



An
Bord
Pleanála

Inspector's Report 306399-20

Development	Change of use from office to 24 no. residential units
Location	Dolcain House, Monastery Road, Clondalkin, Dublin 22
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD19A/0327
Applicant(s)	Randalswood Holdings Ltd.
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party v. Decision
Appellant(s)	Randalswood Holdings Ltd.
Observer(s)	None
Date of Site Inspection	26 th November 2020
Inspector	Louise Treacy

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 0.865 ha and is located at Dolcain House, Monastery Road, Clondalkin, Dublin 22. The site is located approx. 780 m to the east of the town centre of Clondalkin and within approx. 1km walking distance of the Red Cow stop of the Luas red line to the south-east. The N7 national primary route is approx. 360 m to the south of the site, while the M50 motorway is located approx. 780 m to the east.
- 1.2. The site is bounded by Monastery Road, a 2-lane carriageway to the front/north, by Round Tower GAA Club and pitches to the west/south-west, and by an asphalt production facility to the south and east. A protected structure (in ruins) is located opposite the site on the northern side of Monastery Road.
- 1.3. The site is irregularly shaped and accommodates 3 no. office blocks (Blocks A, B and C) which have a stated floor area of 6,986.4 m². The site is raised above the level of the adjoining public road, with the existing office buildings being prominent features in easterly and westerly approaches to the site. The office blocks appeared to be partially occupied at the time of the inspection.
- 1.4. Blocks A and B are set back from the front boundary by 20m and 27m respectively and are linked by a glazed atrium. Block C is located to the rear of the site, behind Block B. Block A is 5-storeys in height, with the 4th floor level being set-back, the atrium and Block B are 4-storeys in height, while Block C is 4-storeys over an under-croft level. Car parking is provided around the blocks at surface level, with further spaces available at lower ground floor level. The lower ground floor level is accessed via a ramp which is located towards the eastern site boundary but was inaccessible at the time of the inspection.
- 1.5. The front boundary of the site is characterised by a concrete post and rail fence with mature trees and landscaping. A palisade fence and mature trees are provided along the western site boundary to the adjoining GAA club and along the southern/south-eastern boundary to the rear of Block C. The existing landscaping provides screening to the adjoining asphalt production facility, which is operated by SIAC Bituminous Products Ltd. (hereafter SIAC BP).

- 1.6. The site is accessed via the southerly arm of the Monastery Road/Woodford Hill roundabout, which also provides access to the adjoining asphalt production facility. Both sites utilise a shared internal access road for a distance of approx. 36 m, with the subject site accessed via a T-junction on the western side of the internal route. No footpaths or cycle paths are provided along the shared access road or a large section of the front boundary of the site along Monastery Road.
- 1.7. The sole pedestrian entrance to the site is located within the northern boundary opposite Blocks A and B. This entrance connects to a footpath which terminates to the front of the site and extends in a westerly direction along the southern side of Monastery Road. A pedestrian crossing provides access to the footpath on the northern side of the road. Inbound and outbound Dublin bus stops are available at this location.
- 1.8. The lands further to the north and west of the site are primarily residential in nature, with more commercial/warehouse uses present to the south-east, proximate to the boundary with the N7 national primary route.

2.0 Proposed Development

- 2.1. The proposed development consists of a change of use from office use to residential use, together with extension and modifications of the existing block known as Block B, into 24 no. residential units consisting of 20 no. 1-bedroom apartments and 4 no. 2-bedroom apartments with associated gym facility and staff areas.
- 2.2. **Block B across ground to 4th floor:** the proposal includes the demolition of the existing single-storey extension at ground floor level and external stairs, the upgrading of the existing external fabric of the building together with internal removal works and modifications to internal layouts to accommodate proposed residential units throughout; gym facility and staff areas at ground floor level, together with the construction of 1 no. additional floor.
- 2.3. The development also includes modifications of the existing lower ground floor car park and ground floor car park area to include landscaped areas, public open space areas, surface and lower ground floor level car parking, motorcycle parking, cycle parking and bin storage; all with associated signage, drainage, mechanical plant, roof gardens with associated access, relocation of existing telecommunication

aerials and site development works, while maintaining the existing site and basement entrances on completion.

- 2.4. The proposed development comprises Phase 2 of 3 no. phases of development which are proposed across the entire 0.865 ha site, comprising a total of 181 no. apartment units to be provided within the refurbished and extended office blocks and by way of a new stand-alone block. Each of the 3 phases of development have been proposed by way of separate planning applications.
- 2.5. Phase 1 relates to Block A, the adjoining atrium and Block C and includes 86 no. apartment units. Phase 2 relates to the development which is the subject of the current appeal case. Phase 3 relates to Block D, which is a new stand-alone block proposed on the eastern-most portion of the site and which will accommodate 71 no. apartment units. Further details in relation to the status of the 3 phases of development are provided in Section 4.0 Planning History.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Notification of the Decision to Refuse Permission for 6 no. reasons issued on 10th December 2019. The refusal reasons can be summarised as follows:

- (1) The proposed development would be visually obtrusive and would adversely impact the visual amenity of the application site and the character of the wider area;
- (2) The proposed development would fail to provide an adequate standard of accommodation for prospective residents by reason of poor outlook, lack of privacy, access to daylight/sunlight, air quality, noise disturbance and poor quality and quantity of shared open space;
- (3) The proposal would provide an over-provision of one-bed units without adequate justification based on local demand or demographic profile and therefore would fail to provide a balanced range of dwelling types;

- (4) The proposal would fail to provide an appropriately landscaped area within the application site and would fail to provide an acceptable quality and quantity of public open space or play space for prospective residents;
- (5) The proposed intensification of vehicular traffic would lead to unacceptable levels of traffic congestion on the adjoining road network to the detriment of traffic safety. The proposal would also result in poor access for pedestrians and cyclists due to the use of the shared entrance, without proper infrastructure leading to unsafe conditions and traffic hazards;
- (6) The development as proposed, in the absence of an overall masterplan or framework for the 'RES' zoned lands, taken in conjunction with the two concurrent planning applications within the site boundary and the extant planning permission on part of the site and the adjacent lands to the east, represents undesirable, haphazard, piecemeal, un-coordinated development and would set an undesirable precedent for similar type developments in the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.2. While it was noted that the redevelopment of a brownfield site would accord with the objectives of the NPF, South Dublin County Council's Planning Officer considered that the proposed development would not provide an acceptable standard of accommodation for future residents, due to poor outlook, access to light and privacy. It was also noted that no justification had been provided for the proposed unit mix, comprising 83% 1-bedroom units and 17% 2-bedroom units. It was also noted that 83% of the units would be single-aspect, with concerns raised regarding the over-reliance of the apartments on easterly views.

3.2.3. The Planning Officer considered that, in isolation, the extension of Block B would create a visually obtrusive feature that would be highly prominent in the street scene and surrounding area. As such, it was considered that the proposal would not comply with the Building Height Guidelines and that planning permission should be refused.

3.2.4. The Planning Officer also had concerns in relation to: (1) noise, air quality and traffic safety due to the proximity to the neighbouring asphalt plant; (2) quality and quantity of open space, landscaping and play space; and (3) potential traffic and pedestrian safety issues and traffic congestion.

3.2.5. **Other Technical Reports**

3.2.6. **Water Services:** No objection subject to conditions.

3.2.7. **Environmental Health:** Further information recommended regarding: (1) an acoustic assessment of potential noise impacts from nearby roads and the adjoining industrial site; and (2) the impact of the plume from the chimney stack located in the adjoining industrial site.

3.2.8. **Parks & Landscape Services:** Further Information recommended in relation to: (1) landscape masterplan and landscape design rationale; (2) tree survey/arboricultural assessment; (3) details of play proposals; and (4) a detailed SUDS scheme.

3.2.9. It was also noted that a bat survey had not been submitted and that the site boundary has large trees and hedgerows which bat species typically frequent.

3.2.10. **Roads Department:** Recommended that planning permission be refused. Conditions identified in the event planning permission was granted for the development.

