



An  
Bord  
Pleanála

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

### **Inspector's Report ABP-306471-20**

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#### **Strategic Housing Development**

444 no. apartments, childcare facility  
and associated site works.

#### **Location**

Sector 3, Aiken's Village, Townland of  
Woodside, Stepside, Dublin 18.  
([www.ironbornshd.com](http://www.ironbornshd.com)).

#### **Planning Authority**

Dun Laoghaire Rathdown County  
Council.

#### **Applicant**

Ironborn Real Estate Limited.

#### **Prescribed Bodies**

1. Transport Infrastructure Ireland
2. Irish Water
3. Dublin County Childcare Committee
4. Commission for Energy Regulation

**Observer(s)**

65 - Full list Appendix A.

**Date of Site Inspection**

16 April 2020.

**Inspector**

Stephen Rhys Thomas.

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## 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. The application was made by Ironborn Real Estate Limited and received by the Board on 21 January 2020.

## 2.0 Site Location and Description

- 2.1. The subject site comprises 2.8ha and is located within the residential area of Aikens Village, Stepaside, Co. Dublin. The site fronts onto and is accessed from Village Road, a spine street that flows through the centre of the Aikens Village/Belarmine settlement. Atkinson Drive, along the west is a connecting street that also provides access to the site and a large residential estate at Thornberry, recently completed. The dwellings in the vicinity of the site consist mostly of two and three storey semi-detached dwellings with three and four storey apartment units across open space to the south. There is a wide range and mix of unit types in the vicinity with a large apartment development on the opposite side of Village Road to the south. An area of open space through which a footpath and cycle path runs, is located along the southern section of the site, not shown within the applicant's ownership. An undeveloped site and the location of an underground reservoir is located to the west of the site, across Atkinson Drive.
- 2.2. Lambs Cross and its range of shops and community facilities including a school are located a short distance to the west of the site, approximately 800 metres. Glencairn Luas stop is about kilometre away to the east, a seven minute walk away. Much closer to the site, less than 500 metres is the Belarmine Plaza with a wide range of operational services and retail units. Two new national schools are located west of the plaza centre. Also, in close proximity is Sandyford Hall, a small parade of shops and services approximately 300 metres to the south east.
- 2.3. At present, the subject comprises a former building site compound, with a number of spoil heaps and internal dirt roadways. The site slopes downwards from the north to the south, a change in level that is noticeable but not severe. The entire lands are surrounded by well maintained construction hording and there is very little natural

vegetation of note on the site. The eastern boundary of the site to Ferncarrig Avenue estate comprises a stout fence with mature trees and hedging beyond.

### 3.0 Proposed Strategic Housing Development

3.1. The proposed development comprises the construction of 444 apartment units, a childcare facility and tenant amenity spaces. The development is arranged in eight blocks ranging in height from 2 – 8 storeys over two separate single level basements. The detail of the proposed development can be summarised as follows:

- 120 - one bed units. Floor area 51.3 to 70.5 sqm.
- 310 - two bed units. Floor area 82.1 – 111.7 sqm
- 14 - three bed units. Floor area 99.1 – 113.3 sqm
- Childcare facility – 527 sqm, block K, capacity for 60 children
- Tenant amenity space – 1,389 sqm, blocks C and K
- Public open space and plaza area - 3,857 sqm
- 455 car parking spaces, 18 motorcycle spaces and 594 bicycle spaces.

44 Part V units.

Residential density of 156 units per hectare.

### 4.0 Planning History

4.1. Subject site:

D16A/0511 - a revised scheme within the development Belmont as granted under D10A/0440 / ABP Ref. PL06D.239332, 11 residential blocks comprising 243 apartments and duplexes ranging in height from 3 – 6 storeys; as well as other ancillary services.

D10A/0440 - (Parcel 3 & 5, Stepside AAP) 410 residential units comprising 206 houses and 204 apartment units. There were 121 units permitted in Sector 3 (the current application site).

4.2. Sites in the vicinity:

D16A/0588 - 3-5 storey over basement residential care facility, comprising of 85 bedrooms with ancillary resident and staff facilities. Car and bicycle parking plant and ancillary storage at basement level.

There are number of sites in the vicinity that are currently under construction, some of which are nearing completion.

## 5.0 Section 5 Pre Application Consultation

5.1. A section 5 pre-application consultation took place at the offices of An Bord Pleanála on the 21 October 2019 and a Notice of Pre-Application Consultation Opinion issued within the required period, reference number ABP-305419-19. An Bord Pleanála issued notification that, it was of the opinion, the documents submitted with the request to enter into consultations, required further consideration and amendment to constitute a reasonable basis for an application for strategic housing development. The following is a brief synopsis of the issues noted in the Opinion that needed to be addressed:

### 1. Wastewater Treatment

Clarity is to be provided concerning the delivery of wastewater infrastructure required to serve the proposed development, including works required to upgrade the capacity of the network following completion of a Drainage Area Plan (DAP) by Irish Water. The documents should provide details of necessary upgrade works required on foot of the DAP to include, inter alia: what works exactly are required; who is to deliver the works; the status of any planning and other consents required to deliver the infrastructure; the timelines involved in the delivery of the required infrastructure in the context of the proposed strategic housing development.

5.2. The prospective applicant was advised that the following specific information was required with any application for permission:

- Visual Impact/ CGIs and photomontages, sections and continuous elevations.
- A detailed schedule of accommodation, with specific regard to the use of the residential support facilities and amenity areas.
- A comprehensive daylight and sunlight analysis for the site and environs.

- All works shown within the red line boundary.
- Taking in Charge map.
- Surface Water drainage details.
- Details of all materials proposed for buildings, open spaces, paved areas, boundary and retaining walls and a building life cycle report.
- Details of Part V provision clearly indicating the proposed Part V units.
- Childcare demand analysis.
- Inclusion of a Social and Community Audit of the schools in the vicinity.
- A landscape and permeability plan of the proposed open space within the site clearly delineating public, semi-private and private spaces, areas to be gated, treatment of interface areas and provision of future connections to adjoining lands.
- Traffic and Transport Assessment to include car parking and cycle parking rationale and justification for different versions of calculations for trip generation.

5.3. 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:

1. Transport Infrastructure Ireland
2. Irish Water
3. Dublin County Childcare Committee
4. Commission for Energy Regulation.

