.
- The Flood Risk Assessment prepared by Torque Consulting Engineers has been prepared in accordance with The Planning System and Flood Risk Management – Guidelines for Planning Authorities and concludes that:

*'A review of the OPW's Historical Flood Maps does not indicate any previous instances of flooding on the subject lands.*

- *The subject lands are located outside of the 0.1% predicted fluvial flood zone and in a low-risk area for pluvial flooding.*

- *The subject lands are located outside the 0.1% predicted tidal flood zone, and are designated as being in Flood Zone C.*

- *Assessment of the OPW's Historical Flood Maps reports show no instances of Pluvial flooding in the vicinity of the development site.*

- *The site is not required to be reviewed under Dun Laoghaire Rathdown County Councils requirement for a justification test and is deemed to be in compliance with their County Development Plan 2022-2028 flood risk strategy requirements.*

	<ul style="list-style-type: none"> <li>• <i>There is no geological evidence of karst formations beneath the subject site and as such the likelihood and on-site flooding due to groundwater is deemed to be remote and within acceptable levels.</i></li> <li>• <i>The implications of pipe blockages and exceedance rainfall events have been identified and models as part of the surface water design process, see ESR which is also part of this submission.'</i></li> </ul>
<ul style="list-style-type: none"> <li>• <i>The proposal makes a positive contribution to the improvements of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner.</i></li> </ul>	<ul style="list-style-type: none"> <li>• The proposed development includes the removal of the existing western boundary wall and the construction of the proposed development facing Sandyford Road, thereby creating a new urban edge and interface with Sandyford Road. This is a positive element of the development, enhancing the public realm and removing the perception of this area being private and segregated due to the presence of the relatively high boundary wall and gated entrances serving the existing detached dwellings set quite far back from the Road. Attractive and varied planting will act as a gentle, natural buffer between the Road and the residential buildings.</li> <li>• Legibility, navigability and permeability will be enhanced by the creation of the new pedestrian connection to the north at Cul Cuille and the orientation of the residential blocks generally along an east-west axis, which makes line-of-sight and movement into the development easier, safer and quicker.</li> <li>• The high-quality design of the scheme will ensure the development will be a legible and attractive addition to the area.</li> </ul>
<ul style="list-style-type: none"> <li>• <i>The proposal positively contributes to the mix of uses and/ or building / dwelling typologies available in the neighbourhood.</i></li> </ul>	<ul style="list-style-type: none"> <li>• The environs of the subject site have generally been comprised of low-rise, low-to-medium-density residential development. The predominance of this pattern of development is evidenced in</li> </ul>

	<p>the established residential areas of Kilcross, Coolkill, Sandyford Downs, Hillcrest Road, Blackglan Road and Sandyford Village.</p> <ul style="list-style-type: none"> <li>• Consequently, the proposed development is a progressive and proactive effort by the Applicant to enhance the housing stock in this part of the County by providing an alternative housing type to that which dominates the immediate locality. Pursuing a residential apartment development is also seen as the most appropriate means through which to increase residential densities and to use scarce urban land resources more appropriately.</li> <li>• The proposed scheme seeks to contribute towards reducing the deficit in Dublin’s housing supply and will positively contribute to the mix of unit typologies available in the area. The subject site is a key underutilised infill site and provides a prime opportunity to provide a residential development of suitable height, scale and mass that will result in the appropriate densification of the site.</li> </ul>
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Development Management Criteria	
At the Scale of the Site/ Building	
Assessment Criteria	Comment
<ul style="list-style-type: none"> <li>• <i>The form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light.</i></li> </ul>	<ul style="list-style-type: none"> <li>• The proposed development has been carefully designed and modulated to ensure there is minimal impact on the daylight and sunlight reaching the existing and proposed residences on adjacent sites. This is thoroughly detailed in 3D Design Bureau’s Daylight and Sunlight Assessment Report.</li> <li>• The design of the subject scheme has evolved through a creative process, in conjunction with the results of the Daylight, Sunlight and Shadow Analysis to ensure an attractive living environment for future residents which has a limited impact on the amenity of surrounding properties.</li> </ul>

	<ul style="list-style-type: none"> <li>• Within the proposed development itself, the units perform well in terms of Average Daylight Factor (97% of rooms compliant). Although the compliance rates for Annual Probable Sunlight Hours and Winter Probable Sunlight Hours for living rooms and Sun on Ground for balconies are lower by comparison, the results are considered reasonable and acceptable as 100% compliance is difficult to achieve in urban and suburban environments and on sites with existing constraints (shape, size, adjacent uses/development, etc.).</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guidelines. Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and an effective urban design and streetscape solution.</i></li> </ul>	<ul style="list-style-type: none"> <li>• As noted above, the Daylight/Sunlight Assessment and the Landscape Visual Impact Assessment ultimately demonstrates that no material impacts will occur on neighbouring properties.</li> <li>• The <i>Daylight and Sunlight Assessment Report</i> prepared by 3D Design Bureau includes a detailed assessment and review of the proposed development and the possible impacts of the proposed development on existing and potential neighbouring developments. The Board is directed to review this Report, included as part of this application pack, and also to Section 5.4.1 of the Planning Report, which assesses impacts on residential amenity and privacy.</li> <li>• As part of a compensatory design solution for the rooms that do not meet the recommended minimum average daylight factor, the proposed development has incorporated a number of compensatory design measures including larger rooms sizes and rooms facing communal open spaces. We have included a list of the rooms that fall short of the daylight provisions and demonstrated the compensatory design measures provided in the Material Contravention Statement.</li> <li>• The scheme will also contribute towards achieving wider planning objectives such as increased building heights and density and the development of sustainable urban</li> </ul>

	lands in proximity to public transport and services and will represent high-quality urban redevelopment for the area especially due to the new pedestrian link provided to Cul Cuille to the north and the activation of the streetscape along Sandyford Road.
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Development Management Criteria	
Site Specific Assessments	
Assessment Criteria	Comment
<ul style="list-style-type: none"> <li>• <i>Specific impact assessment of the micro-climatic effects such as down-draft. Such assessments shall include measurements to avoid/mitigate such micro-climatic effects and, where appropriate, shall include an assessment of the cumulative micro-climatic effects where taller buildings are clustered.</i></li> </ul>	<ul style="list-style-type: none"> <li>• A Microclimate Assessment was prepared by Awn Consulting and is included as part of this planning application pack. It is recommended that An Bord Pleanála consults this document for the technical assessment, which ultimately concluded that: <ul style="list-style-type: none"> <li><i>"The existing environment experiences B3/B4 conditions for much of the time which correspond to a gentle breeze. Based on the analysis conducted it was concluded the proposed development would have no significant effects with regard to microclimate."</i></li> </ul> </li> <li>• In addition, a Noise Impact Assessment was prepared by RSK Ireland Ltd. This Report considered the impact of noise during the construction and operation phases on adjacent residential areas and the impact of traffic at Sandyford Road on the future residents of the proposed development.</li> <li>• The Noise Impact Assessment concluded the following: <ul style="list-style-type: none"> <li><i>"Baseline monitoring has found pre-existing noise levels are typical of a suburban location in the vicinity of a busy regional road. Local and distant traffic were the primary contributor to the noise environment on site. Baseline noise measurement data has been corrected to account for the impacts relating to Covid-19 restrictions."</i></li> </ul> </li> </ul>

	<p>An assessment of the potential construction phase noise impacts has been conducted, following the procedures as outlined in BS 5228-1:2009+A1:2014. At the majority of locations, and for the majority of phases, calculated noise levels are within construction noise significance thresholds. At locations closest to the site boundary, potential significant construction noise effects are predicted, this is primarily due to the short distance between the works area and these neighbouring dwellings. The adoption and implementation of the noise control measures outlined in the relevant sections of this document is expected to reduce impacts to an acceptable level.</p> <p>In the developments operational phase, criteria have been set for new building services plant items in accordance with the methodologies outlined in BS 4142:2014+A1:2019. It has been concluded that the likely noise impact of the developments in its operational phase is not significant.</p> <ul style="list-style-type: none"> <li>• This report also considers the potential inward impact of road traffic on the proposed development. Assessment methodologies use guidance from The Professional Guidance on Planning &amp; Noise (ProPG), May 2017. The two primary stages of the ProPG assessment are the "Stage 1" initial noise risk assessment of the proposed site and "Stage 2" detailed appraisal of the proposed development and preparation of an Acoustic Design Statement (ADS).</li> <li>• The site noise survey has also been used to assess the sites noise risk categories, as per the ProPG "Stage 1" assessment. The ProPG noise risk categories are as follows: <ul style="list-style-type: none"> <li>Daytime: <b>Medium</b></li> <li>Night-time: <b>Medium</b></li> </ul> </li> </ul>
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	<p><i>Recommendation to mitigate noise emissions, as specified in the "Stage 2" Acoustic Design Statement, include the following:</i></p> <ul style="list-style-type: none"> <li>• <i>Provision of glazing with minimum sound insulation properties as outlined in this document.</i></li> <li>• <i>Provision of acoustic attenuation to ventilation systems for dwellings exposed to the highest levels of traffic noise.</i></li> </ul> <p><i>In summary, it is considered that the site is suitable for residential development subject to the provision of the noise control recommendations as outlined in this report."</i></p>
<ul style="list-style-type: none"> <li>• <i>In development locations in proximity to sensitive bird and/ or bat areas, proposed developments need to consider the potential interaction of the building location, building materials and artificial lighting to impact flight lines and/ or collision.</i></li> </ul>	<ul style="list-style-type: none"> <li>• The development is not of a height that would interfere with flight lines and is not of such significant lengths/widths or design that would be considered likely to 'trap' birds and bats between the Blocks.</li> <li>• No specific issue in relation to this criterion was raised in the Ecological Impact Assessment prepared by Enviroguide Consulting.</li> </ul>
<ul style="list-style-type: none"> <li>• <i>An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links.</i></li> </ul>	<ul style="list-style-type: none"> <li>• The Telecommunications Report prepared by ISM identified that 2 No. microwave links to the west of the subject site may be impacted by the proposed development. Therefore, to mitigate these impacts, the proposed development also includes the installation of 4 No. 300 mm microwave transmission link dishes mounted on 2 No. steel support poles affixed to the life shaft overrun on Block D. These will be encased in radio friendly GRP shrouds to reduce possible visual impacts.</li> </ul>
<ul style="list-style-type: none"> <li>• <i>An assessment that the proposal maintains safe air navigation.</i></li> </ul>	<ul style="list-style-type: none"> <li>• The subject site is not within the 'Inner Approach Area' or 'Critical Safety Zone' of Casement (Baldonnell) Aerodrome or Weston Airport, nor is it within either the 'Inner Public Safety Zone' or the 'Outer Public Safety Zone' of Dublin Airport.</li> </ul>

	<ul style="list-style-type: none"> <li>• Therefore, and based on the proposed development's height of up to just 6 No. storey (up to 138 mAOD), it is not deemed necessary to prepare an Aviation Assessment in relation to the maintenance of safe air navigation. However, should An Bord Pleanála deem it prudent to liaise with the Irish Aviation Authority in advance of commencement of development, this could be instructed by way of condition to a grant of planning permission.</li> </ul>
<ul style="list-style-type: none"> <li>• <i>An urban design statement including, as appropriate, impact on the historic built environment.</i></li> </ul>	<ul style="list-style-type: none"> <li>• An Architectural Design Statement prepared by Horan Rainsford Architects has been submitted with this planning application. There are no areas or buildings of historic interest in the vicinity of the site.</li> <li>• A Landscape and Visual Impact Assessment prepared by Mitchell + Associates Landscape Architects and Verified Views prepared by 3D Design Bureau have also been included with this planning application in order to provide a complete overview of the subject design.</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate.</i></li> </ul>	<ul style="list-style-type: none"> <li>• An <i>Appropriate Assessment Screening Report, Environmental Impact Assessment Screening Report, Ecological Impact Assessment Report and Article 299B Statement</i> have been submitted with this planning application.</li> </ul>

**Conclusion on compliance with criteria under Section 3.2 of the *Building Height Guidelines*:**

Having regard to the response to each element of the Development Management Criteria outlined above, it is our considered opinion that the proposed development meets the criteria under Section 3.2 of the *Building Height Guidelines*. The application proposes a development ranging in height from part 1 No. storeys to part 6 No. storeys with a part-basement/part-undercroft level (at Blocks B, C and D), which is considered to be appropriate having regard to the location of the subject site, well served by public transport and in proximity to employment locations, services and facilities. In addition, the subject site has the ability to absorb increased height having regard to its frontage onto Sandyford Road, which has also provided the opportunity to open up the site and provide enhanced permeability to Cul Cuille to the north and an activate streetscape. It is considered that the proposed height is in accordance with Table 5.1 of Appendix 5 of the *Development Plan* (see page 135 of this Statement of Consistency for a response to Table 5.1), which allows an assessment of increased building height, however we have included this in the Material Contravention Statement in the event

that An Bord Pleanála consider the height as a material contravention of the *Development Plan*.

It is our professional planning opinion that the subject site is capable of achieving additional height and density having regard to the introduction of the *NPF* and the *Building Height Guidelines*, which encourages increased height and density on appropriate sites, particularly as this site is severely underutilised in this sustainable location. It is considered that the design response ensures that the development potential of a strategically positioned underutilised plot is maximised without impacting adversely on the amenity of adjacent properties and the surrounding area having regard to the position of the highest forms at the least sensitive locations at the subject site (fronting Sandyford Road and at a distance from the neighbouring residential units).

#### 4.6 ***Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, 2020***

The Department of Housing, Planning and Local Government published the updated *Sustainable Urban Housing: Design Standards for New Apartments* in December 2020 (“*Apartment Guidelines, 2020*”).

The purpose of the *Apartment Guidelines, 2020* published in December 2020 as an update to the *Apartment Guidelines* published in March 2018 (“*Apartment Guidelines, 2018*”) (only change related to Shared Living policies), is to reiterate ministerial guidance, setting out standards for apartment developments, mainly in response to circumstances that had arisen whereby some local authority standards were at odds with national guidance. The *Apartment Guidelines, 2020* and *2018* build on the content of the *Apartment Guidelines* published in 2015 (“*Apartment Guidelines, 2015*”) particularly in relation to design quality safeguards such as internal space standards for 1, 2 and 3 No. bedroom apartments, floor to ceiling height, internal storage and amenity space.

The *Apartment Guidelines, 2020* and *2018* update previous guidance in the context of greater evidence and knowledge of current and likely future housing demand in Ireland taking account of the Housing Agency National Statement on Housing Demand and Supply and projected need for additional housing supply. The Government’s *Rebuilding Ireland – Action Plan for Homelessness, 2016* (“*Rebuilding Ireland*”), the *National Planning Framework – Ireland 2040* (“*NPF*”) and *Housing for All– a New Housing Plan for Ireland, September 2021* (“*Housing for All*”) have both been published since the *Apartment Guidelines, 2015*. We note that the Development Plan should be read in conjunction with the *Apartment Guidelines, 2020* which were issued after the publication of the Development Plan pursuant to Section 28 of the Planning Acts. The Specific Planning Policy Requirements of the *Apartment Guidelines, 2020* take precedence over any conflicting policies and objectives of development plans, local area plans and strategic development zone planning schemes.

It is considered that the subject site is located within a ‘Intermediate Urban Location’ as set out in the *Apartment Guidelines, 2020*, which states:

*‘Such locations are generally suitable for smaller-scale (will vary subject to location), higher density development that may wholly comprise apartments, or alternatively, medium-high density residential development of any scale that includes apartments to some extent (will also vary, but broadly >45 dwellings per hectare net) including:*

- Sites within or close to i.e. within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m), of principal town or suburban centres or employment locations, that may include hospitals and third level institutions;
- Sites within walking distance (i.e. between 10-15 minutes or 1,000-1,500m) of high capacity urban public transport stops (such as DART, commuter rail or Luas) or within reasonable walking distance (i.e. between 5-10 minutes or up to 1,000m) of high frequency (i.e. min 10 minute peak hour frequency) urban bus services or where such services can be provided;
- Sites within easy walking distance (i.e. up to 5 minutes or 400-500m) of reasonably frequent (min 15 minute peak hour frequency) urban bus services.

*The range of locations is not exhaustive and will require local assessment that further considers these and other relevant planning factors.'*

As noted in the *Apartment Guidelines, 2020*, 'the range of locations is not exhaustive and will require local assessment that further considers these and other relevant planning factors'. In this regard, we note that the subject site is within the administrative area of the Section 49 LUAS Development Contribution Scheme and is thus reasonably considered to be within the catchment area of the LUAS Green Line. The site is in proximity to the Glencairn Luas Stop which is c. 1.9 kilometres (c. 20 – 25 minute walk or c. 7 minute cycle from the site), which connects the area to the city centre.

The subject site is also located c. 1.5 kilometres to Beacon Hospital and c. 1.6- c. 2 kilometres to Sandyford Business Park, a significant employment district area containing over 500 No. companies. In addition, the closest Dublin Bus stop offers routes No. 44 and 44B from the Sandyford Road towards the City Centre and south towards Enniskerry. GoAhead Ireland Bus route No. 114 towards Rockview and Blackrock DART Station serves Sandyford Road at Bus Stop. 6006/6007 (a c. 2-minute walk, c. 150 - 200 metres away from the subject site).

Having regard to the site's location within the catchment area of the Section 49 LUAS Development Contribution Scheme, the proximate Glencairn and Sandyford Luas stops, and existing bus stops, it is our professional planning opinion that the subject site can be considered an Intermediate Urban Location. The subject development has therefore been designed with increased building height and density in accordance with National level guidance.

In terms of meeting future housing need, the *Apartment Guidelines, 2020* set out at Section 2.6 that 'demographic trends indicate that two-thirds of households added to those in Ireland since 1996 comprise 1-2- person, yet only 21% of dwellings completed in Ireland since then comprise apartments of any type'. Furthermore, the 2016 Census indicates that 'if the number of 1-2-person dwellings is compared to the number of 1-2-person households, there is a deficit of approximately 150%, i.e. there are approximately two and half times as many 1-2- person households as there are 1-2- person homes.'

The *Apartment Guidelines, 2020* recognises the need for alternative types of accommodation to facilitate the societal and economic changes that have affected household formation and housing demand.

The proposed development includes 137 No. apartments comprised of 32 No. one bedroom units, 78 No. two bedroom units and 27 No. three bedroom units and will therefore provide suitable alternative housing accommodation types for people seeking residential accommodation in Dublin. In addition, it is highlighted that the development provides 13 No. leased social housing units (10% of the total units), which is in accordance with Part V of the *Planning and Development Act 2000* (as amended).

### Specific Planning Policy Requirement 1

*'Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence-based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s).'*

The subject scheme comprises 137 No. apartments consisting of 32 No. one bedroom units (23%), 78 No. two bedroom units (57%) and 27 No. three bedroom units (20%) and is thus in accordance with SPPR 1 of the *Apartment Guidelines, 2020*.

Overall, it is our professional planning opinion that the proposed development will provide a greater mix of tenure in an area which currently dominated by existing low-density residential dwellings.

### Specific Planning Policy Requirement 3

Minimum Apartment Floor Areas:

- Studio apartment (1 person) 37 sq m
- 1-bedroom apartment (2 persons) 45 sq m
- 2-bedroom apartment (4 persons) 73 sq m
- 3-bedroom apartment (5 persons) 90 sq m

All apartments meet, and in some cases, exceed the minimum apartment floor areas set out in SPPR3 as demonstrated in the Housing Quality Assessment Table by Horan Rainsford Architects.

### Specific Planning Policy Requirement 4

*'In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply:*

- (i) *A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate.*
- (ii) *In suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.*

- (iii) *For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects.’ [Our Emphasis]*

The subject scheme includes the provision of 95 No. dual aspect units, which equates to 69% of the total number of units, which exceeds the 50% requirement set out in SPPR<sub>4</sub>, demonstrating the high quality design of the subject scheme.

### Specific Planning Policy Requirement 5

*‘Ground level apartment floor to ceiling heights shall be a minimum of 2.7m and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise discretion on a case-by-case basis, subject to overall design quality.’*

The ground floor/lower ground floor levels of the proposed scheme meet the requirement for 2.7 metres floor to ceiling heights. The upper levels have been designed with a ceiling height of 2.5 metres which is the suggested minimum floor to ceiling height outlined in the *Apartment Guidelines, 2020*.

The proposal is therefore fully in compliance with SPPR<sub>5</sub> of the *Apartment Guidelines, 2020*.

### Specific Planning Policy Requirement 6

*‘A maximum of 12 apartments per floor per core may be provided in apartment schemes. This maximum provision may be increased for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha.’*

The proposed development provides less than 12 No. units per floor per core which is in accordance with SPPR 6.

### Minimum Aggregate Area of Living/Dining/Kitchen Area and Minimum Widths for Main Living/Dining Rooms

The *Apartment Guidelines, 2020* outline the requirement for minimum aggregate area of living/dining/kitchen space as follows:

Unit Type	Minimum Living/Kitchen/Dining Area Required	Width of Living/Dining Room Required
Studio	30 sq m	4 metres
One Bedroom	23 sq m	3.3 metres
Two Bedroom (3 No. person)	28 sq m	3.6 metres
Two Bedroom (4 No. person)	30 sq m	3.6 metres
Three Bedroom	34 sq m	3.8 metres

Each of the 137 No. residential units have been designed in accordance with the standards for the minimum aggregate area of the living/dining/kitchen space and widths of the living/dining

room outlined in the *Apartment Guidelines, 2020*. The *Apartment Guidelines, 2020* allows a variation of 5% to be applied to room areas and widths subject to overall compliance with required minimum overall apartment floor areas. This 5% variation is applied to the some units as detailed in Section 3.8 of the Material Contravention Statement and on page 85 of this Statement of Consistency.

### Minimum Bedroom Floor Areas/Widths

The *Apartment Guidelines, 2020* outline the requirement for minimum bedroom floor areas and widths as follows:

Unit Type	Minimum Floor Area	Minimum Width
Studio	30 sq m	4 metres
Single Bedroom	7.1 sq m	2.1 metres
Double Bedroom	11.4 sq m	2.8 metres
Twin Bedroom	13 sq m	2.8 metres

Each of the units have been designed in accordance with the standards for the minimum bedroom floor areas and widths outlined in the *Apartment Guidelines, 2020*. The *Apartment Guidelines, 2020* allows a variation of 5% to be applied to room areas and widths subject to overall compliance with required minimum overall apartment floor areas. This 5% variation is applied to the some units as detailed in Section 3.8 of the Material Contravention Statement and on page 85 of this Statement of Consistency.

### Minimum Aggregate Bedroom Floor Areas

The *Apartment Guidelines, 2020* outline the requirement for minimum aggregate bedroom floor areas as follows:

Unit Type	Minimum Aggregate Floor Area
One Bedroom	11.4 sq m
Two Bedroom (3 No. person)	13 + 7.1 sq m = 20.1 sq m
Two Bedroom (4 No. person)	11.4 + 13 sq m = 24.4 sq m
Three Bedroom	11.4 + 13 + 7.1 sq m = 31.5 sq m

Each of the units have been designed in accordance with the standards for the minimum aggregate bedroom floor areas outlined in the *Apartment Guidelines, 2020*.

### Minimum Storage Space Requirements

The *Apartment Guidelines, 2020* outline the requirement for minimum storage space as follows:

Unit Type	Minimum Storage Space
Studio	3 sq m
One Bedroom	3 sq m
Two Bedroom (3 No. person)	5 sq m
Two Bedroom (4 No. person)	6 sq m
Three Bedrooms or more	9 sq m

Each of the units have been designed in accordance with the standards for the minimum storage space outlined in the *Apartment Guidelines, 2020*.

### Private Open Space

The *Apartment Guidelines, 2020* outline a requirement for Private Open Space per unit as follows:

Unit Type	Private Open Space Required
Studio	4 sq m
One Bedroom	5 sq m
Two Bedroom	7 sq m
Three Bedroom	9 sq m

Private Open Space has been provided for each of the proposed 137 No. units in line with the requirements outlined in the *Apartment Guidelines, 2020*. In many cases the private open space provision for the proposed apartments exceeds the minimum standards outlined in *Apartment Guidelines, 2020*.

### Communal Amenity Space

The *Apartment Guidelines, 2020* outline the following standards for communal amenity space:

Unit Type	No. of Units	Communal Amenity Space Requirement Per Unit	Total Amenity Requirement	Communal Space
Studio	N/A	4 sq m	N/A	
One Bedroom	32	5 sq m	160 sq m	
Two Bedroom (3 No. Person)	10	6 sq m	60 sq m	
Two Bedroom (4 No. Person)	68	7 sq m	476 sq m	
Three Bedroom	27	9 sq m	243 sq m	
<b>Total:</b>	<b>137</b>	-	<b>939 sq m</b>	

Based upon the composition of the proposed 137 No. residential units the subject scheme has a requirement of 939 sq m of communal amenity space to meet the minimum standards outlined in the *Apartment Guidelines, 2020*.

The subject scheme includes 1,299 sq m of communal open space designed by Murphy and Sheanon Horticulture and Landscape Architecture which exceeds the minimum standards, and 404 sq m internal communal amenity space is also provided which includes hot desk offices and a gym.

#### 4.7 **Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes and Sustainable Communities (2007)**

The *Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes and Sustainable Communities (2007)* outline a number of key principles which are of relevance to the subject scheme:

*'The purpose of these Guidelines is to assist in achieving the objectives of Delivering Homes; Sustaining Communities contained in the Government Statement on Housing Policy which focuses on creating sustainable communities that are socially inclusive by:*

- *Promoting high standards in the design and construction and in the provision of residential amenity and services in new housing schemes;*
- *Encouraging best use of building land and optimal utilisation of services and infrastructure in the provision of new housing;*
- *Pointing the way to cost effective options for housing design that go beyond minimum codes and standards; promoting higher standards of environmental performance and durability in housing construction;*
- *Seeking to ensure that residents of new housing schemes enjoy the benefits of first-rate living conditions in a healthy, accessible and visually attractive environment; and providing homes and communities that may be easily managed and maintained.'*

The subject scheme provides a high-quality designed scheme in accordance with required standards. The scheme has taken the opportunity to explore the increase in building height and density, especially having regard to the site's frontage onto Sandyford Road, and the scheme makes optimal use of the lands.

The scheme will be provided with high quality materials as described throughout the Architect's Design Statement. As set out in the Design Statement, the design utilises a series of protrusions, recesses and gaps to give rhythm to the street elevation while breaking down the form and allowing permeability through the development into the landscaped courtyards and play spaces beyond. A restrained palette of high quality and durable materials has been selected. The same ornamental brick detail and grid break up is utilised on each block to tie them together in the same architectural language. Each block then uses a different brick and render colour to the others, to provide each their own identity within the scheme. This further helps to break down the development and the mass of the scheme into which the rhythm of protrusions, recesses and gaps sit.

The development is designed to ensure that the long-term durability and maintenance of materials is an integral part of the design and specifications of the proposed development. The scheme will provide attractive and high-quality apartments, open spaces and internal amenities which ensures that first-rate living conditions will be developed. In addition the design of the subject scheme has evolved through a creative process, in conjunction with the results of the Daylight, Sunlight and Shadow Analysis to ensure an attractive living environment for future residents.

**4.8 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and the Urban Design Manual – A Best Practice Guide (2009)**

**Housing Location in Urban Areas**

The aim of *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)* ("*Sustainable Residential Development Guidelines 2009*") is to set out the key planning principles which should be reflected in development plans and local area plans, and which should guide the preparation and assessment of planning applications for residential development in urban areas. The document sets out high level aims that:

*'Need to be translated into specific planning / design policy and objectives which can be applied at different scales of residential development, ranging from districts or neighbourhoods within large urban centres, to expansion of smaller towns and villages, and finally down to the level of the individual home and its setting.'*

There are 10 No. high-level aims set out in the document, which are set out and responded to below:

- 1) Prioritise walking, cycling and public transport, and minimise the need to use cars;

The scheme promotes sustainable modes of transport by providing 340 No. bicycle parking spaces and 6 No. car share parking spaces and encouraging public transport, walking and cycling.

- 2) Deliver a quality-of-life which residents and visitors are entitled to expect, in terms of amenity, safety and convenience;

The development will provide high-quality units with large areas of communal open space and residents' amenity space. The scheme provides 69% dual aspect units.

The development promotes safety and facilitates the natural surveillance of adjoining routes and spaces as all open spaces are overlooked by apartments and/or residents' amenity space. The site is located in proximity to public transport, employment, services and facilities, and is thus an ideal and convenient location for residential development.

- 3) Provide a good range of community and support facilities, where and when they are needed and that are easily accessible;

A 'Social Infrastructure Audit' has been prepared by KPMG Future Analytics and is enclosed as a separate document. This Audit demonstrates that a significant range of services and facilities are available in proximity to the site '*which contribute to quality of life*'. The Social Infrastructure Audit did not identify a need to provide specific facilities at the subject site. The scheme also provides residents' amenity space for the future residents.

- 4) Present an attractive, well-maintained appearance, with a distinct sense of place and a quality public realm that is easily maintained

A detailed Architectural Design Statement has been submitted with this planning application and sets out that a restrained palette of high-quality and durable materials have been

proposed for the subject scheme. The development is designed to ensure that the long-term durability and maintenance of materials is an integral part of the design and specifications of the proposed development. The scheme will enhance this area and will create a vibrant sense of place and will make a positive contribution to the urban neighbourhood, streetscape and public realm.

- 5) Are easy to access for all and to find one's way around;

This development will be easy to navigate and will also enhance legibility for the wider area. The apartment access and communal open space within the site will also be easy to navigate with clear pathways provided for example.

- 6) Promote the efficient use of land and of energy, and minimise greenhouse gas emissions;

The proposed development represents the sustainable and efficient development of underutilised, brownfield land in a core urban location, proximate to public transport, employment, services and facilities. An Energy Statement has been prepared by Renaissance and is enclosed with this application.

- 7) Provide a mix of land uses to minimise transport demand;

The development principally provides residential units with residents' amenity space in addition to communal open spaces. The development is a low car usage development (includes 6 No. car share spaces) and promotes sustainable modes of transport, especially due to the site's location proximate to public transport. The scheme also promotes walking and cycling from the site and 340 No. bicycle parking spaces are proposed. Therefore, the development encourages sustainable modes of transport which will minimise car usage.

- 8) Promote social integration and provide accommodation for a diverse range of household types and age groups;

The development promotes social integration with the range of communal open spaces provided and the residents' amenity space proposed. The mix of 1, 2 and 3 No. bedroom units will add diversity to the existing unit provision in the area. Some 13 No. Part V units are provided in accordance with Part V of the *Planning and Development Act 2000 (as amended)*, which requires 10% social and affordable housing for the subject development.

- 9) Enhance and protect the green infrastructure and biodiversity; and

The development will enhance and contribute to the green infrastructure and biodiversity of the area. The scheme will provide a planting scheme that includes a range of pollinator-friendly species providing a source of nectar and pollen for insects and birds. In addition, as set out in the Landscape Design Report by Murphy + Sheanon Horticulture & Landscape Architecture, some 20 No. tree species have been proposed and will improve biodiversity whilst also providing aesthetic and/or functional characteristics.

- 10) Enhance and protect the built and natural heritage

The proposed scheme will enhance the natural and built heritage of the site, due the high quality design proposed, in addition to the provision of communal open spaces. The site will

enhance the visual amenity of the area and will be a positive insertion to the area on a site that currently represents a significant underutilisation of scarce urban land.

The *Urban Design Manual – A Best Practice Guide (2009)* is a companion document to the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)*.

The Urban Design Manual sets out 12 No. key indicators for developments in urban areas:

1) Context – How does the development respond to its surroundings?

The proposed development has been subject to a high-quality design by Horan Rainsford Architects.

In our opinion, the heights provided in the subject development are appropriate having regard to the expressed requirement in National level policy to achieve compact growth, in addition to the careful modulation of height throughout the site, which responds to the situational context.

The Design Team have comprehensively considered the scheme layout and modulation in order to ensure that the development improves legibility in the area and will integrate into the surrounding context. The tallest elements of the buildings have been provided at the least sensitive locations fronting Sandyford Road, away from residential properties, which demonstrates that the development responds to its surroundings.

Please refer to the Architectural Design Statement prepared by Horan Rainsford Architects and a Landscape Design Report by Murphy and Sheanon Horticulture and Landscape Architecture enclosed for more details.

2) Connections – How well connected is the new neighbourhood?

The subject site is located within walking and cycling distance of many employment locations, services and facilities and is served by public transport.

As previously noted, the subject site is located within c. 1.5 kilometres to Beacon Hospital and c. 1.6 – c. 2 kilometres to Sandyford Business Park, a significant employment district area containing over 500 No. companies. The subject site is within the administrative area of the Section 49 LUAS Development Contribution Scheme and is thus reasonably considered to be within the catchment area of the LUAS Green Line. The closest LUAS station to the site is the Glencairn Station, which is c. 1.9 kilometres away (20-25 minute walk or 7 minute cycle), providing access to light rail services north to Dublin City and south towards Cherrywood.

The subject site is a 2-5 No. minute walk to bus stops on Sandyford Road, where services connect the site to Dundrum Town Centre and Dublin City Centre. The existing bus services will be enhanced as part of Bus Connects, the future bus network proposals providing frequent public transport (bus services every 12 minutes). It is clear that the site is well connected and sustainable modes of transport are encouraged within the proposed scheme.

3) Inclusivity – How easily can people use and access the development?

As previously noted, the proposed development has been designed to encourage sustainable modes of transport e.g. walking, cycling and public transport.

We note that there are 340 No. bicycle parking spaces proposed for the development. Having regard to the context of the subject site, in our professional planning opinion it is incumbent to consider a reduced car parking provision in line with Paragraph 4.21 of the *Apartment Guidelines, 2020*. The subject scheme includes the provision of 137 No. car parking spaces, which equates to a ratio of 1 No. spaces per unit (a similar ratio of 0.9 as recently granted in the Ironborn SHD in Aiken’s Village [ABP Ref. ABP-309828-21]).

The subject development facilitates emergency vehicle and refuse vehicle access. In addition, a number of access points have been provided to the residents to access the scheme, which will open up the site and will allow easy access for future residents to gain entry into their dwelling.

