



An  
Bord  
Pleanála

# S. 4(1) of Planning and Development (Housing) and Residential Tenancies Act 2016

## Inspector's Report ABP-300520-17

---

### Strategic Housing Development

Mixed use development comprising of 179 no. student accommodation units (576 no. bed spaces), 103 no. residential apartment units, retail/cafe units, community sports hall and associated student amenities (gym, study spaces and lounges).

Demolition of the existing vacant buildings at Blakes and Esmonde Motors.

Public realm improvements along Lower Kilmacud Road and The Hill.

### Location

Blakes and Esmonde Motors Site, Lower Kilmacud Road, Stillorgan, County Dublin.

### Planning Authority

Dun Laoghaire Rathdown County Council.

**Applicant**

Cairn Homes Properties Ltd.

**Prescribed Bodies**

Irish Water  
Transport Infrastructure Ireland  
Department of Culture, Heritage and  
Gaeltacht  
National Transport Authority  
Dun Laoghaire Rathdown Childcare  
Committee

**Observer(s)**

Mount Anville Wood Residents  
Association  
James Mulrooney  
Charles Treston  
Oliver & Brigid McGettigan  
Louise Leavy & David Cullen  
Cllr John Kennedy  
Anna Maria Brennan  
Donall O Keeffe  
Mellissa & Ian Wyse  
Rosie Ní Laoghaire  
Stephen & Caron Mullen  
Patrician Residents Association  
Liz Hanley  
Karen Dalton  
Ard Lorcaín Residents Association  
Donal & Carol Brady

Christopher Jewitt  
Patrick Wall  
Rebecca Jeffares  
Councillor Cormac Devlin  
Eddie and Josephine Murphy  
Emer Shelley  
Josepha Madigan TD  
Richard Boyd Barrett  
Stillorgan Park Avenue Residents'  
Group  
Kelley and Anthony Delahunty  
Shane Ross TD  
Beaufield Park Residents' Association  
Linden Lea Park & Glenalbyn Road  
Residents Group  
Jane & Dara Heraty  
Cllr Deirdre Donnelly  
Cllr Anne Colgan  
Patrick & Louise O'Sullivan  
James McKenna & Marita Conlon  
McKenna  
St Laurence's Park Residents  
Association  
Maria Walsh  
Padraig & Ann McCann  
Hugh & Miriam Cooney  
Judy & Stephen Hayden  
Margaret McCann  
Marie & Fran Boyce

Michael Brophy  
Joe O Neil  
Geraldine Murphy  
Ann and Padraig MacGreil  
Barry Saul  
Noel Burke

**Date of Site Inspection**

24 January and 14 February 2018.

**Inspector**

Stephen Rhys Thomas.

## Contents

1.0 Introduction.....	6
2.0 Site Location and Description .....	6
3.0 Proposed Strategic Housing Development .....	7
4.0 Planning History.....	8
5.0 Section 5 Pre Application Consultation.....	9
6.0 Relevant Planning Policy .....	15
6.1. National Policy .....	15
6.2. Development Plan.....	15
7.0 Observers Submissions.....	20
8.0 Planning Authority Submission .....	21
9.0 Prescribed Bodies.....	26
10.0 Assessment.....	28
11.0 Recommendation .....	49
12.0 Reasons and Considerations .....	49
13.0 Conditions .....	50
14.0 Appendix I Summary of Observer Submissions .....	59

## 1.0 Introduction

This is an assessment of a proposed strategic housing development submitted to the Board under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

## 2.0 Site Location and Description

- 2.1. The site, stated area 1.345 ha, is located to the south and east of Stillorgan Village. The site is bound by the Lower Kilmacud Road to the north, The Hill to the south west and the N11 (Stillorgan Road) to the east. It is adjacent to Stillorgan Village Shopping Centre and the Stillorgan Leisureplex, both to the north on the opposite side of Lower Kilmacud Road. There are single and two storey residential properties to the immediate south east along The Hill as it rises to meet the N11. There are one and two storey terraced cottages along The Hill, which are all in commercial use, such as takeaways, hairdressers, laundromat and public houses. There are single and two storey houses along Glanalbyn Road and Linden Lea Park to the south of the site.
- 2.2. The site levels fall 4m across the site from the junction of The Hill with Lower Kilmacud Road to the N11. The lands currently comprise 3 distinct properties:
- The former Blakes restaurant / nightclub at the junction of Lower Kilmacud Road and The Hill, the northern end of the site. 2 storey building and associate car park and circulation routes.
  - Lands owned by Dun Laoghaire Rathdown County Council at the junction of Lower Kilmacud Road and the N11 and around the periphery of the site adjacent to the public road.
  - The former Esmond Motors premises at the south eastern end of the site.
- 2.3. There are a number of street trees planted along Lower Kilmacud Road to the front of the site. There are denser and more mature planted groups of trees along the N11 boundary of the site. There are a number of minor mature trees that run along the centre of the site. A public surface water sewer runs north / south through the centre of the site, there is a wayleave at this location. There is a also a smaller portion of

wayleave at the southern tip of the site. A flood zone is indicated in the centre of the site. The Stillorgan QBC runs along the N11 in to the north of the site.

### 3.0 Proposed Strategic Housing Development

The proposed development is the construction of student accommodation, residential accommodation, retail space and a community sports hall, the detail comprises:

103 Residential Apartments (10,854 sqm) – Building 1 and 2

- 24 one bed apartments.
- 70 two bed apartments.
- 9 three bed apartments.
- A combination of dedicated communal open space (744 sq.m.) for the residential apartments and shared use of the overall central public open space with the student accommodation.

Student Accommodation – Building 3 and 4

- 68 single student studio apartments, 68 bed spaces.
- 47 twin student studio apartments, 94 bed spaces
- 64 four+ bed student apartments, 414 bed spaces
- A range of indoor and outdoor communal and recreational facilities comprising: foyer, common room, games room, cinema/media room, study rooms, group kitchen, laundry, changing rooms, gym, and outdoor amenity space arranged around student courtyards. A total of 2,996 sq.m. of indoor and outdoor amenity is provided and includes access to the shared public open space between student and residential units.

Community Sports Hall 297.6 sq.m., at ground level and accessed from The Hill 'Civic Space'.

A retail/café unit 180 sq.m., café/restaurant unit 265 sq.m. and co-working area (462 sqm) all at ground floor level along The Hill.

The provision of 143 car parking spaces across two separate single storey basements (103 for residential units and 40 for student accommodation). Seven car parking spaces will be accommodated along The Hill. 528 cycle parking spaces provided throughout the development.

The demolition of the existing Blakes and Esmonde Motors buildings (c. 3,087 sq.m) along Lower Kilmacud Road and The Hill on a site of 1.345 Hectares. Based upon 282 apartments across 1.345 Hectares, the gross density equates to 210 dwellings per hectare.

The overall building is arranged around interconnecting blocks of between four and nine storeys encompassing a central open space, with a total height of 29.7 metres as viewed from N11.

## 4.0 Planning History

### Subject site

Blake's Site

**PA reference D11A/0175** Permission for change of use from Nightclub to Convenience Retail. September 2011.

**PA reference D04A/0674 and ABP reference PL06D.210848** Permission for a mixed use development of up to 12 storeys. September 2005. Permission refused to extend duration.

**PA reference D02A/1069 and ABP reference PL06D.201758.** Permission for mixed development comprising demolition of structures on site. construct 67 dwelling units, offices, restaurants and pub/nightclub. June 2003.

Esmonde Motors Site

**PA reference D06A/1859 and ABP reference PL06D.222395.** Permission refused for the demolition of all existing structures on site, construct mixed-use development comprising 141 no. residential units, aparthotel, restaurant, public house, 6 no. retail units. September 2007.

**PA reference D03A/0165.** Permission for the removal of pumps, extensions and change of use to motor sales outlet. June 2003.



## 5.0 Section 5 Pre Application Consultation

5.1.1. A section 5 pre-application consultation took place at the offices of An Bord Pleanála on the 18 October 2017 and a Notice of Pre-Application Consultation Opinion issued within the required period. Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála was of the opinion that the documentation submitted required further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála. The issues raised were as follows:

Accessibility, Permeability, Interaction with the Public Realm, Roads and Cycle Layouts.

1. Further consideration of the documents as they relate to accessibility, permeability, interaction with the public realm, roads and cycle layouts in the proposed development. This consideration and justification should have regard to, inter alia, the guidance provided in the Stillorgan Village Area Movement Framework Plan (April 2017); the objectives of the Stillorgan Local Area Plan 2007-2017 and DMURS. The further consideration of this issue may require amendments to the documents and/or design proposals submitted.

Building Height

2. Further consideration of the documents as they relate to the building heights proposed in the development, specifically buildings 3 and 4 and including visual impacts and impacts on residential amenities. This consideration and justification should have regard to, inter alia, the guidance provided in the Building Height Strategy of the Dun Laoghaire Rathdown County Development Plan 2016-2022 and the Stillorgan Local Area Plan 2007-2017. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted.

Residential Design

3. Further consideration of, and if necessary, further justification for, the quantum and distribution of public open space provided to serve the development. This consideration and justification should have regard to, inter alia, the guidance provided in the Dun Laoghaire Rathdown County Development Plan 2016-2022 and

the 'Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities' and the 'Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities'. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted.

4. Further consideration of the documents as they relate to the provision of student accommodation within the development. This consideration and justification should have regard to, inter alia, the guidance provided in the 'Guidelines on Residential Developments for 3rd Level Students' (Department of Education 1999) and the supplementary document produced in 2005. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted.

#### Drainage and Flood Risk

5. Further consideration of the documents as they relate to the wastewater infrastructure constraints in the network serving the proposed development, specifically proposals to upgrade the existing wastewater infrastructure at The Hill; details of the proposed culvert across the development site and the interaction of same with building 02 and details of SUDS measures in the proposed development. The further consideration of this issue may require an amendment to the documents and/or design proposal submitted.

#### Parking

6. Further consideration of the documents as they relate to car and cycle parking provision in accordance with (i) the proximity of the site to a public transport corridor and (ii) the car and cycle parking standards of the Dun Laoghaire Rathdown County Development Plan 2016-2022. The further consideration of this issue may require an amendment to the documents and/or design proposal submitted.

#### Part V of the Planning and Development Act 2000 (as amended)

7. Further consideration is required in respect of the documentation relating to obligations under Part V, specifically in relation to the student accommodation element of the proposed development. The further consideration should have regard to any additional guidance provided by the Department of Housing, Planning and Local Government on the application of Part V to student accommodation. The

further consideration of this issue may require an amendment to the documents and/or design proposals submitted.

#### Childcare Provision

8. Further consideration of the documents as they relate to the provision of childcare to cater for the apartments within the development. This consideration and justification should have regard to, inter alia, the guidance provided in the Dun Laoghaire Rathdown County Development Plan 2016-2022 and the 'Childcare Facilities – Guidelines for Planning Authorities' (2001).

5.1.2. The applicant was advised in all instances that the further consideration of the issues may require an amendment to the documents and/or design proposals submitted. In addition, the applicant was advised of specified information to be submitted with the application under articles 285(5)(b) and 298(1) of the Regulations. Matters discussed as part of the consultation meeting between the applicant, planning authority and officials of An Bord Pleanála are summarised as follows:

1. A site layout plan and relevant documentation indicating pedestrian and cycle connections and demonstrating how consistency with the Stillorgan Village Area Movement Framework Plan and compliance with the Stillorgan Local Area Plan 2007-2017 and DMURS is to be achieved. This should be accompanied by a planning report which addresses the issues of consistency with the above national and local policies and objectives.
2. An assessment of the impact of the proposed development on transport in the area, including impacts on roads.
3. A coloured coded scaled drawing showing proposed heights. Photomontages showing proposed development from various vantage points including the N11, Stillorgan Village, The Hill and existing residential developments in the vicinity.
4. A daylight / sunlight study detailing potential shadow impacts on adjacent residential properties at The Hill and on the opposite side of the N11, also potential overshadowing of residential accommodation and open spaces within the proposed development.