#### 5.4. **Applicant's Statement**

5.4.1. Under section 6(7) of the Act of 2016, the Board issued a notice to the prospective applicant of its opinion that the documents enclosed with the request for pre-application consultations required further consideration and amendment in order to constitute a reasonable basis for an application for permission, the applicant has submitted a statement of the proposals included in the application to address the issues set out in the notice, as follows:

1. Wastewater treatment

A Confirmation of Feasibility (CoF) from Irish Water, dated 1 October 2019 and confirms that there is sufficient capacity for wastewater connection. Irish Water are carrying out a Drainage Area Plan (DAP) with hydraulic modelling of the network which is due to be published in Q4 2019. Irish Water provided a bespoke further CoF, dated 6 November 2019 that confirmed any upgrades to the networks arising from the DAP are not envisaged to require planning permission or third party consent.

#### 5.5. Applicants Material Contravention Statement

The applicant sets out that the proposed development materially contravenes the County Development Plan with regard to building height and appendix 9 of the said plan and the Stepside LAP 2000. The applicant states that the rationale for increased height at this location goes beyond the specific height limits set out in the Development Plan and should be considered in the context of the site context, the 'Urban Development and Building Heights – Guidelines for Planning Authorities' and national policies to increase residential densities.

### 6.0 Relevant Planning Policy

#### 6.1. Project Ireland 2040 - National Planning Framework

The National Planning Framework includes a specific Chapter, No. 6, entitled 'People Homes and Communities'. It includes 12 objectives among which Objective 27 seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages. Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

#### 6.2. Section 28 Ministerial Guidelines

Having considered the nature of the proposal, the receiving environment, the documentation on file, including submission from the planning authority, I am of the opinion, that the directly relevant section 28 Ministerial Guidelines are:



- ‘Urban Development and Building Height, Guidelines for Planning Authorities’. 2018
- ‘Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’ 2018
- ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (including the associated ‘Urban Design Manual’)
- ‘Design Manual for Urban Roads and Streets’ (DMURS)
- ‘The Planning System and Flood Risk Management’ (including the associated ‘Technical Appendices’)
- ‘Childcare Facilities – Guidelines for Planning Authorities’

### 6.3. Local Policy

#### **Dun Laoghaire Rathdown County Development Plan 2016-2022**

The site is zoned ‘A – To Protect and/or Improve Residential Amenity’ as indicated on County Development Plan maps. Residential development is ‘permitted in principle’ under this zoning objective while childcare service is ‘open for consideration’.

Lands along the south and adjoining the site are zoned Open space, where Objective F states “To preserve and provide for open space and ancillary active recreational amenities”.

The site is located within the Section 49 Luas Line B1 contributions scheme.

Housing policies set out in section 2.1.3 include policy RES3: Residential Density, which promotes higher residential densities in the interests of promoting more sustainable development whilst ensuring a balance between this and ensuring the reasonable protection of residential amenities and established character of areas; RES4: Existing Housing Stock and Densification, which encourages the densification of existing housing stock to retain population levels, and RES7: Overall Housing Mix, which encourages the provision of a wide variety of housing and apartment types.

Other policies which relate to sustainable land use and travel include ST2: Integration of Land Use and Transportation Policies, ST19: Travel Demand Management, ST23: Car Clubs and ST27: Traffic & Transport Assessment and Road Safety Audits.

Section 4.2 considers Open Space and Recreation including Policy OSR5: Public Open Space Standards.

Section 7.1.3 refers to Community Facilities including Policy SIC11: Childcare Facilities.

Chapter 8 refers to Principles of Development and contains the urban design policies and principles for development including public realm design, building heights strategy, and car and cycle parking. Policy UD1 refers to Urban Design Principles. Policy UD2 requires Design Statements for all medium to large developments, and UD6 refers to Building Height Strategy.

Appendix 9 details the Building Height Strategy. Section 4.8 focuses on residual suburban areas not already included within boundaries of the cumulative areas of control. Aiken's Village is identified as being one such area. It states that a general recommended height of two storeys will apply. It further states that a maximum of 3-4 storeys may be permitted in appropriate locations - for example on prominent corner sites, on large redevelopment sites or adjacent to key public transport nodes - providing they have no detrimental effect on existing character and residential amenity. Furthermore, it states that there will be situations where a minor modification up or down in height by up to two floors could be considered and these factors are known as 'Upward or Downward Modifiers'.

Upward Modifiers are detailed in section 4.8.1. It is stated that Upward Modifiers may apply where: the development would create urban design benefits; would provide major planning gain; would have a civic, social or cultural importance; the built environment or topography would permit higher development without damaging appearance or character of an area; would contribute to the promotion of higher densities in areas with exceptional public transport accessibility; and, the size of the site of e.g. 0.5Ha could set its own context.

It is stated that to demonstrate to the Planning Authority that additional height is justified, it will be necessary for a development to meet more than one 'Upward Modifier' criteria.

## 7.0 Third Party Submissions

7.1. 65 valid submissions were received, most were made by individuals containing similar themes and concerns and some were from residents' associations. Most observations revolved around the existing traffic congestion, the lack of community/social infrastructure, and that the development will be out of character with existing housing. Some supported the principle of housing development, but all observers objected to the proposed development of apartments. Issues were also raised about the thoroughness of documentation submitted by the applicant (such as the Traffic and Transport Assessment, Sunlight/Daylight Studies and Community Infrastructure Assessments) and that the proposal contravenes local plans for the area. In broad terms the planning issues can be summarised as follows:

### Traffic and Transport

Traffic volumes in the area are very high and will be exacerbated by the level of development proposed. The lack of car parking spaces will lead to on street car parking and congestion problems.

Existing Luas services are oversubscribed, and local bus services are infrequent.

Walking and cycling facilities in the area are very poor and will not be able to accommodate the planned journeys to and from the development.

The Traffic and Transport assessment has inconsistencies and inaccuracies.

Traffic during the construction period will cause a traffic hazard for local residents and some routes chosen for traffic have a weight limit.

Waste collection vehicles will pose a traffic hazard for local residents.

### Design

The proposed height of the apartment blocks is out of context with existing development in the area. The design and height of the development fails to take account of the site characteristics and slope.

The upland character of the wider area will be negatively impacted upon by the tall buildings proposed.

#### Density

The proposed development is far greater in density than that previously permitted. The proposed scheme should be assessed in the context of other permitted housing development in the area.

#### Residential Amenity

Overshadowing impacts will be experienced at property along Thornberry and Hyde Road.

Long section drawings do not adequately show adjacent property. Overlooking and loss of privacy will result to numerous properties that are located adjacent to the proposed development.