4) Variety – How does the development promote a good mix of activities?

The development provides 137 No. residential units comprised of 32 No. one bedroom units, 78 No. two bedroom units and 27 No. three bedroom units. We note the residential development is supported by the provision of 404 sq m of internal communal amenities spaces such as hot desk office space, a gym and concierge. In addition to the internal amenity spaces there is also 1,299 sq m of high-quality communal open space designed by Murphy and Sheanon Horticulture and Landscape Architecture.

The proposed scheme has been designed ensuring that a wide variety of amenities and facilities are available for future residents to utilise within the development.

5) Efficiency – How does the development make appropriate use of resources, including land?

National policy expressly seeks the densification of underutilised brownfield lands such as the subject site. The application site is located in proximity to nearby public transport and is near to the M50 and employment, services and facilities, and thus the development can meet the housing needs of a large number of persons and will address the acute housing shortage and the significant demand that exists in Dublin.

The proposed scheme will provide a density of 165 No. units per hectare (137 No. units on a developable site of 0.829 Ha.), and currently only provides 2 No. units per hectare, which represents an efficient densification or sustainable lands.

The proposed development is consistent with the zoning as set out in the *Dún Laoghaire Rathdown County Development Plan 2022-2028*, which includes residential units as a permissible use. The proposed development represents the appropriate densification of this underutilised site while having regard to the need to protect the amenity of surrounding properties. The proposed scheme provides high quality landscaped areas, which will provide amenity and biodiversity.

6) Distinctiveness – How do the proposals create a sense of place?

The scheme provides high quality communal open spaces significantly in excess of the requirements of the *Dún Laoghaire Rathdown County Development Plan 2022-2028* and the *Apartment Guidelines, 2020*, which will allow the residents to enjoy high-quality landscaped outdoor spaces and will provide a sense of place.

The Landscape Design Report prepared by Murphy and Sheanon Horticulture and Landscape Architecture notes the following design objective:

*'To create a network of external spaces that allow for intergenerational use and flexibility in recreation activity, for social interaction and active play as well as spaces that are quiet and calming.'*

7) Layout – How does the proposal create people friendly streets and spaces?

There will be limited vehicular activity within the subject scheme which provides a public realm that prioritises ease of movement for pedestrians and bikes, by diverting vehicles to the basement shortly after entering the development site.

In addition to the private amenity spaces serving individual units and the communal amenity space, 1,299 sq m of open space is provided which is in excess of the requirement outlined in the *Development Plan* (939 sq m required). The communal open space will be solely for the residents which will be an attractive environment to enjoy.

8) Public Realm – How safe, secure and enjoyable are the public areas?

The outdoor spaces will be subject to a high level of passive surveillance as they will be overlooked by the residential units, ensuring that these areas are safe and secure. The communal open space will include play spaces for children and toddlers.

The proposed development includes a comprehensive Landscape Plan and Landscape Design Report prepared by Murphy and Sheanon Horticulture and Landscape Architecture, a copy of which is enclosed with this planning application and which sets out the strategy for the provision of safe, secure and enjoyable public spaces.

9) Adaptability – How will the buildings cope with change?

The ground floor level units allow minimum floor to ceiling heights of 2.7 metres, which are capable of internal modification where deemed necessary as per SPPR 5 of the *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, 2020*. The development is designed to ensure that the long-term durability and maintenance of materials is an integral part of the design and specifications.

10) Privacy and Amenity – How does the scheme provide a decent standard of amenity?

Each of the 137 No. residential units within the subject scheme have been provided with private open space in compliance with the provisions of the *Apartment Guidelines, 2020*. We note that 69% of the units are dual aspect.

According to the *Development Plan* and the *Apartment Guidelines, 2020*, the subject scheme results in a requirement of 939 sq m of communal amenity space to meet the minimum standards outlined in the *Apartment Guidelines, 2020*.

The subject scheme includes 1,299 sq m of external communal amenity space and 404 sq m of internal communal amenity space including hot desk office space and a gym. Therefore, the communal open space provision exceeds the requirement. It is clear that the proposed scheme provides for a high-quality residential development in accordance with minimum standards.

11) Parking – How will the parking be secure and attractive?

The scheme proposes 137 No. car parking spaces predominately at basement level, including 7 No. mobility impaired spaces, 31 No. electric vehicle spaces and 6 No. car share spaces. Sustainable modes of transport such as cycling and walking are promoted within the scheme, with the provision of 340 No. bicycle parking spaces.

12) Detailed Design: How well thought through is the building and landscape design?

An Architectural Design Statement prepared by Horan Rainsford Architects and Landscape Design Report prepared by Murphy and Sheanon Horticulture and Landscape Architecture are submitted as part of this planning application, which sets out the design rationale of the proposed development providing a high-quality innovative scheme.

The assessment of the proposed development above and in the context of the expert reports referred to demonstrates that the proposal is consistent with the guidance as set out in the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)* and the *Urban Design Manual – A Best Practice Guide (2009)*.

#### 4.9 *Design Manual for Urban Roads and Streets (2019)*

The *Design Manual for Urban Roads and Streets (2019)* ('DMURS') sets out an integrated design approach for creating new and redeveloping existing routes to ensure that they are secure, connected and attractive. The guidance document outlines several key objectives and design principles, most notably the promotion of sustainable modes of transport such as; prioritising walking, cycling and use of public transport. DMURS outlines practical guidance for the design of roads and streets which have been taken into consideration during the design process of the proposal at the subject of the report.

##### 4.9.1 Policy Background

DMURS references the *Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland 2009 – 2020* document which was published by the Department of Transport. The key goals as set out within the *Smarter Travel* document include:

- (i) 'To reduce overall travel demand;
- (ii) To maximise the efficiency of the transport network;
- (iii) To reduce reliance on fossil fuels;
- (iv) To reduce transport emissions; and
- (v) To improve accessibility to public transport'.

Given the intermediate urban location of the application site, proximity to the M50, which is approximately 1.4 kilometres away, the Beacon Hospital which is c. 1.5 km to the north-east of the subject site, Dundrum Town Centre c. 2.5 km to the north, and accessibility to public transport, including the LUAS Green line within a c. 20 – 25 minute walking distance or 7 No. minute cycle, it is anticipated that residents of the scheme would largely rely on walking, cycling or utilising existing public transport routes to reach their place of work.

Due to location of the subject site and the accessibility of public transport, car parking is limited to 137 No. spaces within the proposed development (including 7 No. mobility impaired spaces). The scheme is considered to be consistent with the key policy goals as set out in *Smarter Travel – A Sustainable Transport Future A New Transport Policy for Ireland 2009 – 2020*.

#### 4.9.2 Site Layout and Legibility

The subject site is currently screened behind boundary walls and the proposed development will promote legibility by opening up the site onto Sandyford Road and providing active frontage.

The proposed high-quality designed layout of the scheme by Horan Rainsford Architects will ensure that the scheme will be legible while also sitting comfortably within its immediate context. We note that the development has been designed in accordance with DMURS, as demonstrated in the enclosed DMURS Design Statement prepared by NRB Consulting Engineers (included as part of the Transportation Assessment).

#### 4.9.3 Sustainable Transport

The subject site is considered eminently suitable for development given the proximity to the M50, accessibility to high frequency public transport, including the LUAS Green line within a 20-25 minute walking distance or 7-minute cycle, c. 1.5 kilometres to Beacon Hospital and c. 1.6 kilometres – c. 2 kilometres to Sandyford Business Park, a significant employment district area containing over 500 No. companies, in addition to Dundrum Town Centre c 2.5 kilometres away. The subject site is within the administrative area of the Section 49 LUAS Development Contribution Scheme and is thus reasonably considered to be within the catchment area of the LUAS Green Line.

The subject site is a 2-5 No. minute walk to bus stops on Sandyford Road, where services connect the site to Dublin City Centre. The existing bus services will be enhanced as part of Bus Connects, the future bus network proposals providing frequent public transport (bus services every 12 minutes).

The DMURS publication references that the Smart Travel document includes a '*vision to create a strong cycling culture in Ireland and ensure that all cities, towns and villages will be cycling friendly and that cycling will be a preferred way to get about, especially for short trips.*'

The proposed scheme provides for 340 No. bicycle parking spaces in total ensuring that sustainable modes of transport are encouraged.

As established in the above commentary, it has been demonstrated that the proposed residential scheme is consistent with the guidance as per the *Design Manual for Urban Roads and Streets (2013)*.

The Traffic and Transportation Assessment prepared by NRB Consulting Engineers, a copy of which is enclosed with this planning application, includes a DMURS Design Statement which sets out specific attributes of the schemes design which contribute to achieving this DMURS objective.

**4.10 *The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009)***

The *Planning System and Flood Risk Management Guidelines (2009)* published by the Government of Ireland includes the following core objectives:

- Avoid inappropriate development in areas at risk of flooding;
- Avoid new developments increasing flood risk elsewhere, including that which may arise from surface water run-off;
- Ensure effective management of residual risks for development permitted in floodplains;
- Avoid unnecessary restriction of national, regional or local economic and social growth;
- Improve the understanding of flood risk among relevant stakeholders; and
- Ensure that the requirements of EU and national law in relation to the natural environment and nature conservation are complied with at all stages of flood risk management.

The Flood Risk Assessment Report prepared by Torque Consulting Engineers concludes with the following key points:

- *This report establishes the present day and future flood risks at the existing subject site.*
- *A review of the OPW's Historical Flood Maps does not indicate any previous instances of flooding on the subject lands.*
- *The subject lands are located outside of the 0.1% predicted fluvial flood zone and in a low-risk area for pluvial flooding.*
- *The subject lands are located outside the 0.1% predicted tidal flood zone, and are designated as being in Flood Zone C.*
- *Assessment of the OPW's Historical Flood Maps reports show no instances of Pluvial flooding in the vicinity of the development site.*
- *The site is not required to be reviewed under Dun Laoghaire Rathdown County Councils requirement for a justification test and is deemed to be in compliance with their County Development Plan 2022-2028 flood risk strategy requirements.*

- *There is no geological evidence of karst formations beneath the subject site and as such the likelihood and on-site flooding due to groundwater is deemed to be remote and within acceptable levels.*

- *The implications of pipe blockages and exceedance rainfall events have been identified and models as part of the surface water design process, see ESR which is also part of this submission.'*

Thus, the proposed development is acceptable having regard to the objectives of *The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009)*.

#### 4.11 **Guidelines for Planning Authorities on Childcare Facilities (2001) and the Child Care Act 1991 (Early Years Services) Regulations 2016**

The *Guidelines for Planning Authorities on Childcare Facilities (2001)* ("Childcare Guidelines, 2001") sets out that:

*'Access to quality childcare services contribute to the social, emotional and educational development of children. There are clear economic benefits from the provision of childcare. The lack of accessible, affordable and appropriate childcare facilities makes it difficult for many parents/guardians to access employment and employment related opportunities...In relation to new housing areas, a standard of one childcare facility providing for a minimum 20 childcare places per approximately 75 dwellings may be appropriate.'*

The *Childcare Guidelines, 2001* further state:

*'The Planning and Development Act, 2000, makes it a mandatory requirement on planning authorities to include in their Development Plan objectives on the provision of services for the community, including creches and other childcare facilities.'*

The objectives of the *Childcare Guidelines, 2001* are to:

- Update and develop baseline data on the quality of existing and prospective childcare needs in association with the County Childcare Committees;
- Promote childcare facilities in the following locations as a key element in the provision of sustainable communities:
  - Residential areas;
  - Places of employment;
  - Educational establishments;
  - City and town centres, neighborhood and district centres;
  - Convenient to public transport nodes.
- Establish a system of monitoring the achievements of the above objectives.

The *Childcare Guidelines, 2001* identify appropriate locations for childcare facilities as identified below:

- New communities/Larger new housing developments - *'Planning authorities should require the provision of at least one childcare facility for new housing areas unless there are significant reasons to the contrary for example, development consisting of single bed apartments or where there are adequate childcare facilities in adjoining developments.'*
- The vicinity of concentrations of work places, such as industrial estates, business parks and any other locations where there are significant numbers working – *facilitating safe and efficient journeys to/from the workplace of parents/guardians.*
- In the vicinity of schools – *facilitating parents dropping off school-going children and children attending childcare facilities on route to their place of employment;*
- Neighbourhood, District and Town Centres – *combating competitive pressure from larger commercial areas.*
- Adjacent to public transport corridors, park and ride facilities, pedestrian routes and dedicated cycle ways.

The *Childcare Guidelines, 2001* stipulate that Planning Authorities should require one childcare facility (providing for a minimum 20 childcare places) per approximately 75 No. dwellings. However as noted above, a childcare facility does not need to be provided if there are significant reasons to the contrary (such as developments consisting of single bed apartments or where adequate childcare facilities exist in adjoining developments). It is also noted that the *Apartment Guidelines, 2020* state the following:

*'One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms.'*

The Childcare Demand Assessment prepared by KPMG Future Analytics enclosed separately concludes that there is sufficient capacity in the area to easily cater for the proposed development:

*'The potential impact of the proposed development on childcare facilities and the level of demand generated by it has been considered in the context of:*

- *The composition of the proposed development including unit mix and form;*
- *The demographics of the surrounding area; and*
- *The existing and proposed childcare capacity of the area.*

*This assessment has identified the following in relation to the need for a childcare facility:*

- *Based upon the proposed unit mix and form of the development, the persons per unit proposed (determined by the proposed development and the average household size in the Study Area) and the proportion of the Study Area's population within the 0-6 years age cohort, 25 No. children aged 0–6 years may reside in the proposed development.*

- *The QNHS Q3 2016 illustrates that only 25% of pre-school children in Dublin attend a childcare facility. When applied to the estimated number of 0- to 6-year-old children that may be resident in the proposed development, a demand for only 6 No. childcare spaces is likely to exist, while 10 No. childcare spaces would be required under the scenario where 40% of the 0- 6-year-old residents attend a childcare facility.*
- *Consultation with existing childcare facilities in and bordering the Study Area has revealed available capacity in existing childcare facilities of 46 No. spaces.*
- *The childcare planning permission pipelines in the Study Area will cumulatively create additional childcare capacity (343 – 430 No. childcare spaces).*

*In conclusion, the subject development comprises 137 No. dwelling units, of which only 105 No. units of 2-bedrooms or more can reasonably accommodate families. The potential childcare uptake of the proposal is likely to only be 6–10 No. places and the local childcare network has an indicative capacity of 46 No. spaces in 4 No. of the 37 No. existing facilities. It is submitted that the total number of childcare places to be accommodated by this facility will most likely be absorbed by the existing facilities network and the planned facilities (comprising 343 – 430 spaces) proposed within the area.'*

Therefore, it is clear that the subject development does not have a requirement to provide a childcare facility having regard to the results of the Childcare Demand Assessment by KPMG Future Analytics.

Overall, as demonstrated throughout this section, the proposed scheme is consistent with all relevant National Policy Documents.

## 5.0 REGIONAL POLICY

This section will demonstrate that the proposed development has been brought forward with due consideration of Regional Policy and is consistent with the objectives and guidance as set out within each of the respective policy documents. Within this section the development will be assessed against the *Regional Planning Guidelines for the Greater Dublin Area 2010-2022* and the *Regional Spatial and Economic Strategy for the Eastern and Midlands Region 2019-2031*.

### 5.1 *Regional Planning Guidelines for the Greater Dublin Area 2010-2022*

The *Regional Planning Guidelines for the Greater Dublin Area 2010-2022* ("RPGs") provides a long term sustainable planning framework for the GDA. The RPGs is a policy document which aims to direct the future growth of the Greater Dublin Area over the medium to long term.

The RPGs set out that *'quality housing should be reflected equally in terms of the overall layout of the scheme and its urban design characteristics, the internal layout, form and design of housing and the external architectural form of housing which should relate to the wider urban area of which it is part while facilitating the creation of areas of distinct character.'*

In relation to Dublin, the RPGs states that:

*'A core element of the RPGs is the importance of integration of land use, employment and transport. Within the City, as the national hub of employment and transport, it is critical that the policy of encouraging high quality new housing within the core of the gateway continues. The City, with a large young population inflated by students, migration and a young mobile workforce, has lower occupancy rates, particularly in the inner City which drives higher housing demand per head of new population. The importance of the detailed urban plans and guidelines in setting clearly the template for successful infill and regeneration development needs to continue, taking the long term perspective. New transport hubs at metro stations and along the interconnector route line give these locations high accessibility and mobility and this needs to be capitalised on where possible.'*

The following Strategic Policies are considered relevant and have been assessed in respect of the proposed development:

**Strategic Policy EP1** outlines the importance of the integration of climate change considerations into Development Plans, Flood Risk Assessments and Biodiversity and Heritage plans.

The proposed development has had due regard to climate change, flood risk and biodiversity.

An *Environmental Impact Assessment Screening Report* prepared by Enviroguide Consulting is submitted with the planning application, in addition to a number of technical reports on specific environmental issues, such as the *Appropriate Assessment Screening Report* and *Statement in accordance with Article 299B (1) (b)(ii)(II)(C) of the Planning and Development Regulations 2001, as amended*, also prepared by Enviroguide Consulting, the *Flood Risk Assessment Report* prepared by Torque Consulting Engineers and the *Sustainability Report* prepared by Renaissance.

The enclosed technical reports clearly demonstrate that the proposed development is consistent with Strategic Policy EP1.

**Strategic Policy EP2** refers to the need to facilitate new employment opportunities for existing populations and seek to reduce the volume of unsustainable long-distance commuting.

The provision of affordable, high quality homes and a range of unit sizes close to a number of significant employment nodes and public transport will allow employees to live closer to their place of work and reduce commuting distances and will allow new employers to have confidence that adequate residential development is available for their employees.

Therefore, the proposal is consistent with Strategic Policy EP2.

**Strategic Policy SP1** stipulates that the delivery of new housing in the GDA shall support the NSS, Smarter Travel and the DoEHLG Guidelines on Sustainable Residential Development. The RPG Settlement Strategy encourages the focusing of new housing development on:

- (i) *consolidation within existing built footprint with particular focus on the metropolitan area;*
- (ii) *supporting the achievement of sustainable towns;*
- (iii) *supporting national investment in public transport services by focusing new development areas to key locations to achieve the integration of land use and high quality public transport provision, and*
- (i) *build up economics of scale for services in identified growth towns.*

The proposed scheme will positively address each of the criteria above where relevant.

The subject development will:

- Provide residential units within Dublin, which represents its consolidation within the existing urban footprint;
- Represent the sustainable development of this accessible urban area; and
- Provide residential units in a prime location proximate to public transport.

The subject lands are located in a sustainable location and will promote the increase in population at a location in proximity to public transport and employment locations.

The scheme is considered to be consistent with Strategic Policy SP1.

**Strategic Policy PIP5** relates to waste management and aims to ensure environmental, business and public health needs are met. It also sets out to promote and facilitate reuse and recycling.

An Operational Waste Management Plan (OWMP), Construction Environmental Management Plan (CEMP) and Resource and Waste Management Plan (RWMP) have been prepared by AWN Consulting, copies of which are included with this planning application. These reports set out the waste management strategy for the subject site.

The proposal is therefore consistent with Strategic Policy PIP5.

**Strategic Policy GIP1** is concerned with the protection of built heritage and protected species.

An Appropriate Assessment Screening Report prepared by Enviroguide Consulting is enclosed and concludes that on the basis of the best scientific knowledge available, the possibility of any significant effects on any European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded.

The subject site is not located within or directly adjacent to any Special Protection Areas (SPA), Special Areas of Conservation (SAC) or National Heritage Areas (NHA).

The Ecological Impact Assessment Report notes:

*'Provided all mitigation measures are implemented in full and remain effective throughout the lifetime of the Development, no significant negative residual impacts on the local ecology or on any designated nature conservation sites are expected from the Proposed Development.'*

The Report concludes:

*'It is considered that provided the mitigation measures proposed are carried out in full, there will be no significant negative impact to any valued habitats, designated sites or individual or group of species as a result of the Proposed Development.'*

*'Based on the successful implementation of these measures and proposed works, to be carried out in accordance with the landscape plan, there will be no significant negative ecological impacts arising from Construction and Operational Phases of the Proposed Development.'*

The proposal is consistent with Strategic Policy GIP1.

**Strategic Policy GIP2** aims to protect and conserve the natural environment, in particular EU designated sites.

The subject site is not located on or in close proximity to any EU designated sites. As noted above in response to GIP1, the Appropriate Assessment Screening Report prepared by Enviroguide Consulting concludes that on the basis of the best scientific knowledge available, the possibility of any significant effects on any European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded.

The proposal is therefore consistent with Strategic Policy GIP2.

**Strategic Policy GIP6** sets out to ensure the protection, enhancement and maintenance of the natural environment with specific emphasis on the value of green spaces.

The proposed scheme has been designed with due regard for the natural environment, the value of green space and the strategic green network. Outdoor public open space, communal open spaces, balconies and green roofs have been provided. A comprehensive Landscape Design Report prepared by Murphy and Sheanon Horticulture and Landscape Architecture is submitted in conjunction with this planning application.

The Ecological Impact Assessment prepared by Enviroguide Consulting and enclosed with this application concludes that:

*'It is considered that provided the mitigation measures proposed are carried out in full, there will be no significant negative impact to any valued habitats, designated sites or individual or group of species as a result of the Proposed Development.*

*Based on the successful implementation of these measures and proposed works, to be carried out in accordance with the landscape plan, there will be no significant negative ecological impacts arising from Construction and Operational Phases of the Proposed Development.'*

The proposal is consistent with Strategic Policy GIP6.

**Strategic Policy SIP1** is in relation to planning for communities and outlines the need to identify and respond to the most vulnerable in planning for growth, for change or regeneration.

The proposed scheme is a direct response to the deficit in housing supply in Dublin by providing a mix of 1, 2 and 3 No. bedroom units. The proposed units will contribute towards alleviating the housing crisis which currently constrains first time home-ownership in particular. It is also noted that the scheme provides 10% social housing as per Part V of the *Planning and Development Act, 2000*.

As previously outlined, the inclusion of high-quality open spaces will enhance the quality of life for future residents and the opening up of the site onto Sandyford Road will positively contribute to the local area by improving legibility for the community.

The proposal is consistent with Strategic Policy SIP1.

**Strategic Policy SIP2** acknowledges planning policy as a tool in creating a quality of life.

The subject scheme includes 137 No. residential units and 1,299 sq m of high-quality open space. In addition to the external amenity space, the subject scheme also includes the provision of 404 sq m of internal communal amenity space comprised of shared workspaces and a gym. It is therefore considered that the proposal will provide for a high-quality standard of residential amenity/quality of life for the future occupiers.

The sustainable location will reduce commuting times, in addition to the provision of open spaces and the promotion of public transport, walking and cycling as main modes of

transport which will contribute to the quality of life of residents within the proposed development in proximity to a range of services and facilities.

The proposal is consistent with Strategic Policy SIP2.

**Strategic Policy FP1** states that flood risk requires active management throughout the planning process.

The Flood Risk Assessment Report prepared by Torque Consulting Engineers concludes with the following key points:

*"• This report establishes the present day and future flood risks at the existing subject site.*

*• A review of the OPW's Historical Flood Maps does not indicate any previous instances of flooding on the subject lands.*

*• The subject lands are located outside of the 0.1% predicted fluvial flood zone and in a low-risk area for pluvial flooding.*

*• The subject lands are located outside the 0.1% predicted tidal flood zone, and are designated as being in Flood Zone C.*

*• Assessment of the OPW's Historical Flood Maps reports show no instances of Pluvial flooding in the vicinity of the development site.*

*• The site is not required to be reviewed under Dun Laoghaire Rathdown County Councils requirement for a justification test and is deemed to be in compliance with their County Development Plan 2022-2028 flood risk strategy requirements.*

*• There is no geological evidence of karst formations beneath the subject site and as such the likelihood and on-site flooding due to groundwater is deemed to be remote and within acceptable levels.*

*• The implications of pipe blockages and exceedance rainfall events have been identified and models as part of the surface water design process, see ESR which is also part of this submission.'*

The proposal is consistent with Strategic Policy FP1.

This section has clearly demonstrated that the proposed residential development principally comprising 137 No. apartments with residential amenities and communal open space, is consistent with the relevant strategic policies set out the *Regional Planning Guidelines for the Greater Dublin Area 2010 – 2022*.

## 5.2 **Regional Spatial and Economic Strategy for the Eastern and Midlands Region 2019-2031**

The *Regional Spatial and Economic Strategy* ("RSES") for the East and Midlands Regional Assembly comprises a number of core Regional Policy Objectives which coincide with the

National Planning Framework (“NPF”). The purpose of the guidelines is to direct all Local Authority future plans, projects and activities requiring consent of the Regional Assembly.

Under RPO 4.3 ‘Consolidation and Re-intensification’ the following objective is stated:

*‘Support the consolidation and re-intensification of infill/brownfield sites to provide high density and people intensive uses within the existing built-up area of Dublin city and suburbs and ensure that the development of future development areas is coordinated with the delivery of key water infrastructure and public transport projects.’*

The subject scheme will provide 137 No. residential units on a brownfield, infill site within an existing built-up area in Dublin, which will therefore appropriately densify and intensify a key underutilised site in an urban area in accordance with RPO 4.3. The proposed development will not result in any material impact on surrounding properties through considered design mitigation measures including set back in height and appropriate distances to boundaries.

The Metropolitan Area Spatial Plan (MASP) for Dublin contained within the RSES states the following:

- RPO 5.4: *‘Future development of strategic residential development areas within the Dublin Metropolitan area shall provide for higher densities and qualitative standards as set out in the ‘Sustainable Residential Development in Urban Areas’, ‘Sustainable Urban Housing; Design Standards for New Apartments Guidelines’, and ‘Urban Development and Building Heights Guidelines for Planning Authorities’.*

As stated previously in this Statement, the proposed development fully responds to the National Planning Policy, in particular Section 4.6 - *Sustainable Urban Housing; Design Standards for New Apartments’ Guidelines* and Section 4.5 - *Urban Development and Building Heights Guidelines for Planning Authorities.*

- *‘RPO 5.5: Future residential development in the Dublin Metropolitan Area shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, supported by the development of Key Metropolitan Towns in a sequential manner as set out in the Metropolitan Area Strategic Plan (MASP) and in line with the overall Settlement Strategy for the RSES. Identification of suitable residential development sites shall be supported by a quality site selection process that addresses environmental concerns.’*

The subject site is contained within an established neighbourhood on a key arterial route in Dublin, a short distance from public transport and Sandymount Business Park, a significant employment district area containing over 500 No. companies, and Dundrum Town Centre.

It is our professional opinion that the proposed development provides an appropriate design response that will consolidate the surrounding residential land uses as per RPO 5.5. We note that the accompanying Planning Report prepared by Thornton O’Connor Town Planning provides a robust rationale for the provision of a higher density residential development with ancillary residential facilities and amenities and communal open spaces at this location.

The RSES sets out the following in relation to *‘Economic Strategy: Smart Specialisation, Clustering, Orderly Growth and Placemaking’*:

*'Orderly Growth: Though the identification of locations for strategic employment development in line with our Growth and Settlement Strategy, compact growth will be achieved. This involves managing and facilitating the growth of Dublin and to increase the scale of our Regional Growth Centres to be able to provide the range of functions to their hinterlands. **This needs to be facilitated by appropriate, effective and sustainable infrastructure development in these centres, and at the same time avoid sprawl. This encompasses connectedness aimed at facilitating a network of skills and talent living in our settlements. It requires a support network of infrastructure** - including broadband - in order to make the Region more connected and competitive. This will help to deliver high quality jobs that are well-paid and sustainable.'* [Our Emphasis]

The proposed development is located on appropriately positioned lands in proximity to public transport, employment locations, services and facilities.

The proposed scheme addresses the economic strategy by providing an appropriate, effective and sustainable development by virtue of the high-quality design and higher density residential development in an urban location preventing urban sprawl. Appropriately located residential accommodation within Dublin is important to the continued growth and maintenance of Ireland's response to the evolving needs of the modern workforce.

Under Section 8.1 the RSES states the following with regard to integrating land use and transport planning:

*'The RSES identifies regional strategic outcomes which include integrated transport and land use planning, the transition to a low carbon economy by 2050, compact growth, enhanced regional and international connectivity, enhanced green infrastructure and the provision of sustainable settlement patterns.'*

The proposed scheme contributes towards consolidated growth and reduction in carbon emissions as it seeks to encourage future residents to avail of public transport, and walking and cycling which will allow residents to develop a sustainable settlement pattern. The scheme includes 340 No. bicycle parking spaces.

Through the provision of landscaping and planting, the development also helps to provide a high standard of natural and green infrastructure for the area within a residential setting. The communal open spaces provided within the development will also significantly enhance the green infrastructure of the area.

By locating in close proximity to public transport, employment, services and facilities, the subject development can be seen as a sustainable development pattern, which seeks to increase density and reduce car dependency.

Under Section 8.2, the RSES discusses responses to urban sprawl and justification for the move towards compact growth:

*'The Strategy aims to provide a spatial framework **to promote smart compact growth** as an alternative to continued peri-urban sprawl around our cities and towns, with a resultant negative impact on the environment and people's health and wellbeing due to increased commuting and loss of family and leisure time.'* [Our Emphasis]

The subject development seeks to provide a sustainable residential development, which is well located in proximity to the Sandyford Business Park, Dundrum Town Centre, the M50 and public transport in the form of bus services and the LUAS which provides access to light rail services to Dublin City and towards Cherrywood, connecting the subject site to the wider region. Car parking is predominately provided at basement level allowing for maximum use of the available surface level amenity spaces.

Additionally, the provision of amenity spaces and communal facilities aides in the facilitation and promotion of healthy lifestyles and social interaction between residents, which will ultimately result in the creation of a strong sense of community. Similarly, the location of this development on a site close to public transport and employment locations allows for reduced commuting time and greater work life balance for future residents.

The RSES Objective RPO 9.4 states that in relation to new apartment developments:

*'Design standards for new apartment developments **should encourage a wider demographic profile which actively includes families and an ageing population.**'* [Our Emphasis]

Currently the surrounding area of the subject site is predominantly low density semi-detached and detached dwellings many of which are very large, however the area is currently in transition with higher density developments recently granted in the area.

It is our opinion that there is a significant opportunity to densify this area of Dublin with a mix of one, two and three bedroom units, which will appropriately serve the demographic profile of the area, and as such the scheme will cater for a wide cohort of persons.

Overall, as demonstrated throughout this section, the proposed scheme is consistent with all relevant Regional Policy Documents.

## 6.0 LOCAL POLICY

This section will demonstrate that the proposed development has been designed in accordance with Local Policy and is consistent with the objectives and guidance as set out within the *Dún Laoghaire-Rathdown County Development Plan 2022-2028* ("Development Plan").

### 6.1 *Dún Laoghaire-Rathdown County Development Plan 2022-2028*

#### 6.1.1 Zoning

The subject site is zoned *Objective 'A'* in the *Dún Laoghaire – Rathdown County Development Plan 2022 – 2028* ("Development Plan") where the objective is '*to provide residential development and improve residential amenity while protecting the existing residential amenities*' (see Figure 6.1 below). Under *Objective 'A'*, residential development is permitted in principle.



**Figure 6.1: Zoning of the Subject Site (Site Outlined Indicatively in Red)**

(Source: *Dún Laoghaire-Rathdown County Development Plan 2022-2028*, annotated by Thornton O'Connor Town Planning, 2022)

The provision of a residential development consisting of 137 No. apartment units is fully in accordance with the zoning objective. The subject scheme will result in the appropriate densification of an underutilised site, providing additional accommodation in lieu of the existing 2 No. dwellings (to be demolished), which are not considered to be of architectural merit.

It is clear from the Daylight and Sunlight Assessment and the Landscape and Visual Impact Assessment prepared and enclosed that no material impacts will occur on surrounding residential amenities and thus residential amenity will be protected. In this regard, the proposed height and block massing has been carefully designed to respect the existing residences on neighbouring sites, as well as those that are proposed or awaiting a planning application decision. This has been done by staggering the heights of the proposed Blocks, rising up from the 1 No. and 3 No. storey elements to the east (closest to Coolkill), gradually reaching 6 No. storeys fronting Sandyford Road and the provision of adequate separation distances. By employing this approach, the design has had regard for the residential amenity, privacy and built-form of neighbouring properties to ensure that impacts on overlooking, daylight and sunlight and visual impact do not occur.

In addition, it is our opinion that the residential amenity of the area will be improved as the high-quality scheme will enhance this area, will create a vibrant sense of place and will make a positive contribution to the urban neighbourhood, streetscape and public realm.

Therefore, the subject scheme provides residential development, improves residential amenity and protects the existing residential amenities as set out in the zoning objective.

### 6.2.2 Road Proposal

As demonstrated in Figure 6.1 above, there is a roads objective pertaining to Sandyford Road (and other roads in the area) which is entitled '6 Year Roads Objective/Traffic Management/Active Travel Upgrades'. This 6 Year Road Objective was also included within the previous *Dún Laoghaire-Rathdown County Development Plan 2022-2028*.

In designing the subject scheme, the Applicant has ensured that sufficient land is reserved along the western boundary of the subject site to allow for the future upgrade works to take place. The Transportation Assessment by NRB Consulting Engineers notes:

*'The proposed building line is sufficiently setback from the Sandyford Road to ensure it does not prejudice the future delivery of the proposed Blackglen Road / Harold's Grange Road Improvement Scheme which ties into the existing road, footpath and cycle lane alignments at the site frontage.'*

### 6.2.3 Compliance with the Development Management Standards of the *Development Plan* (Chapter 12)

Chapter 12 of the *Development Plan* sets out the Development Management Standards for Dún Laoghaire-Rathdown. The relevant standards are extracted and responded to below:

### **12.2.1.2 Design Statements**

*A Design Statement which is an outline of the proposal's context and aims, and how it responds to Development Plan objectives and surroundings, should be submitted for all applications of 1000+sq.m. commercial development or applications of 30+ residential units (refer also to Policy Objective PHP44 and Section 12.3.1 below).*

An Architectural Design Statement prepared by Horan Rainsford Architects is included with this planning application. Policy Objective PHP44 and Section 12.3.1 are responded to below.