5. A detailed landscaping plan, to clearly indicate (i) landscaping along the frontages of the scheme to Lower Kilmacud Road and The Hill, including the public realm at the junction of The Hill and Lower Kilmacud Road; (ii) areas of public, private and semi-private open space associated with the student accommodation and the apartments and (iii) a play area to serve the apartments, in accordance with guidance provided in the Dun Laoghaire Rathdown County Development Plan 2016-2022.
6. A detailed schedule of the student accommodation. Details of the management of the student accommodation, including the community room and any use as tourist accommodation outside of term time.
7. Detailed drainage design, to include SUDS measures.
8. Site specific flood risk assessment.
9. Schedule of parking provision to clearly indicate car and cycle parking allocation for the student accommodation and the apartments.
10. Part V proposals with regard to relevant national guidance.
11. Details of existing childcare facilities within the vicinity of the development site and existing and likely demand for such facilities arising from the proposed development.

Copies of the Inspector's Report and Opinion are on file for reference by the Board. A copy of the record of the meeting is also available on file.

5.1.3. Finally, a list of authorities that should be notified in the event of the making of an application were advised to the applicant and included:

- Irish Water
- Transport Infrastructure Ireland
- National Transport Authority
- Fáilte Ireland
- Department of Culture, Heritage and the Gaeltacht
- Local Childcare Committee

5.2. Applicant's Statement Under Article 297(3)

A statement of response to the Pre-Application Consultation Opinion was submitted with the application, as provided for under section 8(1)(iv) of the Act of 2016. This statement provides a response to each of the eight issues raised in the opinion - accessibility, permeability, interaction with the public realm, roads and cycle layouts, building height, residential design, drainage and flood risk, parking, Part V and childcare provision. It also details a response to the specific information required, namely: site layout plan that details connections in the context of DMURS and local planning documents, transport and roads impact assessment, building heights and photomontages, daylight/sunlight drawings, landscaping plan, schedule of accommodation, detailed drainage design and SuDS measures, site specific flood risk assessment, parking schedule, Part V proposals and a childcare demand analysis. The applicant states that these issues have been addressed in full and that layout and design changes incorporated into the final scheme are considered to result in improvements to the overall development.

- 5.2.1. In relation to accessibility, permeability, interaction with the public realm, roads and cycle layouts, the applicant states that the proposed development will improve the overall public realm and movement in the village, in line with the Stillorgan Village Movement Framework Plan and DMURS. This will create a connectivity between the site and the rest of the village. The area will be enhanced by wider footpaths and planting leading to an improved pedestrian environment. A new pedestrian route is opened between the Lower Kilmacud Road and The Hill via a linkage building and opening up into a new civic space. Priority is taken away from the car by the public realm improvements along The Hill. A new short length dedicated vehicular right turn lane will open from the Hill to the Lower Kilmacud Road in accordance with Stillorgan Village Movement Framework Plan. A bus stop is incorporated into the new streetscape along Lower Kilmacud Road. The corner of The Hill and Kilmacud Road is improved and enhanced by the creation of a new public space, by removing the separated left slip road. A set down area along Lower Kilmacud Road has been designed not to impact upon future cycle lanes.
- 5.2.2. In relation to building heights, the applicant has prepared a colour coded building height diagram of the proposed development and states that the building heights accord with the Stillorgan LAP and the changing topography of the site. The urban design approach provides a more appropriate transition to nine storeys and the

future development of Stillorgan. In addition, the CDP height strategy provides an increase in building heights dependent upon certain site specific modifiers and location along public transport corridors. The National Planning Framework also supports increased building heights along public transport corridors. The planning history of the site permits buildings of up to 12 storeys. In terms of building height impact, a visual impact assessment has been prepared and concludes that the impact will be moderate in extent. The shadow impact of the proposed buildings will not impact upon other properties in the vicinity and the three nearest residential gardens will receive at least 2 hours of sunshine on 21 March.

- 5.2.3. In relation to public open space, the applicant has set out the rational for the distribution of public and communal open space throughout the scheme, in terms of student and resident's use. The required minimum of 10% of public open space has been achieved.
- 5.2.4. In terms of student accommodation standards, the applicant has amended the ratio of student studio apartments to 'cluster' houses in line with guidance provided by the Dublin City Development Plan. The proposal now comprises 28% studio apartments and 72% as 'cluster' houses and would satisfy demand for such types of accommodation. The internal dimensions and other facilities exceed those required by the relevant guidelines.
- 5.2.5. The applicant states that they have addressed all concerns raised by the Council's Drainage Section in relation to drainage and flood risk. Separate reports included in the application detail the various design responses in relation to site specific flood risk, surface water management and wastewater.
- 5.2.6. In relation to parking, the applicant states that the provision of underground car parking enables the realisation of the objectives of the Stillorgan Village Area Movement Framework Plan. In addition, the provision of bicycle parking spaces, the availability of public transport and the urban location all lead to the density of development proposed.
- 5.2.7. In relation to Part V, the applicant states that they have provided the required housing units in the residential component of the proposal. Part V is not applicable to student accommodation.

5.2.8. In relation to childcare provision, the applicant has carried out a childcare audit and concludes that there is sufficient capacity in existing services in the area. In addition, given the nature of the residential accommodation, it is unlikely that there would be either the demand or generation of a need for on-site childcare accommodation.

## 6.0 Relevant Planning Policy

### 6.1. National Policy

6.1.1. The following is a list of section 28 Ministerial Guidelines considered of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual') (2009)
- 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities' and associated relevant excerpts from Circular PL 11/2016; APH 5/2016 (B2R).
- 'Design Manual for Urban Roads and Streets' (2013)
- 'The Planning System and Flood Risk Management' (including the associated 'Technical Appendices') (2009)
- 'Childcare Facilities – Guidelines for Planning Authorities' (2001)

The following policy documents are also relevant:

- Dept. of Education and Science 'Guidelines on Residential Developments for 3rd Level Students Section 50 Finance Act 1999' (1999).
- Dept. of Education and Science 'Matters Arising in Relation to the Guidelines on Residential Developments for 3rd Level Students Section 50 Finance Act 1999.' (July 2005).

### 6.2. Development Plan

**Dun Laoghaire Rathdown County Development Plan 2016-2022**, is the operative development plan for the area.

The subject site is zoned 'Objective DC' which seeks to 'To protect, provide for and-or improve mixed-use district centre facilities.'. Residential use is permitted under the DC zoning objective.

A Proposed Quality Bus-Bus Priority Route objective passes along Kilmacud Road Lower to the north of the site.

Specific Local Objective 12 - To implement and develop the lands at Stillorgan in accordance with the Stillorgan LAP.

Specific Local Objective 151 - To support and facilitate the provision of a swimming pool and leisure facility within the Stillorgan area.

Stillorgan is designated a District Centre in the Dun Laoghaire Rathdown Retail Hierarchy, the overall strategy is to encourage potential redevelopment as higher density, urban mixed-use centre in accordance with general provisions of the adopted Local Area Plan. Limited expansion of convenience and comparison retail floorspace.

Specific Objectives in relation to Stillorgan as a District Centre include:

- To promote the future redevelopment of Stillorgan as a multi-faceted, mixed-use sustainable District.
- Centre having regard to the broad objectives of the adopted Stillorgan Local Area Plan.
- The regeneration and redevelopment of Stillorgan District Centre should create an urban context in respect of scale, design and layout.
- Good quality residential development shall be encouraged to ensure vitality and animation both day and night.
- The creation of quality spaces and enhanced public realm will be a prerequisite.
- Priority movement for pedestrians, cyclists and public transport should be ensured. The influence and impact of the private car on the environs of the District Centre to be moderated.
- The residential amenity of established residential areas on the fringes of the District Centre to be protected and, where possible, enhanced.



- Net retail sales area<sup>1</sup> in Stillorgan District Centre zoned lands to be capped at 25,000 sq.m.

Policy RES12: Provision of Student Accommodation is to facilitate student accommodation on campuses or in locations which have convenient access to Third Level colleges (particularly by foot, bicycle and high quality and convenient public transport) in a manner compatible with surrounding residential amenities. No social / affordable housing will be required in instances where it is proposed that bona fide / purpose built student accommodation is to be provided on the campus of a recognised Third Level Institution. Section 8.2.3.4 (xii) all proposals for student accommodation should comply with the Department of Education and Science Guidelines on Residential development for Third Level Students (1999), the subsequent supplementary document (2005) and the 'Student Accommodation Scheme', Office of the Revenue Commissioner (2007).

**Section 8** of the County Development Plan sets out the Principles for Development to ensure high quality new development in the county.

Section 8.2.3.4 (ix) Student Accommodation, sets out the various design criteria and the location of student accommodation and includes: within close proximity to high quality public transport corridors (DART, N11 and Luas), cycle and pedestrian routes and green routes. In addition, no social/affordable housing will be required in instances where it is proposed that student accommodation is to be provided on the campus of a recognised third level institution.

Section 8.2.3.3 sets out the design parameters for apartment development.

Appendix 9 Building Height Strategy sets the background and analysis with regard to a building strategy for the county. The document also sets out policies and principles in relation to tall buildings, including 'upward modifiers' where the potential height of a building could be increased based upon more than one criteria. Finally, landmark buildings are appropriately identified in the relevant Local Area Plan/Strategic Development Zone/Urban Framework Plan.

Section 3.3 of the Strategy states that the N11, owing to its width, strategic importance and public transport facilities, has the potential to become an attractive urban corridor enclosed by taller buildings of high quality at locations which are also proximate to social and community infrastructure. Such developments have tended

to range in height from 3 to 7 storeys. The width of the corridor at > 40m provides an opportunity for taller buildings to enclose this space.

### 6.3. Stillorgan Local Area Plan 2007-2017

- 6.3.1. A Local Area Plan (LAP) for Stillorgan was first adopted by the Council in October 2007. This LAP was extended for a further five year period and expired in October 2017. The Draft Stillorgan Local Area Plan 2018 – 2024 has been published and public consultation ended on the 23 February 2018.
- 6.3.2. The site is zoned as ‘District Centre’, with the objective “to protect, provide for and or improve mixed use district centre facilities.” The uses ‘car park’, ‘community facility’, ‘education’, ‘open space’, ‘recreational facility/sports club’, ‘residential’, ‘restaurant’, ‘shop-local’ are all acceptable in principle under this zoning objective. The land use strategy indicates ‘retail core higher density retail and residential development’ for the site. It is within ‘Phase 1’ of future development for Stillorgan, possible new retail core and shopping centre with road and junction improvements along Kilmacud Road Lower and the N11. There are objectives for traffic calming and to enhance the pedestrian environment at Kilmacud Road Lower and the junction with The Hill, for a cycle route and a QBC at Kilmacud Road Lower. LAP Figure 5.4 indicates a ‘civic core’ and a ‘network of open spaces’ along The Hill, also footpaths and shared spaces along Kilmacud Road Lower and The Hill.
- 6.3.3. The LAP sets a ‘benchmark height’ of 5 storeys, subject to considerations of local sensitivity (Downward Modifiers) in circumstances of exceptional local sensitivity including close proximity to residential areas. A Transitional Zone of 25m will apply to allow for a gradual transition of densities and height. The north eastern corner of the site, at the N11 junction, is indicated as a suitable location for a ‘landmark building’ of up to 9 stories, which may be permissible subject to the following criteria:
- 1) It will substantially enhance the legibility of the area, i.e.: by marking an important node or street corner.
  - 2) It preserves and enhances local character.
  - 3) It creates active street frontages and addresses and improves public realm, the network of streets and spaces and the quality of the physical environment.
  - 4) Its scale, mass and height respects adjoining buildings.

- 5) It does not have an adverse impact on living conditions in terms of overlooking, overshadowing, excessive scale etc.
- 6) It does not compete with existing landmarks.
- 7) It is of outstanding architectural quality and urban design.
- 8) In considering landmark developments, the Planning Authority will take into account the cumulative effect of new or proposed landmark developments within Stillorgan to ensure the benchmark height is not undermined.

#### **6.4. Draft Stillorgan Local Area Plan 2018 – 2024**

- 6.4.1. The Blakes/Esmonde site is detailed in the draft LAP and a landmark building is located at the junction of Lower Kilmacud Road and the N11. Table 4.5.3.2 sets out a Site Development Framework with key design parameters.