3.3. **Prescribed Bodies**

3.3.1. **Irish Water:** No objection subject to conditions.

3.3.2. **An Taisce:** Submits that the application should be assessed in terms of its impact on the amenity of the area and relevant development plan provisions.

3.4. **Third Party Observations**

3.4.1. 2 no. observations were made on the application from: (1) SLR on behalf of SIAC BP, which operates the adjoining asphalt production facility; and (2) Cllr. Francis Timmons (no address provided).

3.4.2. The points which were raised on behalf of SIAC BP can be summarised as follows:
(1) The proposed development could be impacted by, and impact upon, the continued operation of the existing asphalt plant;

- (2) The Design Statement has not identified potential conflicts between the asphalt plant and the proposed development and how such conflicts may be eliminated or mitigated;
- (3) There are no restrictions on the operation of the asphalt plant, including night-time working, output/production volumes, the volume of intake materials; the number /timing of HGV traffic movements; noise emissions/emissions to atmosphere; continuous plant/excavator movements; and on-site lighting arrangements;
- (4) The on-site activities are currently screened from the view of, and not overlooked, by any residential property;
- (5) It is envisaged that the asphalt production activity will continue at this location for the foreseeable future. The proposed residential development may give rise to an increased number of nuisance/environmental complaints regarding emissions and noise;
- (6) The reduced separation distance between the asphalt facility and the residential development will increase the potential for residential amenity impacts. Appropriate noise mitigation measures should be incorporated into the development;
- (7) Potential conflict with pedestrians and cyclists due to the absence of cycling and walking infrastructure;
- (8) Traffic safety implications of HGV trucks accessing the asphalt plant at night-time, due to absence of street lighting;
- (9) Inaccurate red line boundary;

3.4.3. The points which were raised by Cllr. Francis Timmons can be summarised as follows:

- (1) Impact of increased traffic on the roundabout junction between Monastery Road and Woodford Hill;
- (2) The development should not encroach on the residents of the Monastery Gate estate;
- (3) Clarification required in relation to the management of foul water disposal.

4.0 Planning History

- 4.1. **Planning Authority Reg. Ref. SD19A/0324; ABP Ref. 306409-20:** Planning permission sought for, inter alia, a change of use from office to residential use, the extension and modification of the existing blocks, known as Block A and Block C and associated atrium into 86 no. residential units, consisting of 69 no. 1-bedroom apartments and 17 no. 2-bedroom apartments and all associated development.
- 4.2. South Dublin County Council issued Notification of the Decision to Refuse Permission for this application on 10th December 2019 for 6 no. reasons. The refusal reasons reflect those issued in relation to the current appeal case.
- 4.3. A first-party appeal has been lodged in relation to this decision, which is a concurrent case before the Board (ABP Ref. 306409-20).
- 4.4. **Planning Authority Reg. Ref. SD19A/0328:** Planning permission sought for, inter alia, a new building of 71 residential units known as “Block D” consisting of 46 no. 1-bedroom apartments, 19 no. 2-bedroom apartments and 6 no. 3-bedroom apartments across ground to 6th floor and all associated development.
- 4.5. Notification of the Decision to Refuse Permission for this application issued on 11th December 2019. Planning permission was refused for the same 6 no. reasons issued in relation to the current appeal case and the application for Blocks A and C. No appeal has been brought in relation to this decision.
- 4.6. **Planning Authority Reg. Ref. SD10A/0064; ABP Ref. PL06S.237700:** 10-year permission granted on 9th November 2012 for a mixed-use development comprising commercial (office) use (circa 11,268 m² gross floor area), 5 no. retail units (circa 1,450 m² gross floor area), a crèche (circa 790 m² gross floor area), a café/restaurant (circa 285 m²), community rooms/management office suite (circa 228 m² gross floor area), and 346 no. residential units, to be accommodated in 15 no. blocks ranging in height from 3 to 6 storeys.
- 4.7. This planning application includes part of the current appeal site, excluding the existing office buildings, and the entire site of the adjoining asphalt plant.
- 4.8. **Planning Authority Reg. Ref. SD08A/0616:** Planning permission granted on 9th December 2008 for an additional floor of office accommodation at 5th floor set-back level to the southern elevation of the existing SIAC HQ.

- 4.9. An extension of the duration of this permission to 9th December 2018 was granted on 5th February 2014 under **Planning Authority Reg. Ref. SD08A/0616 EP**.
- 4.10. **Planning Authority Reg. Ref. SD06A/1072**: Planning permission granted on 8th May 2007 for a 4-storey extension over undercroft car parking on the southern elevation of the existing SIAC HQ.
- 4.11. **Planning Authority Reg. Ref. S99A/0023**: Planning permission granted on 7th May 1999 for a 4-storey addition linked by a glazed atrium to the existing 4-storey offices.

5.0 Policy and Context

5.1. South Dublin County Council Development Plan 2016-2022

5.2. Land Use Zoning

- 5.2.1. The site is subject to land use zoning “RES” (Existing Residential) which has the objective “to protect and/or improve residential amenity”. Residential land uses are permitted in principle under this zoning objective.

5.3. Settlement Strategy

- 5.3.1. The subject site is located approx. 780 m south-east of the settlement of Clondalkin, which is a Metropolitan Consolidation Town within the settlement hierarchy of South Dublin County.
- 5.3.2. **Core Strategy Policy 2 Metropolitan Consolidation Towns**: It is the policy of the Council to support the sustainable long-term growth of Metropolitan Consolidation Towns through consolidation and urban expansion.

5.4. Housing

- 5.4.1. **Housing Policy 7**: It is the policy of the Council to ensure that all new residential development within the County is of high-quality design and complies with Government guidance on the design of sustainable residential development and residential streets including that prepared by the Minister under Section 28 of the Planning & Development Act 2000 (as amended).
- 5.4.2. **Housing Policy 8**: It is the policy of the Council to promote higher residential densities at appropriate locations and to ensure that the density of new residential development is appropriate to its location and surrounding context.

- 5.4.3. **Housing Policy 9:** It is the policy of the Council to support varied building heights across residential and mixed-use areas in South Dublin County.
- 5.4.4. **Housing Policy 10:** It is the policy of the Council to ensure that a wide variety of adaptable housing types, sizes and tenures are provided in the County in accordance with the provisions of the Interim South Dublin County Council Housing Strategy 2016-2022.
- 5.4.5. **Housing Policy 11:** It is the policy of the Council to promote a high quality of design and layout in new residential development and to ensure a high-quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development.
- 5.4.6. **Housing Policy 12:** It is the policy of the Council to ensure that all residential development is served by a clear hierarchy and network of high quality public open spaces that provides for active and passive recreation and enhances the visual character, identity and amenity of the area.
- 5.4.7. **Housing Policy 13:** It is the policy of the Council to ensure that all dwellings have access to high quality private open space (inc. semi-private open space for duplex and apartment units) and that private open space is carefully integrated into the design of new residential developments.
- 5.4.8. **Housing Policy 17:** It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

5.5. **Transport**

- 5.5.1. **Transport and Mobility Policy 5 Traffic and Transport Management:** It is the policy of the Council to effectively manage and minimise the impacts of traffic within the County.

5.6. **Development Management Standards**

- 5.6.1. All medium to large scale proposals (10 dwellings or more) shall be accompanied by a Design Statement which shall consist of: (1) a site analysis; (2) a concept plan and/or masterplan; (3) a statement based on the design criteria set out in relevant national planning guidance documents; and (4) a statement or quality audit

addressing street design as outlined in the Design Manual for Urban Roads and Streets.

5.6.2. The development plan requires that car parking for residential developments shall be provided at a rate of 0.75 space per 1-bedroom unit and 1 space per 2-bedroom unit in Zone 2, which includes sites within 400m of a high-quality public transport service. No parking requirement is identified for visitors.

5.6.3. Bicycle parking is required at a rate of 1 space per 5 apartment units, with 1 space per 10 units required for visitors.