The proposed accommodation for future residents is not up to standard.

#### Community infrastructure

There are not enough primary schools, secondary schools, childcare facilities and surgeries to support the existing local population, the proposed development will make matters worse. The methodology for calculating the composition of the future occupants is flawed and has consequences for the availability of local services.

The social and affordable homes are located in one block and this is not satisfactory for community cohesion.

#### Water Services

The local wastewater network cannot support the proposed development.

There are localised flooding events that happen after heavy rain, a consequence of poorly installed surface water infrastructure in the existing developments. The quality of the Flood Risk Assessment is questioned.

Observations included a variety of photographs all showing traffic congestion in numerous locations and a residents association included an on-line petition with a list of 445 names.

## 8.0 Planning Authority Submission

- 8.1. The Chief Executive's report, in accordance with the requirements of section 8(5)(a) of the Act of 2016, was received by An Bord Pleanála on the 18 March 2020. The report states the nature of the proposed development, the site location and description, submissions received and details the relevant Development Plan policies and objectives. The report also included a summary of the views of the elected members of the Dundrum Area Committee Meeting held on the 24 (month not stated) 2020, and mirrors all the issues raised by third party submissions.
- 8.2. The following is a summary of key planning considerations raised in the assessment section of the planning authority report:

Principle of development/zoning – the site is located on lands zoned for residential purposes, the proposed uses, including a creche are acceptable.

Density – the site is located less than a kilometre from a Luas stop and has the potential to support higher densities.

Height – the proposed development would not align with any Development Plan objectives for height and be out of context with the area, no support for the heights proposed.

Residential amenities – separation distances between existing and proposed development and between proposed units will be less than 22 metres. Daylight, sunlight and overshadowing analysis has not been satisfactorily conducted for the site, some rooms at risk have not been analysed and not all amenity areas have been assessed.

Design. Form and layout – the choice of materials is acceptable. More linkages to the north and east could have been achieved. The usability of amenity space within the scheme is criticised and the removal of blocks K and E should be considered.

Housing mix – the balance in favour of one and two bedroom units is criticised in terms of the existing provision of similar type housing in the area.

Public open space – the site meets the 10% requirement for public open space. But its accessibility and usability is questioned.

Community facilities – the childcare facility is welcomed, though smaller in scale than what might be required. The development will increase school place demand but satisfactory answers to an emerging problem in the future are not provided by the applicant. The provision of tenant facilities is welcomed but previous applications on the site included more mixed use services for the wider area.

Infrastructure – insufficient space has been set aside for waste disposal. The flooding assessment and surface water management regime is acceptable subject to conditions.

Car parking – the development plan standards require more than proposed, but the reduced amount proposed is acceptable given the proximity of high quality public transport.

Part V and taking in charge requirements are set out and the planning authority's responsibilities regarding EIA and AA are outlined.

The planning authority recommend a decision to refuse planning permission for three reasons, that concern existing and proposed residential amenity, failure to comply with specific planning policy requirements thus resulting in substandard living standards for future occupants and finally a lack of supporting community support facilities. The planning authority also note that the proposed development could be premature because of the need to upgrade wastewater network facilities and the likely impact upon flood risk.

In the event of a grant of permission, the planning authority recommend 48 conditions, of interest include the following:

Condition 2 - Amendments to bring the scheme up to standard, the omission of block E and a blanket reduction in height to six storeys.

Conditions 20 – 38 that concern traffic and transport conditions.

Condition 48 that concerns the attachment of a section 49 contribution condition.

The remainder of conditions are of a standard and technical nature to do with specific requirements of the planning authority.

## 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:

1. Transport Infrastructure Ireland
2. Irish Water
3. Dublin County Childcare Committee
4. Commission for Energy Regulation.

9.2. The applicant notified the relevant prescribed bodies listed in the Board's section 6(7) opinion. The letters were sent on the 21 January 2020. A summary of those prescribed bodies that made a submission are included as follows:

- **Irish Water (IW)** - with regard to capacity in the wastewater network, the Shanganagh Drainage Area Plan shows that upgrades are necessary to accommodate the development into the local wastewater network without increasing flood risk. It is expected that the extent of any necessary upgrades, any third party consents and any third party permissions will be known by quarter 3 of 2020.
- **Transport Infrastructure Ireland** – no comments.

## 10.0 Environmental Impact Assessment

10.1. The current proposal is an urban development project in a built up area. It is therefore within the class of development described at 10(b) of Part 2 of Schedule 5 of the planning regulations. An environmental impact assessment would be mandatory if it exceeded the threshold of 500 dwelling units or a site area of 10 hectares or 2 hectares in a business district. The number of proposed dwellings is at the upper end of the threshold. The site is outside any current town centre and the area is zoned for residential purposes. The site is considerably less than 10 hectares in extent and so the applicable site area threshold is not exceeded. The established use of the site is as a construction compound and it is served by municipal water supply and drainage facilities. The proposed uses are predominantly residential with

ancillary resident amenities and a childcare unit, the development would not give rise to significant emissions. It is therefore evident from the scale, nature and location of the proposed development that there is no real likelihood that that it would have significant effects on the environment. An environmental impact assessment is not required.

## **11.0 Appropriate Assessment**

11.1. The proposed development would not be in or adjacent to any Natura 2000 site. It would not have the potential, therefore, to have a direct effect on any such site. The established use of the site is as a former construction compound. It contains no habitats that would support any species which is the subject of a conservation objective for any Natura 2000 site. It drains entirely to the municipal surface water and foul drainage systems. Irish Water have reported that it can facilitate the connection to its networks of the proposed residential development subject to network upgrades. In these circumstances the proposed development would not have the potential to have indirect effects on any Natura 2000 site. As the development would not have the potential to have any direct or indirect effects on any Natura site, it would not have the potential to have significant effects in combination with any other plan or project. It is therefore evident from the location and nature of the proposed development that no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## **12.0 Oral Hearing Request**

12.1. There is provision within the Act of 2016 to hold an Oral Hearing in respect of a SHD application, section 18 of the Act refers. However, as the intention of the legislation is to fast-track SHD applications, the holding of oral hearings will be the exception. The legislation provides that An Bord Pleanála should have regard to the exceptional circumstances requiring the urgent delivery of housing and only hold a hearing where there is a compelling case for one.