#### **6.5. Stillorgan Village Area Movement Framework Plan (SVAMFP) April 2017**

- 6.5.1. This non-statutory document produced by Dun Laoghaire Rathdown County Council dates to October 2015. It outlines proposals to enhance the public realm of the Stillorgan LAP area, including roads layouts for The Hill and Lower Kilmacud Road and improved pedestrian and cycle facilities. The redesign of the Lower Kilmacud Road / The Hill / Old Dublin Road is a critical element of the scheme.

#### **6.6. Applicant's Statement of Consistency**

- 6.6.1. Section 8(1)(a)(iv) of the 2016 Act provides that the applicant is to submit a statement setting out how the proposal will be consistent with the objectives of the relevant development plan or local area plan. A Statement of Consistency with local and national policy has been submitted with the application.

#### **6.7. Designated Sites**

- 6.7.1. There are a number of European sites within 15 kilometres of the site and the four in closest proximity are as follows: South Dublin Bay SAC (site code 000210), South Dublin Bay and River Tolka Estuary SPA (site code 004024), Rockabill to Dalkey Island SAC (site code 003000) and Dalkey Island SPA (site code 004172) The sites are designated for the tidal, estuarine and reef habitats, and features of interest include wintering and water bird species which include roosting birds and Harbour Porpoise.

6.7.2. An Appropriate Assessment Screening Report was submitted with the application, which concludes that the proposed development will have no impacts upon any SAC or SPA. The integrity and the conservation objectives of all sites will be maintained and the habitats and species associated with the sites will not be adversely affected. The development does not need to proceed to Stage II of the Appropriate Assessment process. Mitigation measures were recommended with regard to the management of contaminated soils if found on site.

## 7.0 Observers Submissions

7.1. A total of 52 third party submissions have been received. The individual property owner and resident association submissions are summarised in the attached Appendix I. Whilst most observers expressed support for the redevelopment of the Blake's/Esmonde Motors site, concerns were expressed about a variety of issues such as:

- Principle of Development in terms of the County Development Plan and Local Area Plan policies zoning objectives. Prematurity pending the delivery of the draft LAP.
- The scale, height, massing and bulk of the development.
- Public realm and civic space.
- Impact upon existing residential amenity – overshadowing, impact on daylight/sunlight, overbearing appearance and loss of visual amenity.
- Flood Risk.
- Traffic impact and car parking.
- Residential mix and lack of social housing.
- Inappropriate location for student accommodation.

I have considered all of the documentation included with the above third party submissions.

## 8.0 Planning Authority Submission

8.1. The Chief Executive's report was received by An Bord Pleanála on the 22 February 2018. The report describes the proposed development, site location and surrounding area and details the relevant site planning history, section 247 pre-planning discussions, Development Plan and Draft Local Area Plan policies. The report also included a summary of the 52 submissions received from interested parties.

8.2. A summary of the views of relevant elected members as expressed at the Area Committee Meeting, held in Dundrum on 22 January 2018 is outlined as follows:

- Positivity towards the development of a site that has been idle for years.
- Concern at the scale, height and design of development in the context of the receiving environment and the precedent it will set.
- Residents will lose confidence in the planning process if permitted.
- It is a key site in Stillorgan Village especially with regard to pedestrians.
- Student accommodation should be on campus and there are security concerns for female students.
- There may be conflicts between the student and residential parts of the development.
- Concerns that such a large component of student accommodation is a way of avoiding adequate car parking and open space provision.
- The area is prone to flooding.
- A single access point will create serious traffic congestion.
- The use of the sports hall should be agreed, conditions should control use of the student accommodation and the absence of an LAP limits elected representative involvement.

8.3. The following is a summary of issues raised in the assessment section of the report:

- County Development Plan and Draft LAP – the proposed mixed use development is consistent with the permitted uses at this location and would achieve the overall strategy of the District Centre. Specifically, the development of student accommodation at this location is consistent with

Policy RES 12 of the CDP 2016-2022 and section 4.4.2.1 of the Draft Stillorgan LAP.

- Design and Layout – concerns that there is not sufficient active street frontage along portions of the Lower Kilmacud Road and The Hill. Active use rooms could be located along the Lower Kilmacud Road in order to increase passive supervision. Pedestrian permeability is important the facade along Lower Kilmacud Road could be broken up to provide a more obvious pedestrian route through the site. Not necessary to provide direct access for pedestrians onto the N11.
- Design Guidance – overlooking of property to the south from the proposed residential apartments should be addressed.
- Building Height/Plot Ratio – both the previous and draft LAPs indicate a height strategy of five storeys and a landmark height of nine storeys at the junction of Lower Kilmacud Road and N11. There is no objection to elements of the proposed development rising to six and seven storeys in places. The massing of the proposed development does not detract from the landmark nature of the nine storey building. A plot ratio of 1:2.5 is indicated and this is less than that proposed in the draft LAP; 1;2.34.
- Public Realm/Movement /Constraints – the proposed development broadly manages these factors in terms of the context of the site, conditions may be required in relation to pedestrian permeability.
- Residential Amenity – the proposed apartments meet the required standards. However, in terms of aspect, it is noted that 53 out of the proposed 103 apartments are single-aspect. There is also concern in relation to floor to ceiling heights. Subject to conditions to address minor anomalies, the residential amenity standards are acceptable.
- Shadow and daylight/sunlight analysis – daylight/sunlight analysis is in accordance with BRE 2011 guidance. The overshadowing impact of the nine storey building is considered acceptable given the context of buildings to the east. Adequate separation distances between the development and Stillorgan Park Drive ensure that BRE standards in relation to vertical sky component are acceptable. Clarity may be required in relation to public open spaces

within the development and the penetration of adequate daylight levels. An Internal Daylight Assessment referred to in the 'Statement of Response to ABP Opinion' cannot be located. The report states that with reference to student accommodation achieve minimum daylight standards as set out in BRE. Full compliance with BRE standards should be sought by condition.

- Visual Impact – given the location of the site on an island separated by roads from the receiving environment, the proposed visual impact of the development is broadly acceptable.
- Transportation/Road Network Issues – the proposed development provides insufficient clarity in relation to the Stillorgan Village Area Movement Framework Plan (SVAMFP). Conditions are to address detailed design issues along Lower Kilmacud Road and The Hill and other transport related matters. The quantum of car parking is acceptable but any reduction in spaces should not be considered. The observations of the NTA and TII are noted and can be addressed by condition where relevant.
- Drainage/Flooding – a significant portion of the site is within Flood Zones A and B. The applicant has satisfactorily addressed the issue of flood risk and inconsistencies in relation to the storage volumes of attenuation tanks can be addressed by condition. Notes contained in the Council's Drainage Report may be of interest to the Board.
- Public Open Space/Landscaping – the planning authority note the content of the Council's Parks and Landscape Section and list out areas of concern including: public realm proposals are harsh, a lack of sufficient planting, lack of a detailed tree survey. Conditions are proposed in relation to planting along public roads, a matter that should include consultation with the Roads Section for the Council. In addition, a special contribution of €328,000 is recommended in relation to the lack of public open space.
- EIA/AA Screening – the conclusions reached by the applicant that an EIAR is not required and that the development has screened out the necessity of Appropriate Assessment is accepted.
- Development Contributions – the planning authority have set out the basis for development contributions that should be applied to the development if

granted and comprise: the relevant floor areas and calculation based upon use category and a special contribution €328,000 (pocket parks throughout Stillorgan).

- Part V – 10 residential units are proposed but no units in the student accommodation are proposed. The County Development Plan only exempts the need for Part V if student accommodation is proposed on campus, therefore a condition should be attached that requires Part V compliance across the development.

The planning authority report concludes that the proposed development is generally consistent with Development Plan and Draft LAP objectives for the site. Whilst the proposed development will inevitably change the physical character of the area, residential amenities will not be impacted upon. The planning authority recommend that permission should be granted for the reasons and consideration listed and conditions are provided.

#### 8.4. Other Technical Reports

- Transportation Section – the applicant shows amendments to the public road outside the site boundary and there is a lack of clarity that the proposal is in accordance with the Stillorgan Village Area Movement Framework Plan 2017 (SVAMFP). Conditions are recommended to correct detailed issues in terms of accommodation of cycle lanes, road widths and parking bays. A pull in area along Lower Kilmacud Road is acceptable, however, footpath widths should be increased to between 2.5 to 3 metres to accord with DMURS. In addition, a 2 metre wide dedicated off road westbound cycle track along Kilmacud Road Lower is required. The building line and road alignment along The Hill is unsatisfactory, amendments are required. Car parking provision should not be reduced and minor amendments are required to layout and specific user provision (students, residents and hall users). Bicycle parking falls short of the required amount; the location of bicycle parking at the extreme south eastern corner is not acceptable and should be relocated. A revised Quality Audit should be prepared based upon updated levels taken throughout the site.
- Drainage Planning Section – the information contained in the Site Specific Flood Risk Assessment is appropriately detailed and sufficient to pass the



Development Management Justification Test subject to conditions that relate to flood storage and flow paths. There appears to be confusion in relation to surface water tank storage, an appropriate condition should clarify matters.

- Parks and Landscape Services Section – the public realm is harsh with wide expanses of footpath and excessive amounts of hard landscaping. The amount of student public open space falls short, 1,240 sqm as opposed to a CDP requirement for 2,880 sqm. Conditions are recommended in relation to revised landscape proposals, tree report, areas for play, contribution in lieu of lack of open space, sport hall management and use.
- Waste Section – standard technical conditions are recommended with respect to construction and demolition waste, operational waste management and the management of hazardous soil if encountered.
- Housing Department – the provisions of Part V should apply equally to residential units and student units. The indicative unit costs greatly exceed the Council's unit cost thresholds and alternative Part V compliance may be sought if costs cannot be reduced.

8.5. The planning authority's conclusion considers the proposed development to be broadly consistent with the relevant objectives of the CDP and the Draft LAP. In accordance with the requirements of section 8(5)(b)(ii) of the Planning and Development (Housing) and Residential Tenancies Act 2016 the planning authority recommend that permission is granted with conditions.

8.6. A total of 64 conditions are recommended should permission be granted. Of note are:

Condition 2 refers to the use of the development as student accommodation.

Conditions 6 and 7 refer to proposals for surface water attenuation and surface water disposal calculations.

Condition 10 refers to the relocation of communal rooms in the student buildings.

Conditions 12, 13 and 15 refer to residential amenity amendments (floor to ceiling heights and boundary treatments).

Conditions 17 to 30 relate to detailed traffic, transportation and car parking requirements.

Conditions 31 to 38 refer to the Council's detailed drainage specifications and requirements.

Conditions 39 to 44 require to landscape design requirements.

Condition 56 refers to the need for Part V compliance in relation to the entire development.

Other standard conditions relate to external finishes, management of construction works, waste management, noise management, and financial contributions.

## 9.0 Prescribed Bodies

9.1. The list of prescribed bodies, which the applicant is required to notify prior to making the SHD application to ABP, issued with the section 6(7) Opinion and included the following:

- Irish Water (IW),
- Transport Infrastructure Ireland (TII),
- National Transport Authority (NTA),
- Fáilte Ireland,
- Department of Culture, Heritage and the Gaeltacht,
- Local Childcare Committee.

The applicant notified the relevant prescribed bodies listed in the Board's section 6(7) opinion. The letters were sent on the 20 December 2017. Irish Water (IW), Transport Infrastructure Ireland (TII), the National Transportation Authority (NTA), Department of Culture, Heritage and the Gaeltacht, and the Dun Laoghaire Rathdown Childcare Committee provided submissions and a summary of their comments is included as follows:

- **Irish Water (IW)** confirm that subject to a valid connection agreement between IW and the developer, the proposed connections to the IW network can be facilitated.
- **Transport Infrastructure Ireland (TII)** the proposed development is at variance with official policy in relation to control of development and effect on

a national road. Spatial Planning and National Roads Guidelines for Planning Authorities is stated as the relevant document. In this context, TII require a Traffic and Transport Assessment and a Road Safety Audit. The recommendations that may result from the studies shall be incorporated as conditions if permission is granted, all to be funded by the developer.