### **12.1.1.3 Landscape Plans**

*Planning applications for 1000+sq.m. commercial development, 10+ residential units, or smaller developments (as deemed appropriate by the Planning Department), should submit a landscape design rationale prepared by a qualified Landscape Architect or other suitably competent landscape professional (as deemed appropriate by the Planning Authority).*

A Landscape Design Report and Drawings prepared by Murphy + Sheanon Horticulture and Landscape Architecture are included with this planning application.

### **12.1.2.1 Environmental Impact Assessment**

*All Planning applications undergo EIAR screening or preliminary assessment.*

An Environmental Impact Assessment Screening Report prepared by Enviroguide Consulting is enclosed with this planning application.

### **12.1.2.2 Appropriate Assessment**

*Under Article 6 of the Habitats Directive there is a requirement to establish whether, in relation to Plans and Projects, Appropriate Assessment (AA) is required. If, following screening, it is considered that AA is required, then the proponent of the Plan or Project must prepare a Natura Impact Statement. A Plan or Project will only be authorised after the competent authority has ascertained, based on scientific evidence, Screening for Appropriate Assessment, and a Stage 2 Appropriate Assessment where necessary, that:*

- *The Plan or Project will not give rise to significant adverse direct, indirect, or secondary effects on the integrity of any European site (either individually or in combination with other plans or projects); or*
- *The Plan or Project will have significant adverse effects on the integrity of any European (that does not host a priority natural habitat type and/or a priority species) but there are no alternative solutions and the Plan or Project must nevertheless be carried out for imperative reasons of overriding public interest – including those of a social or economic nature. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of European; or*
- *The Plan or Project will have a significant adverse effect on the integrity of any European site (that hosts a natural habitat type and/or a priority species) but there are no alternative solutions and the Plan or Project must nevertheless be carried out for imperative reasons for*

*overriding public interest - restricted to reasons of human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of European.*

An Appropriate Assessment Screening Report has been prepared by Enviroguide which concludes the following:

*'On the basis of the screening exercise carried out above, it can be concluded, on the basis of the best scientific knowledge available, that the possibility of any significant effects on any European sites, whether arising from the project itself or in combination with other plans and projects, can be excluded. Thus, there is no requirement to proceed to Stage 2 of the Appropriate Assessment process; and the preparation of a Natura Impact Statement (NIS) is not required.'*

### **12.1.2.3 Ecological Impact Assessment**

*An Ecological Impact Assessment may be required to be submitted with any proposed development should the Planning Authority consider that there is potential to impact upon an environmentally sensitive area such as a wildlife corridor, a site adjoining or adjacent to a proposed National Heritage Area, along the coastline or a river. The requirement for an ecological impact assessment will be determined on a case by case basis.*

An Ecological Impact Assessment Report has been prepared by Enviroguide Consulting and is enclosed with this planning application.

### **12.2.1 Built Environment**

*The Planning Authority will encourage and promote the repair, retrofitting and reuse of buildings in preference to their demolition and reconstruction where possible (Refer also Section 12.3.9 Demolition and Replacement Dwellings). Where this cannot be achieved, the Planning Authority will support the use of sustainably sourced building materials and the reuse of demolition and excavated materials. See also Criteria 5 of the Department of the Environment Heritage and Local Government 'Urban Design Manual' (2009) and Policy Objectives CA6 and CA7.*

*The Planning Authority will support the use of structural materials that have low to zero embodied energy and CO<sub>2</sub> emissions.*

*Buildings should be adaptable in design (see Criteria 9 of the 'Urban Design Manual' 2009 in the case of residential developments, Policy Objective CA8: Sustainability in Adaptable Design and Policy Objective PHP19: Existing Housing Stock: Densification and Adaptation). Innovative design and layout which provides natural ventilation incorporating design elements such as brise-soleil, green roofs, green walls and soft landscaping. Landscaping and tree planting will be promoted where feasible to reduce the urban heat island.*

*An Energy Statement should be included for all applications of 1000+ sq.m. commercial development or applications of 30+ residential units to demonstrate what energy efficiency and carbon reduction design measures are being considered. The planning Authority will support and*

*encourage buildings of innovative design which seek to achieve Passive or Net Zero Carbon design standards.*

As set out throughout this report, the existing 2 No. dwellings do not represent an efficient use of sustainable lands and are not of any architectural merit. The development will utilise a restrained palette of high-quality and durable materials and the scheme has been assessed against the criteria of the 'Urban Design Manual' (2009) (including Criteria 5 and 9) as detailed in Section 4.8. A response to Policy Objectives CA8 and PHP19 are also included in Section 6.2.4 below. A Sustainability Report has also been prepared by Renaissance Engineering Limited.

### **12.2.6 Urban Greening**

*Applicants should explore the potential for urban greening in developments including:*

- *High quality landscaping (including tree planting), that make use of a diverse range of species of plants – consistent with the National Pollinator Plan, site appropriate and irrigated by rainwater.*
- *Incorporating Nature-Based Solutions (NBS) into the design of buildings and layout – living/green walls, living/green and or blue roofs including in the design of small buildings and shelters, other soft Sustainable urban Drainage Systems (SUDS) measures such as swales, rain gardens, using trees for urban cooling and the reduction of wind tunnel effect (Refer also Section 12.8.6). The Council is investigating developing a green factor method through a multi-disciplinary approach as set out in Section 3.4.4 Urban Greening. Data on all surface cover types is required. All applications that submit a stormwater audit shall submit the surface cover types as part of the storm water audit process (see 7.1.5 Storm Water Audit Procedure Appendix 7: Sustainable Drainage Systems).*

Murphy + Sheanon Horticulture and Landscape Architecture have proposed a planting scheme that takes cognisance of the All-Ireland Pollinator Plans 2015-2020 & 2021-2025 as issued by the National Biodiversity Data Centre along with the most up-to-date 'Plants for Pollinators' plant lists, which facilitates urban greening at the subject development.

The SUDS features and measures include the use of green roofs, permeable road & path pavements and a stormwater attenuation tank. In accordance with DLRCC guidelines, green roofs have been favoured and will cover approx. 90% of the total roof area. The Engineering Services Report prepared by Torque Consulting Engineers includes a table in response to 7.1.5 of Appendix 7.

### **12.3.1 Quality Design**

*A core aim of land-use planning is to ensure that new residential developments offer a high quality living environment for residents, both in terms of the standard of individual dwelling units and in terms of the overall layout and appearance of streets and outdoor spaces. In considering applications for new developments the Planning Authority will refer to Government guidelines that offer specific guidance in relation to design, including those listed in Appendix 12.*

The proposed development will be high-quality in terms of individual living units, overall layout and appearance of streets and outdoor spaces as detailed throughout this Report, the Planning Report and the Architectural Design statement. Appendix 13 of the Development

Plan sets out the principal national, regional and local policy documents, guidelines and plans that have informed the County Development Plan. This Statement of Consistency Report provides a response to all relevant policy documents, guidelines and plans that are considered applicable to the proposed development.

### 12.3.1.1 Design Criteria

The objective of DLR County Council is to achieve high standards of design and layout to create liveable neighbourhoods. The following criteria will be taken into account when assessing applications:

[A response is provided underneath each point (in purple text) to each bullet point of the policy (black text)]:

- Land use zoning and specific objectives contained in this Plan and any Strategic Development Zone / Local Area Plan / Urban Framework Plan / non-statutory planning guidance adopted by the Council.

*Response: As set out in Section 6.1.1, the proposed development is fully in accordance with the zoning objective pertaining to the subject site.*

- Compliance with other policy requirements contained within the Plan.

*Response: As set out in Section 6.o, the proposed development is in accordance with all relevant policy requirements of the Development Plan, except to the extent identified in the Material Contravention Statement accompanying this application.*

- Consistency with any/all relevant National and Regional policy objectives.

*Response: As set out in Section 4.o, the proposed development is in accordance with all relevant National and Regional policy objectives.*

- Synergies with adjoining complementary uses and land use zoning objectives.

*Response: The proposed development will assimilate with the surrounding environment, which is continuously evolving through recently permitted residential development, by providing setbacks at upper levels and appropriate separation distances between properties for example. The surrounding lands are predominately zoned 'Objective A' as per the subject site and as set out in Section 6.1.1, the subject scheme provides residential development, improves residential amenity and protects the existing residential amenities which accords with this zoning objective.*

- Density - Higher densities should be provided in appropriate locations. Site configuration, open space requirements and the characteristics of the area will have an impact on the density levels achievable.

*Response: As set out throughout this report and in the Planning Report enclosed, the proposed density of 165 units per hectare (uph) will appropriately densify these sustainable and underutilised lands. The current site is comprised of just 2 No. residential dwellings, equating to an unsustainable residential density of 2.4 uph. However, the proposed development's 137 No. units will yield a significantly more appropriate and*

*sustainable density of 165 uph. Policy Objective PHP18 and PHP20 which relate to density have also been fully responded in this report.*

- *Quality of the proposed layout and elevations, the quality of the residential environment will be of primary significance in determining the acceptability of planning applications. Layouts, elevations, and plan form must be designed to emphasise a 'sense of place' and community, utilising existing site features, tree coverage and an appropriate landscape structure.*

*Response: The proposed high-quality development comprising 137 No. residential units will create a sense of place and will make a positive contribution to the urban neighbourhood, streetscape and public realm. The inclusion of high-quality open spaces will enhance the quality of life for future residents and the opening up of the site onto Sandyford Road will positively contribute to the local area by improving legibility for the community.*

- *Levels of privacy and amenity, the relationship of buildings to one another, including consideration of overlooking, sunlight/daylight standards and the appropriate use of screening devices.*

*Response: These items have been appropriately considered as part of the proposed development as follows:*

*-Levels of privacy and amenity: Appropriate separation distances provided, obscuring windows at upper levels where necessary, gradually increasing height from lower levels at the east to higher levels at the west of the site and providing ample, carefully considered landscape planting along the length of the eastern boundary (as well as northern and southern boundaries).*

*-Relationship of buildings to one another: This has been thoroughly considered and discussed throughout the application documentation e.g. adequate separation distances have been provided, windows have been obscured at the upper levels where necessary, high levels of daylight will infiltrate to the proposed rooms and there will be minimal impact on daylight to surrounding properties.*

*-Overlooking: The design has had regard for the residential amenity, privacy and built-form of neighbouring properties to ensure that overlooking does not occur e.g. adequate separation distances, obscured windows where necessary and upper level set backs.*

*-Sunlight/daylight standards: The proposed development has been carefully designed and modulated to ensure there is minimal impact on the daylight and sunlight reaching the existing and proposed residences on adjacent sites. In addition, the proposed scheme will perform well in relation to daylight/sunlight.*

- *Quality of linkage and permeability – to adjacent neighbourhoods and facilities and the nature of the public realm/streets and spaces. Walking and cycling permeability shall be maximised at every opportunity.*

*Response: The scheme has provided the opportunity to open up the site and provide enhanced permeability to Cul Cuille to the north which will be a positive linkage for the area. The opening up of the site onto Sandyford Road will positively contribute to the*

local area by improving legibility. The development will not be gated or setback behind the boundary wall that exists at Sandyford Road, ensuring that it reads as being open and connected with the public realm along Sandyford Road.

- *Accessibility and traffic safety - proximity to centres and to public transport corridors, existing and proposed.*

*Response: The subject site is located within c. 1.5 kilometres to Beacon Hospital and c. 1.6 kilometres – c. 2 kilometres to Sandyford Business Park, a significant employment district area containing over 500 No. companies. The closest LUAS station to the site is the Glencairn Station, which is 1.9 kilometres away (20-25 minute walk or 7 minute cycle), providing access to light rail services north to Dublin City and south towards Cherrywood and connecting the subject site with the city centre and the wider region. Therefore, it is clear that the subject site is well connected and accessible.*

- *Quantitative standards - set out in this Chapter and/or referenced in Government guidelines.*

*Response: A full response to the relevant quantitative standards of Chapter 12 are provided within this Statement of Consistency in Section 6.o. All relevant Government Guidelines are responded to in Section 4.o.*

- *Safety and positive edges to the public realm - opportunities for crime should be minimised by ensuring that public open spaces are passively overlooked by housing and appropriate boundary treatments applied.*

*Response: The outdoor spaces will be subject to a high level of passive surveillance as they will be overlooked by the residential units, ensuring that these areas are safe and secure. The communal open space will include play spaces for children and toddlers which will be safe and enjoyable.*

- *Quality of proposed public, private, and communal open spaces and recreational facilities and the relationship of proposed open spaces with any existing public or communal open space.*

*Response: Private open space has been provided for all units and in addition, a large quantum of communal open space (1,299 sq m) will be provided for the future residents. The Landscape Design Report states that 'the overall aim of this landscape proposal is to create a high-quality, durable and aesthetically-pleasing landscape environment that integrates effectively with the proposed building development and the natural environment'.*

- *Quality of the pre-existing environmental sound environment.*

*Response: As set out in the Noise Impact Assessment prepared by RSK, 'baseline monitoring has found pre-existing noise levels are typical of a suburban location in the vicinity of a busy regional road'.*

- *Context - having regard to the setting of the site, the surrounding character, streetscape, and the impact of any proposed development on the development potential of adjoining sites.*

*Response: As discussed throughout the application documentation, the surrounding context is transitioning in character from lower density housing to higher density apartments. The potential impact of the proposed development on adjoining sites has been appropriately assessed (daylight and sunlight assessment, Landscape and Visual Impact Assessment etc.). The proposed development has been carefully designed and modulated to ensure there is minimal impact on the daylight and sunlight reaching the existing and proposed residences on adjacent sites.*

- *Variety of house types and unit size.*

*Response: The development provides 137 No. residential units comprised of 32 No. one bedroom units, 78 No. two bedroom units and 27 No. three bedroom units, which will provide a variety of house types and unit sizes for the area.*

- *Variety in layout through providing different lengths and types of residential roads, mixes of 'cul-de-sac', loop roads, set-back road sections, loose grid layouts and similar.*

*Response: Vehicles will be diverted to the basement shortly after entering the development site. Therefore, there will be limited vehicular activity within the subject site which ensures that the scheme prioritises ease of movement for pedestrians and cyclists. The pathways provided throughout the site layout provide a variety for pedestrians and cyclists and will be a safe space for all.*

- *Inter-relationship of buildings / dwellings, roads, pedestrian ways, neighbourhood centre facilities and local parks and green areas – active frontages and passive surveillance will be encouraged.*

*Response: The scheme will enhance the street frontage onto Sandyford Road and passive surveillance of all communal open spaces will be provided. The development is broken down into 4 No. blocks allowing the development to breathe which will provide a good relationship between all elements of the scheme.*

- *Roofscape, plant and green roofs.*

*Response: These elements have all been included and detailed where relevant as part of the development.*

Having regard to these responses, the development will achieve high standards of design and layout.

### **12.3.2.2 Sustainable Neighbourhood Infrastructure – Future Provision**

#### *(i) New Residential Communities*

*Planning applications for residential development on sites greater than 1ha or more than 50 residential units located in new residential communities (as set out in Figure 2.9, Chapter 2) will be required to facilitate sustainable neighbourhood infrastructure (SNI) (see Policy Objective PHP2 for a definition of SNI) through one or more of the following ways:*

- Reserve an area of not less than 5% of the site area for a future SNI facility. The site reservation may be part of the 15% public open space requirement (see Section 12.8.3.1) and may be subject to a Section 47 agreement with the Planning Authority. The area to be reserved shall be located in a manner that can be readily amalgamated with similar reservations within adjoining lands.
- Provide an appropriate SNI facility (see definition in Policy Objective PHP2) with a floor area of 130 sq.m. per 1,000 population equivalent. The type of facility must have regard to the demographic of the emerging area and any existing and planned facilities and services within a 1km distance / 10 minute walk of the site. It should be noted that a commercial childcare facility shall not be considered to be an SNI facility for the purposes of this Section.
- Provide a development contribution under Section 48 of the Planning and Development Act 2000 towards the provision and/or improvement of a community, cultural or civic facility that the residents of the proposed development will benefit from.

*For sites less than 1ha or less than 50 residential units, the Council may consider attaching a development contribution under Section 48 of the Planning and Development Act 2000 for the provision and/or improvement of community, cultural or civic facility that the residents of the proposed development will benefit from.*

*N/A – The subject site is not within a New Residential Community as designated on Figure 2.9 in Chapter 2.*

*(ii) Existing Built Up Area*

*For residential schemes within the existing built up area, the Council will consider a development contribution under the Council Section 48 Levy Scheme for the provision and/or improvement of community, cultural or civic facility that the residents of the proposed development will benefit from.*

*Where the Community Audit (See Section 4.2.1.4 Policy Objective PHP5: Community Facilities) has identified a deficit in an area the Council may require the applicant to accommodate an SNI facility to address this deficit.*

*In both new residential community areas, and the existing built up area where a future school has been identified within or immediately adjoining the subject site, the applicant shall engage with the Department of Education and Skills (DES) in order to ascertain their requirements in relation to site provision.*

*Where a question arises as to whether a site falls within the built up area or within a new residential community area as set out in the Core Strategy and Figure 2.9 the decision shall be solely at the discretion of the Planning Authority.*

*The Social Infrastructure Audit enclosed confirms that there is adequate social infrastructure available to serve the proposed development.*

**12.3.3 Quantitative Standards for All Residential Development**

*Applications for residential schemes shall comply with all relevant requirements set out in PHP20: Protection of Existing Residential Amenity (see Section 4.3.1.3).*

Policy Objective PHP20: sets out that it is a Policy Objective to ensure the residential amenity of existing homes in the Built Up Area is protected where they are adjacent to proposed higher density and greater height infill developments. The scheme strikes a balance between developing underutilised, brownfield lands to provide a high quality residential development while also protecting the surrounding properties with adequate separation distances and setbacks at upper levels provided where required. The Landscape and Visual Impact Assessment and Daylight and Sunlight Assessment confirm that no material impacts will occur on surrounding properties.

### **12.3.3.1 Residential Size and Mix**

*The finding of the Housing Strategy and HNDA have informed policy PHP27 in relation to mix (refer to Appendix 2 Housing Strategy and HNDA 2022 – 2028).*

*In order to demonstrate compliance with Policy Objective PHP27 and based on the findings of the Housing Strategy and HNDA, planning applications received for 50+ residential units either individually or cumulatively with lands located within the neighbourhood (10-minute walk) will be required to incorporate a variety and choice of housing units by type and size so as to meet the differing household need in the County. Council Part 8 or Part 10 residential schemes, may propose a different mix having regard to the specific needs of the Council Housing Department.*

*The proposed provision of residential units (both houses and apartments), shall provide a mix that reflects existing, and emerging household formation, housing demand patterns and housing demand patterns and trends identified locally and/ or within the County. New residential communities (as set out in the Core Strategy and Figure 2.9 of the Core Strategy Map) shall ensure an appropriate mix including a proportion of larger units. Applications received in both new residential communities and within the residual built up area shall include:*

- *Details of existing and permitted unit types within a 10-minute walk of the proposed development.*
- *A detailed breakdown of the proposed unit type and size including a percentage split between 1/2/3+ bed units which in the case of apartments (and duplexes) shall generally be in accordance with Table 12.1.*
- *A site and/or floor plans that clearly identify proposed units that:*
  - *Are designed and located having regard to the needs of older people and/or persons with a disability.*
  - *Are designed having regard to the concept of lifetime adaptable and/or multigenerational homes.*
- *A statement outlining how the scheme has been designed for the needs of older people and / or persons with a disability and / or lifetime homes.*

*Table 12.1 sets out the mix requirements for apartment developments. Duplexes are considered to be apartments for the purposes of mix.*

**Table 12.1** Apartment Mix Requirements

Area	Threshold	Mix Studio/1/2 bed Requirement (Apartments and duplexes)	3+ bed Requirement (Apartments)
New Residential Community (See figure 2.9 Core Strategy Map)	Schemes of 50+ units	Apartment Developments may include up to 60% studio, one and two bed units and with no more than 30% of the overall development as a combination of one bed and studios and no more than 20% of the overall development as studios	Minimum 40% 3+ bedroom units
Lands within SUFP	Schemes of 50+ units	Apartment Developments may include up to 60% studio, one and two bed units with no more than 30% of the overall development as a combination of one bed and studios and no more than 20% of the overall development as studios	Minimum 40% 3+ bedroom units
Existing Built up area.	Schemes of 50+ units	Apartment Developments may include up to 80% studio, one and two bed units with no more than 30% of the overall development as a combination of one bed and studios and no more than 20% of the overall development as studios	Minimum 20% 3+ bedroom units

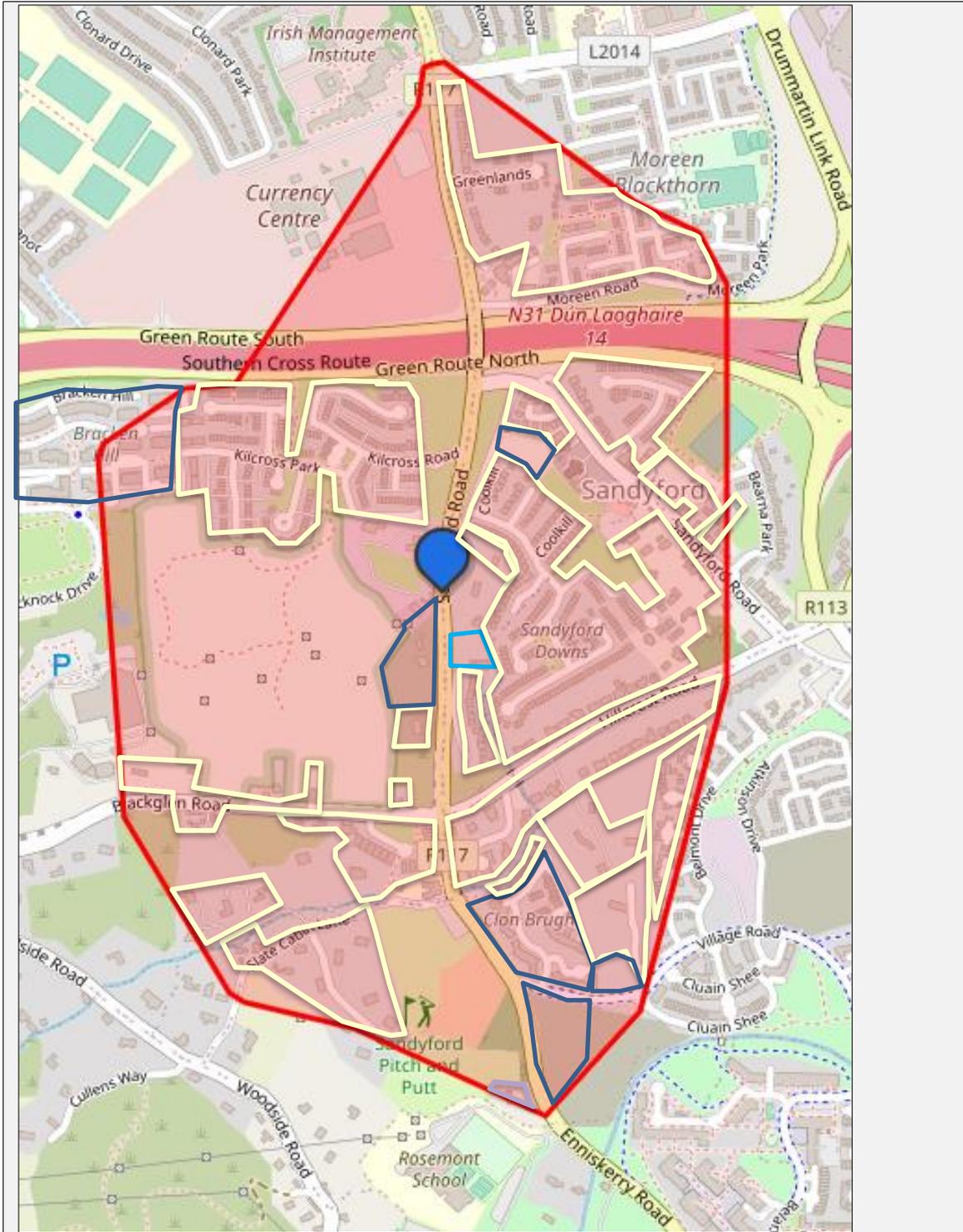
To avoid ambiguity and provide clarity a worked example is given below.

**Table 12.2** Worked example of DLR Apartment Mix requirements

Location	Proposed Development	Studio/1/2 bed Mix (Apartments and Duplexes) Requirement	Minimum 3+ bed Requirement (Apartments)
New Residential Community/SUFP	100 apartments	Up to 60 studio, 1 or 2 bed which can include ≥ 30 2 beds and can include up to 30 studio and 1 bed units with no more than 20 studios in that 30 units.	Minimum 40 no. 3 bed plus units.
Existing Built Up Area	100 apartments	Up to 80 studio, 1 or 2 bed units which can include ≥ 50 2 bed units and can include up to 30 studio and 1 bed units with no more than 20 studios in that 30 units.	Minimum 20 no. 3 bed plus units.

*Honeypark*

1. Please see below map which indicatively sets out existing and permitted unit types within a 10-minute walk of the proposed development:



[Navy = Apartments / Permitted Apartments  
 Blue = Permitted apartments (on appeal to An Bord Pleanála)  
 Yellow = Low Density Housing]

2. A detailed breakdown of the proposed unit type and size including a percentage split between 1/2/3+ bed units is set out below, which is in accordance with Table 12.1.

Unit Type	No. of Units	Percentage	Size
Studio	-	-	-
One Bedroom	32	23%	45.9 sq m to 56.1 sq m
Two Bedroom (3 No. Person)	10	7%	63.9 sq m to 70.5 sq m
Two Bedroom (4 No. Person)	68	50%	73 sq m to 84.5 sq m
Three Bedroom	27	20%	90.3 sq m to 108.9 sq m
<b>Total:</b>	<b>137 No.</b>	<b>100%</b>	

3. Please see the quote below extracted from the Architectural Design Statement in relation to:

- A site and/or floor plans that clearly identify proposed units that:
  - Are designed and located having regard to the needs of older people and/or persons with a disability.
  - Are designed having regard to the concept of lifetime adaptable and/or multigenerational homes.
- A statement outlining how the scheme has been designed for the needs of older people and / or persons with a disability and / or lifetime homes.

*'The proposed scheme will broaden the variety of housing within the subject site's vicinity, providing a different typology to the 3 and 4 No. bedroom semi-detached houses currently found in the surrounding area while also reinforcing the emerging apartment typologies along the Sandyford Road at the Pastures (under DLR Reg. Ref. D21A/0595, currently under appeal) and Whinsfield (as permitted under DLR Reg. Ref. D17A/1003).*

*As noted in the 'Housing Options for Our Ageing Population (2019),*

*"Developments and neighbourhoods should incorporate a mix of dwelling type, size and tenure to support sound social and environmental policy objectives." The addition of these high-quality apartments to the locality will provide a downsizing option for the ageing population of the area who wish to remain in their locality to which they have a "link and connection to the community rather than the actual physical dwelling".*

*Furthermore, the dwellings would be capable of integrating assisted technologies if required while the development will be fully accessible as outlined in the universal access statement by O'Herlihy Access Consultants, ensuring the "dwellings can meet both the immediate and changing needs of the occupant over the course of their lifetime including needs associated with moderate mobility difficulties and the normal frailty associated with the ageing process".'*

*In schemes of 50+ units, where a mixture of housing and apartments or a scheme comprising solely of houses is being provided on a site the housing offering must ensure a mixture that includes a proportion of housing units that are 3 beds or less. In new residential community areas, it is appropriate that schemes generally include houses in addition to apartment/duplexes. In deciding on the mix of house and apartments in these areas regard shall be had to the details of existing and permitted unit types within a 10-minute walk of the proposed development (see bullet point above). The apartment element, if in excess of 50 units, shall comply with the table above. Where a question arises as to whether a site falls within the built up area or within a new residential community area, as set out in the Core Strategy and Figure 2.9, the decision shall be solely at the discretion of the Planning Authority.*

The site is within an existing built up area rather than a new residential community annotated on Figure 2.9 of the Core Strategy. The mix of units outlined above is appropriate for the area and will provide a choice of tenure with the provision of 23% one bedroom units, 7% two bedroom, three person units, 50% two bedroom, four person units and 20% three bedroom units.

### **12.3.3.2 Residential Density**

*In general, the number of dwellings to be provided on a site should be determined with reference to the Government Guidelines document:*

- *Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009).*
- *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (2020).*

*As a general principle, and on the grounds of sustainability, the objective is to optimise the density of development in response to type of site, location, and accessibility to public transport. (See policy PHP18, Chapter 4).*

Please see Section 4.8 of this Report for a response to the relevant standards of the *Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009)*. Please see Section 4.6 of this Report for a response to the relevant standards of the *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (2020)*.

The proposed development represents the consolidated and re-intensification of these underutilised, infill, brownfield lands by replacing the 2 No. detached dwellings with much needed higher density residential units in this sustainable location proximate to public transport, services and employment, which will contribute positively towards addressing the national housing crisis. The area is currently transitioning in character from lower density housing to higher density apartments and thus the density of the proposed development can be appropriately assimilated into the surrounding environment. A response to Policy Objective PHP18 is also provided in this Statement of Consistency.

### **12.3.4 Residential Development – General Requirements**

*The following general requirements relate to all housing developments including both housing and apartment developments and should be considered when designing housing developments to ensure general requirements as outlined below (see also Section 12.3.1.1 for overall design criteria).*

### 12.3.4.1 Road and Footpath Requirements

The requirements set down in the Council's 'Development Works in Residential and Industrial Areas' - Guidance Document, the Council's 'Taking in Charge Policy Document', (2011 – updated 2013) and 'The Design Manual for Urban Roads and Streets', (DMURS), 2019, will generally apply.

Where an innovative layout is accepted by the Planning Authority variations to these requirements may be accepted. In allowing any deviation in the general requirements, the primary consideration will be the safety of pedestrians, cyclists and access for emergency vehicles.

Continuous footpaths shall be provided at junctions, and vehicular entrances, to facilitate people with ease of movement. At any such junctions where continuous footpaths are neither feasible nor appropriate, dished kerbs with tactile paving shall be provided to facilitate people with ease of movement.

The Transportation Assessment prepared by NRB Consulting is based on all relevant design guidance including the Design Manual for Urban Roads and Streets. Please also refer to the DMURS Statement of Consistency within the NRB Transportation Assessment Report.

In relation to footpaths, the Transportation Assessment Report notes:

*'At the development access, the existing footpath and cycle track have priority over vehicular traffic. This will continue to be the case as part of the proposed scheme. The footpath and cycle track will continue through the vehicular access on a raised table, maintaining pedestrian and cyclist priority. The scheme connects to the existing footpaths and cycle tracks.*

*The scheme also delivers a new pedestrian connection to link to Coolkill / Cul Cuille directly to the north of the site, improving permeability for all pedestrians, including the proposed development'.*

### 12.3.4.2 Habitable Rooms

The minimum size of habitable rooms for houses/apartments/and flats shall conform with appropriate National guidelines/ standards in operation at the date of application for planning permission, including the minimum dimensions as set out in 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities' (2018), and 'Quality Housing for Sustainable Communities: Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007).

All habitable rooms within new residential units shall have access to appropriate levels of natural /daylight and ventilation. Development shall be guided by the principles of Site Layout Planning for Daylight and Sunlight, A guide to good practice (Building Research Establishment Report, 2011) and/or any updated, or subsequent guidance, in this regard. A daylight analysis will be required for all proposed developments of 50+ units, or as otherwise required by the Planning Authority. The impact of any development on existing habitable rooms should also be considered.

Please see Section 4.6 of this Report for a response to the relevant standards of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities' (2018) [now 2020], which demonstrates that the scheme will conform with the relevant standards of these Guidelines. Please see Section 4.7 of this Report for a response to the

relevant policies of the *Quality Housing for Sustainable Communities: Best Practice Guidelines for Delivering Homes Sustaining Communities* (2007).

In relation to minimum areas for rooms and minimum widths, the *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities* (2018) [now 2020], ("Apartment Guidelines, 2020") allows a variation of 5% to be applied subject to overall compliance with required minimum overall apartment floor areas. This 5% variation is applied to the following units as advised by Horan Rainsford Architects:

**Apt. B1-04, B2-05, B3-05, B4-05, B5-05:**

12.7 sq m Bedroom Area Provided (13 sq m min., .65 sq m variance allowed)

**Apt. B1-06, B2-07, B3-07:**

12.5 sq m Bedroom Area Provided (13 sq m min., .65 sq m variance allowed)

**Apt. B1-08, B2-09, B3-09:**

12.9 sq m Bedroom Area Provided (13 sq m min., .65 sq m variance allowed)

**Apt. B1-08, B2-09, B3-09:**

29.5 sq m Living Room Area Provided (30 sq m min., 1.5 sq m variance allowed)

**Apt. B1-07, B2-08, B3-08:**

33.6 sq m Living Room Area Provided (34 sq m min., 1.7 sq m variance allowed)

**Apt. B5-07:**

33.4 sq m Living Room Area Provided (34 sq m min., 1.7 sq m variance allowed)

**Apt. B2-10, B3-10, B4-09:**

12.4 sq m Bedroom Area Provided (13 sq m min., .65 sq m variance allowed)

**Apt. C0-05, C1-06, C2-06, C3-06:**

29.8 sq m Living Room Area Provided (30 sq m min., 1.5 sq m variance allowed)

**Apt. C1-08, C2-08, C3-08:**

12.9 sq m Bedroom Area Provided (13 sq m min., .65 sq m variance allowed)

**Apt. C4-05:**

12.4m<sup>2</sup> Bedroom Area Provided (13 sq m min., .65 sq m variance allowed)

**Apt. C4-06:**

3.7 metre Living Room Width Provided (3.8 metre min., .19 metre variance allowed)

**Apt. C5-01:**

11.3 sq m Bedroom Area Provided (11.4 sq m min., .57 sq m variance allowed)

**Apt. D0-01, D2-01, D3-01, D4-01:**

12.8 sq m Bedroom Area Provided (13 sq m min., .65 sq m variance allowed)

**Apt. D0-02, D1-02, D2-02, D3-02**

12.9 sq m Bedroom Area Provided (13 sq m min., .65 sq m variance allowed)

**Apt. Do-06, D1-07, D2-07:**

33.3 sq m Living Room Area Provided (34 sq m min., 1.7 sq m variance allowed)

**Apt. Do-06, D1-07, D2-07:**

12.4 sq m Bedroom Area Provided (13 sq m min., .65 sq m variance allowed)

**Apt. Do-07, D1-08, D2-08:**

12.4 sq m Bedroom Area Provided (13 sq m min., .65 sq m variance allowed)

**Apt. D3-07:**

11.3 sq m Bedroom Area Provided (11.4 sq m min., .57 sq m variance allowed)

**Apt. D5-02:**

11.3 sq m Bedroom Area Provided (11.4 sq m min., .57 sq m variance allowed)

**Apt. D1-09, D2-09, D3-09:**

12.5 sq m Bedroom Area Provided (13 sq m min., .65 sq m variance allowed)

**Apt. D4-02:**

11.2 sq m Bedroom Area Provided (11.4 sq m min., .57 sq m variance allowed)

**Apt. D4-05:**

12.4 sq m Bedroom Area Provided (13 sq m min., .65 sq m variance allowed)

**Apt. D5-01:**

12.4 sq m Bedroom Area Provided (13 sq m min., .65 sq m variance allowed)

**Apt. Do-06, D1-07, D2-07:**

11.3 sq m Bedroom Area Provided (11.4 sq m min., .57 sq m variance allowed)

Therefore, as a result, these units within the scheme will not meet the *Development Plan* standards in relation to aggregate room areas and/or widths in some cases, however this flexibility is allowed under the *Apartment Guidelines, 2020*. This is fully detailed in the Material Contravention Statement enclosed.