12.2. The case made by a resident's association (Belarmine) requesting an oral hearing is based around a wide range of issues including the possibility of worsened traffic conditions, the proposed residential density and building height relative to existing development in the area, a lack of nearby public transport, a lack of school places and medical facility deficiencies. The issues raised in this oral hearing request do not differ from other observations made or the common issues that arise in the context of this site, they all form part of the various elements of my assessment throughout this report and I find that the applicant has provided a sufficient amount of detailed analysis to answer any questions I or the Board may have. In addition, I note the thoroughness and detailed consideration provided by the planning authority, statutory consultees and other observers that allows me to be satisfied with the considerable amount of detailed material before me to allow for a reasoned decision to be made by the Board. I do not consider that there is a compelling case to hold a hearing and that the necessary information is held on the file.

## 13.0 Assessment

13.1. The Board has received a planning application for a housing scheme under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016. My assessment focuses on the relevant section 28 guidelines. I examine the proposed development in the context of the statutory development plan and the local plan. In addition, the assessment considers and addresses issues raised by the observations on file, under relevant headings. The assessment is therefore arranged as follows:

- Principle of Development
- Design and Layout
- Residential Amenity
- Traffic and Transport
- Water Services

### 13.2. Principle of Development

13.2.1. Zoning - The site is subject to zoning objective A the objective of which is “to protect and /or improve residential amenity”, in the Dun Laoghaire Rathdown County Development Plan 2016-2022. The proposal to provide residential units, resident’s amenities and a childcare facility is appropriate. While I address other matters relating to the proposed development strategy on the site in the next sections, I am satisfied that the principle of a residential and childcare use at this location is acceptable.

13.2.2. Density – the planning authority note the comparatively high residential density proposed by the applicant and recognise that when taken together with other sectors of the wider lands a residential density of 74 units per Hectare would emerge. The planning authority do not especially criticise the residential density proposed for the site but highlight that issues such as design and residential amenity may suffer as a result. Needless to say, local residents in the area are very critical of the residential density proposed and this is understandable given the 85 units per Hectare residential development already permitted for the site.

13.2.3. The applicant has prepared a statement to address density, as well as building height and unit mix, and this is contained in the Planning Report and Statement of Consistency submitted with the application. Ostensibly, the report concludes that higher densities are pursued by national policy and guidelines, especially in locations that are served by public transport, where densities in excess of 50 dwellings per hectares are encouraged. This density, it is claimed, is in line with national and regional guidelines for an infill site, in an already well built up area, in an existing community, served by public transport and linked by a short distance (c. 800 – 900m) to the Glencairn Luas Stop. Almost all of the observations from locals and elected representatives alike, do not agree that this is the correct location for what is in their opinion too high a density of development when compared to the existing suburban character of the area.

13.2.4. Increasing residential density at appropriate locations is national policy and articulated in section 28 guidelines such as the 'Urban Development and Building Height, Guidelines for Planning Authorities' 2018 and 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' 2018. Such increases in density are to ensure the efficient use of zoned and serviced land, which of course, this site is. In addition, Aiken's Village is well located in an area where there are a range of urban services such as transport, retail, medical and community facilities. However, certain criteria and safeguards must be met to ensure a good standard of design and I address these later. Increased residential density in suburban locations such as Aiken's Village/Belarmine ensure the efficient and increased use of existing and planned services such as shops, commercial uses, social infrastructure such as schools, libraries and medical facilities. All of these services, whether commercial or social, rely on a critical mass of population to remain viable. In the immediate environs of the site are schools, shops and medical facilities. In the wider area there are also parks and open spaces, sporting facilities and clubs. All of which will benefit from a higher density development that is a comfortable walking or cycling distance away. A residential density of 156 dwelling units per hectare may appear in contrast to the lower density character of the immediate area. However, I am satisfied that when taken together with existing development in the wider area and the figure of 74 units per Hectare advanced by

the applicant and noted by the planning authority, this is the correct and most sustainable use of such well located and serviced land.

### 13.3. Design and Layout

- 13.3.1. The site comprises a large construction compound used in the past for surrounding housing projects and is itself the site of a permitted apartment development. There are wide margins of open space and streets that separate the site from existing residential development, particularly along the east, south and western boundaries. The most sensitive area of the site is to be found along the northern boundary at Thornberry Road.
- 13.3.2. The site has the benefit of planning permission for a relatively high-density residential scheme that comprises mainly apartment blocks and some duplex housing. The permitted layout is slightly different to the current proposal, with a very defined perimeter block form and buildings of up to six storeys. Some public open space is located at the centre of this former scheme and surface car parking was a dominant feature. The design proposal now before the Board seeks to provide on average 20 metres of separation distance and in most cases much more, between the proposed blocks and existing homes. Apartment blocks are in most cases higher than that previously permitted, and car parking has been sent underground in order to free up a greater area of public open space.
- 13.3.3. Local residents are concerned that the layout and design of the development is very different to the existing form and character of the area and at a scale that differs significantly from that previously permitted. There are also some very specific concerns from residents of homes along Thornberry Road, Griannan Fidh and Ferncarrig and I address these separately in later sections of this report. However, I find the layout and the design of the scheme to be logical and legible from an urban design perspective. Open spaces are well overlooked. The scale of each building block has been designed to address the sensitivity of adjacent homes. In particular, apartment blocks have been stepped down at the northern end of the site along Thornberry Road. Other more general concerns expressed by observers about the height of the development are in my mind unfounded. The wider area is already developed for housing, where three storey houses and apartment blocks of up to six storeys and more can be found. The additional impact of apartment blocks up to

eight storeys is not seen by me as an excessive impact given that the receiving environment has evolved significantly in recent years to a suburb of increasing density hung around high quality public transport and emerging neighbourhood centres.