- **National Transportation Authority (NTA)**, recommend amendments to the proposed development as follows:
  - a. The location of the long-term cycle parking for residents at the south east corner is not convenient, secure or sheltered, a revised location should be considered; within the underground parking area.
  - b. Access from the site for all users may result in conflicts, in terms of the ramped access and the offset junction arrangement with Glenalbyn Road.
  - c. Access for pedestrians and cyclists to the N11 in terms of the strategic bus corridor and cycle route has not been maximised.
- **Department of Culture, Heritage and the Gaeltacht** state that based upon the applicant's archaeological testing of the site there are no further archaeological requirements for the site.
- **Dun Laoghaire Rathdown Childcare Committee** state that the proposed development provides no childcare facilities and does not comply with the childcare guidelines.

No comments were received from Fáilte Ireland.

## 10.0 Assessment

10.1. The Board has received a planning application for student housing and residential apartments under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016. My assessment focuses on the relevant section 28 guidelines as they refer to the proposed development. I examine the proposal in the context of the statutory development plan and the local area plan. In addition, the assessment considers and addresses issues raised by observers under relevant headings. Finally, the issue of appropriate assessment also needs to be addressed. The assessment is therefore arranged as follows:

- Principle of development
- Urban Design and Public Realm
- Building Height
- Residential Amenity
- Traffic and Transport
- Childcare and Part V Social Housing Provision
- Infrastructure and Flood Risk
- Appropriate Assessment

### 10.2. Principle of Development

10.2.1. I note that the Dun Laoghaire Rathdown County Development Plan 2016-2022 is the operative local plan for the area. Specific Local Objective (SLO) 12 states that it is an objective of the Council 'To implement and develop the lands at Stillorgan in accordance with the Stillorgan LAP'. The Stillorgan Village area had been the subject of a Local Area Plan (LAP), the plan was first adopted in October 2007 and extended for a further five years from September 2012. A Draft LAP has been prepared, the date for submissions closed on the 23 February 2018.

10.2.2. The proposed mixed use development of student accommodation, residential apartments, restaurant/café, sports hall and work units will be located on lands zoned District Centre in the County Development Plan. The Development Plan land use objectives for the overall site are supportive of mixed use development. In

relation to student accommodation the Development Plan has specific objectives to ensure that such development proceeds in an orderly manner and is acceptable from a residential amenity perspective. I note that in broad terms both the previous and draft Local Area Plans look to support the development of mixed use development at this location. Of interest is that the draft Stillorgan LAP builds on broad Development Plan policies and seeks to accommodate appropriately located and designed student accommodation in the area.

10.2.3. I note that a small number of submissions raise concerns as to the potential erosion of the retail function of Stillorgan Village should the development proceed. The submissions refer to the retail status of Stillorgan Village. The planning authority have not raised similar concerns and are satisfied that the development provides a suitable mix of retail and residential development. The central focus of retail activity is found in and around the Stillorgan Village Shopping Centre with significant portions of retail activity on the southern side of Lower Kilmacud Road. In my mind, I do not see the proposed development as an erosion of the retail function of Stillorgan District Centre and the amount of retail/restaurant use proposed is acceptable. In addition, the proposed development will add to the attractiveness and functionality of Stillorgan by significant improvements to the public realm.

10.2.4. The County Development Plan land use objectives for the overall site area are supportive of residential development. In this case a mixed use development comprising student accommodation, ancillary services, retail and residential uses. In relation to student accommodation the Development Plan has specific objectives to ensure that development proceeds in an orderly manner and is acceptable from a residential amenity perspective. The site is conveniently placed for University College Dublin, Dún Laoghaire Institute of Art, Design and Technology and St Vincent's University Hospital. A Quality Bus Corridor passes the site and serves the city centre. Accordingly, I consider that the site would be an appropriate location for student accommodation.

10.2.5. It is my opinion that the proposed mixed use development, comprising student accommodation, residential apartments, retail, restaurant and sports hall uses accord with the Development Plan objectives for Stillorgan in relation to mixed use development on a District Centre zoned site.

### 10.3. Urban Design and Public Realm

- 10.3.1. The proposed development will replace existing buildings of varied quality, comprising a former nightclub, car dealership and dwelling. These buildings are set back from the road and for the most part surrounded by car parking and yard space. Being set back from the road and in the case of the former nightclub behind a length of retaining wall, the current setting and context does not contribute to the public realm in any beneficial way. The interface with street level is poor and the condition of the buildings detracts from the visual amenities of the area. The lack of a meaningful street level interface and by extension the provision of good public civic spaces is a negative. In my view, the demolition of the existing buildings will not be a loss to the physical appearance of the area.
- 10.3.2. The immediate vicinity of the subject site is characterised by the single storey terraced buildings that align and enclose the incline of The Hill, a narrow road that slopes up to meet the Lower Kilmacud Road. The Lower Kilmacud Road and N11 bound the northern and eastern boundaries of the site respectively, these are busy and wide roads. The immediate area of the site can be best described as roads dominated with poor quality pedestrian and cycle facilities. Footpaths are narrow and crossing facilities are generally poor and hampered by the configuration of the road infrastructure. In my view, the current appearance and format of the area offers little to the pedestrian and cyclist and militates against an attractive and usable district centre. It is in this context that I note the publication of the Stillorgan Village Area Movement Framework Plan. Whilst not a statutory planning document it demonstrates an acknowledgment that the current traffic and road design situation in Stillorgan is poor.
- 10.3.3. Firstly, the scale of the proposed mixed use development. The highest building will rise to a height of nearly 30 metres above the existing ground level and equates to nine storeys. Other elements of the proposal include a three storey portion adjacent to existing single storey dwellings along The Hill, together with a variety of building heights up to seven storeys throughout the scheme. The Lower Kilmacud Road elevation reads as five and six storeys punctuated with six, seven and a nine storey tower element. The Hill is characterised as four and five storey buildings with views that penetrate the site interior. The N11 elevation is a continuous building wall of

between three and five storeys with a nine storey landmark tower at the junction of the N11 with Lower Kilmacud Road.

- 10.3.4. In my view, the scale and massing of the development is acceptable at this urban brownfield site. Visual interest is provided by the arrangement of blocks and various stepping up and down of height. This is appropriate given the sloping nature of the site along Lower Kilmacud Road and The Hill. The Development Plan indicates that LAPs should highlight where taller buildings are appropriate, such as at the junction of the N11 and Lower Kilmacud Road. This has satisfactorily been achieved by the applicant. I note that observers have taken issue with the design of the landmark building and the overall bulk and massing of the development. However, I consider that the applicant has satisfactorily reconciled design constraints of the site and arrived at a proposal that will be a positive addition to the visual amenities of the area.
- 10.3.5. The Urban Design Approach outlined by the applicant in their Design Statement, sets out the design parameters employed in arriving at the most appropriate urban form. In particular I note the Massing Development diagrams and the finalised indicative urban form block diagram. I note the concerns expressed by observers in relation to the bulk and massing of the buildings as viewed from the N11 and beyond. I have no major concerns about how this building presents itself. The N11 elevation reads as a continuous linear block and this is appropriate given the proportions of the road it will address. Visual relief is provided by the creation of a bridge connection between Building 02 and 04 allowing views to the site interior.
- 10.3.6. I anticipate that the space beneath this three storey bridging structure along the N11 would be in partial shadow and become a less useable public space. Should the Board consider it appropriate the bridging structure could be omitted. This would involve the omission of 3 three bedroom apartment units and the reconfiguration of the gable of buildings. In total, a downward adjustment of 6 apartments. However, in my view, I consider that the proposed building line along the N11 will present a bold urban edge and reinforce the landmark function of Building 04. I do not recommend the omission of the bridging structure.
- 10.3.7. In terms of public realm, the proposal will replace buildings that contribute little to the emerging urban context of the site. The proposed development will introduce new

street elevations to The Hill and Lower Kilmacud Road. In combination with a new built form, there will be improvements to pedestrian facilities such as wider footpaths and a better junction configuration at The Hill and Lower Kilmacud Road. In addition, there will be a strong urban edge at the entrance to Stillorgan from the N11. I view these urban design and public realm changes as improvements and a benefit to the overall usability and safety of the area. In my view, the proposed development will open up an otherwise closed urban block and provide a positive contribution to the built form and urban fabric at this location.

10.3.8. Permeability – I note that both the planning authority and observers are not convinced that the applicant has achieved pedestrian permeability through the site. I also note that the NTA would prefer to see a more strategic link to the N11 in order to avail of high frequency bus services. The applicant has provided a diagonal link through the north west corner of the site from Lower Kilmacud Road to The Hill. The link passes through Building 03 and reads as the entrance to the building. In my view the proposed pedestrian linkage is likely to be used solely by the residents of the scheme and not as a thoroughfare for the wider community. However, I do not consider that the pedestrian permeability of the site is compromised in any way. The triangular site is open and permeable where it is strategically important, along The Hill and Lower Kilmacud Road.

#### 10.4. **Building Height**

10.4.1. Stillorgan is low rise, little remains of the former historic village and the area has been dominated by the shopping centre which was developed half a century ago. Road infrastructure and large expanses of surface car parking dominate and the public realm and open spaces for pedestrians are few. I note and understand the concerns raised by many observers in relation to building height and the general scale and massing of the development proposed. However, the Development Plan and Local Area Plans have set out standards and controls to ensure that new urban development is appropriately located and designed. In this regard, I note Development Plan apartment development policies and objectives, mirrored in LAPs. In addition, I note that national planning guidance favours higher densities and consequently larger and taller buildings at appropriate locations.



10.4.2. There are other locations along the N11 that are punctuated by tall buildings. The applicant has used these examples to demonstrate the appropriateness of their proposal. On the other hand, observers have used these examples to argue against the height and bulk given the site context. In my mind, the proposed development is ideally positioned at this location and serves to define a visual entrance to Stillorgan. A fact recognised by the identification of the junction of Lower Kilmacud Road and the N11 by the Council for a landmark building.

10.4.3. The precedent of a bulky and tall building form has been set on the site, as demonstrated by previous permissions. The proposal before the Board is a combination of three and seven storey blocks, with a nine storey landmark element. The planning authority are supportive of the proposed building height at this location in Stillorgan Village and note that the development responds appropriately to the provisions set out in the County Development Plan and the Draft LAP. I note the concerns raised by observers in relation to the height of the proposed development and the unsatisfactory design and bulk of the landmark element. I note too that observers view expired planning permissions as irrelevant in terms of a precedent for future development. In my view, the planning history of the site is instructive and can establish certain development potential parameters. However, it is the current context that matters, combined with the individual merits of the scheme proposed. In addition, local planning guidance in the form of statutory plans are useful for designers, so too are national guidance documents issued in accordance with section 28 of the Planning and Development Act.

10.4.4. In my view, the composition of the building blocks is thoughtful and responds well to the site and orientation. Attention has been paid to the nearest residential development along The Hill to the south and there are no other sensitive residential receptors in the immediate vicinity. The site has been identified in statutory plans as a site for higher density and consequently taller buildings. In the context of the County Development Plan and existing and emerging Local Area Plan policies guiding building height in Stillorgan and the way in which the design of the proposed building integrates with the surroundings, I find the development to be acceptable in terms of building height, scale and massing.

#### 10.5. **Residential Amenity**

10.5.1. The proposed development takes the form of two distinct types of residential accommodation; student accommodation and residential apartments. Buildings 01 and 02 will provide a combination of one, two and three bed apartments over a basement car park. Buildings 03 and 04 will provide living accommodation for students during term time and short-term tourist type accommodation for other users in the summer, also over a basement car park.

10.5.2. It is important to assess the design criteria applied to the internal living spaces to ensure acceptable levels of residential amenity are afforded to all future occupants. In addition, the impact of the proposed development on the residential amenity of existing residents in the area also requires analysis.