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

5.7.1. The key development standards for apartment units in the context of this appeal case are summarised below:

- **Overall floor area:** 1-bedroom unit - 45 m²; 2-bedroom/3-person unit – 63 m² (not to comprise more than 10% of the total units). The majority of the units shall exceed the minimum floor area standards by 10%;
- **Unit Mix:** Max. 50% 1-bedroom units, with no requirement for 3-bedroom units;
- **Storage space:** 1-bedroom unit - 3 m²; 2-bedroom/3-person unit – 5 m²; Storage for bulky items should also be provided outside individual apartment units;
- **Dual Aspect Ratio:** Minimum 50% dual aspect units and where single aspect apartments are provided, the number of south facing units should be maximised, with east and west facing units also acceptable;
- **Floor to Ceiling Height:** Min. of 2.4 m required, but 2.7 m encouraged;
- **Lift and Stair Cores;** Max. of 12 apartments per floor per core;
- **Private amenity space:** 1-bedroom unit – 5 m²; 2-bedroom/3-person unit – 6 m²;
- **Communal amenity space:** 1-bedroom unit - 5 m²; 2-bedroom/3-person unit – 6 m². The recreational needs of children must be considered as part of communal amenity space;

- **Public open space:** No requirement identified under the Guidelines. Section 11.3.1 (iii) of the development plan requires that a minimum of 10% of the site area in new residential developments shall be provided as public open space.
- **Bicycle parking:** 1 cycle storage space per bedroom, with visitor parking required at a rate of 1 space per residential unit;

Car parking: In suburban/urban locations served by public transport or close to town centres or employment areas (intermediate urban locations), planning authorities must consider a reduced overall car parking standard and apply an appropriate maximum car parking standard.

5.7.2. **Communal facilities** should not generally be imposed as requirements by the planning authority in the absence of proposals from and/or the agreement of the applicant.

5.7.3. Provision shall be made for the **storage and collection of waste** materials in apartment schemes. Refuse facilities shall be accessible to each apartment stair/ lift core and designed for the projected level of waste generation and types and quantities of receptacles required.

5.8. **Urban Development and Building Heights Guidelines for Planning Authorities (2018)**

5.8.1. Planning applications for increased building height, shall demonstrate that the proposal satisfies a number of criteria as set out in Section 3.2 of the Guidelines.

5.8.2. **At the scale of the relevant city/town**, these include: (a) the site is well-served by public transport; and (b) the proposal successfully integrates into/enhances the character and public realm of the area.

5.8.3. **At the scale of the district/neighbourhood/street**, these include: (a) the proposal makes a positive contribution to the urban neighbourhood and streetscape; (b) the proposal is not monolithic and avoids long uninterrupted walls of building in the form of slab blocks; (c) the proposal makes a positive contribution to the improvement of legibility through the site; and (d) the proposal contributes positively to the mix of dwelling typologies available in the neighbourhood.

5.8.4. **At the scale of the site/building**, these include: (a) the form, massing and height of the buildings should be carefully modulated to maximise access to natural daylight,

ventilation and views and minimise overshadowing and loss of light; (b) appropriate and reasonable regard to quantitative approaches to daylight provision; and (c) where a proposal may not be able to fully meet the daylight provisions, this must be clearly identified and an alternative for compensatory design measures should be provided.

- 5.8.5. The Guidelines confirm that in suburban/edge locations, development should include an effective mix of 2, 3 and 4-storey developments which integrate well with existing and historical neighbourhoods. Developments of 4-storeys or more in height can be accommodated alongside existing larger buildings, trees and parkland, river/sea frontage or along wider streets.

5.9. **National Planning Framework (NPF)**

- 5.9.1. The NPF sets out objectives which aim to secure more compact and sustainable growth patterns in urban areas in the period to 2040.

- 5.9.2. **National Policy Objective 3b** seeks to deliver at least 50% of all new homes targeted in the five cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.

5.10. **Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Region**

- 5.10.1. The purpose of the RSES is to support the implementation of the NPF by providing a long-term strategic planning and economic framework for the development of the region to 2031, including the promotion of compact growth and urban regeneration and sustainable settlement patterns. The RSES includes a number of Regional Policy Objectives (RPO), with the following considered most relevant to the assessment of this appeal case:

- 5.10.2. **RPO 3.2:** Local authorities, in their core strategies shall set out measures to achieve compact urban development targets of at least 50% of all new homes within or contiguous to the built-up area of Dublin city and suburbs and a target of at least 30% for other urban areas.

- 5.10.3. **RPO: 3.3:** Local authorities shall, in their core strategies, identify regeneration areas within existing urban settlements and set out specific objectives relating to the delivery of development on urban infill and brownfield regeneration sites in line with

the Guiding Principles set out in the RSES and to provide for increased densities as set out in the 'Sustainable Residential Development in Urban Areas', 'Sustainable Urban Housing; Design Standards for new Apartments Guidelines' and the 'Urban Development and Building Heights Guidelines for Planning Authorities'.

- 5.10.4. **RPO 4.3:** Support the consolidation and re-intensification of infill/brownfield sites to provide high density and people intensive uses within the existing built-up area of Dublin City and suburbs and ensure that the development of future development areas is co-ordinated with the delivery of key water infrastructure and public transport projects

5.11. **Natural Heritage Designations**

- 5.11.1. None.

5.12. **EIA Screening**

- 5.12.1. Having regard to the nature and scale of the proposed development, comprising 24 no. residential units on zoned residential land in an established urban area, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environment impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

- 6.1.1. A first-party appeal has been lodged by CDP Architecture on behalf of the applicant. The applicant proposes to amend the development by way of the appeal submission, although I note that no changes are proposed to the form, layout or quantum of units in Block B. The changes which are proposed include:

- An updated Masterplan for the entire site, which illustrates the omission of the proposed extension to Block A and the omission of Block D;
- Increased communal open space at ground floor level along the southern and western elevations of Block A and to the east of Block B;

- New pedestrian connections at ground floor level between the proposed residential blocks and the surface car parking;
- A new dedicated cycle path extending along the northern site boundary on Monastery Road, which terminates at the surface level car parking to the front of Block B.

6.1.2. The appeal submission can be summarised as follows:

- The cumulative measurement of all noises present at the subject site, are within the South Dublin County Council Noise Action Plan for desirable low levels, and as such, no mitigation measures are proposed within the development;
- The results of vibration analysis for Peak Particle Velocity and Vibration Dose Value indicate that these are negligible at the site, and as such, no mitigation measures are required;
- Based on the statutory obligation and duty of care of any facility operator such as SIAC BP, the information provided in SIAC planning statements and environmental reports, and on the statutory consents in place for operations on the adjoining asphalt plant site, there should be no emissions to air that would impact on the potential air quality for prospective residents at the proposed development;
- There will be no emissions to air from the proposed development that would result in a risk to baseline air quality in the area. Taking account of the existing environment and the proposed development, it is considered that there would be no significant impact on air quality at the proposed development and no associated human health impacts;
- The link road into the site has existing road markings and street lighting which will assist with the safe movement of vehicular traffic;
- The applicant's land ownership at the south-eastern boundary extends across the existing fence line and is not an error on the planning application drawings;

- The proposed development is not within close proximity to the Monastery Gate residential development and there would be no direct overlooking of any residential units due to the block's orientation and outlook to the east;
- An acceptable level of light will be achieved for the units at 1st to 5th floor on the easterly side of Block B;
- The revised planning drawings which accompany the appeal illustrate the provision of landscaped privacy screening to the perimeter of the ground floor units. The screening area and the depth of the landscaping will provide visual interest for the outlook of future residents and improve the overall setting of the scheme;
- The development will improve the unit mix in an area which is predominantly characterised by housing units;
- Although the building heights are greater than those prevailing in the area, the proposal seeks to retain the height of the existing buildings on the site. An additional floor was previously permitted to Block C under Planning Authority Reg. Ref. SD08A/0616/EP;
- The proposed change of use from office to residential, will serve to integrate the proposal into its residential context;
- The revised Autotrack drawings which accompany the appeal illustrate how access for refuse vehicles and fire tenders can be achieved;
- A Construction Traffic Management Plan, public lighting, SuDS measures and a bat survey can be agreed by way of planning condition in the event permission is granted;
- The proposal is exempt from Part V requirements under Section 96(13) of the Act, which relates to the conversion/reconstruction of a building where at least 50% of the external fabric is retained;
- The increased density of development on the site accords with national and local planning policy, which seeks to increase housing supply and residential densities, whilst avoiding urban sprawl;