- 13.3.4. The provision of quality public open space in and around this development will be very important and the landscape masterplan addresses this in part. I note that previous permissions for this site included the linear margin of open space along the southern part of the site, this is omitted in the current scheme. I see no reason why this area of linear space cannot be improved by the scheme proposals, the provision of good overlooking of this space has been provided and this is welcomed.
- 13.3.5. I have misgivings about the usability and openness of the public open space at the centre of the scheme. The imposition of blocks E and K militate against the accessibility of this space and block E in particular will affect the penetration of light and needlessly enclose the space. The planning authority also note the shortcomings of the main open space of the scheme and recommend the omission of blocks and reductions in height. In the context of the Urban Design Manual that accompanies the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, there are set design criteria that should be met for new development. Though the overall design of the scheme meets many of these design criteria, some areas of the design are flawed at the neighbourhood level and these include how successfully the criteria of connections and inclusivity have been handled. In my opinion, the arrangement of blocks and the position of blocks E and K in particular, decreases the availability of attractive routes in and out for pedestrians and cyclists. In addition, the main central area described as public open space has been poorly defined and needlessly blocked from view. That space is therefore not readily accessible and does not provide the perception of being open to all. The new blocks E and K will project a negative aspect to passers by, presenting an unnecessary physical and visual barrier to the main central space.
- 13.3.6. Blocks E and K should be omitted. This is a simple approach and one that would alleviate the problem but there are other reasons to critically examine the appropriateness of blocks E and K and these relate to the residential amenity of future occupants. In addition, I have reservations about the proximity of blocks to

each other and the residential amenity of habitable rooms and ground floor private amenity spaces in particular.

#### 13.4. Residential Amenity

##### Residential Amenity for future occupants

- 13.4.1. The proposed development comprises 444 apartments and as such the Sustainable Urban Housing: Design Standards for New Apartments 2018 has a bearing on design and minimum floor areas associated with the apartments. In this context, the guidelines set out Specific Planning Policy Requirements (SPPRs) that must be complied with. The apartments are arranged in 8 blocks inclusive of a standalone crèche unit, the building heights range between 2 and 8 storeys in height, most are six storeys. Apartment units of differing sizes are uniformly distributed throughout the site and are provided with adequately scaled public or semi-private open space.
- 13.4.2. Sections 7 and 8 of the Planning Report and Statement of Consistency deals briefly with apartment design and compliance with the relevant standards. The Architect's Design Statement and Schedule of Accommodation shows in detail that apartment units are a combination of dual aspect (223 units - 50%) and single aspect (221 units - 50%). Single aspect apartments generally have favourable orientations (east or west), with none receiving north light alone, with some receiving north west light in limited circumstances. The proposed development provides 120 (27%) one bedroom units, which is less than the upward amount of 50% allowed for in the guidelines. All ground floor, floor to ceiling heights are at least 2.7 metres (some as much as 3.9 metres and all upper floors are 2.4 metres) in height and no more than 10 units are served per lift and stair core. Specific Planning Policy Requirements (SPPRs) 1, 4, 5 and 6 are therefore met.
- 13.4.3. Under the Guidelines, the minimum GFA for a 1 bedroom apartment is 45 sq.m, the standard for 2 bedroom apartment (3-person) is 63 sq.m and the standard for a 2 bedroom (four-person) apartment is 73 sq.m. The accommodation schedule shows that this has been exceeded by more than the minimum 10% in all cases. The proposed apartments are all in excess of the minimum floor area standards (SPPR 3), with none close to the minimum requirements. Given, that all apartments comprise floor areas in excess of the minimum, I am satisfied that the necessary standards have been achieved and exceeded. In broad terms, I am satisfied that the

location and internal layout of the apartments are satisfactory from a residential amenity perspective.

- 13.4.4. I note that Apartment Guidelines, require the preparation of a building lifecycle report regarding the long-term management and maintenance of apartments. Such a report has been supplied with the planning application. In addition, the guidelines remind developers of their obligations under the Multi-Unit Developments Act 2011, with reference to the ongoing costs that concern maintenance and management of apartments. A condition requiring the constitution of an owners' management company should be attached to any grant of permission.
- 13.4.5. According to the Architectural and Landscape Design Statement, the apartment buildings have a combination of selected brick finishes, stone and metal panel finishes and glazed balconies or railed at ground floor level. A full schedule of materials and finishes is detailed in the Architect's Design Statement and elevation drawings. The majority of the finishes proposed are durable, attractive and suitable for the area in terms of visual amenity. In addition to external amenity space comprising podium/ground floor courtyard areas 4,433sqm, a central public open space and arrival plaza of 3,857 sqm has been provided. The proposed development also includes tenant facilities (co-working space, residents lounge, games room, cinema, gym and yoga studio) and a childcare facility and all blocks have large foyer/lobby areas at ground floor level. In light of all these on-site facilities, included under this application, I am satisfied that a comprehensive suite of facilities and services will accompany this conventional residential apartment development and enhance this site close to existing commercial and community services and not far from a Luas station.
- 13.4.6. The planning authority note that apartment blocks are located too close together and the outlook from some windows may present issues of overlooking and loss of privacy. In particular, the planning authority note that separation distances between habitable rooms could be less than 10 metres in some cases. The creation of new urban environments is supported by national guidelines and a characteristic of urban living is slightly closer separation distances between the windows of habitable rooms. However, I agree with the planning authority's reservations up to a point. In my view the worst cases where excessive proximity are to be found is at gable ends and particularly between blocks A,K and G and blocks D,E and H. In addition, I have

some reservations about the closeness between blocks A/B and C and D, and also blocks F/G and H and J. Here the separation distances between apartments that rely on dual aspect are between 10 and 15 metres. The worst impact of this relatively close proximity will be felt by occupants of units at ground floor level, where private amenity space is to be provided. The Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities 2018, seeks innovative design solutions in relation to apartment development and blanket separation distances between units is not advised. However, advice in relation to private amenity space states that where such spaces are provided at ground level, they shall incorporate measures to ensure privacy and security but also that they be located to optimise solar orientation and designed to minimise overshadowing and overlooking. This is not the case for some ground floor private amenity spaces and this stems from the proximity of apartment blocks.

13.4.7. Given the size of the site and availability of well-proportioned open green space throughout the scheme and to the south, there is no reason why each block should be so close together. This is a suburban location that is becoming urban in character and greater separation distances could be made available between blocks to ensure privacy and allow light to penetrate private amenity space and living rooms. I note the applicant's preparation of a Sunlight, Daylight and Shadow Assessment, in which most apartment units receive a positive score. However, I note that lower ground floor and podium level units have been designed to incorporate large glazing panels in order to mitigate poorer outcomes. This is a useful design innovation but one that could increase privacy loss issues, particularly at ground floor locations and where separation distances between blocks are limited.

13.4.8. In this instance, I find the intervening space between blocks A and D to be satisfactory and either through the omission of units, specification of privacy screens or the re-spacing of all blocks this could be replicated throughout the site. The imposition of blocks E and K have an impact both on internal residential amenity and on the penetration of light to the central open space. The removal of blocks E and K would improve the amenities of blocks A, D, G, and H dramatically and render the central public open space much more usable, accessible and filled with light. All of these changes are significant in scale and cannot in my view be implemented by way



of condition. For instance, block K accommodates a childcare facility that is needed for this site and so its relocation elsewhere should be a requirement.