10.5.3. Student Apartments – internal standards: In terms of the provision of acceptable accommodation for students I note that there are no national design standards other than those issued under Section 50 of the 1999 Finance Act. However, I note that section 8.2.3.4 of the Dun Laoghaire Rathdown County Development Plan requires student accommodation proposals to comply with these guidelines. The applicant has provided a detailed schedule that outlines the internal design standards of the proposed units and student amenity space. The section 50 guidelines set out the following:

- Student accommodation should be grouped as ‘house’ units, minimum three and up to eight bed spaces, from 55 sqm to 160 sqm.
- Shared kitchen facilities shall be provided at a minimum of 4 sqm per bed space.
- Minimum bedrooms shall be; single study bedroom 8 sqm with bathroom 12 sqm, twin study bedroom 15 sqm with bathroom 18 sqm, single disabled study bedroom with bathroom 15 sqm.
- Bathrooms shall serve a maximum of 3 bed spaces.
- Communal facilities shall include laundry, caretaker/security and refuse facilities.

The proposed development comprises 47 twin studio units, 68 single studio units and 64 ‘house’ units. The ground floor of the building is dedicated to a variety of communal uses (entrance foyer with seating area, community sports hall, laundry,

group kitchen, study rooms, common room and games room). In addition, there is a retail/café, café/restaurant and a co-working space that address the Lower Kilmacud Road and The Hill. The remainder of the street elevation to Lower Kilmacud Road provides a student living accommodation. Management offices and facilities are provided at this level and face onto the Lower Kilmacud Road. The remainder of the ground floor (level 00) comprises multiple bed space 'house' units. Floor 02 comprises a combination of 'house' units, studio units, a gym and media room. Floors 01 and 03 to 06 comprise a mixture of 'house' units and studio units, the latter located in Building 04. Finally, floors 07 to 08 are exclusively single and double studio units with a shared study room on floor 08. Two internal courtyards, open to the south west, provide separation distances between opposing windows on upper floors of Buildings 03 and 04 of between 20.4 and 23.15 metres. The angular projection of Building 03 results in limited separation distances between opposing windows, however, windows are sufficiently offset.

10.5.4. The planning authority raise no particular issues with respect to the contents of the accommodation schedule in the context of the student component of the scheme. I have examined the information presented by the applicant that includes; sections 3.7 to 3.18 of the Statement of Consistency, section 5.0 to 5.19 of the applicant's Statement of Response to ABP's Opinion, the Architect's Design Statement and all floor plans and elevations. In all cases the internal floor areas exceed the requirements set out in the guidelines. In terms of the residential amenity afforded to future occupants in relation to internal floor standards, the student accommodation development is satisfactory.

10.5.5. In terms of outdoor and indoor communal space, the student accommodation guidelines seek 5-7 sqm per bed space. This would equate to between 2,880 and 4,032 sqm. The proposed development will deliver a combination of indoor and outdoor communal and recreational facilities that amount to 2,996 sqm at a stated 5.2 sqm per bed space. This figure includes 1,130 sqm of public open space shared with the residential apartments, it also includes 141.8 sqm of what I consider ancillary management space such as public toilets, staff facilities, office, administration and a post room. Given the location and the characteristics of Stillorgan, I am not completely satisfied that the student amenity spaces are adequate in terms of overall floorspace and quality. The concept of shared public

open space is logical given the close proximity of student and residential accommodation. High density development often provides open spaces that revolve around occasional use and sitting rather than traditional open play areas found in lower density housing schemes. I am satisfied that the distribution of public open space within the development is acceptable. However, I consider that an opportunity has been lost to provide additional outdoor open space (such as terraces) on roof areas between Buildings 03 and 04 at floor level 05.

10.5.6. In my mind, the indoor amenities that are provided to students may require attention. In particular I have concerns that studio apartments in Building 4 are not provided with adequate shared facilities such as common room/study areas. The occupants of studio apartments should benefit from social interaction and this cannot freely happen in the current format. This issue can be addressed by the provision of a shared study room in place of studio units T1 and T3 on all floors at the north east corner of Building 4, replicating the floor plan of level 8.

10.5.7. Combined with the amendments I have recommended, I consider that the arrangement and provision of outdoor and indoor communal space is acceptable in terms of quantity and beneficial in terms of its distribution and design. In addition, the applicant has satisfactorily responded to the issues raised by Items 3 and 4 of the Board's Notice of Pre-Application Consultation Opinion with respect to Residential Design.

10.5.8. There are a small number of very minor issues to note. Larger 'house' units on upper floors are separated by a wall with access through, provided by an exit door. On the face of it this would appear to combine units thus providing a greater number of bedrooms than guidelines advise. However, I am satisfied that management procedures could be put in place to ensure that 'house' units remain a maximum of 8 bed spaces per unit and no more. I note too that 'maintenance' access to green roofs has not been detailed on plans and layouts, specifically drawing 1702-OMP-B3B4-09-DR-A-XX-11000. If maintenance of green roofs is a requirement, revised drawings are necessary and management procedures in place to ensure unauthorised access is not permitted.

10.5.9. Residential Amenity – Apartments

10.5.10. The proposed development incorporates 103 apartments comprising one, two and three bed room units. The stated floor to ceiling heights are 2.6 metres and apartments range from 52.1 sqm to 125.3 sqm. The applicant has included a Housing Quality Assessment that sets out a detailed floor area schedule. Firstly, I note the concerns raised by the planning authority with regard to floor to ceiling heights and proportion of single aspect units. In addition, I also note the concerns raised by some observers in relation to the amenity of ground floor units, open space and general mix of units. In my assessment of the internal floor and private amenity standards of the residential component of the proposal I have had regard to the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities'. The total combined floor area of apartments is 10,854 sqm, this is significantly in excess of the minimum floor area, plus 10% required by the guidelines (7,000 sqm) for the proposed scheme unit mix. In addition, I note that all apartments are adequately above the minimum floor area even after the additional 10% minimum floor area is distributed (312.4 sqm). The floor areas are therefore satisfactory in terms of the minimum floor areas required by the guidelines. Of note, 2 bed type 2E (of which there are 5) are 77.8 sqm, this would be 1.2 sqm below the minimum floor area after allocation. However, allocation is not required to all two bedroom units and so therefore I see no reason to omit or amend the design of these units.

Whilst I do not have significant concerns with regard to floorspace requirements and the residential amenity of future occupants. The Board should note that if 6 apartments are omitted (from Building 02) on visual amenity and urban design grounds, outlined in paragraph 10.3.3, this will impact upon the finer calculations with regard to minimum floor areas. However, in the vast majority of cases each apartment unit is significantly in excess of the minimum standards and I have no concerns in that regard.

10.5.11. Private Amenity Space: The applicant sets out that private amenity space afforded to each apartment is in the form of a balcony/terrace and in excess of the minimum standards. However, I note that floorplans show sun-rooms and that section drawings show winter gardens. I am not overly concerned with the nomenclature used to describe private amenity space that has been provided as semi-outdoor space behind glazing. However, in order to ensure that these spaces

are not used as habitable rooms thus removing private amenity space, an appropriate condition could be attached to control the use of these spaces.

10.5.12. Unit 1AH (one bed apartment) is located directly above the entrance to the basement car parking area. The private amenity space associated with the apartment is located approximately 5 metres over the vehicle entrance way. I anticipate that the amenity associated with this space will not be significantly impacted upon by vehicles passing downwards to the basement car parking area.

10.5.13. Floor to ceiling heights: The applicant has detailed floor to ceiling heights of 2.6 metres in the Residential Housing Quality Assessment, and a limited number of long section drawings detail 3.15 metres and 2.85 metres. I base my assessment of floor to ceiling heights on the drawings submitted by the applicant. Paragraph 3.14 of the Design Standards for New Apartments, state a specific planning policy that floor to ceiling heights should be a minimum of 2.7 metres and consideration should be given to ground floor heights of at least 3 metres for multi-storey buildings. In this context, I note the concerns of observers in relation to the residential amenity of future occupants and resultant access to adequate levels of daylight/sunlight. I also note the concerns raised by the planning authority with respect to a lack of long section drawings through residential apartments. The absence of long section drawings through all of the residential component of the scheme have made it difficult to assess with ease, compliance with the relevant guidelines. However, the drawings submitted provide sufficient information with regard to finished floor levels and these can be used to assess floor to ceiling heights. In that regard, I am satisfied that the floor to ceiling heights meet and exceed the minimum requirements.

10.5.14. Aspect: The planning authority have highlighted concerns with respect to the proportion of single aspect apartments within the scheme. Whilst I note that a significant proportion of apartment units are single aspect (52 apartments), none have a northerly aspect and all have a due east or west aspect. The proposed apartments are in accordance with the Design Standards for Apartments that state west or east facing single aspect units are acceptable.

10.5.15. Overlooking: Buildings 01 and 02 converge at an angle at the southern portion of the site. This means that the closest habitable room windows will achieve a separation distance of 15 metres. This is not an issue, as the angles between the

two buildings reduces the potential for overlooking. The residential amenity for future occupants in terms of privacy will not be affected.

- 10.5.16. Landscape: The applicant has submitted a landscape report that details the landscape strategy for the entire site and includes the interface of the development with the public realm. Open spaces have been arranged around a strict hierarchy from private courtyards for students, shared public open space open to all, private communal open space for residents and two public civic spaces. Firstly, the two public civic spaces are located at the junction of Lower Kilmacud Road and The Hill, the other opening onto The Hill. I consider these spaces to be true civic spaces and open to all, in addition to footpath improvements they add to the public realm and provide a general uplift to the existing fabric of Stillorgan. The civic spaces on the site periphery are therefore excluded from any calculation in relation to public open space for use by future residents/students.
- 10.5.17. Students will be afforded a total of 678 sqm of private courtyard space and private communal space for residents will be 744 sqm. Drawings indicate that access to these spaces will be controlled via security gates or from within the student accommodation blocks. In addition, these 'private communal' spaces are set above the main shared open space. This indicates separation from the shared public open space of 1,758 sqm below. The Development Plan standards with regard to open space and apartments states an absolute default minimum of 10% of the overall site area for all residential developments to be reserved for use as Public Open and/or Communal Space. The total public/communal open space amounts to 1,758 sqm. The total site area is 13,345 sqm, therefore the proposed public/communal open space will be 13% of the total site area. I note that the planning authority raised no particular concerns with regard to the quantum of public open space provision. However, observers have raised issues in relation to the amount and quality of public open space and how it will fail to benefit the future occupants and the wider neighbourhood. I consider the quantum of public open space to be adequate. The provision of semi-private communal spaces for the student population and residents is welcome and usable.
- 10.5.18. I have already outlined potential issues in terms of the residential bridging structure that connects Buildings 02 and 04 at upper levels in urban design terms, paragraph 10.3.3 refers. In addition, the bridging structure could negatively impact

upon the public open space below, casting it in shadow and making it unattractive. However, the proximity and road noise associated with the N11 will also impact on the usability of this part of the public open space. On balance, I am satisfied that the majority of the shared public open space of the development is broadly acceptable in terms of quality and quantity.

10.5.19. Existing residential amenity: Existing residential development in the vicinity is primarily located to the south east of the subject site and comprises single storey houses along The Hill. There are also houses located on rising ground along Glenalbyn Road and at Linden Lea Park, a distance to the south. The rear of houses along Stillorgan Park Avenue are located to the east across the N11 dual carriageway.

10.5.20. In my view the residential properties most impacted upon by the proposed development are those located to the south along The Hill. Specifically, the large outdoor roof terraces associated with Building 02 units Type 2C and 2BH on Level 03, unit Type 3CH on Level 04 will overlook the rear gardens of properties to the south. Whilst the impact from unit Type 3CH is marginal, I consider that the roof terraces should be fitted with screen walls topped with obscured glazing to a maximum height of 1.8 metres. In terms of overbearing appearance or overshadowing, given the separation distances involved, the upward sloping topography of the site along The Hill and the stepped design of the residential apartments in Buildings 01 and 02, I have no concerns that the residential amenity of property in the immediate vicinity will be adversely impact upon.

10.5.21. A large number of observers are concerned about the size and bulk of the proposed development and the resultant impact upon residential amenity. The majority of objections are raised by residents along Stillorgan Park Avenue and their concerns relate to overbearing appearance, overshadowing, loss of daylight/sunlight and the reverberation of road noise due to the scale of the building elevation facing the N11. Firstly, I note that the separation distances between the proposed development and the rear elevations of dwellings along Stillorgan Park Avenue range between 49 and 53 metres. In addition, the N11, a busy dual carriageway separates the subject site from housing to the east. The N11 also has a wide grass margin planted with mature trees and low vegetation. I note too, the information provided by the applicant with respect to all aspects of residential amenity, including



a Noise Impact Assessment with regard to future occupants, Student Accommodation Management Plan, Visual Impact Assessment, Shadow Analysis (includes daylight/sunlight analysis) and relevant drawings and elevations.