- The Average Daylight Factor analysis indicates that each of the assessed units meet the recommended standard for dwellings with supplementary lighting;
- Public open space of 13.8% is provided at ground floor level only, with 23.5% provided at ground and roof level. The total green areas across the site account for 40%. A play space can be easily accommodated at ground floor level and agreed by way of condition in the event planning permission is granted;
- The refusal of permission on the grounds of pedestrian accessibility should be disregarded given the existing pedestrian access into the development, the signalised pedestrian crossing already available within the wider road network and the acceptable walking distance to the Luas stop;
- There is no cycle network in the immediate vicinity of the site. A cycle ramp is proposed to aid cyclists in accessing the proposed development from the road network. A bicycle channel can also be provided by way of planning condition;
- The extant permission on part of the subject site and the adjoining lands (SD10A/0064; ABP Ref. PL06S.237700) cannot be implemented without the benefit of a revised planning application, due to the overlap with lands within the applicants' ownership and the right-of-way which the applicant avails of across the adjoining site;
- The proposal for the adaptive reuse of the existing office buildings aids with sustainability targets, energy conservation and the minimisation of urban sprawl;
- The development will create a much-needed opportunity for the aging population to downsize, by creating other housing opportunities in this area;
- There is a minimal risk of flooding associated with the proposed development;
- The accompanying TTA outlines that the proposed development will not be a significant traffic generator and will not adversely impact on the operation of the adjoining public road. The Stage 1/2 Road Safety Audit sets out recommendations to improve road safety, all of which have been, or can be accommodated on completion of the development;

- The proposed development is ideally situated in close proximity to a number of forms of sustainable transport;
- The proposed development will include a minimum of 60% of the total roof area as a green roof in accordance with development plan requirements;
- The upgrading works to the building façades represent a planning gain on the site, with the existing building exhibiting a dated and untidy appearance;
- The proposed development seeks to increase the density on an under-utilised site within a built-up area, proximate to quality public transport links and existing facilities, thus providing a successful response to an opportunity site.
- The revised proposals contained within the appeal submission address the concerns of South Dublin County Council and planning permission should be granted in this instance.

6.2. Planning Authority Response

- 6.2.1. A response was received from South Dublin County Council on 7th February 2020. The Planning Authority confirms its decision and notes that the issues raised in the appeal have been covered in the Planning Officer's report.

6.3. Observations

- 6.3.1. None.

7.0 Assessment

- 7.1. In my opinion, the changes which are proposed to the development by way of the appeal submission are material and would be more appropriately addressed by way of a revised planning application. Notwithstanding the foregoing, my assessment considers the amended scheme for the benefit of the Board.

- 7.2. I am satisfied that the main issues for consideration in this case include:

- Principle of the Development
- Land Ownership

- Compatibility with Neighbouring Uses
- Compliance with Development Management Standards
- Visual Impact
- Vehicular Connections
- Pedestrian and Cycling Connections
- Site Masterplan Proposals
- Part V

7.3. Each of these issues is addressed in turn below.

7.4. **Principle of the Development**

7.4.1. The site is subject to land use zoning “RES” (Existing Residential) which has the objective “to protect and/or improve residential amenity”. Residential land uses are permitted in principle under this zoning objective. I note that the redevelopment of this brownfield site would be in accordance with National Policy Objective 3b of the NPF, which seeks to deliver at least 50% of all new homes within the existing built-up footprints of the five main cities and their suburbs, to secure more compact and sustainable growth patterns in urban areas. The proposed development is also supported by Policy RPO 4.3 of the RSES for the Eastern and Midland Region, which supports the consolidation and re-intensification of infill/brownfield sites to provide high density development, which is co-ordinated with the delivery of infrastructure, including public transport projects.

7.4.2. In this instance, the proposed development would deliver 24 no. apartment units on a site which is located within walking distance of the established settlement of Clondalkin to the north-west and the Luas red line to the south-east, in addition to being directly served by inbound and outbound Dublin Bus routes. As such, I acknowledge the site is well-located in terms of public transport connections and proximity to an established service centre. I also note that the neighbouring lands to the north and west of the site are primarily residential in character, and as such, the redevelopment of the site for residential purposes, would be in keeping with the established pattern of development in the area. Based on the foregoing, I consider that the proposed development would be acceptable in principle on the subject site.

7.5. Land Ownership

- 7.5.1. The third-party submission from SIAC BP asserts that the application red line boundary at the south-eastern corner of the site, encroaches on lands under their control. In response to the foregoing, the applicant's agent submits that the applicant's land ownership extends across the existing fence line at this location, and as such, an error has not been made on the planning application drawings. A copy of 2 no. title maps in support of this position are included in Appendix O of the appeal. I note that the planning application documentation also includes correspondence from Lemay Solicitors, who confirm that the applicant has a right to access the subject site via a shared entrance with the SIAC BP site, as highlighted in yellow on the accompanying Land Registry maps.
- 7.5.2. In comparing the title maps and the Site Location Map (Drawing No.3.1.002) provided with the planning application, I consider that a discrepancy does arise at the southern/south-eastern site boundary where the subject site adjoins the neighbouring SIAC BP site. In using the club house in the Round Tower GAA site to the west as a reference point, I consider that the application red line boundary as illustrated on the planning drawings, extends further south compared with that shown on the title maps. As such, in my opinion, the red line boundary appears to extend into the adjoining SIAC BP site as identified in the third-party submission.
- 7.5.3. However, I further note that the site boundary discrepancy relates to an existing landscaped belt along the shared boundary which is proposed to be retained under this planning application. As such, given that no substantive works are proposed in this location, I am satisfied that the applicant has sufficient legal interest to carry out the proposed development in the event planning permission is granted. Notwithstanding the foregoing, I would draw the Board's attention to the provisions of Part III, Section 34 (13) of the Planning and Development Act, 2000 (as amended), which states that a person shall not be entitled solely by reason of a permission under this section to carry out any development.

7.6. Compatibility with Neighbouring Uses

- 7.6.1. The subject site and the SIAC BP site utilise the same shared vehicular entrance off the Monastery Road/Woodford Hill roundabout, with individual entrances subsequently provided to both sites. The access arrangements to the subject site remain unchanged under this planning application.
- 7.6.2. SIAC BP have lodged a third-party submission in relation to the proposed development. It is submitted that the asphalt facility operates on a 24-hour/7-day week basis and that the proposed development may give rise to an increased number of nuisance and environmental complaints from future occupants. It is further submitted that the planning application documentation has not described how potential conflicts between the existing and proposed uses may be mitigated.
- 7.6.3. I note that South Dublin County Council's Environmental Health Officer (EHO) considered that the site location poses a risk of long-term noise exposure due to its proximity to the N7 and M50 and the adjacent industrial site. The EHO considered that the future occupants of the development would be exposed to long-term health impacts of this noise, if the proposed development is not designed and constructed to a standard which mitigates the level of noise through its façade. The EHO further noted that there is a stack emission source in the industrial site, which could impact on the proposed development, based on wind and weather conditions.
- 7.6.4. The planning application documentation did not include any assessment of the potential for residential amenity impacts to arise on foot of the adjoining industrial use. However, noise and air quality concerns have been addressed in the appeal submission, by way of an Air Quality Assessment Report prepared by Enviroguide Consulting and an Acoustic Review prepared by Dalton Acoustics.
- 7.6.5. The acoustic assessment notes that the southern elevation of the existing Block C is closest to the **noise** sources of the adjoining SIAC BP site, the N7 national primary route and the M50 motorway. To assess the baseline noise environment, noise measurements were undertaken at 2 no. locations on the 2nd floor of Block C at the south-eastern (NML1) and south-western corners (NML2) of the block. Measurements were undertaken over a 2-day period. **Vibration** levels within the existing block were also measured over a 2-day period in the general location of NML1.