- 13.4.9. Overall, the internal standards have been met by the applicant and each apartment unit, on its own, is of a high quality. But the separation distances between each block is just not enough to ensure a high quality living environment for many apartment units that rely on single aspect and therefore the principle objectives of the Apartment Guidelines are not met. Specifically, the guidelines state in respect of single aspects units, living spaces should provide for direct sunlight for some part of the day and this is not the case in with regard to the imposition of blocks E and K.

#### Existing residential amenity

- 13.4.10. A large number of observations made by local residents reference the impact of the development on their homes. The majority of concerns revolve around the impact of overshadowing and the immediate effects of an overbearing appearance, overlooking and loss of privacy are also stated as a major concern. The wider issues of the negative visual impact and the deterioration of amenity as a result of increased traffic volumes feature highly amongst submissions. The planning authority echo some of these concerns, with the most significant issues found to be the lack of separation distances between proposed and existing development and lack of sufficient data concerning sunlight/daylight analysis.

- 13.4.11. Firstly, it is important to state that the site already has permission for residential development that includes apartment units up to six storeys. In addition, the layout of the permitted scheme pushed apartment blocks further out to the boundary of the site and closer to existing and permitted homes. The scheme now proposed alters the layout particularly along the boundary with Thornberry Road by the provision of greater separation distances and reducing building heights close to existing homes. However, the homes along Thornberry Road are where the greatest impact of the development will be felt. This is because of a variety of factors that include: these homes are occupied and residents have become used to an open aspect to the south, there is a perception that the scale and massing of the overall development is not what was expected to be built and that the lack of car parking will lead to inconvenient on street parking.

13.4.12. I find that the applicant has arranged the site to ensure that the existing residential amenities enjoyed by neighbouring residences are not negatively impacted upon. This is achieved by the selection of the northern sector of the site to locate apartment blocks that are broken up in form and that for the most part are three storey in height. The northern elevations of blocks A/B are between two and three storeys with a four storey corner element, block K is three storeys and blocks F/G are between two and three storeys. Of these blocks, F/G present no issues to the residential amenity of existing homes to the north, because of the separation distances of more than 22 metres, the intervening street and generous landscaped margins and because of the domestic scale and design of the apartments. Specific concerns at the north eastern tip of block F in the current proposal arise and though quite close (8 metres to gable) overlooking of the rear garden of 18 Hyde Road have been addressed.

13.4.13. The childcare unit, block K is located across from the blank gables of homes along Thornberry Close and Drive, the only issue here is from the overlooking of rear gardens that are more than 19 metres to the north. But given the orientation of gardens, the commercial nature of block K and fenestration on the north elevation, I do not anticipate any particular residential amenity issues here. I do have other concerns regarding block K, but these are related to the residential amenity of future occupants rather than impacts to existing amenity. Finally, block A/B includes a four storey corner element and the whole block is located 20 metres from the front faces of houses and will overlook some rear gardens.

13.4.14. The applicant has examined the separation distances between proposed apartments and houses along Thornberry Road, blocks B and F are between 16 and 8 metres away from the blank gable ends of existing houses. Windows will overlook back gardens, but no more so than the windows of neighbouring houses do already. In other cases, along Thornberry Road, separation distances will average 20 metres or more and given the intervening landscaped margins and a public street this is acceptable. In addition, given the scale and broken up height of proposed apartments along Thornberry Road, I do not anticipate that loss of light or overshadowing will become an issue. In terms of the concerns of both local observers and the planning authority about the lack of detailed information concerning the impact of overshadowing and potential loss of sunlight/daylight to

existing homes, I agree up to a point. The analysis provided by the applicant could have gone further to eliminate the uncertainty felt by local residents about the likelihood of overshadowing and of the potential for loss of light along Thornberry Road.

13.4.15. In the context of other residential property in the vicinity of the site, specifically, Ferncarrig to the east and Griannan Fidh and Cluin Shee to the south, separation distances are in excess of 34 metres. In the case of Ferncarrig, a planned landscaped margin, existing treeline and wide public open space, existing road and more than 40 metres will separate apartment blocks from the gable ends of existing houses. All of these houses and apartments are so far removed from the proposed apartments that I anticipate no loss of residential amenity.

13.4.16. Given the foregoing, the reports and drawings prepared by the applicant and the views and observations expressed by the planning authority, I am satisfied that the proposed development will not impact negatively on the residential amenity of existing residents to such a degree so as to recommend a refusal of permission. However, the layout of the apartments and their relationship with each other will not provide an acceptable level of residential amenity for future occupants and permission should be refused on these grounds.

### 13.5. **Traffic and Transport**

13.5.1. A large proportion of observations made by local residents are critical of the scale of development proposed and the resultant impact on the local traffic situation. Car parking numbers are widely criticised, it is believed that there is not enough. Observations are also critical of the Traffic Impact Assessment and cite various inconsistencies and inaccuracies. The planning authority are not opposed to the proposed development from a traffic and transport perspective. However, the planning authority are critical about certain aspects of the TIA in terms of the omission of modelling some junctions, predicating traffic volumes on the increases from the previously permitted scheme and not taking into account committed development in the area amongst other things. On balance, the planning authority conclude that given that the Blackglan Road Improvement Scheme is undergoing final design stage and planned increases to Luas capacity the development is acceptable subject to greater model shift.

- 13.5.2. I note that a large volume of observations has underlined the issue of traffic congestion as one of the major concerns for the area. I do not doubt that most if not all local roads are extremely congested at peak times, the accounts and photographs submitted by observers adequately illustrate the existing problems for car users. The date of my site visit is not representative of likely traffic, but I did observe a large volume of cars parked across footpaths and along streets. In my view, the overall transport character of the area is defined by private car use and this is exemplified by the profusion of cars parked in and across the driveways of dwelling houses. The applicant has prepared a TIA that clears the way for the development proposed and demonstrates that there are alternatives such as walking/cycling and light rail opportunities in the area.
- 13.5.3. It is inevitable that the development at the scale proposed will impact upon local traffic volumes and incidentally the provision of 455 car parking spaces will facilitate this. It is also inevitable that if the scheme already permitted on this site were constructed, it too would add to traffic congestion in the area. Whether the applicant's TIA is reliable or not is almost a moot point, however, I do agree with the planning authority's concerns and the level to which the TIA underplays the likely impact of the scheme. The current traffic situation in the area is problematic to say the least, but this is more symptomatic of the unsustainable traffic patterns already in place and practiced by local residents.
- 13.5.4. In terms of car parking, I note the local policy advice with regard to car parking standards and I also note the concerns of local residents and the fear of sporadic parking in the area leading to carriage way narrowing and congestion. All are genuine concerns but to concentrate on national guidance, car parking has been given particular prominence. In this respect, the quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of location in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria. At central or highly accessible locations, significant reductions in car parking or complete elimination is recommended. Locations such as cities, especially in or adjacent to (i.e. within 15 minutes walking distance of) city centres or centrally located employment locations. The subject site is not situated in such a location. The applicant has stated that their site is more comparable to an intermediate location and so a substantial amount of car parking

has been proposed, around one space per apartment unit. The planning authority have no particular issue with this amount, however, local residents foresee problems because of undersupply.