10.5.22. The shadow analysis shows that for the 21 December and 21 March, shadows will reach properties along Stillorgan Park Avenue in the evening, this is to be expected as these properties lie directly west of the subject site. In terms of vertical sky component (VSC), some losses to former values are experienced, but there is no reduction greater than 20% and this is in accordance with BRE guidance. In terms of sunlight to sensitive receptors, such as private gardens to the south east and internal public open space, results show that these areas will be adequately lit by sunlight throughout the year. I do not anticipate that the residential amenities of existing property in the wider area will be adversely impacted upon by the proposed development, either by overbearing appearance, overshadowing, noise or loss of daylight/sunlight.

10.5.23. In the context of the wider residential amenities associated with student accommodation, I note that the applicant has prepared a Student Management Plan (SMP). The SMP covers all aspects of the operational processes of managing a student accommodation facility and includes on site management team and 24 hour concierge service. The SMP sets out its goals in relation to the local community, in terms of 'being a good neighbour' and the establishment of a community liaison committee.

10.5.24. In relation to the operational hours of the café/retail, café/restaurant and co-working unit. Given, the urban context of the site, the positive impact of on street activity and the intended use of the overall building, I do not anticipate adverse residential amenity issues to arise from the operation of these units. Therefore, control of the unit opening hours does not require further consideration.

10.5.25. Given the foregoing, the reports and drawings prepared by the applicant and the views and observations expressed by the planning authority and observers, I am satisfied that the proposed development will provide an acceptable level of residential amenity for future occupants. In addition, the proposed development has been designed to preserve the residential amenities of nearby properties and will enhance the existing residential amenities associated with the Stillorgan area. The

proposed development will provide new street frontages to The Hill and Lower Kilmacud Road, with a combination of active and passive supervision opportunities.

## 10.6. Traffic and Transport

- 10.6.1. The applicant has prepared reports in relation to traffic and transport issues, including a Transport Assessment, Quality Audit Inclusive of Stage 1 Road Safety Audit and an Outline Construction Management Plan. In addition, the applicant has prepared a response to item 1 *Accessibility, Permeability, Interaction with the Public Realm, Roads and Cycle Layouts* and item 6 *Parking* of the Board's Notice of Pre-Application Consultation Opinion and relevant sections of the Statement of Consistency and Student Management Plan as they refer to traffic and transport.
- 10.6.2. Firstly, it is important to note the context of the site. Stillorgan currently performs the role of retail, service and institutional provision to a wider suburban area. However, the area is currently and will continue to undergo changes that will transform the character and function of Stillorgan. The County Development Plan and the Stillorgan Village Area Movement Framework Plan (SVAMFP) both recognise and plan for the urban densification and transformation of the road network for the area. It is in this transformation context that the proposed development is assessed.
- 10.6.3. Many observers are not satisfied that the proposed development is acceptable in terms of traffic generation and the potential for traffic congestion. There is a perceived lack of car parking spaces and this leads to a fear of overspill car parking in neighbouring residential estates.
- 10.6.4. The planning authority are broadly satisfied with the proposed development in terms of the quantum of car parking but would have concerns if spaces were reduced. In terms of the traffic generated by the proposed development and the design of access and egress, no specific issues have been raised by the Council. In addition, specific design issues to do with the interface of the development site with the public domain can be addressed by appropriate conditions.
- 10.6.5. With respect to statutory consultees, I note the comments of Transport Infrastructure Ireland (TII) with respect to the principle of the development and its potential to impact upon the national road network. In addition, TII look for a Traffic Impact Assessment and a Road Safety Audit to be prepared and the resultant recommendations to be incorporated into the final design of the development. I am

satisfied that the applicant has prepared sufficient material to describe the impact of the development in terms of traffic and transport. In addition, I am satisfied that the urban location of the site and its access to public transport demonstrates the possibility for high density development of the type proposed. The National Transportation Authority (NTA) have raised issues in relation to the relocation of apartment bicycle parking, ramped access points to the development may lead to conflict between all users and lack of access to the N11 QBC.

- 10.6.6. I note that the applicant has made significant amendments to the design proposal as it relates to the interaction with the public realm and as outlined by the Board's opinion on material submitted during the pre-application stage. The changes broadly align with the design objectives of the Stillorgan Village Area Movement Framework Plan (SVAMFP), specifically in relation to the redesign of the junction of Lower Kilmacud Road and The Hill. The changes include: the relocation of the set down area from the Lower Kilmacud Road, the provision of sufficient space for future cycle tracks, a building line set back and other improvements along The Hill.
- 10.6.7. Car Parking – the applicant proposes to provide a total of 143 car parking spaces and has calculated that the County Development Plan Car Parking standards would require 219 car parking spaces. The assumption is based upon a calculation of student car parking spaces based upon those required for hostel accommodation. As already mentioned observers have strong reservations about the undersupply of car parking spaces. Whilst, the planning authority are satisfied that sufficient car parking spaces have been supplied, but that no further reduction in parking spaces should be considered.
- 10.6.8. Of relevance is that the site is located at the centre of Stillorgan Village and on a Quality Bus Corridor with high frequency bus services. The site is also located close to third level institutions such as IADT, UCD and St Vincent's University Hospital. In addition, the County Development Plan and national guidance advises flexibility around the provision of car parking spaces for development at key locations such as town centres and along high frequency public transport corridors. Finally, I note that the overall development is subject to a mobility management plan that seeks to modify transport and travel behaviour and encourage use of sustainable travel modes. It is in this context that I am satisfied that the quantum of car parking

provided is sufficient to satisfy the demands of the development and avoid adverse impacts to the area.

10.6.9. In terms of the provision of bicycle parking spaces. The applicant has proposed 528 bicycle parking spaces (371 to serve students, 124 for residents and 33 for retail/café space), 28 more spaces than required by the Development Plan. I note that the majority of bicycle spaces are provided in the student basement car park, additional and occasional use bicycle spaces are also provided throughout the scheme and along new footpaths. The NTA have raised concerns about the location and usability of bicycle spaces for the apartments. 108 resident's bicycle spaces are provided at the southern corner of the site and in my mind their location is not ideal and may limit full use by residents. The resolution of this matter requires further design consideration; however, these can be addressed by way of an appropriate condition.

10.6.10. In my view, the strategic location of the site in Stillorgan Village and on a high frequency bus corridor, facilitates high density development. This is possible because of the availability of good public transport and therefore it is appropriate to take a flexible view with regard to car parking provision. In addition, given the urban context of the site and the public realm improvements that are proposed, the development is acceptable from a traffic and transport perspective.

## 10.7. **Childcare and Part V Social Housing Provision**

10.7.1. Childcare - The applicant has prepared a Childcare Audit in support of their application. The report concludes that owing to the demographic profile and sufficient availability of childcare facilities in the area; it is not necessary to provide an onsite creche. In addition, the report states contact with the relevant County Childcare Committee and emerging ministerial planning advice concerning studio and one bed apartments that would generally not generate a demand for childcare facilities. The applicant has also provided a response to item 8 of the Board's Opinion in relation to childcare provision.

10.7.2. Observers have raised concerns that the proposed development of over 75 residential units fails to provide any childcare facilities, as required under the relevant childcare guidelines. The planning authority raise no particular issue with regard to childcare provision and have no recommendations on this matter. I have considered

the proposed development in the context of the Childcare Guidelines and note that the quantum of development would generally require the provision of such facilities. I note too, the content and conclusions of the Childcare Audit Report prepared by the applicant. Given the scale and characteristics of the apartment development proposed and the availability of existing facilities and those currently under construction, it is acceptable that no dedicated childcare facilities are to be provided on the site.

10.7.3. Part V Provision – The applicant has proposed 10 apartment units (5 two bed and 5 one bed units). This broadly accords with the requirement to provide 10% social housing. However, the Council’s Housing Department are not satisfied and state that all units including student accommodation should be considered for inclusion for social housing. The applicant disputes the necessity to include student accommodation for the purposes of Part V, and has submitted legal opinion in relation to what constitutes a house. In addition, the applicant concludes that the Draft Sustainable Urban Housing: Design Standards for New Apartments, states that student accommodation will not normally be subject to Part V requirements.

10.7.4. With respect to Part V and student accommodation, I note that the County Development Plan specifically highlights that campus student accommodation proposals will not be subject to Part V requirements. The implication is that Part V requirements will be applied to off-campus student accommodation proposals, though this is not clear. The Board may wish to note that a neighbouring Council takes a different view. For example, Dublin City Council state that the provisions of Part V (Social and Affordable Housing) of the Planning Acts do not apply to student accommodation in the City Council area. In the absence of clear guidance at a local and national level in relation to student accommodation and Part V, I must make a reasoned assessment. Given the private management model applied to student accommodation I can foresee technical difficulties that might arise in terms of ownership and the management of units within a student block (term time and non-term time use). In addition, the configuration of the student units would not comply with the floorspace and amenity requirements for a conventional house/apartment. Therefore, in my view it would be technically difficult to apply Part V requirements to accommodation specifically designed for student use. I am satisfied that Part V of

the Planning and Development Acts should not be applied to the student accommodation component of the development.

## 10.8. Infrastructure and Flood Risk

- 10.8.1. The applicant has provided a Drainage and Watermain Planning Report, the document outlines a response to ABP Opinion item 5. The principal issue is that of a surface water sewer/culvert that traverses the site and forms part of the Priory Stream catchment. Foul and surface water systems will be reconfigured and separated on site and connect to existing piped infrastructure in the vicinity. There will be additional loadings on the foul sewer system and surface water discharges will be restricted to greenfield run-off rates. Two attenuation tanks will cater for storm water attenuation on site and sustainable drainage systems are included in the development.
- 10.8.2. Flood Risk - A Site Specific Flood Risk Assessment Report has been prepared by the applicant and indicates that the central portion of the site is located in Flood Risk Zones A and B. The receiving pipe for surface water outfall will be an existing 1,200mm diameter concrete pipe under the N11. The report notes a number of flood events in the vicinity connected with the Carysfort-Maretimo Stream, including areas downstream of Stillorgan Grove and localised events at The Hill. The site layout has been designed to accommodate flood storage and overland flows together with attenuation tanks and sustainable drainage systems on site. The report concludes that the proposed development has passed the Justification Test, as required by the Flood Risk Management Guidelines. Insofar as the development will not significantly increase flood risk elsewhere, finished floor levels are raised above the 1%AEP and greenspaces are designed to manage flood flows.
- 10.8.3. Observers have concerns about the development and its impact upon potential flooding events in the future. These concerns are based upon historic flooding events in the locality and a lack of confidence in the applicant's Flood Risk Assessment (FRA) report. I note the observers concerns and scepticism concerning the development proposal, but I am guided by the findings of the applicants FRA and the advice provided by the planning authority and the Council's Drainage Section. In this regard, I note that the Council are satisfied at the content and findings of the applicant's FRA subject to technical requirements. The site is zoned District Centre

and has therefore passed the Development Plan Justification Test, and is a logical location for urban development.