A Daylight and Sunlight Assessment prepared by 3D Design Bureau is enclosed separately. The proposed development has been carefully designed to ensure there is minimal impact on the daylight and sunlight reaching the existing and proposed residences, and to ensure that future residents are afforded a high level of daylight infiltration.

#### **12.3.4.4 Phased Development**

*No large developments over 100 residential units shall be permitted unless it can be demonstrated that adequate provisions for specified physical and social infrastructural requirements, including: roads, sewers, water mains, community, recreational and sporting facilities (indoor and outdoor), public transport, first and second level schools and shops are available at completion to support development.*

*In addition, when considering proposals for development within the curtilage of Protected Structures a proposed phasing agreement should be provided (refer to Section 12.11.2.3).*

*A phasing schedule for any such development shall be submitted with a planning application.*

The Social Infrastructure Audit enclosed confirms that there is adequate social infrastructure available to serve the proposed development. The Engineering Report by Torque Consulting Engineers confirms there is adequate physical infrastructure to serve the development. In particular, a Confirmation of Feasibility and Statement of Design Acceptance has been received from Irish Water. The Transportation Assessment by NRB Consulting Engineers confirms adequate capacity in the public transport available in the area.

#### **12.3.4.5 Management Companies and Taking in Charge**

*In residential developments, which are not proposed to be Taken in Charge by the Council, evidence will be required that private Management Companies are to be set up by time of completion of the estate, and of which membership shall be compulsory for all purchasers of property. If a development (or part thereof) is to be Taken in Charge by the Council the applicant shall agree, which areas are to be Taken in Charge, and this shall be clearly indicated on a site layout plan. All areas not to be Taken in Charge by the Council, shall also be clearly indicated on a site layout plan, and shall be maintained and the responsibility of a properly constituted Private Management Company. These details shall be submitted with the planning application. All roads, footpaths, sewers, drains, lighting columns, mini-pillars, watermains, services and open spaces within the privately managed areas, irrespective of the management and maintenance regime to be put in place for these areas, shall be satisfactorily completed to the standard for development works as set out in the Council's 'Development Works Guidance Document'. In this regard, the applicant shall have regard to the Department of the Environment, Community and Local Governments document 'Taking in Charge of Residential Developments Circular Letter PD 1/08', and 'Circular Letter PL 5/2014', the Departments 'National Taking in Charge Initiative Report', 2018, and the Council's 'Taking in Charge Policy Document', 'Development Works Guidance Document', and any successor guidance with respect to taking-in-charge.*

Within the developable site, there are no areas proposed to be taken in charge. The Management Company will maintain the as set out in the Property Management Strategy Report by Aramark. The drainage works on Sandyford Road and works to road, footpath and boundary wall along Sandyford Road will continue to be in the charge of the Council. Please see the Proposed Site Layout (Dwg No. 533-RA-00-ZZ-DR-A-P-0002) by Horan Rainsford Architects which demonstrates the various areas within the application site.

#### **12.3.4.7 Refuse Storage and Services**

*Adequate refuse storage, recycling and composting areas, and future expansion of separated waste disposal for residential developments shall be adequately catered for. In the case of communal refuse storage provision, the collection point for refuse should be accessible both to the external collector and to the resident and be secured against illegal dumping by non-residents.*

*In the case of individual houses, the applicant shall clearly show within a planning application the proposed location and design of bin storage to serve each dwelling and having regard to the number of individual bins required to serve each dwelling at the time of the application and any possible future requirements for refuse storage/collection. (See also Appendix 6).*

Please refer to the Operational Waste Management Plan prepared by AWN Consulting which details the waste strategy for the proposed development.

### 12.3.5 Apartment Development

See Section 12.4.5 and Section 12.8 for Car Parking and Open Space Requirements pertaining to apartment developments.

See responses to these sections below.

#### 12.3.5.1 Dual Aspect in Apartments

A dual aspect apartment is designed with openable windows on two or more walls, allowing for views in more than just one direction. The windows may be opposite one another, or adjacent around a corner. The use of windows, indents or kinks on single external elevations, in apartment units which are otherwise single aspect apartments, is not considered acceptable and/or sufficient to be considered dual aspect and these units, will be assessed as single aspect units.

Specific Planning Policy Requirement (SPPR) 4 of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' (2018), provides guidance with respect to the minimum number of dual aspect apartments that may be provided in any single apartment schemes. In accordance with this guidance, DLR as a County is classified as a suburban or intermediate location and therefore:

- There shall generally be a minimum of 50% dual aspect apartments in a single scheme.
- For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, DLR may exercise discretion to consider dual aspect unit provision at a level lower than the 50% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects.

The proposed development provides 69% dual aspect units which exceeds the 50% requirement.

#### 12.3.5.2 Separation Between Blocks

All proposals for residential development, particularly apartment developments and those over three storeys high, shall provide for acceptable separation distances between blocks to avoid negative effects such as excessive overlooking, overbearing and overshadowing effects and provide sustainable residential amenity conditions and open spaces.

A minimum clearance distance of circa 22 metres, in general, is required, between opposing windows in the case of apartments up to three storeys in height. In taller blocks, a greater separation distance may be prescribed having regard to the layout, size, and design. In certain instances, depending on orientation and location in built-up areas, reduced separation distances may be acceptable. In all instances where the minimum separation distances are not met, the applicant shall submit a daylight availability analysis for the proposed development.

As shown on Horan Rainsford Architects' Architecture Drawings and demonstrated in their Architectural Design Statement, separation distances generally ranging from 21.9 metres to 40.7 metres feature between the rear building lines of the proposed development's Blocks (at their easternmost extents – i.e. 1<sup>st</sup> to 3<sup>rd</sup> storeys) and the existing residences at Coolkill to the east. However, given the diverging rear buildings lines, there are no directly opposing windows, with some windows in the Blocks proposed to be obscured as a prudent measure.

Notwithstanding the diverging building lines, these distances are considered to comply with the Development Plan’s standard which is that a 22 metres “*separation between directly opposing rear first floor windows should usually be observed*” [**emphasis added**]. The 1 No. separation distance of 21.9 metres is considered to be *de minimis*.

To the south, there are no windows in the southern elevation of the proposed Block D directly opposite windows in the north elevation of the development currently on appeal at The Pastures as there are no windows proposed in the latter. Directly opposing windows in the east elevations of Block D are at least 25.3 metres from the west elevations of Block B in The Pastures.

To the north, there are no opposing windows between the proposed Block A and the residences nearing completion at Cul Cuille. The separation distances between Block A and the houses thereat are no less than 21.3 m (which would be considered *de minimis* and a reasonable deviation from the 22 metres standard), whilst the separation distances between Block A and the apartments thereat are between 3.2 metres and 14.1 metres, although there are no windows in either development at these narrower points.

Informed by the foregoing observations, it is considered the adequate separation distances are proposed as part of the proposed development such that there will not be detrimental impacts on the residential amenity and privacy of the existing residents at Coolkill or the future residents and Cul Cuille or The Pastures.

**12.3.5.3 Internal Storage and External Storage**

Internal storage standards for apartments shall accord with, or exceed the levels outlined in Table 12.3 below:

Unit Type	Minimum Storage Space Requirement
One Bedroom	3 sq m
Two Bedrooms (3 persons)	5 sq m
Two Bedrooms (4 persons)	6 sq m
Three bedrooms	9 sq m

- Storage should be additional to kitchen presses and bedroom furniture.
- Hot press/boiler space will not count as general storage.
- No individual storage room should exceed 3.5sq.m. and shall be provided within the apartment unit.

Apartment schemes should provide external storage for bulky items outside individual units (i.e. at ground or basement level), in addition to the minimum apartment storage requirements. These storage units should be secure, at ground floor level, in close proximity to the entrance to the apartment block and allocated to each individual apartment unit.

All units will meet, and exceed in many cases, the internal storage standards and requirements set out in Table 12.3. Please refer to the Housing Quality Assessment Tables prepared by Horan Rainsford Architects. Space for Heat Pumps has been shown and has been excluded

from all storage calculations. If bedroom furniture has been included, its associated area has been excluded from the bedroom area. No storage room exceeds 3.5 sq m.

There is no external storage provided outside of the individual units however it is considered that the storage provision internal to the apartments is sufficient and copious and exceeds the minimum standards in the majority of cases. This is included in the Material Contravention Statement also should An Bord Pleanála consider this to material contravene the *Development Plan*.

**12.3.5.4 Penthouse Development**

*The addition of a penthouse level – which typically consists of high quality roof level living accommodation in an apartment development - may be acceptable where living space constitutes the equivalent of one storey and is set back from the edge of the building. A penthouse level should have regard to the overall design of an apartment block and should be finished with high quality materials and not have a negative visual impact on the skyline and/or streetscape (refer also to the Building Height Strategy set out in Appendix 5).*

The proposed development includes set back floor levels at the upper floors which may be considered as penthouse. These set back levels will assist in assimilating the development into the surrounding context, provides additional separation distances to surrounding properties and reduces the perceived massing of the development.

**12.3.5.5 Minimum Apartment Floor Areas**

*All apartment developments shall accord with or exceed the minimum floor areas indicated in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’, (2018), as set out in the Table 12.4 below.*

*In this regard, the areas listed are minimum standards and should not be taken as the norm for all developments; higher floor areas will be encouraged throughout the County.*

Unit Type	Minimum Area per Unit
Studio	37 sq m
One Bed	45 sq m
Two Bedrooms (3 persons)	63 Sq m
Two Bedrooms (4 persons)	73 sq m
Three bedrooms	90 sq m

*In order to safeguard standards, the majority of apartments in any proposed scheme of 10 or more shall exceed the minimum floor area standard for any combination of 1, 2 or 3 bed, by a minimum of 10% (excluding studios).*

As set out in the Housing Quality Assessment prepared by Horan Rainsford Architects, all units meet the minimum overall apartment floor areas and 50.4% of the units will exceed the minimum floor area by 10%.

### **12.3.5.6 Additional Apartment Design Requirements**

*Ground level apartment floor to ceiling heights shall be a minimum of 2.7 metres and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, Planning Authorities may exercise discretion on a case-by-case basis, subject to overall design quality.*

*A maximum of 12 apartments per floor per core may be provided in apartment schemes\*( Not applicable to BTR development in accordance with SPPR 8). This maximum provision may be increased for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, subject to overall design quality, and compliance with building regulations.*

*Ground Floor/Lower Ground Floor levels will be provided with floor to ceiling heights of 2.7 metres. The scheme provides between 3 to 10 No. units per core which is in accordance with the Development Plan.*

### **12.3.7.7 Infill**

*In accordance with Policy Objective PHP19: Existing Housing Stock – Adaptation, infill development will be encouraged within the County. New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/gateways, trees, landscaping, and fencing or railings.*

*This shall particularly apply to those areas that exemplify Victorian era to early-mid 20th century suburban 'Garden City' planned settings and estates that do not otherwise benefit from ACA status or similar. (Refer also to Section 12.3.7.5 corner/side garden sites for development parameters, Policy Objectives HER20 and HER21 in Chapter 11.*

*It is considered that the scheme design strikes a balance between respecting the surrounding environment of the scheme and ensuring the development potential of a strategically positioned and underutilised plot is maximised and appropriately densified in accordance with the objectives of the NPF. The development represents sustainable infill development of underutilised lands and has been designed to assimilate with the surrounding residences, both lower density dwellings and permitted higher density apartment developments.*

### **12.3.8 Housing for All**

#### **12.3.8.1 Age Friendly Housing**

*Having regard to the current and future demographic conditions and the ageing demographic of the County, it is an objective of the of DLR to promote an age friendly approach by ensuring that both existing and proposed residential developments are future proofed for an ageing population.*

*In accordance with the principles of the Policy Statement 'Housing Options for Our Ageing Population' 2019, the Planning Authority will advocate age-friendly thinking with respect to new developments in the County in particular at pre-planning stage. Developers should consider an Age-friendly approach, with facilities and materials inclusive of an age-friendly community/society in line with the above guidelines.*

The proposed scheme will broaden the variety of housing within the subject site's vicinity, providing a different typology to the 3 and 4 No. bedroom semi-detached houses that predominate in the surrounding area while also reinforcing the emerging apartment typologies along the Sandyford Road at The Pastures (under DLR Reg. Ref. D21A/0595, currently under appeal) and Whinsfield (as permitted under DLR Reg. Ref. D17A/1003).

As noted in the 'Housing Options for Our Ageing Population (2019)',

*"Developments and neighbourhoods should incorporate a mix of dwelling type, size and tenure to support sound social and environmental policy objectives." The addition of these high-quality apartments to the locality will provide a downsizing option for the ageing population of the area who wish to remain in their locality to which they have a "link and connection to the community rather than the actual physical dwelling".*

Furthermore, the dwellings would be capable of integrating assisted technologies if required while the development will be fully accessible as outlined in the universal access statement by O'Herlihy Access Consultants, ensuring the "dwellings can meet both the immediate and changing needs of the occupant over the course of their lifetime including needs associated with moderate mobility difficulties and the normal frailty associated with the ageing process".

### **12.3.9 Demolition and Replacement Dwellings**

*The Planning Authority has a preference for the deep retro-fit of structurally sound, habitable dwellings in good condition as opposed to demolition and replacement unless a strong justification in respect of the latter has been put forward by the applicant. (See Policy Objective CA6: Retrofit and Reuse of Buildings and Policy Objective PHP19: Existing Housing Stock - Adaptation).*

*Demolition of an existing house in single occupancy and replacement with multiple new build units will not be considered simply on the grounds of replacement numbers only but will be weighed against other factors. Better alternatives to comprehensive demolition of, for example, a distinctive detached dwelling and its landscaped gardens, may be to construct structures around the established dwelling and seek to retain characteristic site elements.*

*The Planning Authority will assess single replacement dwellings within an urban area on a case by case basis and may only permit such developments where the existing dwelling is uninhabitable.*

*Applications for replacement dwellings shall also have regard to Policy Objectives HER20 and HER21 in Chapter 11. In this regard, the retention and reuse of an existing structure will be encouraged over replacing a dwelling, and the planning authority will encourage the retention of exemplar nineteenth and twentieth century dwellings on sites in excess of 0.4 hectares. Applications for replacement dwelling within the rural area will be assessed under the provision of Section 12.3.10.4.*

The subject scheme will result in the appropriate densification of an underutilised site, providing additional accommodation in lieu of the existing single storey dwelling (with ancillary garage) and 2 No. storey dwelling (to be demolished) which are not considered to be distinctive or of architectural merit or sustainable continued occupation in the context of contemporary planning policy which seeks to more appropriately and efficiently use scarce urban land. In addition, we note that the dwellings are not Protected Structures.

### **12.4.1 Traffic Management and Road Safety**

*The road layout of new residential, commercial, and/or mixed-use developments shall be designed in accordance with DMURS which seeks to create self-enforcing 30km/h zones. This Manual sets out design guidance and standards for constructing new, and reconfiguring existing, urban roads and streets, incorporating a multidisciplinary approach to the design of low speed environments in urban areas. All works carried out shall meet the requirements of the Council's 'Taking in Charge Policy Document', 'Development Works Guidance Document', and any successor guidance with respect to taking-in-charge.*

*To provide for pedestrians and cyclists as part of the development management process, all new development will be required to maximise permeability and connectivity for pedestrian and cyclists and to create direct links to adjacent roads and public transport networks in accordance with the provisions of the 'Urban Design Manual – A Best Practice Guide' (2009), 'Sustainable Urban Housing: Design Standards for Apartments' (2018) and the 'Design Manual for Urban Roads and Streets' (DMURS, 2019).*

*On existing roads, traffic management measures may be required to create a pedestrian and cycle friendly environment. Road safety interventions may also be required to create a safe road environment for all road users such as the provision of accessible pedestrian facilities and segregated cycle tracks.*

*To ensure that the needs of all road's users are considered, a Quality Audit may be required for major developments that impact on the road network and for all new road and traffic schemes. This should be carried out in accordance with DMURS and best UK practice. The Design Manual for Urban Roads and Streets Quality Audits generally consist of a number of individual and overlapping audits that may include: an audit of visual quality; a review of how the street is/may be used by the community; a road safety audit, including a risk assessment; an access audit; a walking audit; a cycle audit; a non-motorised user audit; a community street audit (in existing streets); and a place check audit. A street design audit was added as an additional audit type in the DMURS Guidance in 2019. It can be submitted as a component of a Quality Audit (for larger projects) or as a stand-alone audit process for smaller projects, the emphasis is on placemaking and promoting the multidisciplinary aspects of successful street design. This is an auditing tool that can be used to ensure that the that the four major aspects of street design as set out in DMURS: Connectivity, Self-Regulating Street Environment, Pedestrian and Cycling Environment, and Visual Quality are appropriately taken into account.*

*Potential applicants for planning permission should engage in pre-planning discussions to ascertain which audits, if any, should be submitted with the application. Further details on the guidance on the audit thresholds can be found within the 'Development Management Thresholds Information Document' in Appendix 3.*

*The scheme is designed in accordance with DMURS and a DMURS Design Statement Technical note is provided. The Transportation Assessment Report information has been prepared with due regard of all relevant guidance. A Road Safety Audit including Quality Audit has been undertaken and is also included with the submitted documentation. Pedestrians and cyclist permeability has been considered and the scheme maximises permeability and connectivity for pedestrian and cyclists by creating direct links to Sandyford Road and through the provision of a pedestrian connection to link the site to Cul Cuille to the north. Furthermore please refer to Section 4.8 of this Statement of Consistency for a response to the relevant provisions of the 'Urban Design Manual – A Best Practice Guide' (2009), Section 4.6 for the*

*'Sustainable Urban Housing: Design Standards for Apartments' (2018) [now 2020] and Section 4.9 for the 'Design Manual for Urban Roads and Streets' (DMURS, 2019).*

#### **12.4.2 Traffic and Transport Assessment**

Where new development has significant car trip potential, a detailed assessment of:

- *The transportation systems available and*
- *The impact of the proposed development on the surrounding environment and transportation network, should be appraised through the submission of a Traffic and Transport Assessment (TTA), in accordance with Transport Infrastructure Ireland (TII) 'Traffic and Transport Assessment Guidelines', (2014). The requirements for a TTA should be ascertained at pre-planning stage.*

*Traffic and Transport Assessments shall project forward 5 years and 15 years after opening date in accordance with the TII Traffic and Transport Assessment Guidelines and the UK's Institution of Highways and Transportation Guidelines, and shall, in their analysis, consider all major road and traffic schemes and existing and proposed developments in an area (Refer also to Appendix 3 Development Management Thresholds).*

*The Transportation Assessment Report prepared by NRB Consulting Engineers, which takes account of all relevant guidance including the 'Traffic and Transport Assessment Guidelines' (2014) concludes that:*

*'The proposed development will have an absolutely negligible impact upon the established local traffic conditions and can easily be accommodated on the road network without any capacity concerns arising.'*

*The Transportation Assessment Report also considered the public transport systems available (bus and Luas) and concludes that 'the additional demand for Bus/LUAS trips as a result of the proposed development can be accommodated on the existing & improved services without any noticeable effect'.*

#### **12.4.3 Travel Plans**

*Preparation of a travel plan required.*

*Appendix F of the Transportation Assessment Report includes a 'Preliminary Planning Stage Mobility Management Plan/Travel Plan'.*

#### **12.4.4 Street Lighting**

*The lighting of roads and public amenity areas shall be provided in accordance with the requirements of Public Lighting Standards BS5489-1 EN 13201:2015 and further updates and also the Council's 'Public Lighting Installations in Residential and Industrial Areas Guidance Document'.*

*Street / Public lighting is as per BS5489-1 EN 13201:2015 and Council's requirements.*

#### **12.4.5.1 Parking Zones**

*The propensity of people to choose non car modes is to a great extent determined by proximity to quality public transport as well as the range and accessibility, on foot or by bicycle, of services within an area. The County has therefore been divided into four Parking Zones, reflecting the varying degrees to which these criteria are generally met. Car parking within new developments will be in accordance with the standards set out in Table 12.5. The Parking Zones are indicative as set out on Map T2 and described below:*

##### *(i) Parking Zone 1:*

*This zone generally comprises the Major Town Centre areas of Dún Laoghaire and Dundrum together with the Blackrock District Centre area. These are areas, which are generally characterised by:*

- Access to a high level of existing and planned public transport services (rail and bus) with good interchange potential.*
- A high level of service accessibility, existing and planned, by walking or cycling.*
- A capacity to accommodate high density retail, office and residential developments.*

*Within parking zone 1 Maximum car parking standards have been set for all uses including residential.*

##### *(ii) Parking Zone 2*

*This zone generally includes areas, which are within the following walking bands/catchments:*

- 10 minute walk of the proposed CBC 13 (Core Bus Corridor) from DCC boundary along the N11 to Kill Lane.*
- 5 minute walk of the N11 proposed CBC from Kill Lane Junction to Bray.*
- 10 minute walk of the proposed CBC 15 from DCC boundary to Blackrock.*
- 5 minute walk of Kill Lane/Avenue/Mounttown bus route.*
- 10 minute walk of Dart and Luas stations.*

*Note: The N11 Quality Bus Corridor (QBC) and the Rock Road QBC will be replaced by CBC 13 and 15.*

*These are areas, which are generally characterised by:*

- Access to a good level of existing or planned public transport services.*
- A good level of service accessibility, existing and planned, by walking or cycling.*
- A capacity to accommodate a higher density of development than surrounding areas.*

*Within parking zone 2 maximum standards shall apply for all uses except for residential where the standard is required. For residential uses reduced provision may be acceptable dependent on criteria set out in Section 12.4.5.2 below.*

##### *(iii) Parking Zone 3*

*This zone generally comprises the remainder of the County, excluding rural areas. These are areas, which are generally characterised by:*

- Access to a level of existing or planned public transport services
- A reasonable level of service accessibility, existing and planned, by walking or cycling
- A capacity to accommodate a higher density of development than rural areas.

*Within parking zone 3 maximum standards shall apply to uses other than residential where the parking standard shall apply. In zone 3 additional parking shall be provided for visitors in residential schemes at a rate of 1 per 10. In some instances, in zone 3 reduced provision may be acceptable dependent on the criteria set out in 12.4.5.2 (i) below with particular regard to infill/brownfield developments in neighbourhood or district centres.*

The case for reduced provision of car parking is set out in the Transportation Assessment Report prepared by NRB Consulting Engineers, support by the Travel Plan to encourage modal shift to non car modes of travel, the proximity to services, employment opportunities and public transport, the provision of 6 GoCar car clubs and generous cycle parking provision, all in line with the *Apartments Guidelines, 2020*. Please see response below to Section 12.4.5.2 'Application of Standards' for the planning rationale for the proposed reduction in car parking at the subject site, location with Parking Zone 3. This is also detailed in the Material Contravention Statement enclosed.

#### **12.4.5.2 Application of Standards**

*In relation to the maximum standards, any proposals exceeding these standards will be permissible only in exceptional circumstances; such as where the Planning Authority consider that there is a specific requirement for a higher number of spaces. An example of this would be in instances where there are demonstrable benefits for the wider area through regeneration or similar urban and civic improvement initiatives.*

*In certain instances, within all zones, applicants may be required to provide the maximum number of spaces.*

*In certain instances, in Zones 1 and 2 the Planning Authority may allow a deviation from the maximum or standard number of car parking spaces specified in Table 12.5 or may consider that no parking spaces are required. Small infill residential schemes (up to 0.25 hectares) or brownfield/refurbishment residential schemes in zones 1 and 2 along with some locations in zone 3 (in neighbourhood or district centres) may be likely to fulfil these criteria.*

*In all instances, where a deviation from the maximum or standard specified in Table 12.5 is being proposed, the level of parking permitted and the acceptability of proposals, will be decided at the discretion of the Planning Authority, having regard to criteria as set out below:*

##### *(i) Assessment Criteria for deviation from Car Parking Standards (set out in Table 12.5)*

- Proximity to public transport services and level of service and interchange available.
- Walking and cycling accessibility/permeability and any improvement to same.
- The need to safeguard investment in sustainable transport and encourage a modal shift.
- Availability of car sharing and bike / e-bike sharing facilities.
- Existing availability of parking and its potential for dual use.
- Particular nature, scale and characteristics of the proposed development (as noted above deviations may be more appropriate for smaller infill proposals).

- *The range of services available within the area.*
- *Impact on traffic safety and the amenities of the area.*
- *Capacity of the surrounding road network.*
- *Urban design, regeneration and civic benefits including street vibrancy.*
- *Robustness of Mobility Management Plan to support the development.*
- *The availability of on street parking controls in the immediate vicinity.*
- *Any specific sustainability measures being implemented including but not limited to:*
  - *The provision of bespoke public transport services.*
  - *The provision of bespoke mobility interventions.*

*Where a development site is located on the boundary of two or more parking zones, the level of parking provision will be decided at the discretion of the Planning Authority having regard to the criteria set out above. In Zones 1 and 2, where a deviation from the parking standards set out in Table 12.5 is being proposed, the applicant should engage with the Council at pre-planning stage regarding the acceptability of the proposal.*

The car parking provision has been guided by the contents of the *Development Plan and Apartment Guidelines, 2020*. As the subject site is located in Parking Zone 3 ('Remainder of County (non-rural)'), the standards shown in the table below apply to the proposed residential development. It is noted that these are stated 'standards' and not maxima or minima. As also shown in the Table, based on the proposed number and mix of units, there is a requirement to provide 178 No. car parking spaces (equivalent to a car parking ratio of 1.3).

Unit Type	Car Parking Standard in Zone 3	Units Proposed	No. of Spaces Required
1-bed apartment	1 per unit	32	32
2-bed apartment	1 per unit	78	78
3-bed apartment	2 per unit	27	54
Visitors	1 per 10 No. units	-	14
<b>Total</b>		<b>137</b>	<b>178</b>

However, the *Development Plan* does allow for a deviation from the standards which it sets for car parking. Specifically, Section 12.4.5.2 of the *Development Plan* states:

*'In all instances, where a deviation from the maximum or standard specified in Table 12.5 is being proposed, the level of parking permitted and the acceptability of proposals, will be decided at the discretion of the Planning Authority, having regard to criteria as set out below:*

- *Proximity to public transport services and level of service and interchange available.*
- *Walking and cycling accessibility/permeability and any improvement to same.*
- *The need to safeguard investment in sustainable transport and encourage a modal shift.*
- *Availability of car sharing and bike / e-bike sharing facilities.*
- *Existing availability of parking and its potential for dual use.*
- *Particular nature, scale and characteristics of the proposed development (as noted above deviations may be more appropriate for smaller infill proposals).*

- *The range of services available within the area.*
- *Impact on traffic safety and the amenities of the area.*
- *Capacity of the surrounding road network.*
- *Urban design, regeneration and civic benefits including street vibrancy.*
- *Robustness of Mobility Management Plan to support the development.*
- *The availability of on street parking controls in the immediate vicinity.*
- *Any specific sustainability measures being implemented including but not limited to:*
  - *The provision of bespoke public transport services.*
  - *The provision of bespoke mobility interventions.'*

In support of a deviation from the *Development Plan's* standards, paragraph 4.21 of *Apartment Guidelines, 2020* states that:

***'In suburban/urban locations served by public transport or close to town centres or employment areas and particularly for housing schemes with more than 45 dwellings per hectare net (18 per acre), planning authorities must consider a reduced overall car parking standard and apply an appropriate maximum car parking standard.'* [emphasis added]**

As the *Development Plan* sets a 'fixed' standard for car parking in Parking Zone 3, it does not "apply an appropriate maximum car parking standard", contrary to the guidance in *Apartment Guidelines, 2020*. However, national planning policy in the *Apartment Guidelines, 2020* clearly supports a reduction in car parking requirements and delivery as a means to encourage modal shift, which the planning authority "must consider".

Reference should also be made to the fact that the Green Luas line is within a reasonable 20–25-minute walk or 7-minute cycle of the site, which falls within the area defined by the Section 49 Luas Development Contribution Scheme. Therefore, the Council clearly sees that development at the subject site benefits from its proximity to the Luas and this benefit should be reflected by way of an accepted reduction in the expected car parking provision.

The development proposed in this planning application includes a total of 137 No. car parking spaces at surface and semi-basement/semi-undercroft level (Lower Ground Floor). This equates to a parking ratio of 1.0 (i.e. 1 No. space per unit). Whilst this is lower than the requirements calculated in the table above it is deemed appropriate for the location of the development, the proposed mix of units, the availability of ample cycle parking and the presence of local cycling infrastructure and frequent public transport running along Sandyford Road.

However, the car parking provision includes 6 No. GoCar (car share) spaces, which NRB Consulting Engineers' *Transportation Assessment* cites are equivalent to 15 No. resident car parking spaces. Therefore, there is an 'effective car parking station [sic] ratio of ~1.6 at this site', which would convert to approximately 220 No. car parking spaces; thereby exceeding the requirement for the development set by the *Development Plan*.

Notably, the 1.0 car parking ratio exceeds the ratio of 0.9 in the recently granted Ironborn SHD in Aiken's Village (ABP Ref. 309828), which is slightly further south along Sandyford Road.

In assessing the proposed car parking provision of the subject scheme, NRB Consulting Engineers' commentary in the enclosed *Transportation Assessment* remarks:

*'A Travel Plan is enclosed with this application as Appendix F to demonstrate the applicant's commitment to encourage modal shift and the use of public transport, cycling and walking.*

*Given the restricted number of car parking spaces provided, the scheme will also be actively marketed and promoted as a "Reduced-Car-Dependency" scheme and this will be communicated from the outset as part of sales and marketing. The development will also be managed on an on-going basis to ensure that the reduced dependency nature of the development is continually promoted and enhanced. The development will be managed and operated by a Management Company. Car parking will not be an automatic entitlement with the apartments, but spaces will be available to rent and purchase. Renting/sales of parking will be allocated to residents mainly on a first come first served basis by the Management Company and will be continually managed by the Management.*

*Some parking spaces will be reserved for visitors with other car parking spaces allocated for rent/sale to larger units. The allocation of car parking spaces will be reviewed/renewed on an annual/ongoing basis to suit demand.*

*Dedicated Clauses can and will be contained within Letting / Sales Agreements for all Residential Apartments, which specifically address Car Parking. In the event where a parking space is an entitlement as part of a Letting / Sales Agreement, this will be clearly enunciated by way of a dedicated clause, with the specific space or spaces referenced in Agreements, with mapping provided & referenced therein to identify the relevant space."*

Informed by the foregoing, the following points summarise the justifiable reduction in the provided car parking provision:

1. Flexibility to deviate from the car parking standards set by the *Development Plan* is provided by the Plan itself;
2. The *Apartment Guidelines, 2020* state Councils must considered a reduction in the car parking standards;
3. The subject site is served at Sandyford Road and in Sandyford Village by multiple bus routes (Nos. 44, 44B, 114) providing connections throughout the city;
4. The subject sites is within a 20–25-minute walk or 7-minute cycle of the Green Luas line stop at Glencairn, which provide southbound connectivity to Bride's Glen and northbound connectivity via the city centre to Broombridge;
5. The site falls within the area defined by the Section 49 Luas Development Contribution Scheme, therefore, the Council sees that development at the subject site benefits from its proximity to the Luas and this benefit should be reflected by way of an accepted reduction in the expected car parking provision;
6. The above-mentioned public transport connect with other modes of public transport at key hubs, such as Dundrum (Green Luas and bus), Blackrock (DART, bus and rail), Abbey Street (Red Luas and bus);

7. The subject site is well served locally by a range of services and amenities, which can be accessed by active and public modes transport (please refer to KPMG Future Analytics' *Social Infrastructure Audit* and *Childcare Demand Assessment*;
8. The inclusion of 6 No. GoCar spaces will meet the additional mobility needs of residents, with each such space considered to be the equivalent of 15 No. normal resident car spaces, meaning there is an effective car parking ratio of approximately 1.6;
9. All car parking spaces will be actively managed, monitored and maintained by the Management Company;
10. The prepared *Travel Plan* will be updated and provided to all future residents as a means to promote alternatives to private car ownerships and use;
11. Ample cycle parking has been provided as part of the development, thereby making this a more attractive alternative as residents can store their bikes quickly, easily and with safety;
12. Providing additional car parking would have result in a loss and reduction in the quality of open space or else a significantly larger and unviable basement level;
13. A lower level of car provision is a direct means through which to promote, encourage and leverage reduced levels of car ownership and use; and
14. The creation of additional critical mass as a result of the proposed development will assist in sustaining and promoting existing and new local services and business, thereby making journeys shorter, quicker and less dependent on car use.

In terms of the detail of the proposed car parking, 133 No. spaces are proposed in the semi-basement/semi-undercroft (beneath Blocks B, C and D) and 4 No. are proposed externally in 2 No. locations at street level close to the main entrance and besides Blocks A and B. The 4 No. latter spaces are dedicated set down spaces (serving a short-stay purpose).