13.5.5. High quality public transport is located close by, the walk to Glencairn Luas stop is no more than a comfortable seven minute walk, local bus services are also available. A wide range of community and commercial services are located nearby. All of these factors lead to my conclusion that car parking is overprovided in this scheme. If car parking spaces are provided at the level proposed it is extremely likely that future occupants will own cars, avail of the spaces and most likely be less inclined to use public transport, will shop, work and educate further afield and contribute to local traffic congestion. For local services to be economically viable and for public transport to function well, there must be a critical mass of users. Providing car parking spaces at the level proposed militates against take up of more sustainable transport modes. However, this cannot be achieved by simply reducing car parking, an effective mobility management plan must be devised, and future occupants must not expect that an apartment unit and car parking space go hand in hand.

13.5.6. The issue of car parking provision on this site is particularly sensitive to its location and the lack of a wider transport planning led vision for the area is extremely problematic. Given the availability of local community and commercial services and the proximity of a light rail stop, it is likely that 0.5 car parking spaces per apartment unit would satisfy the desirability of car storage and encourage greater use of more sustainable modes of transport. If permission is granted, I recommend the attachment of a condition to significantly reduce car parking and the production of a meaningful mobility management plan that exploits the locational advantages that this site has to offer.

### 13.6. **Water Services**

13.6.1. The main infrastructural issue that concerns the proposal before the Board is the capacity of the local wastewater network to accommodate the scale of development. There have been a number of documents that originate from Irish Water that concern the extent of capacity issues, such as they are. The applicant has addressed the issues that might arise with regard to water services and anticipates that there are no capacity constraints. I consider that the most recent correspondence from Irish

Water should be the most relevant and up to date account of the current situation. This document sets out that it has been necessary to carry out an assessment of the local network, the Shanganagh Drainage Area Plan (DAP) and to follow on from this, detailed modelling is needed to establish the extent of third party consents. Irish Water state that the early results of the hydraulic modelling of the network indicate that upgrade works to the network are necessary in order to avoid the risk of flooding. However, the extent of third party consents or statutory consent that might be necessary cannot be confirmed until detailed modelling is complete, not expected until quarter three in 2020.

- 13.6.2. Irish Water do not go so far as to recommend that permission should be refused but simply state that the network requires upgrades and without them flood risk may follow. The planning authority are also seriously concerned about the wastewater deficiencies in the area and the link to flood risk, so much so that a note to this fact is attached to their refusal reasons.
- 13.6.3. The applicant has prepared a Drainage Design Report that details the surface water management of the site, but also includes information with regard to the design of the wastewater and water supply network throughout the site. The report also includes earlier correspondence from Irish Water, but the report does not provide any information with regard to how the proposed development should be accommodated. I suggest that this is just not known at this stage. The applicant has also prepared a Flood Risk Assessment that concludes no additional flood risk will result from the proposed development. However, as is not uncommon with such assessments, surface water management rather than wastewater discharges are analysed and modelled.
- 13.6.4. The facts as they stand, are that the site has planning permission for 243 units and these could be constructed now, seemingly without impact to the network. However, the quantum now proposed by the applicant appears to present problems to the existing wastewater network and upgrades are needed. The extent of the upgrades and the need for either third party consents or statutory consents is not known. I cannot see how the proposed development can proceed in its entirety without upgrades that would eliminate the risk of flooding. The risk of flooding from wastewater issues has not been addressed in the applicant's FRA and Irish Water have not expanded on this issue either. In addition, I cannot see how a phased

development of the site could proceed without the outcome of detailed hydraulic modelling and knock on third party and/or statutory consents. I do not think that it is feasible to allow the quantum of development to proceed without knowing what impact will result to the local wastewater network or worryingly the absence of any analysis of increased flood risk. It would be better to know precisely what upgrades are needed and how they can be achieved in order to accommodate the entire development. In this regard I recommend that permission should be refused because of inadequate wastewater infrastructure to accommodate the level of development proposed.

#### Surface water management and flood risk assessment

- 13.6.5. With regard to surface water management, I note the comments made by the planning authority and the attachment of standard technical conditions. Specifically, I note that the applicant has assessed attenuation rates and modelled for the wider area and this is acceptable to the planning authority. Some observations made by local residents allude to small scale flooding from rainfall events, these are not modelled in the FRA and the planning authority show no real concern either. I did observe sand bags around some ground floor garden terraces to apartments at Griannan Fidh. An issue that local residents think is related to onsite surface water management failures.
- 13.6.6. I note Irish Water's comments and the planning authority's concern of the risk of flooding from wastewater network capacity constraints. These matters could have been explored in greater detail in the FRA and conclusions reached to demonstrate the development proposed will not increase flood risk elsewhere and, if practicable, will reduce overall flood risk. The thoroughness and robustness of the FRA is in question. Given the IW comments on increased risk of flooding, it is worrying that probable sources of flooding have been restricted to fluvial, tidal, pluvial/surface water and groundwater. This is not surprising given the applicant's understanding that the development as proposed could be accommodated by IW and so no detailed examination of wastewater network failure events have been analysed.
- 13.6.7. On balance however, I am satisfied that the surface water infrastructure designed to serve the development is acceptable and subject to appropriate conditions, the development can be adequately serviced from a surface water perspective.