- 10.8.4. The FRA highlights that due to the topographical features of the site, an overland flow route (fluvial and pluvial events) passes through and ponds on site. The site layout is superimposed over the pre-development and post-development scenarios, figure 4-3 and 5-2. The applicant has proposed on-site mitigation measures to address flood risk, comprising: finished floor levels above the 1% AEP climate change level of 47.44mOD plus a freeboard >1m, the maintained greenspace provides active flood storage, there will be no obstructions within the critical flowpath, and the vehicular entrance to the residential basement car parking is slightly raised.
- 10.8.5. I note the design parameters concerning the central public open space applied to the site and the outcome of the Site Specific FRA. I note that the site has been described as an artificial floodplain resulting from the problems associated the Carysfort Stream and the associated urban nature of the site. The applicant states that it is appropriate to consider on-site measures to manage flood events. I consider that the measures employed in the design and layout of the proposed development are satisfactory to manage flood events as they occur. The Council's requirements in relation to flood storage and flow paths together with the construction methodology and technical standards are entirely reasonable. Coupled with the applicant's surface water proposals including sustainable urban drainage systems and the Council's recommendations in that regard, I consider that the proposed development has satisfactorily addressed flood risk (on and off site) and surface water management on site.
- 10.8.6. Infrastructure - I note the comments issued by Irish Water (IW), they anticipate no obstacle to servicing the development subject to the necessary connection agreements are put in place. In addition, IW have particular technical requirements with regard to water connection from the 250mm watermain across the N11 and wayleave agreements with respect to foul water service diversions within the site.
- 10.8.7. The concerns expressed by observers are indicative of past experiences of flood events in the area and amplified by the existence of Flood Zones A and B that pass through the centre of the site. However, I am satisfied that the applicant and the Council have satisfactorily tackled issues that might arise in relation to future flood

events. In that context, I am satisfied that the proposed development is acceptable from a flood risk and surface water management perspective. In addition, I am satisfied that the site can be adequately accommodated by all water services.

## 10.9. **Appropriate Assessment**

- 10.9.1. The site is not located within any European site. It does not contain any habitats listed under Annex I of the Habitats Directive. The site is not immediately connected to any habitats within European sites and there are no known indirect connections to European Sites. Potential impacts on Natura 2000 sites from the development are restricted to the discharge of surface and foul water from the site. I note the Screening for Appropriate Assessment Report submitted by the applicant, dated December 2017, that concludes significant effects are not likely to arise either alone or in combination with other projects that would result in significant effects to any SPA or SAC. The report identifies a pathway from the site via surface water (Priory Stream 200 metres to the north) and wastewater (Ringsend Wastewater Treatment Plant) to the South Dublin Bay and River Tolka estuary (SPA/SAC). The report concludes that ongoing improvements to the Ringsend plant and measures to manage surface water on the site will not impact upon Natura areas. In addition, the report recommends measures to ensure features of ecological value outside a Natura 2000 site are not significantly impacted upon. Finally, the report identifies the former use of the site as a petrol filling station and the potential for high levels of soil contamination on site and agrees with the recommendations of JBA Environmental Engineers submitted with the application.
- 10.9.2. I note the urban location of the site, the lack of direct connections with regard to the source-pathway-receptor model and the nature of the development. In addition, I note section 2.2.2 *Excavations* of the Outline Construction Management Plan that identifies the existence of contaminated soils on site and an intention to appoint a specialist contractor to test, store and devise appropriate management and disposal of such material.
- 10.9.3. It is reasonable to conclude on the basis of the information available on the file, which I consider adequate in order to issue a screening determination, that the development, individually or in combination with other plans or projects would not be likely to have a significant effect on the above listed European sites, or any other



European site, in view of the sites' Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

## 11.0 Recommendation

11.1. Section 9(4) of the Act provides that the Board may decide to:

- (a) grant permission for the proposed development.
  - (b) grant permission for the proposed development subject to such modifications to the proposed development as it specifies in its decision,
  - (c) grant permission, in part only, for the proposed development, with or without any other modifications as it may specify in its decision, or
  - (d) refuse to grant permission for the proposed development,
- and may attach to a permission under paragraph (a), (b) or (c) such conditions it considers appropriate.

11.2. Having regard to the above assessment, I recommend that section 9(4)(a) of the Act of 2016 be applied and that permission is GRANTED for the development, for the reasons and considerations and subject to the conditions set out below.

## 12.0 Reasons and Considerations

Having regard to the site's location in Stillorgan Village centre and proximity to third level institutions on lands zoned District Centre in the Dun Laoghaire Rathdown County Development Plan 2016-2022; to the Rebuilding Ireland Action Plan for Housing and Homelessness; the nature, scale and design of the proposed development, the availability in the area of a wide range of social infrastructure, to the pattern of existing and permitted development in the area and wider area, to the submissions and observations received and to the provisions of the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities' and 'The Planning System and Flood Risk Management' (including the associated 'Technical Appendices'), it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would respect the existing character of the area and would be acceptable in terms of traffic

and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### 13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. The student accommodation contained in Building 03 and 04 of the development hereby permitted shall only be occupied as student accommodation, including use as visitor or tourist accommodation outside academic term times, and for no other purpose, without a prior grant of planning permission for change of use.

Reason: In the interest of residential amenity and to limit the scope of the proposed development to that for which the application was made.

3. (a) The student accommodation and complex shall be operated and managed in accordance with the measures indicated in the Student Accommodation Management Plan submitted with the application.

(b) Access to green roofs shall be for maintenance purposes only.

(c) Student House Units shall not be amalgamated or combined.

Reason: In the interest of the amenities of occupiers of the units and surrounding properties.

4. The proposed development shall be amended as follows:

(a) Additional common/study rooms shall be provided in Building 04 for the occupants of studio units and located in lieu of units T1 and T3 on floors 01 to 07, inclusive.

(b) Appropriate screening material of at least 1.8 metres in height along all boundary walls of the roof terraces of apartment types 2C and 2BH on level 03 and Type 3CH on Level 4, all contained in the southern portion of Building 02.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential amenity.

5. Sun rooms/winter gardens shall be used solely as private amenity space and not as habitable rooms.

Reason: In the interest of clarity.

6. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. The requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, shall only apply to residential apartments contained in Building 01 and 02 and shall not apply to student accommodation contained in Building 03 and 04. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other

than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

7. A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. This scheme shall include the following:-

(a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development;

(b) proposed locations of street trees and additional street trees at appropriate intervals, other trees and other landscape planting in the development, including details of proposed species and settings;

(c) details of proposed street furniture, including bollards, lighting fixtures and seating;

(d) details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.

(e) Play space shall be in accordance with requirements of planning authority.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.

8. (a) All bicycle parking, motorcycle parking, electric vehicle charging points and car parking shall be in accordance with the detailed requirements of the planning authority for such works.

(b) The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs and the underground car parks

shall be in accordance with the detailed standards of the planning authority for such works.

(c) Prior to the commencement of construction on site, the development shall submit to the planning authority for its written agreement details of a revised location for bicycle parking dedicated to the residential apartments.

(d) The detailed design of and the materials used in any roads/footpaths/pull-in areas/on street parking areas along Lower Kilmacud Lower, The Hill and N11 shall be provided by the developer and shall comply with the detailed standards of the planning authority for such road works.

(e) The recommendations of the Mobility Management Plan shall be carried out in full and a Travel Plan Manager shall be appointed to assist plan implementation and prepare annual reports for submission to the planning authority.

(f) The roads and traffic arrangements serving the site (including signage) shall be in accordance with the detailed requirements of the planning authority for such works and shall be carried out at the developer's expense.

Reason: In the interests of traffic, cyclist and pedestrian safety.

9. (a) Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

(b) Prior to the commencement of construction on site, the development shall submit to the planning authority for its written agreement detailed design proposals with regard to inter alia: flood storage works, flood routing works and supported by the relevant hydraulic analysis.

(c) Prior to the commencement of construction on site, the development shall submit to the planning authority for its written agreement full technical details of all surface water sewer infrastructure including attenuation tanks, green roofs and wayleaves throughout the site. All completed sewer infrastructure shall be to the full technical requirements of the planning authority.

Reason: In the interest of public health and to ensure a proper standard of development.

10. Public lighting shall be provided in accordance with a scheme, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any unit.

Reason: In the interests of amenity and public safety.

11. Proposals for a building name, unit numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all building and street signs, and unit numbers, shall be provided in accordance with the agreed scheme. The proposed name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name.

Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

12. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity, and to permit the planning authority to assess all signage on this site through the statutory planning process.

13. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

14. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

15. (a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.

(b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

16. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

17. Prior to the commencement of development, the developer shall submit a construction and demolition waste management plan to the planning authority for agreement prepared in accordance with the Best Practice Guidelines on the

Preparation of Waste Management Plans for Construction and Demolition Projects published by the Department of the Environment, Heritage and Local Government in July, 2006. This shall include details of waste to be generated during site clearance and construction phases and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material.

Reason: In the interest of orderly development and sustainable waste management.

18. Prior to commencement of development the developer shall submit, and obtain the written agreement of the planning authority to, a plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and for the ongoing operation of these facilities.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

19. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site. In this regard, ducting shall be provided to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of orderly development and the visual amenities of the area.

20. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.



21. The development shall be carried out on a phased basis, in accordance with a phasing scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any development.

Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings.

22. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

23. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: In the interest of traffic safety and the proper planning and sustainable development of the area.

---

Stephen Rhys Thomas  
Planning Inspector

07 March 2018

## 14.0 Appendix I Summary of Observer Submissions

14.1. The submissions are grouped by surname and general location in relation to the subject site. In addition, the observations of elected representatives are grouped together. Submissions received are summarised as follows:

### 14.2. Elected Representatives:

Minister Josepha Madigan

Concerns about the height and density of the proposed development and the need to provide for increased traffic and parking. The development should fit in with the needs of the local community.

Minister Shane Ross

Concerns with regard to the scale of the development, the site should be used for family and older people accommodation. Not enough car parking has been proposed to accommodate the number of occupants and may lead to overspill parking and traffic congestion. The existing road infrastructure cannot cope with present traffic volumes.

Deputy Richard Boyd Barrett

The development is premature pending the adoption of the draft Stillorgan LAP. The development does not align with the zoning for the site. The proposal is overdevelopment of the site and the overall building height, mass and scale is not appropriate to the surrounding residential areas.

Cllr John Kennedy

The development is not a fit for the fabric of Stillorgan.

This site will act to inform future development in terms of height.

The building is monolithic and bland in colour and not in accordance with Sustainable Residential Development in Urban Areas – materials and external design. Buildings designed in accordance with Haussmann principles would be better for Stillorgan.

Cllr Cormac Devlin

Supports local residents in their objections to the proposed development.

Cllr Deirdre Donnelly

The site should be utilised for residential accommodation for downsizers and the young working population, not student accommodation. The student accommodation would be left unoccupied for periods outside term time and this is not acceptable. The amount of car parking is not sufficient. The provision of a community hall is welcomed, but users will put pressure on car parking in the area. Given the incidence of flooding in the area it would not be appropriate to permit development. The democratic involvement of Councillors outside the area will not be accommodated, this is not satisfactory.

Cllr Anne Colgan

The development is premature pending the delivery of the draft LAP. The mass, bulk, height and scale of the development is not appropriate. The development will result in traffic and parking problems. Fire safety within the building must be considered. The site will not provide any part V social housing. Concern is expressed that elected representatives outside the area have been excluded from the application process.

Cllr Barry Saul

The height, scale and density of the development is out of character with the area. The development will result in traffic issues and pedestrian safety will be affected. The site has flooding issues and these should be addressed. The development should contain a better mix of development.

#### 14.3. Local residents and resident's associations:

'Dunfanoir', The Hill – Treston

'Dunfanoir' adjoins the application boundary and is the property that will be most affected by the development. Excavation works will take place very close to the boundary and the property will be in shadow during the afternoon and evening sun. The mass, scale and height of the proposed building will dominate 'Dunfanoir'.

During construction, noise and vibration may damage 'Dunfanoir' and these aspects of the development should be monitored and controlled. Including the relocation of occupants in the event of nuisance. No cranes should oversail the property. The erection of a new 2.4 metre walls would ensure adequate levels of privacy.

Linden Lea Park and Glenalbyn Road Residents Group – 56 signatories and Linden Lea Park - Wyse

Planning principle of the development is contested.

Stillorgan is a village not a town centre, the development is more appropriate to a town.

The development does not respect the buildings on the other side of the road along The Hill.

The village cannot support the increase in population. The influx of a large student population will not integrate well with the local community.

Traffic congestion will increase and there will be parking issues.

The residential mix does not address older people or families.

The old LAP and draft LAP favour tall buildings as a gateway to the town, but Stillorgan is a village.

The design of the development is not in keeping with Stillorgan Village. The proposal provides no street frontage. The public realm should be greener.

There is a lack of social/affordable units in the development. The overall residential mix should be 20% social, 60% family homes and 20% student.