The 133 No. spaces in the semi-basement/semi-undercroft include 7 No. mobility impaired spaces (5% of the total, which exceeds the *Development Plan* standard of 4%) and 31 No. electric vehicles charging spaces (23% of the total, which exceeds the *Development Plan* standard of 20%). 2 No. of the mobility impaired spaces will benefit from electric vehicle charging points. The 106 No. spaces that will not have electric vehicle charging points at first have been designed with ducting in place so that they can be easily retrofitted in the future.

Parking will be secure, with the set down spaces benefitting from passive surveillance and their proximity to the concierge and the spaces at semi-basement/semi-undercroft benefitting from regular movements by residents, CCTV (if required) and the entrance being opposite the concierge.

### 12.4.5.3 Car Parking – General

*In instances where Table 12.5 does not specify a parking standard for a particular land use, the Planning Authority shall determine the parking requirements having regard to the assessment criteria for parking provision as set out above.*

*For both residential and non-residential car parking, 4% of car parking provision shall be suitable for use by disabled persons. In certain circumstances the Planning Authority may consider that a higher disabled parking content may be required depending on the nature of development. All disabled parking should be clearly marked and suitably sign posted for convenient access.*

*A minimum of 4% of car parking spaces provided shall be reserved for parent and child parking for commercial, retail, health, childcare, hotels, medical and leisure uses, but a higher number may be required depending on the nature and location of the development.*

*Some 7 No. disabled parking spaces are provided which represents 5% of the total spaces provided and thus exceeds the 4% requirement set out in the *Development Plan*.*

### 12.4.5.6 Residential Parking

*Within Zone 1, car parking for residential developments has therefore been set as a maximum.*

*For apartment developments, car parking spaces should be allocated to residential units and visitor car parking. All visitor car parking is to be for short term use and not to be used by residents. Car parking shall be managed as such by a management company. For apartment developments car parking spaces associated with residential units must be sold in conjunction with the units and not sold separately, or let, to avoid take-up by non-residents and will be conditioned as such in the development management process.*

*Any surface carparking should be suitably integrated into the site with soft landscaping proposals and have regard to SuDS.*

*As set out in the Transportation Assessment prepare by NRB Consulting Engineers:*

*'The development will be managed and operated by a Management Company. Car parking will not be an automatic entitlement with the apartments, but spaces will be available to rent and purchase. Renting/sales of parking will be allocated to residents mainly on a first come first served basis by the Management Company and will be continually managed by the Management.*

*Some parking spaces will be reserved for visitors with other car parking spaces allocated for rent/sale to larger units. The allocation of car parking spaces will be reviewed/renewed on an annual/ongoing basis to suit demand.'*

### 12.4.5.7 Parking and Loading Bays

*In general, parking bays shall be a minimum 2.4 metres in width and 4.8 metres in length – with increased dimensions required for short-stay retail parking spaces and loading/set down parking areas. The configuration whereby double parking bays are placed length to length is discouraged. Carparking dimensions for in curtilage parking is set out in Section 12.4.8.1 (5.5 metres x 3 metres*

minimum). Parking bay widths suitable for people with disabilities shall be a minimum of 2.4 metres wide – with a 1.2 metres buffer on both sides – and 6.0 metres in depth.

Parking bay widths suitable for parent and child parking shall be a minimum of 3.3 metres wide, or 5.7 metres if paired with 0.9 metres hatching between the parking spaces.

Parking bays for people with disabilities or parent and child shall be located on firm, level ground, preferably at ground floor level, be in close proximity to access points/lifts and avoid potential conflict points such as ramps, steps etc. All parking bays should be in accordance with Part M of the Building Regulations. The location of disability or parent and child parking bays should be highlighted as part of pre-planning discussions.

Where there is a need for loading and unloading in a development, additional parking bays suitable for loading should be provided in addition to the parking requirements set out in Table 12.5. Residential developments of more than 50 units should have at least one loading bay and there shall be a ratio of not less than 1 loading bay per 100 units in larger developments. Loading bays shall be situated so as to minimise traffic hazard, reduce distance to carry goods and encourage its use for home deliveries. This standard may be relaxed if the planning authority consider it is appropriate based on the location and the nature/design of both the street and the residential development.

Parking Bays are a minimum of 2.5 metres x 5.0 metres, all at one level. Some 7 No. disabled parking spaces are provided which represents 5% of the total spaces and they are sized in accordance with Part M. The scheme includes setdown spaces including a larger space for larger deliveries vehicles. This oversized set down can accommodate loading and home deliveries etc. There are also 3 No. additional set down spaces to serve the development and there is room in the turning area for an occasional even larger vehicle e.g. the refuse truck, as shown on the Autotrack drawings in Appendix A of the Transportation Assessment.

#### **12.4.6 Cycle Parking**

Cycle parking should accord with the Council published – ‘Standards for Cycle Parking and Associated Cycling Facilities for New Developments’(2018) or any subsequent review of these standards. These are minimum cycle parking standards. In car parking Zones 1 and 2 these minimum standards should be exceeded. It is intended that the next review of the Council’s cycle parking standards would be aligned with the 4 parking zones set out in Section 12.4.5.1 above.

The bicycle parking provision is discussed in the Transportation Assessment Report prepared by NRB Consulting Engineers, in excess of the DLR Policy and in line with the *Apartment Guidelines, 2020*. The scheme has a requirement of 165 No. cycle parking spaces and we note that 340 No. spaces are provided, which is well in excess of the *Development Plan* standards.

##### **12.4.6.1 Requirements for New Development**

With increasing numbers of people cycling and a growing number of options for cycle mobility, including cargo bikes, bike trailers and e-bikes, all of which increase the range of uses and needs, which cycling can respond to, it is essential that well integrated, accessible and secure cycle parking, to cater for all types of cycles, is provided within new developments. This will help to encourage the use of new mobility solutions for everyday mobility needs such as shopping, delivery and school drop off / collection.

*It is a requirement that, new residential developments of 5 residential units or more or non-residential type developments of 400 sq. m. or over, submit a Cycle Audit as part of the planning application. The Cycle Audit must be prepared by a suitably qualified person and shall clearly demonstrate, in plan format, how all the requirements of Council's Standards for Cycle Parking and Associated Cycling Facilities for New Developments, are met within the development.*

*For new residential developments of less than 5 units and non-residential developments of under 400 sqm planning applications shall include a Cycle Statement, setting out how it meets the requirements of Council's 'Standards for Cycle Parking and Associated Cycling Facilities for New Developments' (2018).*

*Table 2.1 of the Transportation Assessment Report prepared by NRB Consulting Engineers includes a Cycle Audit for the proposed development.*

#### **12.4.6.2 Cycle Parking Assessment Criteria**

*In general, new residential developments of 5 units or more or non-residential of 400 sq. m. or over will be assessed in accordance with the following criteria:*

- *Is the number of cycle parking spaces and footprint adequate and is there suitable provision for parking of outsized formats (cargo bikes etc)?*
- *Is the location of cycle parking convenient, appropriate and secure with adequate provision for covered parking?*
- *Is the cycle parking area accessible in terms of dedicated access routes with ramps and/or kerb dishing where required?*
- *Do the internal cycle access routes connect well with off-site cycle facilities – existing and proposed?*
- *Is there adequate and appropriately designed and integrated provision for ancillary cycling and pedestrian facilities including showers, locker / changing rooms and drying areas?*

*Where cycle parking cannot be conveniently provided within the development, a financial contribution of €500 per cycle parking stand will be required to provide alternative on-street cycle parking provision in the vicinity of the development.*

*Consideration should be given to requiring the provision of cycle parking-related directional signage, in particular for storage and commercial parking facilities. Bike lockers, showers and changing rooms should be available at final destination storage facilities (private).*

*For short-term cycle parking (e.g. for customers or visitors), cycle parking is required at ground level. This should be located within 25 metres of the destination in an area of good passive surveillance. Weather protected covered facilities should be considered where appropriate. Consideration should be given to using green roofs in the design of standalone cycle parking shelters. Appropriate cycle parking signage may also be required to direct cyclists to the end destination.*

*For long-term cycle parking (e.g. for more than 3 hours for residents, staff, students), secure covered cycle parking is a requirement. This should be conveniently located within 50 metres of the destination and located near building access points where possible.*

*In all cases it is a requirement to provide showers, changing facilities, lockers and clothes drying facilities, for use by staff that walk or cycle to work. CCTV cameras or passive surveillance of car parks and cycle parks may be required for personal safety and security considerations.*

All cycle facilities in multi-storey car parks shall be at ground floor level and completely segregated from vehicular traffic. Cyclists should also have designated entry and exit routes at the car park and with minimum headroom of 2.4 metres to facilitate access by cyclists.

Within larger new developments cycle routes shall link to the existing cycle network where possible and maintain a high degree of permeability through developments. Cycle Audits may be required in such developments.

The cycle parking provision is discussed in the Transportation Assessment Report prepared by NRB Consulting Engineers, in excess of the DLR Policy and in line with the *Apartment Guidelines, 2020*. Table 2.1 of the Transportation Assessment Report prepared by NRB Consulting Engineers includes a Cycle Audit for the proposed development. The scheme includes Sheffield stands and a stacker system and in addition, there are 2 No. cargo spaces provided. Many of the proposed Sheffield stands adjacent Block A are sufficiently spaced to allow larger sized bicycles including more cargo bikes to be parked in this cycle parking zone. This flexibility provides for varying types of bike types and sizes at the development.

#### **12.4.7 Motorcycle Parking**

It is an objective of the Council to require developments to provide motorcycle parking spaces at a minimum of four or more spaces per 100 car parking spaces. The type of motorcycle stand and typical parking layout should be in accordance with the Council's Cycling Policy Guidelines and Standards with a spacing of 1 metre to allow the parking of one motorcycle per stand.

The proposed development includes 6 No. motorcycle parking spaces which exceeds the requirement to provide four or more spaces per 100 No. car parking spaces (137 No. car parking spaces provided).

#### **12.4.8 Vehicular Entrances and Hardstanding Areas**

##### **12.4.8.1 General Specifications**

Vehicle entrances and exits shall be designed to avoid traffic hazard for pedestrians and passing traffic. Where a new entrance onto a public road is proposed, the Council will have regard to the road and footway layout, the traffic conditions on the road and available sightlines and will impose appropriate conditions in the interest of public safety. In general, for a single residential dwelling, the maximum width of an entrance is 3.5 metres. For a shared entrance for two residential dwellings, this may be increased to a maximum width of 4 metres. Each car parking space for a residential dwelling shall have a minimum length of 5.5 metres depth to ensure the parked car does not overhang onto the existing public footway and a minimum width of 3 metres to allow for clearance from nearby wall/steps/boundary.

Proper provision shall be made for sightlines at the exit from driveways in accordance with the requirements in DMURS, and as appropriate to the particular road type, and speed being accessed.

Automatic electronic gates into residential developments are not favoured and should be omitted. Electronic or automatic gates are not acceptable in terms of road safety unless the entrance is set back from the back of the footway, to avoid the roadway or footway being obstructed by a vehicle while the gate is opening. In general, outward opening gates will not be considered acceptable. A minimum of a 1.2 metres access path shall be provided for each dwelling. Sufficient space shall also

be provided for refuse storage and service metres (Section 12.3.4.7) cycle storage (Section 12.4.6) and urban greening and SUDS (see Section 12.4.8.3).

The proposed development includes a new entrance from Sandyford Road which duly considers the road and footway layout, the traffic conditions on the road and available sightlines as demonstrated in the Transportation Assessment Report prepared by NRB Consulting.

#### **12.4.9 Design of Underground and Multi-Storey Car Parks**

*Multi-storey or underground basement car parks shall generally meet the requirements set out in the UK's Institution of Structural Engineers booklet entitled 'Design Recommendations for Multi Storey and Underground Car Park Fourth Edition' (2011) and any subsequent updates.*

*Multi-storey or underground car parks shall be well lit and brightly painted, with CCTV cameras provided to ensure personal safety and security. In general, one-way traffic routing is preferred. A splayed entrance with a 6.0 metres flat area shall be provided at the exit point from a basement car park onto a main road with adequate pedestrian and vehicular sightlines available in each direction. Sufficient headroom clearance (minimum 2.4 metres), should be provided to allow access for cyclists and high mobility vehicles for the mobility impaired. In car parks which include cul-de-sac parking, a maximum length of 6 parking spaces may be considered acceptable.*

*In larger developments consideration shall be given to specific access and egress routes for cyclists including segregated routes or bicycle lifts. Cycle parking shall generally be at the upper level of any basement car park and located close to lifts or stairwells. Clearly marked well-lit pedestrian routes shall be identified within underground and multistorey car parks.*

*One-way signal-controlled ramps or car lifts are generally not acceptable for maintenance and operational reasons. Large cul-de-sacs shall not be provided within underground car park layouts. Provision shall be made for an emergency access to underground car parks and, where more than 300 parking spaces are being provided, a second vehicular access point to an underground car park is required. To prevent flooding drainage measures will be required to prevent run off from the public road entering the underground car park. Runoff from multi-storey, undercroft and basement car parking areas shall be collected, and treated where appropriate, before final discharge to the foul sewerage system.*

*Where an underground car park is provided specifically for a residential development, the car park must be universally accessible by all with the provision of pedestrian ramps and/or lifts into each block located above ground.*

*Where a number of multi storey car parks are provided in close proximity on any one street there should be no cumulative negative impact on the streetscape from multiple entrances.*

*A response to each point of this policy is provided below in purple:*

*Multi-storey or underground basement car parks shall generally meet the requirements set out in the UK's Institution of Structural Engineers booklet entitled 'Design Recommendations for Multi Storey and Underground Car Park Fourth Edition' (2011) and any subsequent updates.*

*Response: The proposed development meets the requirements set out in the UK's Institution of Structural Engineers booklet entitled 'Design Recommendations for Multi Storey and Underground Car Park Fourth Edition' (2011) and any subsequent updates.*

*Multi-storey or underground car parks shall be well lit and brightly painted, with CCTV cameras provided to ensure personal safety and security.*

*Response: This will be the case.*

*In general, one- way traffic routing is preferred.*

*Response: This will be the case.*

*A splayed entrance with a 6.0 metres flat area shall be provided at the exit point from a basement car park onto a main road with adequate pedestrian and vehicular sightlines available in each direction.*

*Response: N/A to the subject development.*

*Sufficient headroom clearance (minimum 2.4 metres), should be provided to allow access for cyclists and high mobility vehicles for the mobility impaired.*

*Response: This has been provided.*

*In car parks which include cul-de-sac parking, a maximum length of 6 parking spaces may be considered acceptable.*

*Response: No cul-de-sac parking is present in our development.*

*In larger developments consideration shall be given to specific access and egress routes for cyclists including segregated routes or bicycle lifts. Cycle parking shall generally be at the upper level of any basement car park and located close to lifts or stairwells. Clearly marked well-lit pedestrian routes shall be identified within underground and multistorey car parks.*

*Response: Separate entrances are provided to the cycling parking within the basement car park. These have their own segregated entrances and are in close proximity to the stair and lift cores associated with the apartment blocks.*

*One-way signal-controlled ramps or car lifts are generally not acceptable for maintenance and operational reasons.*

*Response: Not applicable to our development, neither are utilized.*

*Large cul-de-sacs shall not be provided within underground car park layouts.*

*Response: Not applicable to our development, no cul-de-sac parking is present in our development.*

*Provision shall be made for an emergency access to underground car parks and, where more than 300 parking spaces are being provided, a second vehicular access point to an underground car park is required.*

*Response: Not applicable to subject development.*

*To prevent flooding drainage measures will be required to prevent run off from the public road entering the underground car park. Runoff from multi-storey, undercroft and basement car parking areas shall be collected, and treated where appropriate, before final discharge to the foul sewerage system.*

*Response: Runoff from multi-storey, undercroft and basement car parking areas shall be collected, and treated by a petrol and silt interceptor, before final discharge to the foul sewerage system. To prevent flooding of the basement car park extensive precautions have been undertaken. These are detailed within the Engineering Services Report. The precautions are as follows: significant additional storage capacity has been added to the storm water attenuation tank to prevent it overflowing in the case of exceedance rain flows, a ramp/ bund will be located at the entrance to the car park to prevent water entering same and finally an emergency procedure, flood alarms and flood barriers will be available as a final back up.*

*Where an underground car park is provided specifically for a residential development, the car park must be universally accessible by all with the provision of pedestrian ramps and/or lifts into each block located above ground.*

*Response: Universal access has been provided for in the design of the underground car park.*

*Where a number of multi storey car parks are provided in close proximity on any one street there should be no cumulative negative impact on the streetscape from multiple entrances.*

*Response: Not applicable to our development.*

#### **12.4.11 Electrically Operated Vehicles**

*To encourage the use of Electric Vehicles (EV), in line with Council, National Policy and Standards, developments shall provide at minimum EV Charging points and infrastructure as follows:*

- *Residential multi-unit developments both new buildings and buildings undergoing major renovations (with private car spaces including visitor car parking spaces) - a minimum of one car parking space per five car parking spaces should be equipped with one fully functional EV Charging Point. Ducting for every parking space shall also be provided.*
- *New dwellings with in-curtilage car parking - the installation of appropriate infrastructure to enable installation at a later stage of a recharging point for EVs.*
- *Non-residential developments (with private car parking spaces including visitor car parking spaces with more than 10 spaces e.g. office developments,) – provide at least 1 recharging point. and a minimum of one car parking space per five car parking spaces should be equipped with one fully functional EV Charging Point.*

- *Developments with publicly accessible spaces (e.g. supermarket car park, cinema etc.) - provide at least 1 recharging point and a minimum of one car parking space per five car parking spaces should be equipped with one fully functional EV Charging Point.*

*Publicly accessible charge point parking space(s) should be clearly marked as being designated for EV charging. Appropriate signage indicating the presence of a Charge Point or Points should also be erected. All Charge Points fitted in publicly accessible areas should be capable of communicating usage data with the National Charge Point Management System and use the latest version of the Open Charge Point Protocol (OCCP). They should also support a user identification system such as Radio Frequency Identification (RFID). Publicly accessible EV Charging locations should also allow for ad-hoc payment methods for users. EV Charging enabling works for disabled and other reserved parking spaces should also be included in the development where these exist.*

*When detailed Guidance for EV vehicles which is currently in preparation by DLR in association with the other Dublin local authorities becomes available it shall replace the above standards.*

*Some 20% of the car parking spaces will be provided for electric vehicle charging and all other car parking spaces can be easily upgraded to allow conversion for electric vehicles.*

## **12.8 Open Space and Recreation**

### **12.8.1 Landscape Design Rationale**

*Planning applications for both residential (10+ units or as required by the Planning Authority) and commercial (1,000 sq.m. or as required by the Planning Authority), including leisure and recreational facilities, should submit a landscape design rationale prepared by a qualified Landscape Architect or other suitably competent landscape professional (as deemed appropriate by the Planning Authority), for the consideration of the Parks and Landscape Services Department. Smaller schemes may also require a Landscape Plan to be submitted. All such requirements should be ascertained at pre-planning stage.*

*The design rationale shall set out and specifically indicate how the overall approach is ecologically resilient and provides varied landscapes that reflect the character of the area.*

*The landscape design rationale should also address the following:*

- *Ecosystems services and carbon capture approach.*
- *Urban Greening.*
- *Biodiversity including pollinator friendly approach.*
- *Sustainable Drainage Systems.*
- *Maintenance without the use of chemical.*
- *Nature Based Play.*

*Such proposals shall include a scaled Landscape Plan(s) including:*

- *Cross-sections, where applicable, indicating the layout and hard and soft treatments of all boundaries, features, external areas, and green spaces.*
- *Specifications for materials, workmanship, and maintenance, together with proposed design details.*

- *Hard landscape details are to include, where applicable, any proposed lighting, seating, kerbing, boundaries, edging, surfacing and water features.*
- *Soft landscape details are to include, detailed planting plans and planting schedules, stating species/varieties, quantities, sizes, rootball presentation, and spacings.*
- *A Landscape Plan shall be accompanied by a timescale for its implementation, including a minimum 18-month landscape maintenance period and a defects liability clause.*
- *Regard should also be had to Policy Objective OSR14: Play Facilities and Nature Based Play.*

A Landscape Design Report and Drawings are included with this planning application prepared by Murphy + Sheanon Horticulture and Landscape Architecture which addresses these items where relevant.

The Landscape Design Report deals with the following points:

- *Ecosystems services and carbon capture approach.*
- *Urban Greening.*
- *Biodiversity including pollinator friendly approach.*
- *Sustainable Drainage Systems.*
- *Maintenance without the use of chemical.*
- *Nature Based Play.*

In addition, details of sections, materials, maintenance, hard landscaping and soft landscaping are provided throughout the documentation and the relevant policies of the *Development Plan* have been duly considered.

### **12.8.3 Open Space Quantity for Residential Development**

Table 12.8 within Section 12.8.3.1 of the *Development Plan* sets out the following public open space requirements for residential developments:

Location	Public Open Space Standards (minimum)
Residential Development in new residential communities as shown in the Core Strategy - Figure 2.9	15% (of site area)
Residential Development in the existing built up area	15% (of site area)
Institutional and Redevelopment of SNI use	25% (of site area)

The proposed development only provides communal open space for the future residential (detailed below) with no provision for public open space. This is detailed and justified in the Material Contravention Statement prepared by Thornton O'Connor Town Planning and enclosed separately. In lieu of its provision, a financial contribution to the Council will be paid. This option is facilitated by the *Development Plan* in Section 12.8.3.1, which states:

*'It is acknowledged that in certain instances it may not be possible to provide the above standards of public open space. High density urban schemes and/or smaller urban infill schemes for example may provide adequate communal open space but no actual public open space. In these instances where the required percentage of public open space is not provided the Council will seek a development contribution under Section 48 of the*

*Planning and Development Act 2000, as amended. The contribution in lieu to be paid for any shortfall in the quantum of public open space to be provided will be used for the provision of improved community and civic infrastructure and/or parks and open spaces, in the vicinity of the proposed development for use of the intended occupiers of same.'*

Prior to lodging this planning application, Thornton O'Connor Town Planning received confirmation (7<sup>th</sup> March 2022, via e-mail) from Michelle Breslin (Senior Executive Planner) and Ruari O'Dulaing (Head of Parks Department) of Dún Laoghaire-Rathdown County Council that the payment of a financial contribution in lieu of providing public open space was acceptable in principle.

Table 12.9 within Section 12.8.3.2 of the Development Plan sets out the following communal open space requirements for residential developments:

Unit Type	Minimum Area per Unit
Studio	4 sq m
One Bed	5 sq m
Two Bedrooms (3 bed) <sup>1</sup>	6 sq m
Two Bedrooms (4 bed)	7 sq m
Three bedrooms	9 sq m
Four +	12 sq m

The proposed development has the following unit mix and associated communal open space requirement:

32 No. 1 bedroom units (x 5 sq m = 160 sq m)  
 10 No. 2 bedroom units (3 person units) (x 6 sq m = 60 sq m)  
 68 No. 2 bedroom units (4 person units) (x 7 sq m = 476 sq m)  
 27 No. 3 bedroom units (x 9 sq m = 243 sq m)

The total communal open space requirement for the proposed development is 939 sq m. The communal open space is provided as follows:

Play Area	Sq m
Toddlers Play Area	112 sq m
Children's Play Area	250 sq m
Kick-About Area	650 sq m
Breakaway Seating Area	287 sq m
Total	1,299 sq m

Therefore, the scheme provides 1,299 sq m of communal open space which exceeds the requirements of the *Development Plan*.

Table 12.11 within Section 12.8.3.3 of the Development Plan sets out the following private open space requirements for apartment developments:

<sup>1</sup> The *Development Plan* states Two Bedrooms (3 bed) and Two Bedrooms (4 bed) however we assume that this should read Two Bedrooms (3 person) and Two Bedrooms (4 person)

Unit Type	Minimum Area per Unit
Studio	4 sq m
One Bed	5 sq m
Two Bedrooms (3 persons)	6 sq m
Two Bedrooms (4 persons)	7 sq m
Three bedrooms	9 sq m
Four +	12 sq m

Private open space has been provided for each of the proposed 137 No. units in the form of a balcony or terrace in line with the requirements outlined in Table 12.11. In many cases the private open space provision for the proposed apartments exceeds the minimum standards outlined in Table 12.11

### 12.8.5.3 Communal Open Space – Quality

*Communal amenity space within apartment and/ or housing developments should be provided as a garden within the courtyard of a perimeter block or adjoining a linear apartment block. Designers must ensure that the heights and orientation of adjoining blocks permit adequate levels of sunlight to reach communal amenity space throughout the year in accordance with BRE 209 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice', (2011). The communal open space should be visible from, and accessible to, the maximum number of units within the proposed scheme. Inaccessible, hidden or otherwise back land communal open space, and narrow linear strips of communal open space will not be acceptable.*

*Playgrounds in communal open space areas should be carefully sited within residential areas to ensure they are both easily accessible and overlooked by dwellings, while not causing a nuisance to nearby residences.*

*The provision and proper future maintenance of well-designed communal amenity space will contribute to meeting the amenity needs of residents within the development. In particular, accessible, secure and usable outdoor space is a high priority for families with young children, and for less mobile older people.*

As detailed above, there are numerous children's play areas provided in the development. A total of 1,299 sq m of communal amenity space has been defined as part of the landscaping proposition for the development, exceeding the minimum requirements by 360 sq m or 38%. As shown in Murphy + Sheanon's *Community Amenity Space Plan Drawing*, this is comprised of:

- Toddler's play area (112 sq m),
- Children's play area (250 sq m),
- Kick-about area (3 No. totalling 650 sq m) and
- Breakaway seating area (287 sq m).

Areas of the site that were, albeit landscaped, not considered as being appropriate for communal amenity space included those that were: tight or enclosed; overshadowed; principally for pedestrian, cycle or vehicular circulation; and over the proposed surface water attenuation.

### **Toddler's Play Area**

The toddler's play area comprises 112 sq m of play space for young children up to the age of 6 years and exceeds the area standard of 85–100 sq m set by *Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities* required in developments of 25 No. or more 2-bed and larger units.

The play area will be a 'soft' surface, with 3 No. play features included by Murphy + Sheanon in this area. Seating has been provided so that parents can watch and supervise their children. This will also prove to be a beneficial place for residents to socialise and interact, not just children, but parents and carers also.

### **Children's Play Area**

The children's play area comprises 250 sq m of play space for older children and exceeds the minimum area standard of 200–400 sq m set by *Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities* required in developments of 100 No. or more 2-bed and larger units.

This play area will also be a 'soft' surface, with 3 No. play features and clever landscape berms included by Murphy + Sheanon. As older children may use this space unsupervised, it was ensured that it benefits from passive surveillance, although seating is also provided for parents.

### **Kick-about Area**

The kick-about spaces (totalling 650 sq m) are a series of 3 No. lawned areas between Blocks B and C, between Blocks C and D and south of Block D. Contrary to their naming, these areas will not just be for casual active uses such as ball play, but also for sitting, picnics, etc. In addition, they will also play an aesthetic role (by adding colour, texture and nature to the spaces between the Blocks), a SuDS role (by supporting infiltration of surface water) and an ecological/environmental role (as a natural alternative to hard surface such as paving).

### **Breakaway Seating Area**

The breakaway seating area (287 sq m) has a variety of different seating types in different contexts, including simple benches and outdoor work-from-home seats and desks.

The play areas are located adjacent to the apartment blocks and will thus be subject to natural surveillance. The spaces will be visible and easily accessible to all residents. The communal spaces will be appropriately maintained as detailed in the Property Management Strategy Report prepared by Aramark.

#### **12.8.5.4 Roof Gardens**

*Roof gardens are a valuable form of urban greening (see Section 3.4.4). Consideration of the use of roof gardens as communal open space shall be on a case by case basis and will not normally be acceptable on a site where there is scope to provide communal open space at grade, as roof gardens do not provide the same standard of amenity particularly to young children. Consideration must also be given to the overall design, layout, and location of the roof garden, including its height. For larger*

*apartment schemes in excess of 50 units no more than 30% of the communal open space shall be provided by way of a roof garden.*

*While recognising that the primary form of communal open space should be provided at grade, where intensive green roofs are being provided in accordance with Section 12.8.6.3 and Appendix 7.2 there may be scope for their use as additional amenity areas in the form of roof gardens. In addition, there may be certain instances such as on smaller town centre infill schemes where there is only scope for a roof garden. Roof gardens will be considered subject to the following –*

- *Safety consideration including safe access by children.*
- *Wind and climate assessment.*
- *Daylight and sunlight assessment (on small town centre infill schemes, where all communal open space is provided by way of a roof garden, daylight and sunlight standards should be higher than minimum standards for more than 50% of the development).*
- *Maintenance issues.*
- *Provision of suitable landscaping plans which provide for a diverse range of plants which have year round interest, pollinator friendly and are suitably adapted to the rooftop conditions.*
- *Visual assessment.*
- *Proximity to vents.*

*There are no roof gardens proposed in the subject development.*

**12.8.6.2 SuDS (Sustainable Drainage Systems)**

*SuDS measures, such as attenuation storage systems, including detention basins that come into regular operation after rainfall events, shall not normally be included in the calculation of open space provision. Where a SuDS scheme provides biodiversity and amenity value and is readily accessible for either use or enjoyment in most weather conditions, a proportion of the SuDS area could be incorporated as a component part of the communal or public open space provision.*

*This proportion will be decided by the Planning Authority on a case-by- case basis. The Council will also encourage the use of bioswales in roadside verges, and open spaces.*

*Further to Section 3.4.4 Urban Greening, data on all surface cover types shall be submitted to the Planning Authority as part of the storm water audit process (see 7.1.5 Storm Water Audit Procedure Appendix 7: Sustainable Drainage Systems). The Council will consult as appropriate with Iarnrod Eireann in relation to any development where infiltration proposals will be in proximity to a railway cutting or tunnel.*

*No SuDS measures are included in the open space provision.*

*In addition, the Engineering Services Report prepared by Torque Consulting Engineers includes a table in response to 7.1.5 of Appendix 7.*

**12.8.6.3 Green Roofs/Blue roofs**

*The use of green roofs/blue roofs in accordance with the requirements of the Dún Laoghaire Rathdown County Council's 'Green Roof Policy, (See Appendix 7.2) forms part of an integrated approach to the provision of green infrastructure. This approach takes particular account of the*

benefits in terms of SuDS provision, nature-based solutions, biodiversity benefits, urban greening, urban cooling, and the potential for additional amenity space, particularly in high density development contexts. The provision of green and blue roofs within any development, however, shall not normally form part of the overall minimum open space (public or communal) provision but should complement the required open space provided within the site. Applications for developments with a roof area  $\geq 300\text{sq.m.}$  shall provide Green Roofs in accordance with 'Dún Laoghaire – Rathdown County Council's Green Roof Policy' (2020).

Green or living roofs on smaller structures are also encouraged by the Council. These can function as smaller urban greening measures which as well as being a SuDS feature, are a useful wildlife habitat, can trap carbon and contribute to urban cooling. There is good potential for living roofs on bike and bin stores, bus shelters, detached habitable rooms and garages. Living roofs can be designed to incorporate a diverse range of pollinator friendly species which are drought tolerant and therefore do not require supplementary watering. Added features such as insect hotels and bird boxes can be incorporated into the design.

The Engineering Services Report prepared by Torque Consulting Engineers sets out the following in relation to the green roof provision:

*'As part of our incorporation of SuDS features and measures, we are proposing the use of green roofs, permeable road & path pavements and a stormwater attenuation tank. In accordance with DLRCC guidelines, green roofs have been favored and will cover approx. 90% of the total roof area. The green roofs will assist in slowing stormwater flows, increasing evaporation, and treating the stormwater.'*

Access has been provided to allow the green roofs to be maintenance in a safe manner.

## **12.8.7 Private Amenity Space – Quality Standards**

### **12.8.7.1 Separation Distances**

A minimum standard of 22 metres separation between directly opposing rear first floor windows should usually be observed, for new developments. This normally results in a minimum rear garden depth of 11 metres. However, this required rear garden depth may be prior to any domestic rear extensions, which may require planning permission or be exempted development being carried out. Adequate separation distances, between directly opposing rear first floor windows, should be provided when extending existing dwellings at first floor level, to ensure the retention of adjoining residential amenity. For single storey dwellings, a reduction in the rear garden depth may be considered, subject to the protection of adjoining residential amenity.

However, where sufficient alternative private open space (e.g. to the side) is available, the required separation distance for new developments may be reduced, subject to the maintenance of privacy and protection of adjoining residential amenities.

In all instances, private open space should not be unduly overshadowed and where there is the potential for the proposed development to overshadow or overlook existing/future development adjoining the site, minimum separation distances to boundaries should be increased.

In an exceptionally well-designed scheme providing an otherwise very high-quality living environment and that is in close proximity to existing public open spaces, the above standards may be relaxed.

*Any relaxing of standards will be assessed on a case-by-case basis and should not be seen as setting a precedent for future development.*

The *Development Plan* sets a "general" minimum separation distance of 22 metres between opposing windows in apartment blocks of up to 3 No. storeys (as per Section 12.3.5.2). For taller structures, the *Development Plan* says a greater distance may be prescribed, although none is stated.

The separation distances between the Blocks is generally 21.2–21.6 metres, with windows principally facing onto the landscaped areas between Blocks B and C and Blocks C and D. Such reductions are considered to be *de minimus*. However, the general approach has been to stagger and offset windows so that they do not directly oppose each other and result in a diminution of residential amenity and privacy. There are 2 No. instances where separation distances between opposing windows reduces to approximately 16.5 metres; however, these windows are 'secondary' in their design, with an alternative 'primary' window serving the relevant room. Separation distances 9 metres and 7.7 metres are noted in 2 No. locations; however, both are 'secondary' windows also and have been obscured.

Although there are the instances of the minimum recommended standards not being met, the design solutions to mitigate residential amenity and privacy impacts are considered to be acceptable, especially given the benefit that their inclusion has in terms of light and ventilation with the apartment units. This has been included in the Material Contravention Statement on a precautionary basis.