## 14.0 Conclusion

- 14.1. In conclusion, I consider the principle of residential development to be acceptable on this site. I am of the opinion that this is a zoned site within an established urban area where a wide range of services and facilities exist. However, I find that the lack of certainly in relation to upgrades that are necessary to the wastewater network in order to accommodate the proposed development without eliminating the risk of flooding to be of concern. Irish Water have stated that more detailed hydraulic modelling is yet to take place and the extent of third party or statutory consents is not known. In light of these doubts and the possibility of a flood risk, I have no alternative but to refuse the proposed development.
- 14.2. The planning authority have highlighted issues with the lack of compliance with both local development plan policy and national policy with respect to a number of apartment units and the resultant quality of residential amenity standards. I am satisfied that to some extent the relevant national guidelines have been met and where necessary significant changes would satisfactorily improve matters. More importantly, I think that a number of amendments such as the omission of some blocks and the reposition of others would in my opinion, significantly improve the development. Given the severity of these suggested amendments I consider that the current layout and design of the proposed development would result in a substandard level of residential amenity for future occupants and permission should be refused.

## 15.0 Recommendation

- 15.1. 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.

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

## 16.0 Recommended Draft Board Order

### Planning and Development Acts 2000 to 2019

**Planning Authority:** Dun Laoghaire Rathdown County Council

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars, lodged with An Bord Pleanála on the 21 January 2020 by Ironborn Real Estate Limited, Rocktwist House, Western Business Park, Shannon, Clare.

#### **Proposed Development:**

A planning permission for a strategic housing development on a site at Aiken's Village, Stepside, Dublin 18.

The proposed development will consist of the construction of 444 apartment units, a childcare facility and tenant amenity space. The development is arranged in eight blocks ranging in height from 2 – 8 storeys over two separate single level basements. The detail of the proposed development can be summarised as follows:

- 120 - one bed units. Floor area 51.3 to 70.5 sqm.
- 310 - two bed units. Floor area 82.1 – 111.7 sqm
- 14 - three bed units. Floor area 99.1 – 113.3 sqm
- Childcare facility – 527 sqm, block K, capacity for 60 children
- Tenant amenity space – 1,389 sqm, blocks C and K
- Public open space and plaza area - 3,857 sqm
- 455 car parking spaces, 18 motorcycle spaces and 594 bicycle spaces.

#### **Decision**

**Refuse permission for the above proposed development based on the reasons and considerations set out below.**

### **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

### **Reasons and Considerations**

1. Hydraulic modelling of the wastewater network in the area indicates that upgrades are necessary and the extent of third party or statutory consents are not known at this time. There is a lack of certainty in relation to the wastewater network capacity to accommodate the proposed development without increasing the risk of flooding. Having regard to the existing deficiency in the provision of adequate sewerage infrastructure serving the subject site, it is considered that the proposed development would be premature by reference to the existing deficiencies in the provision of sewerage facilities and the period within which this constraint may reasonably be expected to cease and would be prejudicial to public health. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The “Urban Design Manual – a Best Practice Guide” issued by the Department of the Environment, Heritage and Local Government in 2009, to accompany the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas includes key criteria such as connections and inclusivity. At the neighbourhood level it is considered that the proposed development has failed to successfully address the criteria of connections and inclusivity. The arrangement of apartment blocks and the position of blocks E and K in particular, decreases the

availability of attractive routes in and out for pedestrians and cyclists. The main central area described as public open space has been blocked from view, is not readily accessible or allows for the perception of being open to all, blocks E and K will project a negative aspect to passers-by, presenting an unnecessary physical and visual barrier to the main central space, all of which would be seriously injurious to the residential amenities of future occupants and contrary to the provisions of the Urban Design Manual – a Best Practice Guide in particular criteria number 2 Connections and number 3 Inclusivity and to Policy UD 1 – Urban Design Principles of the Dun Laoghaire Rathdown County Development Plan 2016-2022.

The positioning of apartment blocks results in sub-optimal separation distances between some blocks and this fails to ensure high quality living environments for some apartment units that rely on single aspect and so the advice of the 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' 2018 with regard to living spaces that should provide for direct sunlight for some part of the day has not been met satisfactorily.

The proposed development would, therefore, seriously injure the residential amenities of future occupants, would be contrary to these Ministerial Guidelines and would be contrary to the proper planning and sustainable development of the area.

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Stephen Rhys Thomas  
Senior Planning Inspector

20 April 2020

## 17.0 Appendix A

68 Submissions, named as follows:

1. Adrienne and John Dempsey
2. Aine Doohan
3. Angela Mac Gabhann
4. Annemarie Butler
5. Annette Byrne and Graham Ryan
6. Barrie McElhinney
7. Beata Cavanagh
8. Belarmine Residents Association
9. Belmont Residents Association
10. Brendan Philbin
11. Brona Grant
12. Carlos Correia
13. Carol and Eamon Dempsey
14. Clare O'Shea
15. Craig Allen & Megan Wojnar Allen
16. Damien O'Dowd
17. Dan and Yu Chen
18. Daniel Billingham
19. Denis and Maria O'Donnell
20. Derek Caswell and Eily Hsu
21. Dr Peter Wheen
22. Edmond Mullins
23. Eimear Lynch and Ross O'Brien

24. Emma Curran
25. Emma Kennedy and Lorcan Tighe
26. Eoin Doolan
27. Fernleigh Residents Association
28. Francesco and Iwona Grusso
29. Franz Eiffe
30. Gareth Dowdall and Emma Farry Dowdall
31. Gary Curran
32. Gillian and John Searson
33. Groperrin Family
34. Jenny Corrigan
35. John Valentine and Sarah McErlane
36. Jonathan Beaumont
37. Karen Ryan
38. Katarina Kanevova
39. Keith O'Leary and Joanne Kavanagh
40. Kerry O'Carroll
41. Lara Grey and Liam Thompson
42. Laurence and Jackie Boland
43. Lisa Peilow
44. Martin Judge
45. Maurice O'Dea
46. Michael Monaghan
47. Mr and Mrs Martin
48. Nick and Peter Cox
49. Nick Fingleton

50. Paul Finn
51. Peter Philbin
52. Philip McGlynn
53. Reinhard and Orla Dutter
54. Richard Donnelly
55. Ronan Rogers and family
56. Ruth O'Sullivan
57. Sandra Dempsey and David Mullen
58. Shaun Mac Geidigh
59. Stefan Uygur
60. Stewart Stephens
61. Suzi Guiney
62. Vincent O'Keefe and Aoife O'Keefe
63. Wendy Walker and Kevin McFall
64. Xiaoqin Wang and Tianci Zheng
65. Zheng Cui and Hongwei Shao