- 7.6.6. The assessment notes that traffic noise is negligible at the nearest elevation of Block C to the N7 and M50 roadways, with traffic noise from local roads noted to be intermittent. As such, traffic is determined not to be a dominant source of noise at this location. Identified noise sources from operations in the adjoining industrial site, include the low hum of machinery/plant, general vehicle movements with reversing sirens, personnel on site and a speaker system. Other identified noise sources include dogs barking, aircraft movements and the electricity generator of Round Towers GAA Club.
- 7.6.7. The cumulative measurement of all noise present at the proposed development location are 53 dB LAeq (16-hour) daytime and 49dB LAeq (8-hour) night-time. These levels exclude the Round Towers electricity generator, which the assessment confirms does not create an undesirable scenario for domestic dwelling development as per BS4142:2104. The 16-hour daytime LAeq including the generator is 57dB. It is noted that Block B will be in acoustic shade from this source, with levels expected to be circa 10dB(A) lower again.
- 7.6.8. The noise results are stated to comply with the Draft South Dublin County Council Noise Action Plan 2018-2023 for desirable low levels of <50dB(A) Lnight and <55dB(A) Lday and with the Dublin Agglomeration Noise Action Plan 2018-2023. On foot of the foregoing, no noise mitigation measures are deemed necessary for the proposed development.
- 7.6.9. The vibration transmission results for Peak Particle Velocity (PPV) and Vibration Dose Value (VDV) to assess the potential affects from the adjoining SIAC BP site are identified as being negligible when compared with relevant standards. As such, no mitigation measures are suggested with respect to vibration impacts. The assessment also notes that as the results relate to Block C, vibration transmission (which is already negligible) will be further reduced at Block B, due to its increased distance from the SIAC BP site.
- 7.6.10. The Air Quality Assessment Report notes that the key potential source of **emissions to air** that could impact on the standard of air quality for public health at the subject site is the adjoining SIAC BP site. The assessment notes that SIAC BP has a statutory obligation and duty of care under the Air Quality Regulations 2011 (S.I. No. 180 of 2011) to operate in a manner to prevent any emissions to air that are

deleterious to the interests of the public health of the occupants of any adjoining properties, regardless of whether these are commercial or residential.

- 7.6.11. In preparing the Air Quality Assessment Report, Enviroguide Consulting reviewed a Planning and Environmental Statement which accompanied a recent application on the SIAC BP site (SDCC Reg. Ref. 19A/0063). This review determined that emissions from the asphalt plant/emissions stack are routinely monitored on an ongoing basis in accordance with recognised best environmental practice, with all emissions being below recognised emission threshold values. It is also noted that a 5-year waste permit on the SIAC BP site contains conditions regarding the prevention of odour/dust/nuisances and the undertaking of dust monitoring. Based on the foregoing, it is submitted that there should be no emissions to air that would impact air quality for prospective residents of the proposed development.
- 7.6.12. While air quality monitoring was not undertaken on site, the assessment notes that baseline air quality for the closest monitoring stations at Tallaght and Ballyfermot indicate an Air Quality Index for Health (AQIH) of 1 and a status of “good air quality” at both locations. As such, it is submitted that the current baseline air quality in the vicinity of the subject site is good.
- 7.6.13. The results of ambient air quality monitoring for 2 no. 24-hour monitoring periods for PM₁₀ and PM_{2.5} undertaken on the SIAC BP site in 2018 were also reviewed (Planning Reg. Ref. SD19A/0063 refers). The monitoring was undertaken at 2 no. locations, including at the south-eastern corner of the current application site, and at the shared entrance adjacent to the Woodford Hill/Monastery Road roundabout. The recorded results were noted to be less than 50% of the Irish Standards that are protective of human health, with the max. concentrations of PM₁₀ and PM_{2.5} being within the range for an AQIH Air Quality Index of 1 and AQIH status of “good air quality”. The monitoring results also noted that the 27m height of the SIAC stack was above the minimum 12m height required for adequate dispersion of emissions and that regardless of the proposed changes to the operations at the SIAC BP site, there would continue to be no impacts on air quality. Based on the foregoing, Enviroguide Consulting conclude that there will be no potential air quality issues for prospective residents of the proposed development.

7.6.14. In my opinion, the undertaking of air quality monitoring within the subject site would have been a preferable approach in support of this planning application. However, notwithstanding the foregoing, I consider that the desktop review of the available baseline information which has informed the Air Quality Assessment submitted with the appeal is a reasonable approach, having regard to the date of the air quality monitoring on the adjoining SIAC BP site and the results which were obtained.

7.6.15. Thus, having reviewed and considered the information which accompanies the appeal in relation to potential noise and air quality impacts on the future occupants of the proposed development, I am satisfied that no such impacts would arise which would unduly impact on the residential amenity of the site.

7.7. **Compliance with Development Management Standards**

7.7.1. The development standards for apartment units are set out in the “Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities” (2018). The compliance of the proposed development with the relevant standards is considered further below.

7.7.2. I note that the proposed development as amended by the appeal submission, does not result in any alterations to the form, layout or quantum of apartment units within Block B. The proposed amendments relate to the communal open space provision, the quantum of car and bicycle parking and the communal waste facilities, each of which are considered below for the benefit of the Board.

7.7.3. In considering the **overall floor area** of the proposed development, I note that a total of 24 no. apartments are proposed, including 20 no. 1-bedroom units and 4 no. 2-bedroom/3 person units.

7.7.4. The 1-bedroom apartments range in size from 47.3 m² to 59.9 m², while the 2-bedroom/3-person units are 69.3 m². As such, all proposed apartment units exceed the minimum overall floor area requirements. Having reviewed the schedule of areas, I am also satisfied the majority of the units exceed the minimum floor area standards by 10%.

7.7.5. The proposed development includes 83% 1-bedroom apartments, and as such, does not comply with the **unit mix** specified in the 2018 Guidelines, with a max. of 50% such units allowed. I also note that the proposed 2-bedroom/3-person apartments

account for more than 10% of the total number of units, which does not comply with the Guideline requirements.

- 7.7.6. The application Design Statement notes that the proposed development will allow the local aging population to downsize and create other housing opportunities in the area. It is stated on page 15 of the appeal submission, that the proposed development accords with H10 Objective 1 of the SDCC Development Plan 2016-2022, which is “to ensure that new residential developments provide for a wide variety of housing types, sizes and tenures in line with the Interim South Dublin County Council Housing Strategy 2016-2022”. In supporting this assertion, the applicant’s agent submits that the proposed development would contribute to a mix of unit types in an area which is predominantly characterised by housing units. In my opinion, the applicant’s agent has misinterpreted this development plan policy, which requires new housing developments to include a variety of unit types, rather than facilitating a housing unit mix on a wider, area basis.
- 7.7.7. Correspondence from CBRE is included in Appendix J of the appeal, which notes that there has been strong, recent demand for 1 and 2-bedroom units in this area. A copy of the 2016 census results for the Clondalkin-Monastery Electoral Division are also included, which identify the tenure, number of persons per household, number of rooms per household and the housing type in the area. In my opinion, these enclosures do not provide sufficient justification for the proposed unit mix in this instance, which does not comply with the maximum number of 1-bedroom and 2-bedroom/3-person units permitted under the 2018 Guidelines. As such, I consider that planning permission should be refused on this basis.
- 7.7.8. A maximum of 12 apartment **units per floor per core** are permitted under the 2018 Guidelines. The number of units per core per floor in this instance is 6, which is acceptable.
- 7.7.9. The **storage space** provision for each unit also meets the required standards. I note that a staff area/storage room is provided at ground floor level. It is unclear if this storage room is intended to facilitate the storage of bulky items by residents, but I consider that this matter could be addressed by condition in the event the Board grants planning permission for the proposed development.