### **12.8.7.2 Boundaries**

*In all cases, suitable boundary treatments both around the side and between proposed dwellings shall be provided. In this regard, boundary treatments located to the rear of dwellings should be capable of providing adequate privacy between properties.*

*Boundaries located to the front of dwellings should generally consist of softer, more open boundary treatments, such as low-level walls/railings and/or hedging/planted treatments.*

*Provision of 'defensible' space, e.g. a planting strip, to the front of dwellings should be provided to contribute towards a sense of security within the home. Bin storage and/or utility meter alone, should not form any proposed defensible space areas.*

*Details of all existing and proposed boundary treatments, including vehicular entrance details, should be submitted as part of any planning application. These shall include details in relation to proposed materials, finishes, and, in the case of planted boundaries, details in respect of species together with a planting schedule.*

Please see Landscape Design Report and Boundary Treatment drawing (Dwg No. 379-DD-01.3) by Murphy + Sheanon Horticulture and Landscape Architecture. As part of this, a 2.4 m high boundary hedge is proposed along the southern, eastern and a portion of the northern boundaries. Boundary screening will be provided around street-level balconies to provide privacy and a sense of defensible space.

### **12.8.8 Financial Contributions in Lieu of Open Space**

*Where the required open space standards cannot be provided, the Developer should indicate what is required as per the requirements of the County Development Plan (Section 12.8.), and what is to be provided to serve the development. Applicants should submit a clear schedule with public, private and communal open space requirements and proposals set out along with any short fall. Where the required open space cannot be achieved, the applicant shall provide a contribution in lieu of providing the full quantum of public open space. This shall apply to both residential (including Built to Rent) and non-residential/commercial developments. In some instances, this may relate to a more urban context, which allows the development to contribute to the urban realm and the liveability value of the development in the context of its location by way of a financial contribution. This will take the form of a contribution towards capital investment in improving the urban realm by creating and/or upgrading local parks and spaces and revenue costs for the maintenance of these spaces.*

Public open space has not been included as part of the proposed development. In lieu of its provision, a financial contribution to the Council will be paid. Dún Laoghaire-Rathdown County Council have accepted this option in principle as detailed in Section 5.5.1 of the Planning Report enclosed.

### **12.8.9 Play Facilities for Apartments and Residential Developments**

*In line with the 'Ready Steady Play! A National Play Policy', DCYA (2019) provision should be made to include suitable play opportunities for all ages of the child population within new residential developments. Design details relating to play areas shall be submitted as part of any relevant planning application to include a detailed specification of any playground to be provided and incorporate natural play, wherever possible.*

*Play Facilities should incorporate the Nature-based play philosophy and approach to play provision throughout the County (see Policy Objective OSR14: Play Facilities and Nature Based Play).*

*The Council will endeavour to ensure that all play facilities will be accessible and provide inclusivity. The Council will have regard to changing demographics in how and where it provides for play. Multiple Use Games Areas (MUGA) incorporating, for example basketball and 5-a-side facilities will be considered in any calculation of the 'Equipped Play Space' standards.*

*In terms of play facilities for children regard shall be had to the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2018', (or any superseding document), which request consideration of the recreational needs of children in the design of apartment schemes. Safety of children needs to be taken into consideration and protected throughout the entire site, particularly in terms of safe access to larger communal play spaces.*

*Children's play needs around the apartment building should include:*

- *Within the private open space associated with individual apartments.*
- *Within small play spaces (about 85 – 100 sq. metres) for the specific needs of toddlers and children up to the age of six, with suitable play equipment, seating for parents/guardians, and within sight of the apartment building, in a scheme that includes 25 or more units with two or more bedrooms; and,*
- *Within play areas (200–400 sq. metres) for older children and young teenagers, in a scheme that includes 100 or more apartments with two or more bedrooms.*

The perimeter block with a central communal open space is particularly appropriate for children’s play, especially if access from the street is controlled. The landscape design and orientation of play areas can contribute significantly to their amenity value. However, the noise from courtyard play areas can diminish residential amenity, particularly in smaller schemes, and this should be designed appropriately.

The proposed development provides ample opportunities for children’s play as detailed earlier in this section. In summary, the scheme includes the following:

Play Area	Sq m
Toddlers Play Area	112 sq m
Children’s Play Area	250 sq m
Kick-About Area	650 sq m
Breakaway Seating Area	287 sq m
<b>Total</b>	<b>1,299 sq m</b>

Therefore, it is clear that a wide range of play areas have been provided within the proposed development, which are located proximate to buildings and the development fully adheres to the requirements of the *Development Plan*.

**12.8.11 Existing Trees and Hedgerows**

New developments shall be designed to incorporate, as far as practicable, the amenities offered by existing trees and hedgerows. New developments shall, also have regard to objectives to protect and preserve trees and woodlands (as identified on the County Development Plan Maps). The tree symbols on the maps may represent an individual tree or a cluster of trees and are not an absolute commitment to preservation. Decisions on preservation are made subject to full Arboricultural Assessment and having regard to other objectives of the Plan.

Arboricultural Assessments carried out by an independent, qualified Arborist shall be submitted as part of planning applications for sites that contain trees or other significant vegetation. The assessment shall contain a tree survey, implications assessment and method statement. The assessment of the site in question will inform the proposed layout, in relation to the retention of the maximum number of significant and good quality trees and hedgerows. Tree and hedgerow protection shall be carried out in accordance with BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction – Recommendations', or any subsequent document. All requirements for Arboricultural Assessment should be determined at pre-planning stage.

The retention of existing planted site boundaries will be encouraged within new developments, particularly where it is considered that the existing boundary adds positively to the character/visual amenity of the area. New developments should have regard to the location of new buildings/extensions relative to planted boundaries. Prior to construction, the applicant shall provide details of adequate measures on site to protect all planting/ trees to be retained and this protection shall be maintained throughout the development during the construction period.

An ecological assessment of existing hedgerows shall be required where new developments potentially impact on their ecological importance. This should be carried out by a suitably qualified ecologist, and submitted at pre-planning stage, to inform the design and accompany the planning application. In addition, the approach set out in the 'How to Guide Hedgerows for Pollinators' should be followed, as appropriate.

Where it proves necessary to remove trees to facilitate development, the Council will require the commensurate planting or replacement trees and other plant material. This will be implemented by way of condition. A financial bond may be required to ensure protection of existing trees and hedgerows during and post construction.

The Arboricultural Report prepared by The Tree File notes that:

*'The site area and its tree population are substantially domiciliary in nature, with the attendant tree and hedge populations comprising two adjoining garden contexts. Much of the recorded vegetation relates specifically to the current context and will not necessarily transfer to a new context. This would apply particularly to path and drive edge shrubbery and garden dividing hedges. A large proportion of the vegetation is relatively small, offering little visual significance beyond its immediate environs, as well as being relatively easy to replace with new stock.'*

However, the Landscape Design Report by Murphy + Sheanon Horticulture + Landscape Architecture notes the following in relation to replacement planting:

*'In summary, a total 36 trees of varying health, aesthetic and horticultural value are to be felled. 134 new trees are proposed for this development...The variety of tree species we have proposed will improve biodiversity within the site whilst also providing aesthetic and/or functional characteristics.'*

Therefore, it is clear that the tree planting will far exceed the existing situation on site which will benefit the biodiversity of the area.

### 12.9.2 Noise Pollution and Noise Nuisance

The Planning Authority will have regard to the 'Dublin Agglomeration Environmental Noise Action Plan 2018-2023', when assessing planning applications along major road and rail transport corridors – the objective being to reduce noise from new sources and to identify and protect and create areas of low sound levels.

Residential development should be set back from roads/rail lines such that amenities of residents are not unduly impacted upon by reason of noise. To address potential noise issues at post development stage, mitigation measures should be undertaken, where appropriate, between the residential development and road/rail line. At design stage consideration should be given to the location of bedrooms so as to ensure the least possible impact from noise sources. Similar mitigation measures may also be required when dealing with commercial development in close proximity to residential areas where there may be noise generated from the completed development – such developments will be assessed on a case by case basis.

The Planning Authority will use the Development Management process for larger developments or developments close to residential developments:

- To attach planning conditions on relevant permissions granted to reduce or prevent the development from causing any noise or vibration that might give reasonable cause for annoyance to persons in any premises in the neighbourhood, as per Section 34(4)(c) of the Planning Act.

- *To require developers to produce a Sound Impact Assessment and Mitigation Plan where a noise-generating use is proposed and specialist input is deemed necessary, for any new development that the Planning Authority considers will impact negatively on pre-existing environmental sound levels.*
- *To require developers to produce an Acoustic Design Assessment (informed by guidance such as is set out in 'ProPG Planning and Noise', 2018, as referenced in the 'Dublin Agglomeration Noise Action Plan 2018 – 2023'), where a noise-sensitive use is proposed in an area that may have high pre-existing environmental sound levels.*
- *To ensure that future developments are designed and constructed in such a way as to minimise noise disturbances and prevent noise nuisance.*
- *Placing acoustic barriers between the noise source and residential units.*
- *Locating bedrooms as far away from noise sources as possible without compromising passive design principles.*
- *Locating windows away from noise sources if possible.*
- *Avoid hard exterior surfaces such as concrete paving that reflect sound rather than absorbing it.*
- *Locating noise sources away from property boundaries and noise sensitive areas.*
- *To incorporate 'Shared Spaces'/'Home Zones'/'Streets for People' in new developments, which recognize that residential streets have multi- function uses for pedestrians, cyclists and vehicles - in that priority order.*
- *To interposing less-sensitive uses between noise sources and sensitive uses.*

*Where noise barriers are provided at the boundaries of large developments, access routes must be provided to allow for the ongoing maintenance of the barriers.*

An Acoustic Design Statement has been prepared by RSK. This Report has been prepared with due consideration of Section 12.9.2 of the *Development Plan*. For example, the following mitigation measures are proposed in relation to noise:

- Provision of glazing with minimum sound insulation properties as outlined in this Document.
- Provision of acoustic attenuation to ventilation systems for dwellings exposed to the highest levels of traffic noise.

#### **12.9.4 Construction Management Plans**

*Construction Management Plans (CMP) for developments generating construction activity - containing measures to mitigate against the effects of the construction - shall accompany planning applications for development of 3 residential units or more and for all other developments measuring more than 500 sq.m. gross floor area. The requirement to submit a CMP is very much dependent on the location, scale, nature, and characteristics of the proposed development. Consequently, the*

stated thresholds above may be increased or relaxed at the discretion of the Planning Authority during pre-planning stage discussions.

The CMP will address issues such as traffic management, hours of working, delivery times, prevention of noise and dust, reinstatement of roadway lining and signing, repair of damage to footways and grass verges and the accommodation of worker parking within the development curtilage. Hours of construction and deliveries should normally be in accordance with the guidance set out in Section 12.9.5 below. Refer to Section 12.9.6 below for more detailed requirements of the CMP.

A Construction and Environmental Management Plan has been prepared by AWN Consulting and is submitted with this planning application.

### **12.9.6 New Development/Change of Use - Environmental Impacts**

The Development Management Thresholds Information Document 2022 - 2028 (Appendix 3), a tool to assist in the preparation of Planning Applications, identifies thresholds for both residential and commercial development and outlines the package of environmental information that will be required at application stage.1

Applications for developments with a site area measuring 0.5ha, or greater and above 50+residential units shall include a Stormwater Audit in accordance with the Council's Stormwater Management Policy. (See Appendix 7.1 Stormwater Management Policy)

Applications for developments of 10+ residential units or <500sq.m. commercial shall include:

A Construction Management Plan that includes the following elements (which can be standalone documents):

- i. A Construction Waste Management Plan.
- ii. A Construction Environmental Management Plan.
- iii. A Construction Traffic Management Plan.

An Operational Waste Management Plan.

The formulation of the above plans shall take account of the following:

- i. DLR Guidance Notes for Environmental Management of Construction Projects.
- ii. DLR Guidance Notes for Waste Management in Residential and Commercial Developments (see relevant excerpt in Appendix 6).

- Applications for developments of 20+ residential units or ≥500sq.m. commercial shall (in addition to the above):
- Submit, prior to commencement of development, details of a Sediment and Water Pollution Control Plan in relation to the construction phase of such developments.
- Implement an appropriate rodent/pest control plan.

Applications for developments of 50+ residential units or ≥1000sq.m. commercial shall (in addition to the above):

- *Incorporate where appropriate land for the development of local 'Bring Centres' for recyclable materials, accessible to the general public.*
- *Include an assessment of the impacts of climate change on their development and make provision for these impacts – particularly relating to drainage design, waste management, and energy use.*
- *Be designed and constructed in accordance with the provisions of the Greater Dublin Strategic Drainage Study policy document titled 'New Development'.*

*All developments shall incorporate:*

- *Designs and layouts for basements and underground car parks that do not result in any potential for them to flood from within or without with particular emphasis on venting arrangements and access ramps.*
- *Sustainable Drainage Systems (SuDS) that balances the impact of urban drainage through the achievement of control of run-off quantity and quality and enhances amenity and habitat. The requirements of the UK's Construction Industry Research and Information Association (CIRIA) 'SuDS Manual', shall be followed unless specifically exempted by the Planning Authority.*
- *Waste storage facilities that are suitably located and designed and shall meet accessibility requirements in accordance with Part M of the Building Regulations and the provisions of Appendix 6 Waste Storage Facilities.*

*The Planning Authority will:*

- *Not permit culverting of streams unless considered absolutely necessary by the Council's Water Services Section.*
- *Encourage the opening up of existing culverts where practicable (in accordance with the recommendations of the GSDSDS).*
- *Require in developments adjacent to watercourses, that any structure be set back a minimum distance of 10 metres from the top of the bank to allow access for channel cleaning and maintenance, unless otherwise agreed with the Planning Authority.*
- *Only permit development when satisfied that new and existing developments are not exposed to increased risk of flooding and that any loss of flood storage is compensated for elsewhere in the catchment. Where required, a site-specific Flood Risk Assessment and Management Plan, shall be prepared for the site. This shall be carried out by appropriately qualified engineers with significant experience in flood modelling and mapping.*
- *When considering planning applications which include significant hard surfacing, attach conditions which seek to minimise and limit the extent of hard surfacing and paving as well as requiring the use of sustainable drainage techniques, including in particular permeable paving or surfaces such as gravel or slate chippings. The aim generally being to reduce run-off rates and flow volumes from parking areas as well as access roads. For all developments*

*where existing grass or planted areas are being removed to install hard surfacing (for parking or other uses) compensatory soft surfacing shall be provided, or a reinforced grass area used instead of a hard surface.*

- *Ensure that the ongoing development of the County is undertaken in such a way in order not to compromise the quality of surface water (and associated habitats and species) and groundwater. Developments shall not give rise to the pollution of ground or surface waters both during construction and subsequent operation. This shall be achieved through the adherence to best practice in the design, installation, and management of systems for the interception, collection and appropriate disposal or treatment of all surface water and effluents.*
- *Where brownfield redevelopment is proposed, require adequate and appropriate investigations to be carried out into the nature and extent of any soil and groundwater contamination and the risks associated with site development work.*

*AWN Consulting have prepared a Construction and Environmental Management Plan (which includes construction traffic and site access details), a Resource Waste Management Plan and an Operational Waste Management Plan which includes details on these items where relevant.*

#### **12.9.8 Telecommunications**

*In the consideration of proposals for telecommunications antennae and support structures, applicants will be required to demonstrate:*

- *Compliance with the Planning Guidelines for 'Telecommunications Antennae and Support Structures' (1996), and Circular Letter PL 08/12 issued by the Department of the Environment and Local Government (as may be amended from time to time), and to other publications and material as may be relevant in the circumstances.*
- *On a map the location of all existing telecommunications structures within a 1km radius of the proposed site, stating reasons why (if not proposed) it is not feasible to share existing facilities having regard to the 'Code of Practice on Sharing of Radio Sites', issued by the Commission for Communications Regulation.*
- *To what degree the proposal will impact on the amenities of occupiers of nearby properties, or the amenities of the area - e.g. visual impacts of masts and associated equipment cabinets, security fencing treatment etc. – and the potential for mitigating visual impacts including low and mid – level landscape screening, tree-type masts being provided where appropriate, colouring, or painting of masts and antennae, and considered access arrangements.*
- *Any impacts on rights-of-way and walking.*
- *That the proposal shall not have a significant negative visual impact.*

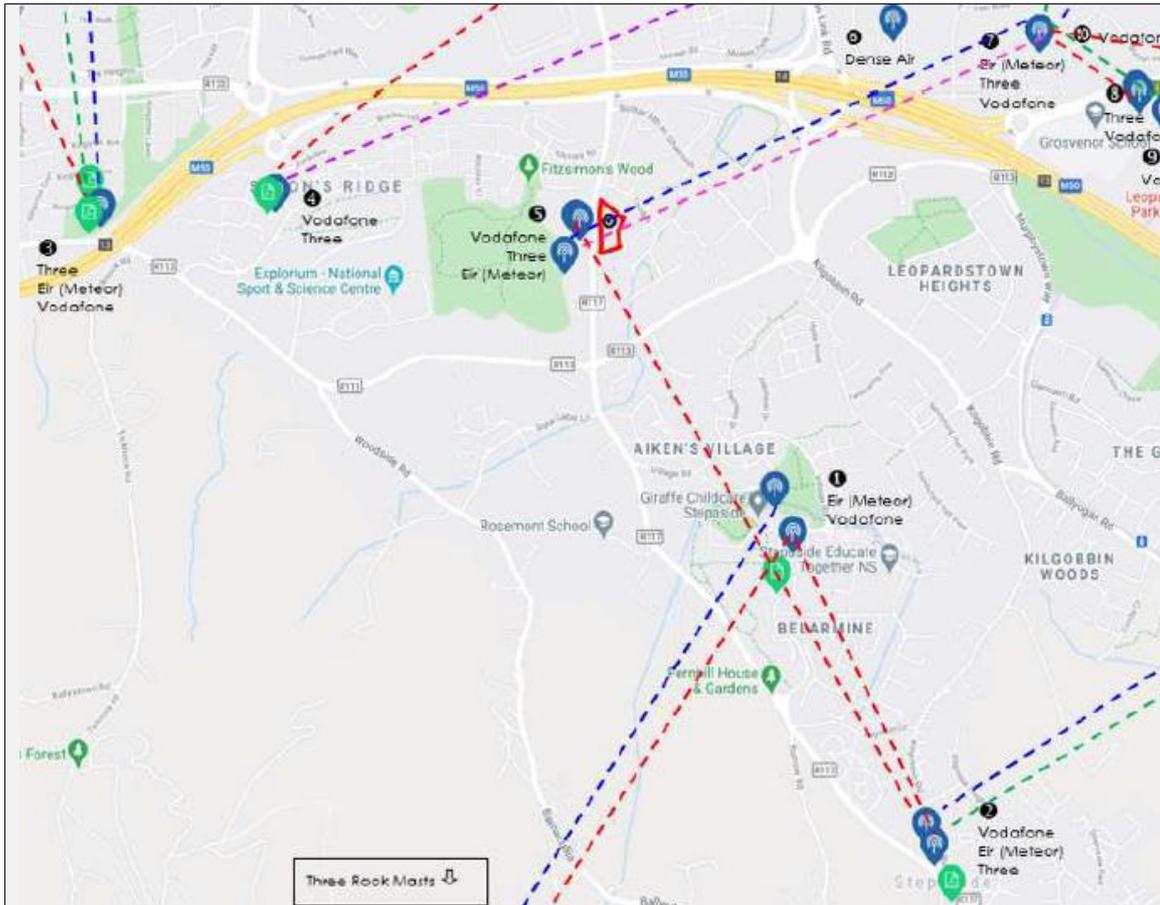
*The Telecommunications Report prepared by Independent Site Management Limited states the following:*

*'To provide an adequate allowance for the retention of the 2No. identified Microwave links that will be impacted by the Development, the Applicant is seeking planning permission to install 4No, 300mm Microwave Transmission link dishes mounted on 2No. steel support poles affixed to the lift shaft overrun on Block D.*

*These support poles are sufficient to accommodate 2No. Ø.3m Microwave links each, which provides an adequate solution for the Applicant to mitigate the impact the Development will have on the identified Microwave links emanating from the neighbouring telecommunication mast site to the west of the Development, as well as providing some capacity for future links that may or may not be required.'*

The proposed microwave links comply with the Guidelines and Circular on the basis that:

- They have been sited at a central location at rooftop level to minimise their appearance and visual impact from street and elevated levels and designed to minimise their scale;
  - They are encased in a GRP shroud to reduce the prospect of visual impact;
  - Access to them can be provided via the residential blocks for management and maintenance;
  - The sharing of existing facilities was considered, but not deemed appropriate as their inclusion as part of the development is to mitigate the impact on the existing telecommunication infrastructure located to the west of the proposed residential blocks;
  - Their size, height and location do not impose a health and safety risk, with the support structures considered to be sufficiently robust; and
  - Their location can be disclosed to the relevant authorities should sharing of these facilities be appropriate.
- 
- The location of existing telecommunications structures has been identified on Figure 4 of ISM's *Telecommunications Report*. It is repeated below as a reference and clearly shows the distribution of these structures in the environs of the subject site. It was not deemed possible to share existing facilities as the proposed telecommunications installations have been designed to mitigate the impact that the residential blocks will have on the identified microwave links emanating from telecommunication structures to the west. The image below also includes dashed lines that indicate the potential disruption of communications that might occur as a result of the development without the link dishes.



- The 4 No. microwave link dishes are of modest size and proposed to be fitted to the lift overrun of Block D, which is centrally located within the core of the Block. Therefore, it is firmly asserted that they will have no negative visual impact as they will be screened by the physical structure of the building itself at street-level and imperceptible from a distance that would provide sufficient height for an eyeline to be directed towards them. The link dishes are not evident in the Verified View Photomontages and no concern is raised in the *Landscape Visual Impact Assessment*.
- There will be no impact on rights-of-way or walking.

As noted above, there will be no negative visual impact as a result of the inclusion of the microwave links dishes.

### 12.9.9 Development and Overhead Power Lines

*In relation to high voltage overhead electricity lines, development proposals within the distances specified below should contact the ESB in advance of completing or finalising designs etc. (i.e. prior to pre planning stage), so as to ensure that the relevant clearances are maintained from any High Voltage Overhead Electricity (HV OHL) Infrastructure.*

- For buildings in proximity to a 110kv overhead line, 23 metres either side of the centre line of a pylon.

- For buildings in proximity to a 220kv overhead line, 30 metres either side of the centre line or around a pylon.
- For buildings in proximity to a 400KV line, distance of 35 metres either side of the centre line or around a pylon.

For buildings in proximity to a 10kv or a 38kv overhead line, no specific distance is specified. However, a site specific clearance may be required.

Clearances are Site and Transmission Line Span Specific. Clearance are sperate to construction safety clearances to be adhered to and maintained from the Overhead Line (OHL), which are specified in the ESB publication, 'Code of Practice for avoiding danger from overhead electricity lines' [https://www.hsa.ie/eng/publications\\_and\\_forms/publications/codes\\_of\\_practice/code\\_of\\_practice\\_for\\_avoiding\\_danger\\_from\\_overhead\\_electricity\\_lines.html](https://www.hsa.ie/eng/publications_and_forms/publications/codes_of_practice/code_of_practice_for_avoiding_danger_from_overhead_electricity_lines.html).

There are no MV / HV overhead lines in close proximity of the development. Therefore, no separation distance or set backs are required.

### **12.9.10 Public lighting**

#### **12.9.10.1 Light Pollution**

Lighting columns and other fixtures can have a significant effect on the appearance of buildings and the environment and where proposals for new lighting require planning permission, the Planning Authority will ensure that they are carefully and sensitively designed. Lighting fixtures should provide only the amount of light necessary for the task in hand and shield the light given out in order to avoid creating glare or emitting light above a horizontal plane. (Refer also to Section 8.2.4.4 and Section 5.1.3.2) For further guidance refer to the Institution of Lighting Professions (ILP) 'Guidance Notes for the Reduction of Obtrusive Light'.

All fittings used for public lighting are directional fittings focusing light features. This is to minimise / prevent light pollution that may be detrimental to residential amenity or ecology.

#### **12.9.10.2 Street Lighting**

The lighting of roads and public amenity areas shall be provided in accordance with the requirements of Public Lighting Standards BS5489-1 EN 13201:2015, and further updates.

In general, for security and road safety reasons, street lighting may be provided for car and cycle parking areas, new access roads and along cycle/pedestrian routes within new developments, all as per the Council requirements. Details of the column height and spacing, and lantern type, lighting class and lux levels and energy efficiencies shall be provided. Low pedestrian lighting bollards (1 metre to 2 metre height), under rail lighting and low-level wall mounted lighting (below 4m) are not recommended along pedestrian routes on electrical safety and maintenance grounds. Where new junctions are created as a result of new developments, additional lighting poles may be required on the public roads opposite the junction. In such cases an assessment of the adequacy of the street lighting should be undertaken with details of light intensity/ lux levels provided.

Public lighting is as per BS and Council requirements, ensuring to adequately light the entrances, communal amenity spaces and pedestrian paths. Lighting bollards are not

proposed. Light level (lux level) calculations have been provided as part of the planning application packs, and factored so as to be considerate of proposed planting.

### **12.10 Drainage and Water Supply**

All planning applications submitted shall clearly show existing and proposed water supply arrangements and surface and wastewater drainage proposals having due regard to SuDS (Refer also to Section 10.2.2.6).

Please refer to the Engineering Services Report by Torque Consulting Engineers for the water supply, surface and water proposals. There is also a detailed section within this report provided in relation to SuDS.

#### **12.10.1 Flood Risk Management**

Applications shall adhere to the policies and objectives set out in Appendix 15 Strategic Flood Risk Assessment and Section 10.7 Flood Risk while having regard to 'the 'Planning System and Flood Risk Management' Guidelines for Planning Authorities' DEHLG (2009) and DECLG Circular PL2/2014.

The Flood Zone maps accompanying this Plan and Appendix 15 should be consulted at pre-planning stage and/or prior to lodgement of planning applications.

Although the site is located in a Flood Zone C area (low risk), Torque Consulting Engineers have carried out a Flood Risk Assessment which is enclosed separately.

### **6.2.4 Compliance with the Other Relevant Policy Objectives of the *Development Plan***

Please see below for policy objectives of the Development that are relevant to the subject development:

#### ***Policy Objective CS11: Compact Growth***

*It is a Policy Objective to deliver 100% of all new homes, that pertain to Dublin City and Suburbs, within or contiguous to its geographic boundary. (Consistent with RPO 3.2 of the RSES).*

The proposed scheme involves the development of an underutilised, brownfield site, in a built-up location that is currently experiencing a transition and change in character from lower density dwellings to higher density apartment schemes. Therefore, the proposed development will represent compact growth, which is in accordance with Policy Objective CS11.

#### ***Policy Objective CS14: Vacancy and Regeneration***

*It is a Policy Objective to address issues of vacancy and underutilisation of lands within the County and to encourage and facilitate the re-use and regeneration of vacant sites subject to the infrastructural carrying capacities of any area.*

The proposed development represents the appropriate densification of this key underutilised site, contributing positively to the reuse and regeneration of underutilised lands in the area.

The area has sufficient capacity to cater for the proposed development especially having regard to the Confirmation of Feasibility and Statement of Design Acceptance received from Irish Water.

**Policy Objective CA7: Construction Materials**

*It is a Policy Objective to support the use of structural materials in the construction industry that have low to zero embodied energy and CO<sub>2</sub> emissions. (Consistent with the RPO 7.41 of the RSES).*

Should a decision to grant planning permission be made, environmentally considerate options relating to construction and materials will be pursued where practicable.

**Policy Objective CA8: Sustainability in Adaptable Design**

*It is a Policy Objective to promote sustainable approaches to the improvement of standards for habitable accommodation, by allowing dwellings to be flexible, accessible and adaptable in their spatial layout and design.*

The apartment units have been set out on a structural grid with concrete spine walls at either circa 3.2 metre or 4.5 metre centers depending on the function of the space (bedroom or living space). The walls within these structural spine walls will be non-structural stud work allowing for future flexibility in the layout of each unit. The potential for amalgamating units is also present given the use of bedroom and living space structural bays.

**Policy Objective CA16: Low Emission Vehicles**

*It is a Policy Objective to support and facilitate the rollout of alternative low emission fuel infrastructure through the Development Management process, prioritising electric vehicle infrastructure.*

The scheme includes 31 No. electric vehicle parking spaces which represents 22.6% of the total car parking provided. The car park of the subject scheme will also be ducted to accept future cabling to serve a charging point for every car space as required.

**Policy Objective CA17: Electric Vehicles**

*It is a Policy Objective to support, the Government's Electric Transport Programme by progressively electrifying our mobility systems by facilitating the rollout of Electric Powered Vehicle Recharging Parking Bays across the County and on public roads and other suitable location. The provision of e-bike chargers will be supported subject to the availability of Funding. (Consistent with NSO 4 of the NPF and RPO 7.42 of RSES).*

The proposed development provides 31 No. electric vehicle charging spaces and the 106 No. spaces that will not have electric vehicle charging points at first have been designed with ducting in place so that they can be easily retrofitted in the future.

**Policy Objective CA18: Urban Greening**

*It is a Policy Objective to retain and promote urban greening - as an essential accompanying policy to compact growth - which supports the health and wellbeing of the living and working population, building resilience to climate change whilst ensuring healthy placemaking. Significant developments*

*shall include urban greening as a fundamental element of the site and building design incorporating measures such as high quality biodiverse landscaping (including tree planting), nature based solutions to SUDS and providing attractive routes and facilities for the pedestrian and cyclist (Consistent with RPO 7.6, 7.22, 7.23, 9.10 of the RSES).*

The proposed development provides a large quantum of communal open space including a toddlers play area, children’s play area, kick-about space and a breakaway seating area. The SUDS measures include green roofs, permeable road & path pavements and a stormwater attenuation tank. The communal open space will also provide pathways for pedestrians and cyclists and secure cycle parking will be provided in the basement. Therefore, it is clear that the proposed development promotes urban greening and will contribute to healthy placemaking and supports the health and wellbeing of the living and working population.

**Overarching Policy Objective PHP1:**

*That increased delivery of housing throughout the County will be subject to the Strategic Policy Objective to:*

- *Align with the provisions of the National Planning Framework and the Eastern and Midlands Regional Spatial and Economic Strategy.*
- *Accord with the Core Strategy set out in Chapter 2, the Housing Strategy and Housing Needs Demand Assessment for the County in Appendix 2 and/or the provisions of the future Regional Housing Need Demand Assessment.*
- *Embed the concept of neighbourhood into the spatial planning of the County by supporting and creating neighbourhoods and ensuring that residential development is delivered in tandem with the appropriate commensurate enabling infrastructure, including access to sustainable neighbourhood infrastructure, sustainable modes of transport, quality open space and recreation and employment opportunities.*

As set out in Section 4.2 and 5.2 of this Report, the proposed development aligns with the provisions of the *National Planning Framework* and the *Eastern and Midlands Regional Spatial and Economic Strategy*. The proposed development will create a neighbourhood in an area that is currently in transition from lower density dwellings to higher density schemes and will provide communal open spaces in addition to a gym and hot desk offices which will serve the future residents of the scheme. The Social Infrastructure Audit confirms that the existing social infrastructure provision identified in the area is capable of serving the existing population and potential demand generated by the proposed development scheme. The development will deliver 137 No. residential units in this built-up area and will thus accord with the Core Strategy by ‘*supporting the transition to a low carbon and climate resilient County through the implementation of a compact growth agenda, increased integration between land-use and transportation, increased sustainable mobility and, the sustainable management of our environmental resources*’, as set out in Section 2.4.2 of the *Development Plan*.

The subject site is also located c. 1.5 kilometres to Beacon Hospital and c. 1.6 kilometres – c. 2 kilometres to Sandyford Business Park, a significant employment district area containing over 500 No. companies, and c. 2.5 kilometres to Dundrum Town Centre. The public transport in the area also has capacity to serve the proposed development.

### **Policy Objective PHP2: Sustainable Neighbourhood Infrastructure**

*It is a Policy Objective to:*

- *Protect and improve existing sustainable neighbourhood infrastructure as appropriate.*
- *Facilitate the provision of new sustainable neighbourhood infrastructure that is accessible and inclusive for a range of users consistent with RPO 9.13 and RPO 9.14 of the RSES.*
- *Encourage the provision of multi-functional facilities, space and lands in the delivery and/or improvement of sustainable neighbourhood infrastructure.*

The scheme will provide much needed housing for the area which will contain amenities to serve the future residents. The scheme will be accessible and inclusive for residents as confirmed by the Universal Access Statement prepared by O’Herlihy Access Consultancy. The communal open space will be multi-functional as it will provide various spaces for toddlers, children and adults.

### **Policy Objective PHP3: Planning for Sustainable Communities**

*It is a Policy Objective to:*

- *Plan for communities in accordance with the aims, objectives and principles of ‘Sustainable Residential Development in Urban Areas’ and the accompanying ‘Urban Design Manual – A Best Practice Guide’ and any amendment thereof.*
- *Ensure that an appropriate level of supporting neighbourhood infrastructure is provided or that lands are reserved for Sustainable Neighbourhood Infrastructure (SNI), in conjunction with, and as an integral component of, residential development in new residential communities as identified in the Core Strategy (see Figure 2.9, Chapter 2).*
- *Identify, provide and/or improve (as appropriate) supporting sustainable neighbourhood infrastructure in tandem with residential development in renewal/ redevelopment areas and existing residential neighbourhoods.*
- *Create healthy and attractive places to live consistent with NPO 4 of the NPF and RPO 9.10 of the RSES.*

Please refer to Section 4.8 of this Report for a fully detailed response to the relevant aims, objectives and principles of ‘Sustainable Residential Development in Urban Areas’ and the accompanying ‘Urban Design Manual – A Best Practice Guide’.

The Social Infrastructure Audit confirms that the existing social infrastructure provision identified in the area is capable of serving the existing population and potential demand generated by the proposed development scheme, with no significant gaps in the existing services network identified. The scheme also proposes a suite of internal communal amenity/support facilities (404 sq m), including a gym, which will positively contribute to the amenity of the resident population once completed.