There have been flooding events in the area including the Maretimo Stream, 1995, 2007 and in 2011.

There will be an increase in traffic volumes and car parking in the vicinity will result. Car parking spaces should be increased and the road infrastructure in the area should be improved before construction starts. Greater detail in relation to the management of cycle parking.

The proposal lacks clarity in terms of road layout and access to Glenalbyn Road/Linden Lea Park. The closure of the left slip from Lower Kilmacud Road to The Hill and widened footpaths along the front of the site will lead to traffic congestion and gridlock.

The height of the development is out of character with neighbouring buildings and not appropriate, a reduction in height should be considered.

The additional retail floorspace is not required, so close to the Stillorgan Village Shopping Centre. The proposed commercial elements lack detail, another public house would not be welcomed. Working space is welcomed.

The development will impact on nearby properties in terms of overshadowing and overbearing appearance.

The development should be phased correctly and construction working hours controlled.

There are complaints that the applicant did not fully engage with the local community and that site notices were poorly positioned.

#### Linden Lea Park - Jewitt

A large number of students will create rowdy behaviour.

Car parking will be an issue.

There will be traffic congestion, a one-way system for all of Stillorgan should be considered.

The proposed building height will alter the character of Stillorgan.

There should be no more licenced premises in the area.

The developer is inexperienced and may be overstretched.

#### St Laurence's Park and Old Dublin Road Residents Association – 13 signatories

The proposed development is not in keeping with the vision of the Stillorgan LAP. The housing mix and high proportion of student accommodation is not appropriate and will not enhance the community of Stillorgan.

The building height is not appropriate and will shadow over the adjacent streets and houses. The buildings are not sufficiently set back from the street. The lack of a coordinated approach in terms of the development of the Leisureplex site is unsatisfactory.

The local road infrastructure is inadequate and the development will add to problems. Public transport in the area will also be impacted upon. The lack of car parking provided by the development will lead to parking congestion.

The flooding risk of the area will be added to.

The lack of engagement with the public is disappointing and public notices were inadequate.

Lyndhurst – Old Dublin Road - MacGreil

The concerns raised are similar to those of the St Laurence's Park and Old Dublin Road Residents Association.

St Laurence's Park – Walsh, McCann, Cooney, Hayden, Boyce, Brophy and O'Neill

The proposed development is at odds with the zoning of the site and contrary to the Stillorgan LAP and premature pending the adoption of the draft LAP. The housing mix is unsatisfactory and fails to meet the needs of different categories of households, a more appropriate mix should be considered. The proposal will not add to the community and sustainability of Stillorgan. There is a lack of social housing and this will result in undue segregation between social groups. A licensed premises should not be permitted on the site.

There will be traffic and car parking impacts. Car parking should be increased on the site.

The scale and height of the buildings will impact upon local residences in terms of overshadowing. The overall design is uninviting and is inward looking. Building heights should be reduced. The design of the buildings will not fit in with the character of the village. There could also be traffic noise impact from the N11 and noise that reflects from the building face.

The flood risk analysis is not adequate and the justification test has not been appropriately applied.

The lack of engagement with the public is disappointing and public notices were inadequate.

Ard Lorcan Residents Association – Tiernan

Similar in content to Linden Lea Park and Glenalbyn Road Residents Group

Oral Hearing requested, no fee attached.

Stillorgan Park Avenue Residents Group – 30 signatories, supported by an assessment of the applicant's FRA by McKenna Pearce Practice Consulting Engineers.

Outlines the planning history of the site. Outlines CDP policies, previous LAP and draft LAP objectives are also outlined.

The proposed mix of accommodation is not appropriate, it will be inward facing and the amount of commercial uses is not sufficient for a district centre location.

Therefore, the proposal is at odds with the land use zoning. The quantum of student accommodation is unnecessary as ABP have just recently permitted a large student accommodation scheme on the campus at UCD.

The development will fail to foster a community. The lack of a childcare facility is indicative of the type of user of the accommodation.

The proposal is premature pending the adoption of the draft LAP and proposals for the Leisureplex site.

In terms of height, scale and bulk the proposed development is inappropriate and does not sit in with its surroundings and fails to meet the standards set down in the CDP.

The proposed development will impact upon residential amenity in terms of overshadowing, noise and loss of sunlight/daylight.

Overshadowing – the impacts upon residential property has not been fully analysed, a less bulky more slender structure would be more appropriate.

Reduced sunlight and daylight – data used and modelling is under-representative and does not fully take into account property on the eastern side of the N11.

Noise – the reflection of traffic noise from building facades has not been modelled.



Car parking overspill – given the undersupply of car parking on the site, cars will park in the vicinity and cause visual clutter and nuisance to local residents.

Overbearing appearance – as viewed from Stillorgan Park Avenue, the proposed buildings will be visible and overbearing.

The site is not permeable to pedestrians. And the proposed internal lobby link will not serve the purpose for which it is designed.

Flood Risk Assessment has not been fully analysed. Freeboard levels at car park entrances are not sufficient. The applicant has failed to satisfactorily apply the justification test for the proposed development. The FRA has failed to assess off-site impacts of flooding, specifically with regard to the transfer of flood waters to Stillorgan Park Avenue.

Stillorgan Park Avenue – McGettigan, Leavy and Cullen, Bailey, O’Keefe, Mullen, Hanley, Brady, Delahunty, Heraty and O’Sullivan.

The development does not accord with the zoning of the site and provides only 7% of mixed uses on a site zoned to protect, provide and/or improve mixed-use district centre facilities. The development is premature pending the delivery of a new LAP and the coordinated development of the other sites in the vicinity. The proposal does not provide a crèche. The provision of student accommodation is outside the CDP preferred location of such development and will become a student outpost.

The development will remove retail site from a second tier district centre

The proposed development will have an overbearing impact upon residences in Stillorgan Park Avenue. There will be impacts from overshadowing and there has not been a proper assessment of daylight/sunlight Stillorgan Park Avenue. The proposed height of the development should be reduced to three storeys. At its closest point the development is 38 metres from properties at Stillorgan Park Avenue.

Stillorgan already suffers from serious traffic congestion. There will be overspill of car parking from the proposed development and an increase in traffic will generate more noise and congestion.

Parts of the site are located within Flood Zones A and B, the site has not been adequately assessed in line with relevant guidelines.

The type of development is inward looking and not inviting to the local community. The development will provide no civic space, something that is lacking in Stillorgan.

Wolverston – Stillorgan Park Avenue - O'Keefe.

Proximity to the new development 38 metres.

Note refusal on the site PL06D.222395, road improvements, scale and overdevelopment.

Principle – Zoned DC and subject to SLO 12. Identifies relevant CDP policies. Specifically, section 8.2.3.4 and the location of student accommodation. There will be very few facilities that will be accessible to the local community and therefore to meet the requirements of DC zoning.

The proposed mix of units will not fulfil the draft LAP objectives.

Given the recent grant of SHD at UCD, there is not a need for the level of student accommodation proposed at this location.

The noise environment could be altered as a result of a new building elevation along the N11 and this has not been modelled or assessed by the applicant.

The development will not increase the permeability of the overall site.

The RSA submitted by the applicant raises issues that have not been incorporated in to the finalised scheme.

Stillorgan Park Avenue – Wall.

Concerns echo those made in relation to other residents of Stillorgan Park Avenue.

Sweetbriar Lane – Ni Laoghaire.

Similar concerns to Stillorgan Park Avenue above.

Stillorgan Grove –Mckenna and Murphy.

The development appears too dense for Stillorgan village, is too high and could lead to traffic accidents. Separation distances between buildings is not adequate. The lack of adequate parking provision will lead to the overspill of parking in neighbouring residential areas. The footpaths are too narrow and dangerous. The boundary treatment of metal fence and metal gates is not appropriate. The lack of street trees is disappointing. The proposed civic space will attract antisocial behaviour and there is inadequate play space for children. The entire development could be inhabited by 1,000 students and this would not benefit Stillorgan.

Park Villas, Grove Avenue – Jeffares.

The proposed buildings do not respond well to adjacent development, in terms of height.

Rooms associated with lower floors in blocks 1 and 2 will not receive adequate light and may not meet ministerial guidelines with regard to apartment buildings. The proposed development will cause overshadowing within and outside the site.

Adjacent properties will be overlooked.

Separation distances of 22 metres are not maintained between buildings.

The scale of the buildings will result in a negative visual impact. There will be impacts too from wind and a lack of adequate amenity space. The proposed play spaces are inadequate and there will be conflicts between students and children.

The proposed civic spaces will attract partying students and become noisy and a nuisance.

The residential mix is not appropriate and residential units may well become student residences in time. Students will not be part of the community.

The proposed development will act as a precedent for future similar development.

The layout along Kilmacud Road Lower will create problems and congestion.

There may be problems accessing a tall building in the event of a fire.

There is objection to the use of publicly owned land by the applicant, without any public consultation.

Stillorgan Park – Murphy.

The issues raised are similar in content and extant to those raised by residents of Grove Avenue.

Farmleigh Close – Shelley – Valid Oral Hearing Request.

Request for an oral hearing because of a lack of engagement with the local community, inadequacy of public notices, inappropriate use of the old and draft LAPs, use of publicly owned land and the likelihood of development in the area.

The proposed development will not meet the housing needs of local people.

The development is not a quality design and the use of materials is poor. The development will not benefit the local community because the design is led by low cost and minimal long-term maintenance requirements.

Being so close to the N11, there will be health risks from air pollution.

The development will result in traffic generation, congestion and parking problems.

Beaufield Park Residents Association.

The proposed development does not add in a holistic way to the growth of Stillorgan Village and fails to accord with the Stillorgan LAP 2007-2017. The development will not attract elderly occupants wishing to trade down properties. The proposal is too dense, landscape proposals will impact upon the access of daylight to lower units. The local library will be over subscribed. There is a lack of car parking proposed and this will lead to traffic and parking problems in the area. Additional students and commuters will impact upon the already oversubscribed bus services.

Woodlands Drive – Burke.

The development is premature pending the delivery of the draft Stillorgan LAP. In any case the proposal contravenes the previous LAP in terms of a misinterpretation of what a gateway building at the junction of the N11 should be.

The proposals for one way traffic on The Hill and the lack of car parking for the proposed development will lead to traffic problems. Given the number of car parking spaces at UCD, it is unwise to assume that students availing of the proposed development will not have their own cars. The pedestrian crossing facilities on the N11 are not adequate to accommodate the number of students that will result from the development.

The development lacks social housing provision and the provision of such a high proportion of student accommodation will not benefit the local community.

There has been no consideration of current or pending planning applications, the Leisureplex site will be the next to develop along similar lines as the proposed development.

The quality of the civic spaces is poor.

Patrician Residents Association.

Out of scale, particularly opposite terraced buildings along The Hill.

The height is out of character with the rest of Stillorgan Village.

The development will result in overshadowing.

Flooding, the route of the stream through the site eventually runs at surface in the vicinity of the Patrician Estate.

The proposed mix of development will not integrate with the local community.

More retail and retail units are not needed.

Additional people on public transport will create queues and delay.

Not enough parking provided.

Traffic management in the area should be reconsidered. Pedestrian crossing waiting times are too long at the Kilmacud Road Lower/The Hill junction.

Oral hearing requested but no fee lodged.

Lower Kilmacud Road – Dalton.

Premature pending the adoption of the draft LAP.

Out of scale development that will leave Stillorgan Village in shadows. Flooding analysis does not take account of past flood events, car parking issues will result. The influx of students will not add to the local community.

Mount Anville Woods Residents Association.

The scale of the development is beyond the capacity of the site to accommodate. Something more in keeping with the existing character of Stillorgan would be appropriate.

Stillorgan is a traffic blackspot, the single vehicle entrance will cause even more problems on The Hill.

Previous planning permissions for high-rise development were refused in the past.

The amount of car parking provided is inadequate and will lead to parking in neighbouring estates.

Such a large population in a small area and transient in nature will cause problems for the existing population.

Stillorgan Heath – Mulrooney.

Traffic generation as result of the number of car parking spaces. The amount of car parking spaces is not in line with LAP policy to promote more sustainable modes of transport, walking, cycling and public transport.