- 7.7.10. The 2018 Guidelines require a minimum **internal ceiling height** of 2.4 m, with heights of 2.7 m encouraged. The section drawings which accompany the application indicate that the minimum standard is adhered to, or exceeded in all instances.
- 7.7.11. The Guidelines require that a minimum of 50% of apartment units be **dual-aspect**. In this instance, only 4 no. of the 24 no. units (17%) are dual aspect, comprising each of the 2-bedroom/3-person units at the 1st – 4th floor levels of the block. The remaining 20 no. units are single-aspect and east facing. As such, the proposed development does not meet the dual-aspect requirements of the Guidelines.
- 7.7.12. The applicant's agent submits that the easterly facing units in Block B will receive an acceptable level of light on foot of their orientation, with 6 no. sunlight/daylight analysis diagrams included in Appendix L of the appeal. However, I note that none of the units within Block B have been assessed, and as such, I consider that these diagrams are not relevant to this appeal case.
- 7.7.13. The **private amenity space** is characterised by individual winter gardens for each apartment unit. All amenity spaces meet the Guideline requirements in terms of their overall areas and widths.
- 7.7.14. No **public open space** is proposed on the site. While I acknowledge that the SDCC development plan requires that 10% of the site area in new residential developments shall be provided as public open space, I do not consider that this omission alone would warrant a refusal of planning permission in this instance.
- 7.7.15. In reviewing the **communal facilities** which are proposed to serve the development, I note that a gym facility of 201.8 m² is proposed for resident use at the ground floor level of the block. I consider that this facility is an appropriate and positive addition to the scheme.
- 7.7.16. In considering the **communal open space** provision, I note that a requirement for 124 m² of such space would arise based on the proposed unit mix. The proposed development includes a roof garden of 236.9 m² and 2 no. "public open spaces" of 85.5 m² and 533 m² at ground floor level, as confirmed with reference to the schedule of areas. In my opinion, these are more accurately described as "communal open spaces", give that they will serve future occupants of the proposed development.

- 7.7.17. The schedule of areas states that a total of 2,256.5 m² or 26% of the site area comprises communal open space. This figure relates to the entire site area within the red line boundary, including the proposed roof gardens and the landscaped spaces at ground floor level. It is unclear if the landscaped belts at the north, west and southern site boundaries are included in this figure. In my opinion, these areas would not function as usable open spaces having regard to their size/configuration and the nature of the landscaping.
- 7.7.18. In reviewing the Proposed Site Layout Plan (Drawing 3.1.101) and the Landscape Masterplan (Drawing No. MGDOL/LMP/004), I note that “Landscaped Area 1” (85.5 m²) is located to the rear Block A and the adjoining atrium. A further “Public Open Space 1 Landscaped Area” of 593 m² (rather than 533 m² as stated in the schedule of areas) adjoins the eastern façade of Block B and Block C. I note that the communal open space adjoining Block C is proposed to be planted with trees/shrubs, and as such, does not comprise usable amenity space.
- 7.7.19. Notwithstanding the overall communal open space figures which are proposed, I consider that the ground floor level communal open space is of poor quality. The layout is dictated by the footprint of the retained office blocks, which in my opinion, results in a series of marginal, piecemeal spaces.
- 7.7.20. The 2018 Guidelines note that designers must ensure that the heights and orientation of adjoining blocks permit adequate levels of sunlight to reach communal amenity spaces throughout the year. In this regard I note that a daylight/sunlight analysis or shadow diagrams have not been provided as part of the planning application. In my opinion, the linear space to the east of Block B is likely to be overshadowed for a significant portion of the day, given the proposed height of the adjoining blocks.
- 7.7.21. The Parks and Landscape Department of South Dublin County Council shared my concerns and noted that the microclimate generated by tall buildings can lead to increased air current at ground levels, with the tunnelling effect of air between buildings magnifying this effect. This Department also considered that the proposed lawn areas would be overshadowed for much of the year, leading to dark, windy areas that are uninviting, especially during the winter months.

7.7.22. While I acknowledge that the communal open space at roof level exceeds the minimum area requirement, I further note that the 2018 Guidelines state that such spaces offer a satisfactory alternative, where climatic and safety factors are fully considered. In considering the compliance of the proposed roof gardens with the foregoing, I note that Section 8.14 of the applicant's Design Statement states that the relevant requirements can be achieved throughout the proposed development, but no further details are provided in this regard. I further note that the roof gardens are intended to function as green roofs for the purposes of SuDS. The Parks and Landscape Department of South Dublin County Council notes that green roofs do not constitute usable open space, and as such, cannot be considered as part of the open space provision for the development.

7.7.23. Given the height of the proposed residential blocks and that the roof gardens are intended to serve as the primary communal amenity spaces for future residents, I consider that insufficient details have been provided to demonstrate that these spaces would function as appropriate amenity spaces for future residents. As such, I consider that planning permission should be refused based on the quality of the proposed communal open.

- **Amended Scheme**

7.7.24. The ground floor level communal open space has been increased on foot of the omission of the proposed extension to Block A (separate application), the omission of Block D as refused permission by South Dublin County Council and the reduced surface carparking as illustrated on the Proposed Masterplan Layout (Drawing No. 3.1.100 Rev. A refers).

7.7.25. The applicant's agent submits that communal open space of 13.8% of the site area is now provided at ground level, with 23.5% provided at both ground and roof level. It is submitted that the main areas of communal open space are accommodated at roof level, in addition to the surface level spaces. It is also suggested that a play space can be accommodated at ground floor level by way of condition if deemed appropriate by An Bord Pleanála.

7.7.26. In reviewing the Proposed Site Layout Plan which accompanies the appeal (Drawing No. 3.1.101 Rev A) I note that the communal space which is proposed to the east of Block B is improved, with more usable space provided and the surface car parking at

this location now removed. While the appeal submission does not confirm the total area of the space provided in this location, I identify an area of 1,008.5 m² based on the figures quoted on the drawing. While I consider that the southern-most portion of open space adjoining the eastern elevation of Block B would continue to experience overshadowing due to the height of the adjoining blocks, I consider that the revised communal open space would be acceptable given the overall quantum and configuration of the space which is now proposed. I agree that a children's play space could be provided by way of condition in the event the Board considers granting planning permission for the amended scheme.

7.7.27. A total of 188 no. **car parking** spaces (including 10 no. universal access spaces) are proposed to serve the 3 no. separate phases of development, with 118 no. surface level spaces and 70 no. spaces at lower ground floor level. The 2018 Guidelines state that a reduced overall car parking standard should be considered in suburban locations served by public transport or close to town centres or employment areas. I note that the subject site is served directly by Dublin Bus and is within 1km walking distance of the Luas red line.

7.7.28. Section 8.3 of the Design Statement confirms that parking to Block B will be at a rate of 0.75 space per 1-bedroom unit and 1 space per 2-bedroom unit, with 1 no. visitor space for every 5 no. units. This results in 24 no. car parking spaces to facilitate the proposed development. In my opinion, this level of car parking would be acceptable. I note that the Roads Department of South Dublin County Council also had no objection in this regard.

- **Amended Scheme**

7.7.29. The proposed car parking has been reduced to 138 no. spaces (including 5 no. universal access spaces) by way of the amended development. I am satisfied that this level of provision is sufficient to facilitate the parking requirements for Block B.

7.7.30. A total of 64 no. **bicycle parking** spaces are proposed to serve the 3 no. phases of development. The spaces comprise Sheffield stands which are located to the front of Block B and the adjoining atrium. The 2018 Guidelines require that 1 cycle storage space be provided per bedroom, with visitor parking required at a rate of 1 space per residential unit. Based on the proposed unit mix, a requirement for 52 no. bicycle parking spaces would arise.

7.7.31. I note that the Roads Department considered that the bicycle parking provision would meet the development plan requirement of 1 space per 5 units for residents and 1 space per 10 units for visitors. Based on these standards, a requirement for 7 no. spaces would arise to serve Block B. Given that 64 no. spaces are proposed, I consider that the bicycle parking provision is acceptable.