The communal open spaces are high quality, attractive and liveable spaces where the residents will have the opportunity to interact with each other ensuring an integrated community within the scheme which will create a health and attractive place to live.

**Policy Objective PHP5: Community Facilities**

*It is a Policy Objective to:*

- *Support the development, improvement and provision of a wide range of community facilities throughout the County where required.*
- *Facilitate and support the preparation of a countywide Community Strategy.*

The Social Infrastructure Audit confirms that the existing social infrastructure provision identified in the area is capable of serving the existing population and potential demand generated by the proposed development scheme.

**Policy Objective PHP18: Residential Density**

*It is a Policy Objective to:*

- *Increase housing (houses and apartments) supply and promote compact urban growth through the consolidation and re-intensification of infill/brownfield sites having regard to proximity and accessibility considerations, and development management criteria set out in Chapter 12.*
- *Encourage higher residential densities provided that proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development.*

The proposed development represents the consolidated and re-intensification of these underutilised, infill, brownfield lands by replacing the 2 No. detached dwellings with much needed higher density residential units, which will contribute positively towards addressing the national housing crisis. It is considered that the scheme design strikes a balance between respecting the surrounding environment of the scheme and ensuring the development potential of a strategically positioned and underutilised plot is maximised, fronting Sandyford Road and in close proximity to Sandyford Business District, which allows additional height to be absorbed into the area.

The area is currently transitioning in character from lower density housing to higher density apartments and thus the proposed development can be appropriately assimilated into the surrounding environment. Having regard to the results of the Daylight and Sunlight Assessment and the Landscape and Visual Impact Assessment, the proposed development will not have a material impact on surrounding residential amenity. A fully detailed response to the relevant development management criteria of Chapter 12 is provided above in Section 6.2.3.

Please also see response to Policy Objective PHP20 below which is relevant to density and height.

**Policy Objective PHP19: Existing Housing Stock – Adaptation**

*It is a Policy Objective to:*

- *Conserve and improve existing housing stock through supporting improvements and adaptation of homes consistent with NPO 34 of the NPF.*
- *Densify existing built-up areas in the County through small scale infill development having due regard to the amenities of existing established residential neighbourhoods.*

The proposed development represents the appropriate densification of the subject lands by replacing the 2 No. detached dwellings with 137 No. apartments in 4 No. blocks. The subject scheme will result in the appropriate densification of an underutilised site, providing additional accommodation in lieu of the existing single storey dwelling (with ancillary garage) and 2 No. storey dwelling (to be demolished) which are not considered to be distinctive or of architectural merit and do not represent sustainable continued occupation in the context of contemporary planning policy, which seeks to more appropriately and efficiently use scarce urban land. In addition, we note that the dwellings are not Protected Structures.

The proposed layout of the 4 No. blocks allows the development to breathe and ensures the proposal is not monolithic. The Daylight and Sunlight Report and the Landscape and Visual Impact Assessment enclosed as separate documents both demonstrate that no material impacts will occur as a result of the proposed development.

**Policy Objective PHP20: Protection of Existing Residential Amenity.**

*It is a Policy Objective to ensure the residential amenity of existing homes in the Built Up Area is protected where they are adjacent to proposed higher density and greater height infill developments.*

As noted above, it is considered that the proposed scheme strikes a balance between respecting the surrounding environment and ensuring the development potential of a strategically positioned and underutilised plot is maximised. The 2 No. properties on site to be demolished are not considered to be distinctive or of architectural merit and are not considered to represent sustainable continued occupation in the context of contemporary planning policy which seeks to more appropriately and efficiently use scarce urban land. In addition, we note that the dwellings are not Protected Structures.

The Daylight and Sunlight Report and the Landscape and Visual Impact Assessment enclosed as separate documents both demonstrate that no material impacts will occur as a result of the proposed development.

The following is also stated under Policy Objective PHP20 (black text) with a response provided underneath each point (in purple text):

*A response to each point of this policy is provided below in purple:*

- *On all developments with a units per hectare net density greater than 50, the applicant must provide an assessment of how the density, scale, size and proposed building form does not represent over development of the site. The assessment must address how the transition from low density to a higher density scheme is achieved without it being*

*overbearing, intrusive and without negatively impacting on the amenity value of existing dwellings particularly with regard to the proximity of the structures proposed. The assessment should demonstrate how the proposal respects the form of buildings and landscape around the site's edges and the amenity enjoyed by neighbouring uses.*

Response: Section 5.3 and 5.4.2 of the Planning Report provide an assessment of the proposed density and details how the development does not represent overdevelopment of the site and is generally detailed below for ease of reference:

The *Development Plan* recognises the need to increase residential densities as a means through which to secure sustainable development that more appropriately and efficiently uses existing urban land resources. In this respect, the *Development Plan* states:

*"Density plays an important role in ensuring that the best use is made of land intended for residential development. The Development Plan seeks to maximise the use of zoned and serviced residential land. Consolidation through sustainable higher densities allows for a more compact urban growth that, in turn, more readily supports an integrated public transport system. This together with the '10-minute' neighbourhood concept, has the potential to reduce the urban and carbon footprint of the County."*

Specifically, the Council expresses this stance as Policy Objective PHP18 (Residential Density):

*"It is a Policy Objective to:*

- Increase housing (houses and apartments) supply and promote compact urban growth through the consolidation and re-intensification of infill/brownfield sites having regard to proximity and accessibility considerations, and development management criteria set out in Chapter 12.*
- Encourage higher residential densities provided that proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development."*

However, the *Development Plan* does not prescribe specific densities (other than a general default minimum of 35 uph) and ultimately states that they will be considered in accordance with *Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities*. These Guidelines discuss densities in relation to development (1) in city and town centres, (2) on brownfield sites (within city or town centres), (3) along public transport corridors, (4) in inner suburban locations and on infill sites, (5) on institutional lands and (6) on outer suburban and greenfield sites. Ultimately, the Guidelines do not set maximum density standards, with minimum ranges (35–50 uph) provided only for development on institutional lands and outer suburban and greenfield sites.

Based on the definitions provided in the Guidelines, the subject site can be considered as being both 'brownfield' (having previously been development for residential uses) and within a public transport corridor (as it is within 500m of bus stop, and although farther than 1 km from a Luas stop, is just a 20-minute walk from same and within the

Section 49 LUAS Development Contribution Scheme). Therefore, there is a strong policy base to support a notable residential density at this site.

This is augmented by the *NPF*, which recognises the benefit of securing greater densities in existing urban areas to achieve scale, critical mass, vibrancy and a positive shift in infrastructural use:

*“Well designed and located higher density housing will assist:*

- *Fast-growing urban areas to achieve much needed scale;*
- *Medium-sized urban areas to find a route to quality in a new competitive framework;*
- *All urban areas to increase vibrancy and vitality;*
- *Increased efficiency and sustainability in the use of energy and public infrastructure.”*

Asserting this as a policy stance, the *NPF* includes National Policy Objective 35, which is to:

*“Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.”* [emphasis added]

Evidently, there is a strong policy base to support the attainment of higher residential densities, even in areas where there may be prevailing low density patterns of development. Such patterns of development are no longer deemed to be sustainable in many cases, and it is asserted that their presence must not be used as a means to preclude the realisation of taller and more dense developments.

With 137 No. units proposed across the main residential development site area of 0.829 Ha, the proposal will yield a density of 165 uph. Whilst this is recognised as an increase on the prevailing density locally, it is considered to be a progressive and necessary uplift to ensure a sustainable use of the site. Furthermore, it supports the *NPF*'s National Policy Objectives and the 'Compact Growth' National Strategic Outcome by delivering housing within the existing built-envelope of the County and wider city region.

As there is proven to be adequate capacity in the local area's hard infrastructure (roads, public transport and water services) and soft infrastructure (schools, childcare and community and social services), there are no impediments to the proposed residential yield and density.

Ultimately, density is just a ratio of the number of residential units relative to a site area. Therefore, if the necessary infrastructure can accommodate a given residential yield and density, then the key consideration is how the development delivers the units in terms of the height, bulk, scale and massing of the built-form. This is of paramount importance, as the physical expression of buildings can then have impacts on daylight and sunlight, overlooking, overbearance and obtrusion; a point that the *Development Plan* makes by way Policy Objective PHP20 (Protection of Existing Residential Amenity):

*"It is a Policy Objective to ensure the residential amenity of existing homes in the Built Up Area is protected where they are adjacent to proposed higher density and greater height infill developments."*

In response to this, it is noted that the *Development Plan* requires that:

*"On all developments with a units per hectare net density greater than 50, the applicant must provide an assessment of how the density, scale, size and proposed building form does not represent over development of the site. The assessment must address how the transition from low density to a higher density scheme is achieved without it being overbearing, intrusive and without negatively impacting on the amenity value of existing dwellings particularly with regard to the proximity of the structures proposed. The assessment should demonstrate how the proposal respects the form of buildings and landscape around the site's edges and the amenity enjoyed by neighbouring uses."*

The referenced 'assessment' has been thoroughly detailed in Sections 5.2.2 (Height) and 5.4 (Residential Amenity and Privacy) of the Planning Report (and in the Architecture materials prepared by HRA), the proposed development has been carefully designed to ensure that these negative impacts will not occur.

Consequently, the proposed density of 165 uph is deemed to be an acceptable and sustainable density at the subject site that will represent an appropriate and necessary uplift in this part of the Council area in accordance with planning policy at national, regional and local levels.

- *On all developments with height proposals greater than 4 storeys the applicant should provide a height compliance report indicating how the proposal conforms to the relevant Building Height Performance Based Criteria "At District/Neighbourhood/Street level" as set out in Table 5.1 in Appendix 5.*

Response: Section 5.2.2 of the Planning Report details the proposed height with respect to Table 5.1 of Appendix 5 and is generally detailed below for ease of reference:

The guidance with respect to height is defined in the *Building Height Strategy* set out in Appendix 5 of the *Development Plan*, which has been prepared in accordance with the principles espoused in *Building Heights Guidelines*. Whilst the Council recognises the County's historic patterns of low-rise development, it acknowledges the trend towards taller developments and the national policy and environmental factors that drive this in support of more sustainable and resilient urban development and compact growth.

The basis for additional height is driven by the principle of securing an increase in land-use intensities and residential densities, informed by planning policy at all levels that prioritises new development in existing urban areas rather than in greenfield locations. Therefore, with limited sites and site areas available, it is generally necessary, and indeed more sustainable, to 'build up, not out'.

Of relevance to the proposed development is Policy Objective BHS 3 (Building Height in Residual Suburban Areas)<sup>2</sup> of the *Development Plan* (Appendix 4), which states the following:

*"It is a policy objective to promote general building height of 3 to 4 storeys, coupled with appropriate density in what are termed the residual suburban areas of the County provided that proposals ensure a balance between the reasonable protection of existing amenities including residential amenity and the established character of the area.*

*Having regard to the Building Height Guidelines and more specifically in order to apply SPPR 3 there may be instances where an argument can be made for increased height and/or taller buildings in the residual suburban areas. Any such proposals must be assessed in accordance with the criteria set out below in table 5.1 as contained in Section 5. The onus will be on the applicant to demonstrate compliance with the criteria.*

*Within the built up area of the County increased height can be defined as buildings taller than prevailing building height in the surrounding area. Taller buildings are defined as those that are significantly taller (more than 2 storeys taller) than the prevailing height for the area."*

Therefore, to demonstrate the proposed development's compliance and accordance with the provisions of Table 5.1 in the *Development Plan's* Height Strategy, a series of responses to the criteria included in the Table is set out below in Table 5.1 of this Report.

<b>At County Level</b>	
<b>Criterion</b>	<i>"Proposal assists in securing objectives of the NPF, in terms of focusing development in key urban centres, fulfilling targets in relation to brownfield, infill development and delivering compact growth."</i>
<b>Response</b>	<p>The proposed development will strongly support the attainment of the NPF's objectives. The current site is comprised of just 2 No. residential dwellings, equating to an unsustainable residential density of 2.4 uph. However, the proposed development's 137 No. units will yield a significantly more appropriate and sustainable density of 165 uph. This increase in housing delivery and density are supportive of, and in alignment with, the following National Policy Objectives (NPOs) of the NPF (amongst others):</p> <p><b>NPO 2a</b> – "A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs."</p> <p><b>NPO 3a</b> – "Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements."</p>

<sup>2</sup> A "residual area", as defined by the *Development Plan* in the context of height, is noted as being an area "not covered by an existing or forthcoming Local Area Plan or other guidance/policy as set out in this plan and not falling into objective, B, G or GB are termed residual suburban areas."

	<p><b>NPO 3b</b> – “Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.”</p> <p><b>NPO 5</b> – “Develop cities, towns and villages of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity.”</p> <p><b>NPO 35</b> – “Increased residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.”</p> <p>These NPOs seek to focus future development in existing urban environments, more efficiently using land resources and developing the critical mass required to provide public transport and local services and to sustain local businesses. Importantly, they also underpin the NPF’s primary National Strategic Outcome (NSO), ‘Compact Growth’.</p> <p>Further discussion in respect of the proposed development’s alignment with the NPF is included in the <i>Statement of Consistency</i>, also prepared by Thornton O’Connor Town Planning.</p>
<p><b>Criterion</b></p>	<p><i>“Site must be well served by public transport – i.e. within 1000 metre/10 minute walk band of LUAS stop, DART Stations or Core/Quality Bus Corridor, 500 metre/5 minute walk band of Bus Priority Route - with high capacity, frequent service and good links to other modes of public transport.”</i></p> <p>A note in the <i>Development Plan</i> states that this criterion does <b>not</b> apply to the site and development in question, as they fall under Policy Objective BHS 3 relating to Residual Areas.</p>
<p><b>Response</b></p>	<p>Notwithstanding the fact that this criterion does not apply to areas that fall under Policy Objective BHS 3, the subject site is well served by public transport, as well as active transport options.</p> <p>Presently, Sandyford Road to the immediate front of the site, is served by Bus Route Nos. 44B (Dundrum – Glencullen) and 114 (Sandyford/Ballinteer – Blackrock). In Sandyford Village (within short walking distance) Bus Route No. 44 is available (Enniskerry – Dublin city centre). In addition, the Green Luas line Glencairn stop (Bride’s Glen – Broombridge) is approximately a 20–25-minute walk or 7-minute cycle from the site. It is also noted that the subject site falls within the Section 49 LUAS Development Contribution Scheme area and, therefore, is recognised by the Council as benefiting from the Luas.</p> <p>These modes of transport provide direct connections throughout the city region, including the city centre, where residents can easily transfer to other routes and modes for onward connectivity.</p>

	<p>It is also noted that Sandyford Road is identified in the <i>Development Plan</i> as having a 6-Year Road Objective, which if delivered, will significantly increase the capacity of the road network, which may support additional bus services available to future residents of the proposed development.</p> <p>The development itself proposes cycle parking that exceeds the minimum standards, with the site itself well served by northbound and southbound off-road cycle paths at Sandyford Road.</p>
<b>Criterion</b>	<p><i>"Proposal must successfully integrate into/enhance the character and public realm of the area, having regard to topography, cultural context, setting of key landmarks. In relation to character and public realm the proposal may enclose a street or cross roads or public transport interchange to the benefit of the legibility, appearance or character of the area."</i></p>
<b>Response</b>	<p>The proposed development will create a strong and defined frontage along Sandyford Road, albeit with an appropriate setback to protect future residents' amenities and to provide attractive planting and necessary infrastructure. This will also support the activation of the site, which is currently muted due to the long stretch of relatively high boundary wall.</p> <p>The design of the development and its layout is such that the taller elements front Sandyford Road (west), with a transition down in levels to generally 3 No. storeys (in the east). This ensures that the development integrates with the existing 2-storey development to the east in Coolkill and Sandyford Downs, respecting the pattern of development present thereat, but allowing for a gradual uplift in height at select locations, and an increase in density overall.</p>
<b>Criterion</b>	<p><i>"Protected Views and Prospects: Proposals should not adversely affect the skyline, or detract from key elements within the view whether in foreground, middle ground or background. A proposal may frame an important view."</i></p>
<b>Response</b>	<p>It is not evident that the subject site is not proximate to the principal line of sight of any Protected Views or Prospects.</p>
<b>Criterion</b>	<p><i>"Infrastructural carrying capacity of area as set out in Core Strategy of CDP, relevant Urban Framework Plan or Local Area Plan."</i></p>
<b>Response</b>	<p>In terms of the waste water and transport infrastructure projects listed for delivery in Sandyford, none are believed to apply to the subject site, with their focus being the Sandyford Urban Framework Plan area.</p> <p>Generally, with respect to water services, the Confirmation of Feasibility issued by Irish Water confirmed the feasibility of connecting to their potable water and foul water networks. Further details of the proposals are contained in Torque Consulting Engineers' <i>Engineering Services Report</i>.</p> <p>NRB Consulting Engineers' <i>Bus/Luas Capacity Report</i> (included as Appendix I to their <i>Transportation Assessment Report</i>) involved an assessment of expected demand for bus and Luas services and their existing use. It concluded that <i>"the additional demand for Bus/LUAS</i></p>

	<p><i>trips as a result of the proposed development can be accommodated on the existing &amp; improved services without any noticeable effect."</i></p> <p>In relation to social and community infrastructure, the <i>Social Infrastructure Audit</i> and <i>Childcare Demand Assessment</i> prepared by KPMG Future Analytics are of relevance. The Reports indicate the availability of adequate childcare and school places within the environs of the subject site to meet the demand generated by the development and ample provision of a broad range of community facilities and services. Both Reports are included as part of the planning application pack.</p>
<p><b>At District/Neighbourhood/Street Level</b></p>	
<b>Criterion</b>	<i>"Proposal must respond to its overall natural and built environment and make a positive contribution to the urban neighbourhood and streetscape."</i>
<b>Response</b>	<p>The existing site does not include any notable natural features, with all trees and hedges thereat deemed to be unsustainable (The Tree File) and appropriate for removal. In terms of the built environment, there are no Protected Structures, Recorded Monuments or Places, or Architectural conservation Areas at, or in the immediate environs of, the subject site. Consequently, there are no protected or sensitive natural or built features at risk of negative impacts that may arise as a result of the realisation of up to 6 No. storeys at the subject site.</p> <p>The proposed development strikes a balance between respecting the residential amenity of the existing 2-storey residences to the east, and also using height to increase land-use intensity and residential density in a sustainable and efficient manner in accordance with national, regional and local policy. This has been achieved by providing ample separation distances, obscuring windows at upper levels where necessary, gradually increasing height from lower levels at the east to higher levels at the west of the site and providing ample, carefully considered landscape planting along the length or the eastern boundary (as well as northern and southern boundaries).</p> <p>The development will make a positive contribution to the neighbourhood and streetscape by: delivering a new pedestrian connection to Cul Cuille to the north; bringing the building line forward and creating a newly defined urban edge at Sandyford Road, with activation at street level; enhancing the natural vegetation at the site by introducing a broad planting regimen; augmenting the critical mass required to sustain local service provision and businesses; and broadening the number and type of housing options available in the area.</p>
<b>Criterion</b>	<i>"Proposal should not be monolithic and should avoid long, uninterrupted walls of building in the form of slab blocks. "</i>
<b>Response</b>	<p>Horan Rainsford Architect's (HRA) design of the proposed Blocks has sought to intentionally avoid the inclusion of monolithic elevations and large blank facades, actively articulating and fenestrating them to make them attractive, engaging and rhythmic. For example,</p>

	<p>alternating brickwork, with some horizontal and some vertical features, and elements of slightly recessed brickwork, activate and diffuse the elevations where no windows are proposed (e.g. west elevation of Block D). Where small portions of blank elevations are present, this is to prevent overlooking and/or where they are amply screened by proposed or existing vegetation; therefore, they will not be directly visible.</p> <p>In terms of the development being perceived as monolithic, this is not the case, with the breakdown of the built massing achieved by the creation of 4 No. Blocks, the transitioning in heights and the active fenestration of elevations.</p> <p>An Bord Pleanála is directed to the following Drawings prepared by HRA, which emphasise these points: <i>Proposed Site Elevations</i>, <i>Proposed Contiguous Elevations</i> and the <i>Proposed Elevations &amp; Sections</i> Drawings for each of the 4 No. Blocks.</p>
<b>Criterion</b>	<i>"Proposal must show use of high quality, well considered materials. "</i>
<b>Response</b>	Per the <i>Material Treatment</i> Drawing prepared by HRA, a mix of high-quality materials is proposed to deliver an attractive and hard-wearing development that requires lower levels of maintenance. These include light red brick (laid vertically and horizontally), light red render and charcoal metalwork for Blocks A and C and cream brick (laid vertically and horizontally), cream render and charcoal metalwork for Blocks B and D. The colours and tones of the materials are of a respectful palette and will create rhythm and distinction as they alternate between the Blocks.
<b>Criterion</b>	<i>"Proposal where relevant must enhance urban design context for public spaces and key thoroughfares and marine or river/stream frontage. "</i>
<b>Response</b>	In the case of the proposed development, as detailed above, it will create a newly redefined frontage onto Sandyford Road. This will be a new urban edge and interface at this location, due to the current context at the site being that of low-rise, low density dwellings that do not relate to the road frontage. The benefit of this will also be the creation of a new active edge, creating a more vibrant and engaging environment.
	Importantly, the development will not be gated or setback behind the boundary wall that exists at Sandyford Road, ensuring that it reads as being open and connected with the public realm along the Road.
<b>Criterion</b>	<i>"Proposal must make a positive contribution to the improvement of legibility through the site or wider urban area. Where the building meets the street, public realm should be improved."</i>
<b>Response</b>	The proposed development includes the removal of the existing western boundary wall and the construction of the proposed development facing Sandyford Road, thereby creating a new urban edge and interface with Sandyford Road. This is a positive element of the development, enhancing the public realm and removing the perception of this area being private and segregated due to the presence of the relatively high boundary wall and gated entrances

	<p>serving the existing detached dwellings set quite far back from the Road. Attractive and varied planting will act as a gentle, natural buffer between the Road and the residential buildings.</p> <p>Legibility, navigability and permeability will be enhanced by the creation of the new pedestrian connection to the north at Cul Cuille and the orientation of the residential Blocks generally along an east-west axis, which makes line-of-sight and movement into the development easier, safer and quicker.</p>
<b>Criterion</b>	<i>"Proposal must positively contribute to the mix of uses and /or building/dwelling typologies available in the area. "</i>
<b>Response</b>	<p>The environs of the subject site have generally been comprised of low-rise, low-to-medium-density residential development. The predominance of this pattern of development is evidenced in the established residential areas of Kilcross, Coolkill, Sandyford Downs, Hillcrest Road, Blackglen Road and Sandyford Village.</p> <p>Consequently, the proposed development is a progressive and proactive effort by the Applicant to enhance the housing stock in this part of the County by providing an alternative housing type to that which dominates the immediate locality. Pursuing a residential apartment development is also seen as the most appropriate means through which to increase residential densities and to use scarce urban land resources more appropriately.</p>
<b>Criterion</b>	<i>"Proposal should provide an appropriate level of enclosure of streets or spaces. "</i>
<b>Response</b>	<p>Within the development itself, the main entrance and the smaller pedestrian and cycle entrances have been designed with widths that meet their requirements, but also to create a sense of place and benefit from passive surveillance. Given the tallest elements of the development only ever reach 6 No. storeys, these spaces will never feel as though they are affected by overbearance and are very much of 'human scale'.</p> <p>Along the front of the site, the building line of the proposed Blocks will create a new urban edge with Sandyford Road, redefining the sense of place in a positive way. Furthermore, this more assertive interface will enhance the creation of placemaking and perception of this area now being an accessible public environment (that is lacking presently due to the existing extensive boundary wall). Subtle planting to the front of the site will soften the built-form and create a natural buffer between the Blocks and the Road itself.</p> <p>Within the communal amenity space areas (discussed below), the intention has been to create a variety of different spaces to serve different purposes and preferences. The lawned kick-about spaces are intended to be broad and somewhat more expansive, whilst many of the seating and break-away areas are more intimate and enclosed, complemented by the proposed planting regimen.</p>
<b>Criterion</b>	<i>"Proposal should be of an urban grain that allows meaningful human contact between all levels of buildings and the street or spaces"</i>

<p><b>Response</b></p>	<p>The Block orientation is principally along an east-west axis. The benefit of this is that it will create a new urban grain and built rhythm along Sandyford Road, rather than a single impenetrable curtain of development running parallel to the Road.</p> <p>This grain and the overall height of the Blocks and their separation distances have been designed to be of a human scale and not overbearing; their height, positioning on the site and materiality mean that residents, visitors and passers-by can engage with them.</p> <p>The landscaped spaces between the Blocks and the communal amenity spaces to the rear have been carefully designed and planted to give them a sense of expanse and freedom in the lawned (kick-about) areas and intimacy and enclosure in the seating and break-away areas.</p> <p>Furthermore, the external communal amenity spaces provide a variety of different features that will promote human interaction, engagement and socialising, including the seating areas, outdoor work-from-home spaces, children’s play area, toddler’s play area and lawns. This will be bolstered by the internal communal amenity spaces (gym and hot desk), which promote the creation of a community within the development, rather than it being solely a series of dwelling units.</p>
<p><b>Criterion</b></p>	<p><i>"Proposal must make a positive contribution to the character and identity of the neighbourhood."</i></p>
<p><b>Response</b></p>	<p>The proposed development has been designed to make a positive and lasting contributions to the character and identity of the neighbourhood by following means:</p> <ul style="list-style-type: none"> <li>• Redefining the building line and interface along Sandyford Road, by the construction of the Blocks fronting onto the Road, this will create a new physical urban edge at the site which is otherwise missing due to the presence of the relatively tall wall along its entire western boundary;</li> <li>• The above approach to the design will also activate Sandyford Road, in terms of both built-form (i.e. visually/aesthetically) and human presence and vibrancy, something that is lacking at this location;</li> <li>• A significant planting regimen is proposed that includes, amongst other features and plants, approximately 130 No. trees, which will create an attractive, lush and ecologically beneficial environment as they mature; and</li> <li>• The addition of 137 No. apartment units will broaden the total housing stock in the area, but also the housing types and sizes, thereby accommodating a broader range of residents (with different socio-economic backgrounds and incomes, life stages, household sizes, etc.) than would have otherwise lived here, which will support community building and integration.</li> </ul>
<p><b>Criterion</b></p>	<p><i>"Proposal must respect the form of buildings and landscape around the site’s edges and the amenity enjoyed by neighbouring properties."</i></p>

<b>Response</b>	<p>The proposed development's height and block massing have been carefully designed to respect the existing residences on neighbouring sites, as well as those that are proposed or awaiting a planning application decision. This has been done by staggering the heights of the proposed Blocks, rising up from the 1 No. and 3 No. storey elements to the east (closest to Coolkill), gradually reaching 6 No. storeys fronting Sandyford Road. In addition, separation distances of at least 22 m have been achieved between the Blocks and the rear elevations of the dwellings at Coolkill. By employing this approach, the design has had regard for the residential amenity, privacy and built-form of neighbouring properties to ensure that overlooking and impacts on daylight and sunlight do not occur.</p> <p>With respect to landscaping, the proposed development will respect the established landscaping outside of the site area to the north, east and south. This will be augmented by a significant landscape plan that proposes substantial boundary treatments and tree planting (in excess of 130 No. trees).</p>
<b>At site/building scale</b>	
<b>Criterion</b>	<p><i>"Proposed design should maximise access to natural daylight, ventilation and views and minimise overshadowing."</i></p>
<b>Response</b>	<p>The proposed development has been carefully designed to ensure there is minimal impact on the daylight and sunlight reaching the existing and proposed residences on adjacent sites. This is thoroughly detailed in 3D Design Bureau's <i>Daylight and Sunlight Assessment Report</i> and further discussed in Section 5.4.1 of this Report.</p> <p>Within the proposed development itself, the units perform well in terms of Average Daylight Factor (96% of rooms compliant, although 99% compliant if the reduced target value of 1.5% is used for Living/Kitchen/Dining areas). Although the compliance rates for Annual Probable Sunlight Hours and Winder Probable Sunlight Hours for living rooms and Sun on Ground for balconies are lower by comparison, the results are considered reasonable and acceptable as 100% compliance is difficult to achieve in urban and suburban environments and on sites with existing constraints (shape, size, adjacent uses/development, etc.).</p>
<b>Criterion</b>	<p><i>"Proposal should demonstrate how it complies with quantitative performance standards on daylight and sunlight as set out in BRE guidance "Site Layout Planning for Daylight and Sunlight" (2nd Edition). Where a proposal does not meet all the requirements, this must be clearly identified and the rationale for any alternative, compensatory design solutions must be set out. On relatively unconstrained sites requirements should be met."</i></p>
<b>Response</b>	<p>The <i>Daylight and Sunlight Assessment Report</i> prepared by 3D Design Bureau includes a detailed assessment and review of the proposed development and the possible impacts of the proposed development on existing and potential neighbouring developments. The Board is directed to review this Report, included as part of this application pack,</p>

	and also to Section 5.4.1 of this Report, which assesses impacts on residential amenity and privacy.
<b>Criterion</b>	<i>"Proposal should ensure no significant adverse impact on adjoining properties by way of overlooking overbearing and/or overshadowing."</i>
<b>Response</b>	<p>As articulated in response to the preceding criteria, the proposed development has been carefully designed to ensure that it is not overbearing in its design. Its stepped heights and distributed massing result in a scheme that respects existing and proposed developments. Furthermore, windows have been orientated and/or obscured to prevent future residents of the development imposing upon the privacy of others.</p> <p>In terms of overshadowing, as noted above, the proposed development has little to no impact on neighbouring or granted/proposed adjacent residences. In some instances, the proposed development will have positive effects.</p>
<b>Criterion</b>	<i>"Proposal should not negatively impact on an Architectural Conservation Area (ACA) or the setting of a protected structure."</i>
<b>Response</b>	The subject site does not include nor is it within an Architectural Conservation Area. In addition, there are no protected structures on-site. Therefore, there is no risk of negative impacts on any Architectural Conservation Areas or protected structures.
<b>Criterion</b>	<i>"Proposals must demonstrate regard to the relative energy cost of and expected embodied and operational carbon emissions over the lifetime of the development. Proposals must demonstrate maximum energy efficiency to align with climate policy. Building height must have regard to the relative energy cost of and expected embodied carbon emissions over the lifetime of the development."</i>
<b>Response</b>	Careful regard has been given to the energy costs and efficiency associated with the proposed development, both in terms of its construction and embodied carbon and in terms of its operation and occupation. The longevity of the structures' lives, the energy systems proposed, demolition and construction phases (and the release of stored carbon) have been considered as part of the design process. Although the delivery of the development will result in the emission/production of carbon and other greenhouse gases, it is intended that these will be minimised wherever practicable, with the net gain associated with the provision of a high-quality, sustainable development close to public and amenities considered to be significant. Further discussion in relation to these matters features in the <i>Sustainability Statement</i> and <i>Building Lifecycle Report</i> .
<b>County Specific Criteria</b>	
<b>Criterion</b>	<i>"Having regard to the County's outstanding architectural heritage which is located along the coast, where increased height and/or taller buildings are proposed within the Coastal area from Booterstown to Dalkey the proposal should protect the particular character of the coastline. Any such proposals should relate to the existing coastal towns and villages as opposed to the coastal corridor."</i>
<b>Response</b>	This criterion is not deemed applicable to the subject site or proposed development.