- **Amended Scheme**

7.7.32. The proposed bicycle parking is reduced to 32 no. spaces under the amended scheme. Based on a requirement for 7 no. spaces to facilitate Block B under development plan standards, I am satisfied that the reduced bicycle parking provision would be acceptable in this instance.

7.7.33. An Operational Waste Management Plan prepared by Enviroguide Consulting accompanies the application. It is confirmed that the layout and design of the apartment units will ensure there is adequate provision for the temporary storage of segregated **waste** materials, with adequate space in the kitchen to facilitate a 3-compartment bin for waste segregation at source. It is proposed to provide 3 no. enclosed bin compounds at ground floor level, including 42 no. bins to serve the 3 no. phases of development. Separate bins will be provided for the bi-weekly collection of green, brown and black waste. The compounds are proposed in the north-west corner of the site, adjacent to the surface car parking in the central area of the site and adjacent to the eastern elevation of Block C.

7.7.34. In my opinion, the approach to waste management is generally acceptable. I consider that the number of individual bins required to serve the development, could be agreed by way of condition in the event planning permission is granted in this instance.

- **Amended Scheme**

7.7.35. A total of 2 no. bin compounds with 24 no. bins are proposed under the amended scheme. The compound which was proposed adjacent to Block C has now been omitted, with the compound to the east of Block B being relocated further to the east within the site. In my opinion, the approach to waste management is acceptable.

7.8. Visual Impact

- 7.8.1. Refusal reason no. 1 of the Planning Authority's Notification of the Decision to Refuse Permission states, inter alia, that the proposed development would be visually obtrusive and would adversely impact on the visual amenity of the site and the character of the wider area, by reason of its height, bulk, massing and scale. The Planning Authority was also not satisfied that the proposed development complied with the criteria set out in Section 3.2 of the "Urban Development and Building Height Guidelines for Planning Authorities" (December 2018).
- 7.8.2. The scale and massing of the block is discussed in Section 7.3 of the Design Statement which accompanies the application. It is stated that various design strategies have been used to reduce the overall massing of the buildings, including a variety of building materials and glazing proportions, green walls, varied roof profiles and the use of a plinth arrangement at the ground floor level on the northern elevation of Block B.
- 7.8.3. The Design Statement includes a map (reference image 10) which identifies taller buildings of 4 – 7+ storeys in the wider vicinity of the site, extending over a significant area from Newlands Cross to the south-west, the Red Cow roundabout to the south-east, Clondalkin Retail Park to the north-west and Parkwest Business Campus/Cherry Orchard to the north-east. It is also submitted that a clear precedent exists for an increased building height on the site under the extant permission for a mixed-use scheme (SD10A/0064; ABP Ref. PL06S.237700 refers).
- 7.8.4. Photomontage views of the 3 no. proposed phases of development are included. I note that the aerial views do not demonstrate the visual impact of the development from street level, while the easterly views of Block B from within the site, are obscured by the separately proposed Block D. As such, I consider that the photomontages are of limited benefit in illustrating the proposed development in its context.
- 7.8.5. In considering the visual impact of the existing development, I note that Block B is 4-storeys in height and is set back from Monastery Road by 27.8 m. The front façade of the block is also set back behind that of Block A. In my opinion, this layout/configuration serves to reduce the visual impact of Block B compared with

Block A. Notwithstanding the foregoing, I consider that Block B acts as a landmark feature in streetscape views of the site, particularly from the north and north-west.

- 7.8.6. It is proposed to provide an additional floor to Block B, increasing its height to 16.3 m to the top of the new 4th floor level and 19.35 m to the top of plant. The existing telecommunications mast at roof level will also be relocated to the rear of the block. The block will be set back from Monastery Road by 27.436 m.
- 7.8.7. The Urban Development and Building Heights Guidelines for Planning Authorities (2018) confirm that, in suburban/edge locations, an effective mix of 2, 3 and 4-storey developments should be included, which integrate well with existing neighbourhoods. The Guidelines also state that developments of 4-storeys or more in height can be accommodated alongside existing larger buildings or along wider streets. In this instance, there is a pre-existing building height of 4-5 storeys on the site, and as such, an increased scale of development is already accommodated, compared with the neighbouring lands. I further note that the site has an area of 0.865 ha, with no directly adjoining residential properties. As such, I consider that the site is not unduly constrained by its existing context, in seeking to facilitate an increased block height.
- 7.8.8. Based on the foregoing, I consider that the proposed height increase of Block B would not have an unduly negative visual impact on the site when considered in isolation, and as such, it would not be appropriate to refuse planning permission on this basis.

7.9. **Vehicular Connections**

- 7.9.1. Reason no. 5 of South Dublin County Council's Notification of the Decision to Refuse Permission states that the proposed intensification of vehicular traffic would lead to unacceptable levels of traffic congestion on the adjoining road network to the detriment of traffic safety. The proposal would also result in poor access for pedestrians and cyclists due to the shared entrance, without proper infrastructure, leading to unsafe conditions and traffic hazards. As such, the proposal was considered to be contrary to Policy 5 Traffic and Transport Management of the South Dublin County Council Development Plan 2016-2022.
- 7.9.2. The planning application includes a Traffic and Transport Assessment (TTA) as prepared by ORS. The assessment considers the impact of the 3 phases of development including a total of 181 no. apartment units. The TTA identifies that: (1)

the Monastery Road L1019/Woodford Hill roundabout currently operates with free-flow traffic; and (2) the junction assessment for 2021, 2026 and 2036 with the proposed development in place, indicates that this roundabout will operate within capacity, with virtually no queuing occurring. It is stated that any potential queuing that may occur, will dissipate relatively quickly, with no adverse effects on the surrounding road network. The assessment concludes that the proposed residential development will not be a significant traffic generator and will not adversely impact on the operation of the public road to which it connects.

- 7.9.3. The Roads Department of South Dublin County Council recommended that planning permission be refused for the proposed development on the grounds of traffic congestion on the adjoining road network. In particular, it was considered that increased eastbound traffic flows on Monastery Road from the proposed development, would lead to queues on the adjoining arms of the Woodford Hill/Monastery Road roundabout.
- 7.9.4. In making this recommendation, the Roads Department noted that the Monastery Road/Woodford Hill roundabout will operate with 41.9% reserve capacity in the predicted year of 2035. However, it is stated that local knowledge would indicate that although the L1019 Monastery Road capacity will not be reached, the Woodford Hill and Woodford Walk roads, will be further congested on foot of the proposed development, given that the controlling arm of the roundabout is the Monastery Road eastbound lane. It is stated that lengthy queues are experienced on the Woodford Hill road in the a.m. and p.m. peaks, which will be exacerbated by the increased traffic on Monastery Road on foot of the proposed development. I note that the report does not confirm whether this “local knowledge” is based on the results of any traffic assessments or surveys at this location.
- 7.9.5. A response to this refusal reason has been prepared by ORS as included in Appendix N of the appeal. The response summarises the results of the TTA and notes that increased traffic entering the roundabout from the proposed development, will create a natural break in traffic entering the roundabout from Monastery Road (west), which in turn will increase opportunities for Woodford Hill traffic to enter the roundabout.

7.9.6. Based on the information set out in the TTA and the appeal, I am satisfied that the proposed development would not result in unacceptable levels of traffic congestion on the adjoining road network to the detriment of traffic safety. As such, I do not consider it would be reasonable to refuse planning permission for the proposed development on this basis.

- **Amended Scheme**

7.9.7. The vehicular access arrangements to the site from the public road remain the same under the amended scheme. The circulation route within the site also generally remains the same, albeit with the modification of the surface car parking layout on foot of the omission of the proposed extension to Block A and the omission of Block D. I note that updated Autotrack drawings are included in Appendix P of the appeal, which demonstrate that fire tender and refuse vehicle access can be satisfactorily achieved.

7.9.8. Given that the number of vehicles entering / leaving the site would be reduced on foot of the reduced number of residential units, I remain satisfied that the amended development would not result in unacceptable levels of congestion on the surrounding road network.

7.10. **Pedestrian and Cycling Connections**

7.10.1. The sole existing pedestrian entrance is located within the northern site boundary opposite the Block A atrium and comprises a stairway access to Monastery Road. It is proposed to upgrade the pedestrian entrance, by including a lift platform from street level to ground floor level within the site.

7.10.2. While the “Existing Site Layout Plan” (Drawing No. 3.1.003) appears to indicate that a footpath extends along the length of the northern site boundary and along either side of the shared internal access road, these connections were noted to be absent during my site inspection. These connections are also indicated on the “Proposed Site Layout Plan” (Drawing No. 3.1.101), but the application does not clarify whether the applicant has entitlement to implement these connections. I further note that no pedestrian or cycling connections are proposed along the internal access route within the site, with vehicular movements only facilitated at surface level.

- 7.10.3. The Stage 1/2 Road Safety Audit which accompanies the application notes that “there are no dedicated locations for pedestrians to cross within the site and no designated routes for pedestrians to travel from the site entrance to any point throughout the site, without walking along the internal road network. This could lead to instances where pedestrians are on the road in random locations with the potential for pedestrian-vehicle collisions to occur. This poses a significant risk of injury to pedestrians”. The audit recommends that uncontrolled crossing points be installed on the internal road network. However, I note that this recommendation has not been reflected on the proposed site layout plan.
- 7.10.4. The Roads Department of South Dublin County Council recommended that a 2m wide footpath be constructed along the northern frontage of the site, extending eastwards from the pedestrian crossing to the Monastery Road/Woodford Hill roundabout. An additional ground floor level pedestrian link onto Monastery Road was also recommended. It was also considered that a footpath should be constructed along the internal access road, extending from the roundabout as far as the eastern edge of the first block (Block D), while the provision of clear pedestrian routes throughout the development was recommended as wayfinding for pedestrians.
- 7.10.5. Having regard to the nature and scale of the proposed development, I consider that the proposed site access for pedestrians and cyclists has not been adequately resolved. In reaching this conclusion, I note that the enclosed schedule of areas identifies a total occupancy of 438 persons across the 3 no. phases of development. As such, the proposed development would result in a significant increase in pedestrian and cycling movements at this location.
- 7.10.6. While I note that a section of the internal access route is outside the red line boundary, I consider that this route would likely become a desire line for pedestrians and cyclists exiting the site in an easterly direction. In this context, I consider that the absence of segregated pedestrian and cycling connections along this route would be unacceptable, resulting in potential conflicts with vehicular traffic within the site and with HGVs travelling to/from the adjoining SIAC BP site. I also agree that an additional pedestrian entrance onto Monastery Road and an extended footpath along the southern boundary of this public road would be appropriate, to ensure safe pedestrian movements within and around the site. As such, I consider that planning

permission should be refused for the proposed development based on the inadequate pedestrian and cycling connections and the potential for conflicts to arise with vehicular traffic.

- **Amended Scheme**

7.10.7. An amended site plan layout is proposed as illustrated on the Proposed Masterplan Layout – Phasing Block Plan (Drawing No. 3.1.100 Rev A). Dedicated pedestrian connections have been provided between the surface car parking, the individual blocks and the pedestrian entrance at the northern site boundary. In my opinion, the amended layout has improved pedestrian permeability within the site. However, I note that a segregated pedestrian route has not been provided along the entire length of the internal access road or along the front site boundary at Monastery Road. As previously discussed, I consider that the omission of such connections would result in an unacceptable form of development and the potential for conflicts with vehicular traffic.

7.10.8. The amended scheme proposes a cycle ramp rising from east to west along the northern site boundary at Monastery Road and terminating in the location of the existing pedestrian entrance. A bicycle channel is proposed to be incorporated into the pedestrian entrance, with details suggested for agreement way of a compliance submission. While I acknowledge that the proposed cycle route would improve access to the site for cyclists, I note that the proposed route is outside of the redline boundary, with no details provided in the appeal as to how this infrastructure may be delivered. I further note that the existing grass verge between the public road and the fencing to the front of the application site is limited in width, and as such, it is unclear whether sufficient space is available to implement a cycle connection on the southern edge of the public carriageway at this location.

7.11. **Site Masterplan Proposals**

7.11.1. Refusal reason no. 6 of South Dublin County Council's Notification of the Decision to Refuse Permission was based on the absence of an overall masterplan or framework for the RES zoned lands, which, in conjunction with the 2 no. concurrent planning applications within the red line boundary and the extant planning permission on part of the site and the adjacent lands to the east, was considered to

represent undesirable, haphazard, piecemeal, un-coordinated development, which would set an undesirable precedent for similar types of development in the area.

7.11.2. South Dublin County Council's Planning Officer considered that the granting of planning permission in this instance, would result in a scenario where neither the currently proposed development, nor the extant permission for a mixed-use scheme could be fully implemented, given the overlap between each of the red line boundaries. In my opinion, the current application could be fully implemented, notwithstanding the discrepancy in the red line boundary at the south-eastern site boundary as previously discussed. I acknowledge that a revised planning application would be required for the remaining lands as they relate to the extant permission as identified by the applicant's agent.

7.11.3. In my opinion, the development of the subject site would be appropriately addressed by way of a single planning application, given that the entire development is intended to function as one residential scheme, with shared access arrangements, communal open space and parking. Thus, I agree that the current application represents a piecemeal approach to the development of the site as identified by the Planning Authority. Notwithstanding the foregoing, I do not consider that this is a material planning consideration which would warrant a refusal of permission in this instance.

7.12. **Part V**

7.12.1. South Dublin County Council's Planning Officer noted that no internal report on this application was received from the Housing Department. In the event planning permission was granted, a condition requiring compliance with Part V was recommended. The applicant's agent submits that the proposed development can avail of the Part V exemption afforded under Section 96(13) of the Planning and Development Act, 2000 (as amended).

7.12.2. In considering this matter I note that Section 96(13)(b) of the Act confirms that the requirements regarding the provision of social and affordable housing do not apply to the conversion of an existing building or the reconstruction of a building to create one or more dwellings, provided that 50 per cent or more of the existing external fabric is retained. Given that the current application seeks to retain the existing office blocks and upgrade the external fabric to facilitate a change of use to residential, I consider

that the proposed development would be exempt from Part V requirements in the event the Board grants planning permission.

7.13. Conclusion

- 7.13.1. I acknowledge that the site is zoned for residential purposes and is well located in terms of its proximity to an established service centre and public transport connections. I further acknowledge that the redevelopment of this brownfield site would accord with the NPF objectives which seek to increase residential densities on such sites, thus facilitating more compact forms of urban development.
- 7.13.2. While the sustainability benefits of retaining and refurbishing the existing office blocks are noted, I consider that the configuration of the apartment units, including a high proportion of single-aspect units, the form and layout of the communal open spaces, and the access arrangements have not been adequately resolved to ensure that a high standard of residential amenity would be achieved and to ensure safe movements for vehicles, pedestrians and cyclists. As such, I consider that planning permission should be refused in this instance.

7.14. Appropriate Assessment

- 7.14.1. Having regard to the nature and scale of the proposed development and its location relative to Natura 2000 sites, no appropriate assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, either individually or in combination with other plans or projects, on a European site.

8.0 Recommendation

- 8.1. I recommend that planning permission be refused.

9.0 Reasons and Considerations

- 9.1. The proposed development, by reason of the over-provision of 1-bedroom apartment units and 2-bedroom/3-person apartment units and the poor quality and layout of the communal open spaces, would conflict with the minimum standards recommended in the "Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities" published by the Department of Housing, Planning and Local Government in March, 2018, and as such, would result in a poor standard of residential amenity for future occupants. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
- 9.2. Having regard to the proposed site access arrangements, which do not include dedicated pedestrian and cycling infrastructure to serve future occupants of the residential scheme, it is considered that the proposed development represents an inappropriate form of development, which would create an unacceptable conflict between vehicular traffic and pedestrians and cyclists and would endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Louise Treacy
Planning Inspector

21st December 2020