<b>Criterion</b>	<i>"Having regard to the high quality mountain foothill landscape that characterises parts of the County any proposals for increased heights and/or taller building in this area should ensure appropriate scale, height and massing so as to avoid being obtrusive."</i>
<b>Response</b>	<p>At a maximum height of just 6 No. storeys, the proposed development will not be obtrusive and of a scale that would negatively impact on the quality and amenity value of the County's <i>"high quality mountain foothill landscape"</i>. Furthermore, it is sufficiently distant and screened by topography, existing and future development and vegetation from the amenity areas at Ticknock, Ballyedmonduff, Three Rock and Fairy Castle to the south and south-west.</p> <p>No concerns in relation to impacts on the mountain foothill landscape were raised in the enclosed <i>Landscape Visual Impact Assessment</i> prepared by Mitchell + Associates. Furthermore, the development is not considered to be of any more significant a scale than many of the existing and proposed developments further to the south in more sensitive locations in Stepside, Aiken's Village and Belarmine, which are markedly closer to the County's mountain foothills.</p>
<b>Criterion</b>	<i>"Additional specific requirements (Applications are advised that requirement for same should be teased out at pre planning's stage)."</i>
<b>Response</b>	This criterion is not deemed applicable.
<b>Criterion</b>	<i>"Specific assessments such as assessment of microclimatic impacts such as down draft."</i>
<b>Response</b>	<p>A <i>Microclimate Assessment</i> was prepared by AWN Consulting and is included as part of this planning application pack. It is recommended that An Bord Pleanála consults this document for the technical assessment, which ultimately concluded that: <i>"The existing environment experiences B3/B4 conditions for much of the time which correspond to a gentle breeze. Based on the analysis conducted it was concluded the proposed development would have no significant effects with regard to microclimate."</i></p> <p>In addition, a <i>Noise Impact Assessment</i> was prepared by RSK Ireland Ltd. This Report considered the impact of noise during the construction and operation phases on adjacent residential areas and the impact of traffic at Sandyford Road on the future residents of the proposed development.</p> <p>The <i>Noise Impact Assessment</i> concluded the following:</p> <p><i>"Baseline monitoring has found pre-existing noise levels are typical of a suburban location in the vicinity of a busy regional road. Local and distant traffic were the primary contributor to the noise environment on site. Baseline noise measurement data has been corrected to account for the impacts relating to Covid-19 restrictions."</i></p> <p><i>An assessment of the potential construction phase noise impacts has been conducted, following the procedures as outlined in BS 5228-1:2009+A1:2014. At the majority of locations, and for the majority of</i></p>

	<p><i>phases, calculated noise levels are within construction noise significance thresholds. At locations closest to the site boundary, potential significant construction noise effects are predicted, this is primarily due to the short distance between the works area and these neighbouring dwellings. The adoption and implementation of the noise control measures outlined in the relevant sections of this document is expected to reduce impacts to an acceptable level.</i></p> <p><i>In the developments operational phase, criteria have been set for new building services plant items in accordance with the methodologies outlined in BS 4142:2014+A1:2019. It has been concluded that the likely noise impact of the developments in its operational phase is not significant.</i></p> <p>This report also considers the potential inward impact of road traffic on the proposed development. Assessment methodologies use guidance from <i>The Professional Guidance on Planning &amp; Noise (ProPG)</i>, May 2017. The two primary stages of the ProPG assessment are the "Stage 1" initial noise risk assessment of the proposed site and "Stage 2" detailed appraisal of the proposed development and preparation of an Acoustic Design Statement (ADS).</p> <p>The site noise survey has also been used to assess the sites noise risk categories, as per the ProPG "Stage 1" assessment. The ProPG noise risk categories are as follows:</p> <p><i>Daytime: <b>Medium</b></i></p> <p><i>Night-time: <b>Medium</b></i></p> <p><i>Recommendation to mitigate noise emissions, as specified in the "Stage 2" Acoustic Design Statement, include the following:</i></p> <ul style="list-style-type: none"> <li>• <i>Provision of glazing with minimum sound insulation properties as outlined in this document.</i></li> <li>• <i>Provision of acoustic attenuation to ventilation systems for dwellings exposed to the highest levels of traffic noise.</i></li> </ul> <p><i>In summary, it is considered that the site is suitable for residential development subject to the provision of the noise control recommendations as outlined in this report."</i></p>
<p><b>Criterion</b></p>	<p><i>"Potential interaction of building, materials and lighting on flight lines in locations in proximity to sensitive bird/bat areas."</i></p>
<p><b>Response</b></p>	<p>The development is not of a height that would interfere with flight lines and is not of such significant lengths/widths or design that would be considered likely to 'trap' birds and bats between the Blocks.</p> <p>No specific issue in relation to this criterion was raised in the <i>Ecological Impact Assessment</i> prepared by Enviroguide Consulting.</p>

<b>Criterion</b>	<i>"Assessment that the proposals allow for the retention of telecommunications channels, such as microwave links."</i>
<b>Response</b>	The <i>Telecommunications Report</i> prepared by ISM identified that 2 No. microwave links to the west of the subject site may be impacted by the proposed development. Therefore, to mitigate these impacts, the proposed development also includes the installation of 4 No. 300 mm microwave transmission link dishes mounted on 2 No. steel support poles affixed to the life shaft overrun on Block D. These will be encased in radio friendly GRP shrouds to reduce possible visual impacts.
<b>Criterion</b>	<i>"An assessment that the proposal maintains safe air navigation."</i>
<b>Response</b>	The subject site is not within the 'Inner Approach Area' or 'Critical Safety Zone' of Casement (Baldoon) Aerodrome or Weston Airport, nor is it within either the 'Inner Public Safety Zone' or the 'Outer Public Safety Zone' of Dublin Airport.  Therefore, and based on the proposed development's height of up to just 6 No. storey (up to 138 mAOD), it is not deemed necessary to prepare an Aviation Assessment in relation to the maintenance of safe air navigation. However, should An Bord Pleanála deem it prudent to liaise with the Irish Aviation Authority in advance of commencement of development, this could be instructed by way of condition to a grant of planning permission.
<b>Criterion</b>	<i>"Relevant environmental assessment requirements, including SEA, EIA (schedule 7 information if required), AA and Ecological Impact Assessment, as appropriate."</i>
<b>Response</b>	An Bord Pleanála is directed to the <i>Ecological Impact Assessment Report, Appropriate Assessment Screening Report and Environmental Impact Assessment Screening Report</i> prepared by Enviroguide Consulting in respect of this development. They ultimately conclude that there is no reason for the development not to proceed on key ecological and environmental grounds.
<b>Criterion</b>	<i>"Additional criteria for larger redevelopment sites with taller buildings"</i>
<b>Response</b>	This criterion is not deemed applicable.
<b>Criterion</b>	<i>"Proposal should make a positive contribution to place making, incorporating new streets where appropriate, using massing and height to achieve densities but with variety and scale and form to respond to scale of adjoining development."</i>
<b>Response</b>	These considerations have been core tenets of the design strategy employed by HRA. Several notable elements of the design are worth highlighting: <ul style="list-style-type: none"> <li>• The new building line, brought forward towards Sandyford Road plays a major role in placemaking and the creation of a new urban edge and interface in the location, which has otherwise lacked activation and a sense of relationship with the public realm.</li> <li>• The height and massing have been considered and distributed from 1 No. up to 3 No., 4 No., 5 No. and 6 No. storeys and varied in block forms to ensure that the development is not perceived as bulky, overbearing, obtrusive or monotonous.</li> </ul>

	<ul style="list-style-type: none"> <li>The gradual change in heights is such that the lowest heights of 1 No. and 3 No. storeys are those closest to the 2-storey houses to the east at Coolkill, thereby securing a respectful transition in height and scale.</li> </ul>
<b>Criterion</b>	<i>"For larger unconstrained redevelopment sites BRE standard for daylight and sunlight/any forthcoming EU standards on daylight sunlight should be met."</i>
<b>Response</b>	The subject site is not considered to be unconstrained, therefore, this criterion does not apply to the development. However, An Bord Pleanála is redirected to the response in relation to daylight and sunlight above.

**Table 3.1: Responses to criteria in Table 5.1 of the *Dún Laoghaire-Rathdown County Development Plan 2022-2028's Building Height Strategy***

**Source: Responses by Thornton O'Connor Town Planning, 2022**

- On sites abutting low density residential development (less than 35 units per hectare) and where the proposed development is four storeys or more, an obvious buffer must exist from the rear garden boundary lines of existing private dwellings.*

Response: Section 5.4.2 of the Planning Report details how a larger buffer space is provided between the surrounding lower density housing and the subject development and this is also generally detailed below.

As stated in the *Development Plan*, there is a need to provide an "obvious buffer" between existing low-density development and proposed taller and higher density developments:

*"On sites abutting low density residential development (less than 35 units per hectare) and where the proposed development is four storeys or more, an obvious buffer must exist from the rear garden boundary lines of existing private dwellings."*

This has been provided along the eastern and part of the northern stretch of the development as evident in the Architecture and Landscape Architecture materials and indicated in the image below. Appropriate separation distances and planting combine to ensure that this is not just 'space', but an integral part of the development's and a response to the need to protect the residential amenity of the residents of Coolkill and future residents of Cul Cuille.



- Where a proposal involves building heights of four storeys or more, a step back design should be considered so as to respect the existing built heights.

Response: A step back approach has been adopted for the proposed development, which gradually steps up from 1 No. and 3 No. storeys at the east (rear) of the site to 6 No. storeys at the west of the site (front), facing Sandyford Road.

**Policy Objective PHP25: 'Housing for All – A new Housing Plan for Ireland, 2022'**

It is a Policy Objective to support as appropriate the delivery of the actions set out in the 4 pathways contained in 'Housing for All – A new Housing Plan for Ireland, 2021'.

As set out in Section 4.4, the proposed development will deliver 137 No. much-needed apartments in a sustainable location which will contribute towards the delivery of housing in the Dún Laoghaire-Rathdown area. The scheme will provide housing options in the area which will increase supply, will densify these underutilised lands and will support social inclusion by providing 13 No. Part V units (10%). The scheme will provide 137 No. residential units in lieu of the existing 2 No. dwellings (to be demolished), which are not considered to be of architectural merit and currently do not represent sustainable occupation of accessible and brownfield urban lands. Therefore, the proposed development will contribute towards meeting the 4 No. pathways outlined in Housing for All.

**Policy Objective PHP26: Implementation of the Housing Strategy**

It is a Policy Objective to facilitate the implementation and delivery of the Housing Strategy and Housing Need Demand Assessment (HNDA) 2022 – 2028.

The scheme will provide 32 No. 1 bedroom units, 10 No. 2 bedroom units (3 person units), 68 No. 2 bedroom units (4 person units) and 27 No. 3 bedroom units. Therefore, it is clear that a variety of apartments are provided, which will serve a wide cohort of persons and will facilitate the implementation and delivery of the Housing Strategy and Housing Need Demand Assessment (HNDA) 2022 – 2028 in this built-up area.

**Policy Objective PHP27: Housing Mix**

*It is a Policy Objective to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided throughout the County in accordance with the provisions of the Housing Strategy and Housing Need Demand Assessment (HNDA) and any future Regional HNDA.*

The scheme will provide 32 No. 1 bedroom units, 10 No. 2 bedroom units (3 person units), 68 No. 2 bedroom units (4 person units) and 27 No. 3 bedroom units. Therefore, it is clear that a variety of apartments are provided, which will serve a wide cohort of persons.

**Policy Objective PHP30: Housing for All**

*It is a Policy Objective to:*

- *Support housing options for older people and persons with disabilities/mental health issues consistent with NPO 30 in the NPF, RPO 9.1 and 9.12 of the RSES.*
- *Support the provision of specific purpose built accommodation, including assisted living units and lifetime housing, and adaptation of existing properties.*
- *Promote 'aging in place' opportunities for 'downsizing' or 'right sizing' within their community.*

The proposed development has been designed to be universally accessible as detailed in the Universal Access Statement prepared by O'Herlihy Access Consultancy. The provision of 1, 2 and 3 No. bedroom units will provide the opportunity for downsizing within the existing community.

**Policy Objective PHP31: Provision of Social Housing**

*It is a Policy Objective to promote the provision of social housing in accordance with the Council's Housing Strategy and Government policy as outlined in the DoHPLG 'Social Housing Strategy 2020'. The Affordable Housing Act 2021 provides for 20% for social and affordable homes.*

Some 13 No. Part V units are provided in accordance with Part V of the *Planning and Development Act 2000 (as amended)*, which requires 10% social and affordable housing for the subject site. We note that the site was purchased on 26<sup>th</sup> February 2021 and thus the 10% requirement applies to the subject site as per the Affordable Housing Act 2021.

**Policy Objective PHP35: Healthy Placemaking**

*It is a Policy Objective to:*

- *Ensure that all development is of high quality design with a focus on healthy placemaking consistent with NPO 4, 26 and 27 of the NPF, and RPO 6.1, 6.12, 9.10 and 9.11 of the RSES.*
- *Promote the guidance principles set out in the 'Urban Design Manual – A Best Practice Guide' (2009), and in the 'Design Manual for Urban Roads and Streets' (2013).*

- *Ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design.*

A full response to the relevant Policy Objectives of the RSES is provided in Section 5.2 of this Report. In addition, a detailed response to the relevant criteria of the 'Urban Design Manual – A Best Practice Guide' (2009), and in the 'Design Manual for Urban Roads and Streets' (2013) [now 2019] is provided in Section 4.9 of this Report.

#### **Policy Objective PHP36: Inclusive Design & Universal Access**

*It is a Policy Objective to promote and support the principles of universal design ensuring that all environments are inclusive and can be used to the fullest extent possible by all users regardless of age, ability or disability consistent with RPO 9.12 and 9.13 of the RSES.*

The proposed development has been designed to be universally accessible as detailed in the Universal Access Statement prepared by O'Herlihy Access Consultancy.

#### **Policy Objective PHP37: Public Realm Design**

*It is a Policy Objective that all development proposals, whether in established areas or in new growth nodes, should contribute positively to an enhanced public realm and should demonstrate that the highest quality in public realm design is achieved.*

The scheme will enhance this area and will create a vibrant sense of place and will make a positive contribution to the urban neighbourhood, streetscape and public realm. The development will provide a new pedestrian connection to link to Cul Cuille directly to the north of the site which will improve permeability for all pedestrians. A number of access points have been provided for the residents to access the scheme, which will open up the site and provide a more active streetscape along Sandyford Road which will improve the public realm.

#### **Policy Objective PHP40: Shared Space Layouts**

*It is a Policy Objective to promote safer and more attractive streets and public realm for all road users throughout the County by proactively engaging with, and adhering to, the 'shared space' concept and guidance set out in the 'Design Manual for Urban Roads and Streets' (2013).*

The development has been designed in accordance with DMURS, as demonstrated in the enclosed DMURS Design Statement prepared by NRB Consulting Engineers (included as part of the Transportation Assessment). There will be limited vehicular activity within the subject scheme which provides a public realm that prioritises ease of movement for pedestrians and bikes, by diverting vehicles to the basement shortly after entering the development site.

#### **Policy Objective PHP41: Safer Living Environment**

*It is a Policy Objective to facilitate the promotion and delivery of a safe environment for both the residents of, and visitors to, the County.*

The scheme will provide a safe environment for all, particularly as the scheme prioritises pedestrian and cyclist movement and given that the scheme has been designed to be accessible for all (Universal Access Statement prepared by O'Herlihy Access Consultancy).

**Policy Objective PHP42: Building Design & Height**

*It is a Policy Objective to:*

- *Encourage high quality design of all new development.*
- *Ensure new development complies with the Building Height Strategy for the County as set out in Appendix 5 (consistent with NPO 13 of the NPF).*

The Planning Report and Material Contravention Statement enclosed have assessed the height of the proposed development against the Building Height Strategy in Appendix 5 (in particular Table 5.1) and it is considered that the proposed heights are appropriate and can be assimilated into the surrounding environment. The proposed heights have also been included in the Material Contravention Statement enclosed separately.

**Policy Objective PHP44: Design Statements**

*It is a Policy Objective that, all medium to-large scale and complex planning applications (30 + residential units, commercial development over 1,000 sq.m. or as otherwise required by the Planning Authority) submit a 'Design Statement' and shall be required to demonstrate how the proposed development addresses or responds to the design criteria set out in the 'Urban Design Manual - A Best Practice Guide' (DoEHLG, 2009) and incorporates adaptability of units and/or space within the scheme.*

An Architectural Design Statement prepared by Horan Rainsford Architects accompanies this planning application which has been prepared with reference to the 'Urban Design Manual - A Best Practice Guide' (DoEHLG, 2009). In addition, a detailed response to the relevant criteria of the 'Urban Design Manual – A Best Practice Guide' (2009) is provided in Section 4.8 of this Statement of Consistency. In terms of adaptability, the ground floor level units allow minimum floor to ceiling heights of 2.7 metres, which are capable of internal modification where deemed necessary. The development is designed to ensure that the long-term durability and maintenance of materials is an integral part of the design and specifications.

**TRANSPORTATION**

**Policy Objective T1: Integration of Land Use and Transport Policies**

*It is a Policy Objective to actively support sustainable modes of transport and ensure that land use and zoning are aligned with the provision and development of high quality public transport systems. (Consistent with NSO 1, NPO 26 of the NPF, 64, RPO 4.40, 5.3, 8.1 and Guiding Principles on Integration of Land Use and Transport of the RSES)*

The proposal actively encourages the use of sustainable modes of transport especially due to the site's location proximate to public transport and through the discouragement of car ownership and provision of 6 No. car share spaces and 340 No. bicycle parking spaces.

**Policy Objective T11: Walking and Cycling**

*It is a Policy Objective to secure the development of a high quality, fully connected and inclusive walking and cycling network across the County and the integration of walking, cycling and physical*

activity with placemaking including public realm improvements. (Consistent with NPO 27 and 64 of the NPF and RPO 5.2 of the RSES)

The proposed development will improve the public realm in the area and will provide a new pedestrian connection to Cul Cuille directly to the north of the site which will improve permeability for all pedestrians.

**Policy Objective T17: Travel Plans**

*It is a Policy Objective to require the submission of Travel Plans for developments that generate significant trip demand (reference also Appendix 3 for Development Management Thresholds). Travel Plans should seek to reduce reliance on car based travel and encourage more sustainable modes of transport over the lifetime of a development. (Consistent with RPO 8.7 of the RSES)*

A Preliminary Mobility Management Plan / Travel Plan is included within the Transportation Assessment Report prepared by NRB Consulting Engineers.

**Policy Objective T18: Car Sharing Schemes**

*It is a Policy Objective to support the set up and operation of car sharing schemes to facilitate an overall reduction in car journeys and car parking requirements.*

Some 6 No. car share parking spaces are proposed as part of the subject development.

**Policy Objective T19: Carparking Standards**

*It is a Policy Objective to manage carparking as part of the overall strategic transport needs of the County in accordance with the parking standards set out in Section 12.4.5.*

The relevant parking standards of Section 12.4.5 are discussed earlier in this Statement of Consistency. The development is a low car usage development (includes 6 No. car share spaces) and promotes sustainable modes of transport, especially due to the site's location proximate to public transport. The scheme also promotes walking and cycling from the site and 340 No. bicycle parking spaces are proposed.

**Policy Objective T22: Taxi/Minibus/ Hackney Transport**

*It is a Policy Objective to facilitate the provision of taxi/minibus/hackney transport as a feeder service to major public transport corridors and to encourage the provision of taxi ranks at DART Stations, Luas stops, key bus stations and at other appropriate locations - including within larger residential, commercial and/or mixed-use developments.*

The scheme includes 4 No. set down spaces which can facilitate taxi drop off for the development.

**Policy Objective T26: Traffic and Transport Assessments and Road Safety Audits**

*It is a Policy Objective to require Traffic and Transport Assessments and/or Road Safety Audits for major developments – in accordance with the TII's 'Traffic and Transport Assessment Guidelines' (2014) - to assess the traffic impacts on the surrounding road network and provide measures to mitigate any adverse impacts - all in accordance with best practice guidelines.*

The Transportation Assessment Report has been prepared in accordance with the TII's 'Traffic and Transport Assessment Guidelines' (2014).

**Policy Objective T27: Traffic Noise**

*It is a Policy Objective to ensure that traffic noise levels are considered as part of new developments along major roads/rail lines in accordance with best practice guidelines.*

A Noise Impact Assessment has been prepared by RSK which concludes that:

*'it is considered that the site is suitable for residential development subject to the provision of the noise control recommendations as outlined in this report'.*

The noise control recommendations require the provision of glazing with minimum sound insulation properties and the provision of acoustic attenuation to ventilation systems for dwellings exposed to the highest levels of traffic noise. Therefore, it is clear that the traffic noise levels in the area have been considered as part of this planning application.

**Policy Objective T31: Accessibility**

*It is a Policy Objective to support suitable access for people with disabilities, including improvements to transport, streets and public spaces. Accessibility primarily concerns people with reduced mobility, persons with disabilities, older persons and children. (Consistent with RPO 9.1 and 9.10 of the RSES)*

The Universal Access Statement prepared by O'Herlihy Access Consultancy outlines that the Design Team is firmly committed to achieving universal access.

**Policy Objective E16: Home Working / E-Working**

*It is a Policy Objective to permit home-based economic activities where, by virtue of their nature and scale, they can be accommodated without detriment to the amenities of residential areas.*

The proposed development include hot desk office space which will facilitate home-based economic activity.

**GREEN INFRASTRUCTURE AND BIODIVERSITY**

**Policy Objective GIB2: Landscape Character Areas**

*It is a Policy Objective to continue to protect, manage and plan to conserve, maintain or enhance the distinctive characteristics of the County's landscapes, townscapes and seascapes in accordance with the recommended strategies as originally outlined in the Landscape Character Assessment (2002 and since updated), in accordance with the 'Draft Guidelines for Landscape and Landscape Assessment' (2000) as issued by the Department of Environment and Local Government, in accordance with the European Landscape Convention (Florence Convention) and in accordance with 'A National Landscape Strategy for Ireland – 2015-2025'. The Council shall implement any relevant recommendations contained in the Department of Arts, Heritage, and the Gaeltacht's National Landscape Strategy for Ireland, 2015 – 2025.*

This development site does not fall within a designated Landscape Character Area. The closest LCA is Barnacullia (LCA #9). The northern boundary of this LCA is located c. 0.5 kilometres to the south of this site.

This development site is located off Sandyford Road. A key element of the landscape proposal is the Sandyford Road frontage.

We have proposed specimen lime and fastigate oak trees, in alternate linear groups to give a sense of verticality to the scheme and to punctuate the façade of the buildings. These trees form part of the wider planting strategy for the Sandyford Road boundary that will see a herbaceous perennial border as the understory scheme to the tree line and together contribute positively to the streetscape of Sandyford Road. Defensive hedging is used throughout the frontage to diffuse views to ground floor units throughout

**Policy Objective GIB5: Historic Landscape Character Areas**

*In assessing development proposals and in the preparation of plans, it is a Policy Objective to have regard to the recommendations and findings of the Historic Landscape Character Assessments (HLCA), already undertaken for a number of the urban-rural fringe areas of the County most likely to come under development pressure.*

This policy objective does not apply to the development site. Historic Landscape Character Assessments are only carried out on designated Landscape Character Areas.

**Policy Objective GIB6: Views and Prospects**

*It is a Policy Objective to preserve, protect and encourage the enjoyment of views and prospects of special amenity value or special interests, and to prevent development, which would block or otherwise interfere with Views and/or Prospects.*

There are no special amenity views or prospects pertaining to the subject site. Elevated views of the Dublin mountains are achieved from the west and south facing private terraces/windows and of Dublin Bay and Dublin City/County from East and North facing private terraces and windows.

**Policy Objective GIB20: Biodiversity Plan**

*It is a Policy Objective to support the provisions of the forthcoming DLR County Biodiversity Action Plan, 2021 – 2026.*

Murphy and Sheanon Horticulture and Landscape Architecture have proposed a planting scheme that takes cognisance of the All-Ireland Pollinator Plans 2015-2020 & 2021-2025 as issued by the National Biodiversity Data Centre along with the most up-to-date 'Plants for Pollinators' plant lists as issued by the RHS. A total 134 No. new trees are proposed for this scheme, consisting of 20 No. tree species. The more species present in any tree population the greater the resilience of that tree population to external threats such as those posed by climate change, pests and diseases. The variety of tree species we have proposed will improve biodiversity within the site whilst also providing aesthetic and/or functional characteristics.

**Policy Objective GIB21: Designated Sites**

*It is a Policy Objective to protect and preserve areas designated as proposed Natural Heritage Areas, Special Areas of Conservation, and Special Protection Areas. It is Council policy to promote the maintenance and as appropriate, delivery of 'favourable' conservation status of habitats and species within these areas.*

The Ecological Impact Assessment Report prepared by Enviroguide Consulting notes that significant effects on Natura 2000 sites were ruled out in AA Screening. The Ecological Impact Assessment Report also states that:

*'Provided all mitigation measures are implemented in full and remain effective throughout the lifetime of the Development, no significant negative residual impacts on the local ecology or on any designated nature conservation sites are expected from the Proposed Development.'*

**Policy Objective GIB28: Invasive Species**

*It is a Policy Objective to prepare an 'Invasive Alien Species Action Plan' for the County which will include actions in relation to Invasive Alien Species (IAS) surveys, management and treatment and to also ensure that proposals for development do not lead to the spread or introduction of invasive species. If developments are proposed on sites where invasive species are or were previously present, the applicants will be required to submit a control and management program for the particular invasive species as part of the planning process and to comply with the provisions of the European Communities Birds and Habitats Regulations 2011 (S.I. 477/2011).*

Invasive species are dealt with in the Ecological Impact Assessment Report prepared by Enviroguide Consulting.

**Policy Objective GIB29: Nature Based Solutions**

*It is a Policy Objective to increase the use of Nature Based Solutions (NBS) within the County, and to promote and apply adaption and mitigation actions that favour NBS, which can have multiple benefits to the environment and communities. NBS has a role not only to meet certain infrastructure related needs (e.g. flooding management), and development needs, but also to maintain or benefit the quality of ecosystems, habitats, and species.*

Included as part of the landscape plan are nature-based solutions such landscape berms, as well as play areas that enclosed by the carefully considered planting regimen.

**OPEN SPACE, PARKS AND RECREATION**

**Policy Objective OSR4: Public Open Space Standards**

*It is a Policy Objective to promote public open space standards generally in accordance with overarching Government guidance documents 'Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities', (2009), the accompanying 'Urban Design Manual - A Best Practice Guide', and the 'Sustainable Urban Housing: Design Standards for new Apartments', (2020).*

The scheme provides communal open space for the residents to utilise. Public open space has not been included as part of the proposed development. In lieu of its provision, a financial contribution to the Council will be paid which is facilitated by the *Development Plan*, and has been accepted in principle by Dún Laoghaire-Rathdown County Council. Please refer to the Material Contravention Statement which fully details the rationale for the provision of no public open space within the scheme.

**Policy Objective OSR5: Public Health, Open Space and Healthy Placemaking**

*It is a Policy Objective to support the objectives of public health policy including Healthy Ireland and the National Physical Activity Plan (NPAP) 2016, to increase physical activity levels across the whole population thus creating a society, which facilitates people whether at home, at work or at play to lead a more active way of life (consistent with RPO 9.16).*

The Landscape Design proposal incorporates a network of well-connected external spaces designed to encourage active play, exercise and social interaction, as well as passive relaxation.

**Policy Objective OSR13: Play Facilities and Nature Based Play**

*It is a Policy Objective to support the provision of structured, and unstructured play areas with appropriate equipment and facilities, incorporating and facilitating Nature-based Play with respect to the provision of Play Opportunities throughout the County, and to support the aspirations of the forthcoming Play Policy prepared within the lifetime of the Plan. These play facilities will also seek to maximise inclusivity and accessibility, to ensure that the needs of all age groups and abilities - children, teenagers, adults and older people – are facilitated in the public parks, open spaces and the public realm of Dún Laoghaire-Rathdown.*

The proposed play strategy for this scheme provides for structured play in the form of a children’s play area and a toddler’s play area. Unstructured play spaces have been achieved through the provision of berms and kickabout spaces to encourage informal and spontaneous play for all generations.

## **ENVIRONMENTAL INFRASTRUCTURE AND FLOOD RISK**

### ***Policy Objective EI3: Wastewater Treatment Systems***

*It is a Policy Objective that all new developments in areas served by a public foul sewerage network connect to the public sewerage system, either directly or indirectly.*

*It is a Policy Objective to promote the changeover from septic tanks to collection networks where this is feasible and to strongly discourage the provision of individual septic tanks and domestic wastewater treatment systems in order to minimise the risk of groundwater and surface water pollution.*

*It is a Policy Objective to prohibit multiple dwelling units discharging to communal wastewater treatment systems.*

The proposed development and proposed foul drainage network will connect to the public sewer.

### ***Policy Objective EI4: Water Drainage Systems***

*It is a Policy Objective to require all development proposals to provide a separate foul and surface water drainage system – where practicable. (Consistent with RPO 10.12)*

The proposed scheme contains separate foul and surface water networks.

### ***Policy Objective EI6: Sustainable Drainage Systems***

*It is a Policy Objective to ensure that all development proposals incorporate Sustainable Drainage Systems (SuDS).*

SUDs measures include green roofs, permeable road & path pavements and a stormwater attenuation tank.

### ***Policy Objective EI9: Drainage Impact Assessment***

*It is a Policy Objective to ensure that all new development proposals include a Drainage Impact Assessment that meets the requirements of the Council's Development Management Thresholds Information Document (see Appendix 3) and the Stormwater Management Policy (See Appendix 7.1).*

A Drainage Impact Assessment is contained within the Flood Risk Assessment by Torque Consulting Engineers. A Stormwater Audit prepared by JBA Consulting is included as an appendix to the Engineering Services Report by Torque Consulting Engineers.

### ***Policy Objective EI10: Storm Overflows of Sewage to Watercourses***

*It is a Policy Objective to work alongside Irish Water to minimise the number and frequency of storm overflows of sewage to watercourses and to establish, in co-operation with the adjoining Local Authorities and Irish Water, a consistent approach to the design, improvement and management of these intermittent discharges to ensure that the needs of the Region's receiving waters are met in a cost effective manner.*

This is not applicable as no water course crosses the site and no surface water will discharge to a watercourse.

**Policy Objective EI11: Resource Management**

*It is a Policy Objective to implement the Eastern-Midlands Region Waste Management Plan 2015-2021 and subsequent plans, in supporting the transition from a waste management economy towards a circular economy, to enhance employment and increase the value recovery and recirculation of resources. Underpinning this objective is the requirement to conform to the European Union and National Waste Management Hierarchy of the most favoured options for waste as illustrated below subject to economic and technical feasibility and Environmental Assessment. (Consistent with RPO 10.25 of the RSES)*

The Eastern-Midlands Region Waste Management Plan 2015-2021 has informed the preparation of the Resource & Waste Management Plan and Operational Waste Management Plan prepared by AWN Consulting.

**Policy Objective EI12: Waste Management Infrastructure, Prevention, Reduction, Reuse and Recycling**

*It is a Policy Objective:*

- *To support the principles of the circular economy, good waste management and the implementation of best international practice in relation to waste management in order for the County and the Region to become self-sufficient in terms of resource and waste management and to provide a waste management infrastructure that supports this objective.*
- *To aim to provide a supporting waste management infrastructure in the County for the processing and recovery of waste streams such as mixed municipal waste in accordance with the proximity principle.*
- *To provide for civic amenity facilities and bring centres as part of an integrated waste collection system in accessible locations throughout the County and promote the importance of kerbside source segregated collection of household and commercial waste as the best method to ensure the quality of waste presented for recycling is preserved.*
- *To ensure any waste amenity facilities adhere to the Waste Regional Offices Waste Management Infrastructure siting guidelines.*
- *To develop a County wide network of multi material recycling centres, bring centres and a re-use centre and to require the provision of adequately-sized recycling facilities in new commercial and large-scale residential developments, where appropriate.*
- *To require the inclusion of such centres in all large retail developments to maximise access by the public.*
- *To ensure new developments are designed and constructed in line with the Council's Guidelines for Waste Storage Facilities (an excerpt of which is contained in Appendix 6).*

The waste strategy for the proposed development has been designed with due consideration of Policy Objective EI12 where relevant. The Operational Waste Management Plan concludes the following:

*'In summary, this OWMP presents a waste strategy that complies with all legal requirements, waste policies and best practice guidelines and demonstrates that the required storage areas have been incorporated into the design of the development.*

*Implementation of this OWMP will ensure a high level of recycling, reuse and recovery at the development. All recyclable materials will be segregated at source to reduce waste contractor costs and ensure maximum diversion of materials from landfill, thus achieving the targets set out in the EMR Waste Management Plan 2015 – 2021.*

*Adherence to this plan will also ensure that waste management at the development is carried out in accordance with the requirements outlined in the DLRCC Guidance Notes for Waste Management in Residential & Commercial Developments and the DLRCC Waste Bye-Laws.*

*The waste strategy presented in this document will provide sufficient storage capacity for the estimated quantity of segregated waste. The designated area for waste storage will provide sufficient room for the required receptacles in accordance with the details of this strategy.'*

#### **Policy Objective EI14: Air and Noise Pollution**

*It is a Policy Objective:*

- *To implement the provisions of national and EU Directives on air and noise pollution and other relevant legislative requirements in conjunction with other agencies as appropriate. (Consistent with RPO 10.10 of the RSES)*
- *To support the implementation of objectives of the 'Dublin Agglomeration Environmental Noise Action Plan 2018-2023'.*

The Noise Impact Assessment prepare by RSK has given due consideration to the 'Dublin Agglomeration Environmental Noise Action Plan 2018-2023' and other documents as detailed in the report. In addition, the Construction Environmental Management Plan has given due consideration to best practice guidance from Ireland, the UK and the US in relation to air quality, as detailed in the report enclosed.

#### **Policy Objective EI15: Light Pollution**

*It is a Policy Objective to ensure that the design of external lighting schemes minimise the incidence of light spillage or pollution in the immediate surrounding environment and has due regard to the residential amenity of surrounding areas.*

All fittings used for public lighting are directional fittings focusing light features. This is to minimise / prevent light pollution that may be detrimental to residential amenity or ecology.

**Policy Objective El19: Overhead Cables**

*It is a Policy Objective to seek the undergrounding of all electricity, telephone and television cables wherever possible, in the interests of visual amenity and public health.*

All incoming utilities will be underground.

**Policy Objective El20: Telecommunications Infrastructure**

*It is a Policy Objective to promote and facilitate the provision of an appropriate telecommunications infrastructure, including broadband connectivity, fibre optic connectivity and other technologies, within the County.*

The Telecommunications Report prepared by Independent Site Management Limited states the following:

*'To provide an adequate allowance for the retention of the 2No. identified Microwave links that will be impacted by the Development, the Applicant is seeking planning permission to install 4No, 300mm Microwave Transmission link dishes mounted on 2No. steel support poles affixed to the lift shaft overrun on Block D.*

*These support poles are sufficient to accommodate 2No. Ø.3m Microwave links each, which provides an adequate solution for the Applicant to mitigate the impact the Development will have on the identified Microwave links emanating from the neighbouring telecommunication mast site to the west of the Development, as well as providing some capacity for future links that may or may not be required.'*

**Policy Objective El22: Flood Risk Management**

*It is a Policy Objective to support, in cooperation with the OPW, the implementation of the EU Flood Risk Directive (20010/60/EC) on the assessment and management of flood risks, the Flood Risk Regulations (SI No 122 of 2010) and the Department of the Environment, Heritage and Local Government and the Office of Public Works Guidelines on 'The Planning System and Flood Risk Management' (2009) and relevant outputs of the Eastern District Catchment and Flood Risk Assessment and Management Study (ECFRAMS Study). Implementation of the above shall be via the policies and objectives, and all measures to mitigate identified flood risk, including those recommended under part 3 (flood risk considerations) of the Justification Tests, in the Strategic Flood Risk Assessment set out in Appendix 15 of this Plan.*

A Flood Risk Assessment (FRA) has been carried out by Torque Consulting Engineers for the proposed development, which includes justification tests and identifying flood risks.

**6.3 Summary**

The proposed development to provide a residential development comprising 137 No. apartments with ancillary facilities and amenities and open space fully accords with the relevant National, Regional and Local planning policies and objectives.

It is considered that the design response provides a contemporary architectural solution that maximises the development potential of the subject lands in the interests of sustainable



development and having regard to the location of the lands in close proximity to public transport, employment locations, services and facilities. The design has sought to respond to the locational characteristics of the site proximate to low density houses yet provide a development that also responds to the site characteristics and opportunities presented by this underutilised plot that fronts Sandyford Road.

## 7.0 CONCLUSION

Having regard to the assessment of compliance with the relevant objectives of the *Development Plan* and Ministerial Guidelines in this Statement of Consistency, it is concluded that the proposed development is consistent with the relevant *Development Plan* objectives (except to the extent identified in the Material Contravention Statement accompanying this application) and the relevant ministerial guidelines.

