



An
Bord
Pleanála

Local Authority Project

Inspector's Report ABP-315306-22

Development	534 apartments, retail/ café unit, mobility hub, community/ artist workspace, childcare facility, and all associated works.
Location	Former St Teresa's Gardens, Donore Avenue, Dublin 8.
Applicant	The Land Development Agency
Type of Application	Section 175(3) of the Planning and Development Act 2000 (as amended)
Prescribed Bodies	<ol style="list-style-type: none">1. Uisce Éireann (IW)2. Transport Infrastructure Ireland (TII)3. Department of Housing, Local Government and Heritage – DAU.4. The Land Development Agency

Observer(s)

1. Senator Rebecca Moynihan & Councillor Darragh Moriarty
2. Councillor Máire Devine
3. Councillor Michael Pidgeon
4. Seán and Anne Doyle
5. Dublin 8 Residents Association
Players Please

Date of Site Inspection

5th April 2023

Inspector

Paul O'Brien

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1.0 Introduction

1.1. This is an application for development approval submitted to An Bord Pleanála (the Board) under Section 175(3) of the Planning and Development Act 2000, as amended. Applications under Section 175(3) are made by Local Authorities when the authority proposes to carry out development within its functional area, in respect of which an Environmental Impact Assessment Report (EIAR) has been prepared.

2.0 Site Location and Description

2.1. The subject site with a stated area of 3.26 hectares, comprises a brownfield site located at St Teresa's Gardens, Dublin 8, approximately 2.5 km to the south west of Dublin City Centre. The irregular shaped site is located to the west of Donore Avenue, east of the Coombe hospital and to the north of the south circular road. The majority of the site is under grass/ rough ground and is the location of the former St Teresa's Gardens social housing development. Two social housing apartment blocks remain to the eastern side of the site adjoining Donore Avenue. These two blocks are four storeys in height and are flat roofed with distinctive chimneys projecting above their roofline. Part 8 permission has been approved for the demolition of these residential blocks. The only other feature of note on site is an all-weather playing pitch and which is located towards the eastern centre of the site.

2.2. The site is located in a relatively dense, established urban area. The streetscape along Donore Avenue consists predominantly of two-storey housing with St. Teresa's Church and St. Catherine's Church located to the south of the site on the western side of this street. To the southeast is the former Player Willis factory and two storey housing. To the south west is the former Bailey Gibson site and to the west is the Coombe hospital. To the north of the site is Margaret Kennedy Road which consists of predominantly three storey residential units, that have been recently constructed.

2.3. As can be seen, the area has changed from a mixed-use character to be predominately residential in character. The Player Wills building forms part of the building line along the South Circular Road and although it is a three-storey building at this point, its height is significantly greater.

2.4. A number of bus routes serve the area and I have summarised them in the following table:

Route (operated by):	Location/ Walking distance from centre of site:	From	To	Frequency – Off Peak Weekday
17 (Go Ahead Ireland)	Dolphin's Barn Stop 1406 – south/ eastbound Stop 2190 – north/ westbound 415 m to the south west	Blackrock	Rialto via south city area – UCD, Dundrum, Crumlin	Every 20 minutes
27 (Dublin Bus)	Dolphin' Barn Stop 2094 outbound Stop 4434 inbound 260 to the west/ north west	Clare Hall (this is the first stop)	Jobstown via City Centre and Walkinstown	Every 10 minutes.
56A (Dublin Bus)	Dolphin' Barn Stop 2094 outbound Stop 4434 inbound 260 to the west/ north west	Tallaght the Square	City Centre via Ballymount Road	Every 75 minutes.
68 (Dublin Bus)	South Circular Road Stop 1383 inbound Stop 1364 outbound 200 m to the south	Greenogue Business Park	City Centre via Clondalkin Village	Every 60 minutes.
68A (Dublin Bus)	South Circular Road Stop 1383 inbound Stop 1364 outbound 200 m to the south	Bulfin Road	City Centre	Two inbound AM and Three outbound PM

77A (Dublin Bus)	Dolphin' Barn Stop 2094 outbound Stop 4434 inbound 260 to the west/ north west	Citywest	City Centre via Tallaght and Walkinstown	Every 20 minutes.
122 (Dublin Bus)	South Circular Road Stop 1383 inbound Stop 1364 outbound 200 m to the south	Ashington	Drimnagh Road via City Centre	Every 12 to 20 minutes
150 (Dublin Bus)	Rutledge Terrace Stop 4857 inbound Stop 1439 outbound 225 m to the east	Rossmore	City Centre via Crumlin Village	Every 20 minutes.
151 (Dublin Bus)	Dolphin' Barn Stop 2094 outbound Stop 4434 inbound 260 to the west/ north west	Docklands – East Road	Foxborough (Lucan) via Nangor Road and Grangecastle	Every 20 minutes.

2.5. Under Bus Connects, there is proposed to be a significant revision to the local bus network, and I have summarised this in the following table.

Bus Route	Nearest Stop	From	To	Frequency – Off Peak Weekday
D Spine (D1, D2, D3, D4 and D5)	Operate along Dolphins Barn – 260 m to the west/ north west	Various locations on the northside such as Clare Hall,	D1 – Foxborough/ Lucan D2 – Citywest D3 – Deansrath	D1 to D3 operate every 15 minutes and the D4, D5 operate

		Clongriffin and Santry.	D4 – Ellensborough D5 - Tallaght All via the City Centre	every 30 minutes. 16 buses an hour on the D spine.
71	Donore Avenue 210 m to the east	Tallaght	Docklands – East Road	Every 30 minutes
72	Donore Avenue 210 m to the east	Drimnagh Road – Hospital	Docklands – East Road	Every 30 minutes
74	Operate along Dolphins Barn – 260 m to the west/ north west	Dundrum	City Centre	Every 30 minutes
O	South Circular Road 200 m to the south	Orbital Route South Circular Road	North Circular Road	Every 8 minutes

Note: This is only indicative as changes are made as the NTA rolls out this revised network. Bus stop locations may also change and there may also be a difference of bus operator. I note also that the F Spine is approximately 750 m to the east providing a five-minute frequency between Charlestown/ Finglas and the Dublin 24 area along Clanbrassil Street.

2.6. The Red Line Luas is available from Fatima tram stop and which is approximately 650 m to the north west of the subject site. Walking distance would be greater. The Red Line serves Tallaght and Saggart to the south west and the

City Centre and Point to the east. Additional Luas lines are proposed but no confirmed routes or opening dates have been provided to date.

3.0 Proposed Development

3.1. The proposal, as per the submitted public notices, comprises the clearance of the site area including a wall and a playing pitch, and for the construction of four apartment blocks providing for 543 residential units. The apartment block varies in height between two and fifteen storeys. In addition, the proposed development provides for a retail/ café unit, mobility hub, 952 sq m of creche/ community/ artist workspace/ cultural space. The development also includes public open space, bicycle and car parking spaces and all necessary site/ infrastructure works/ services provision.

The following tables set out some of the key elements of the proposed development:

Table 1: Key Figures

Site Area	3.26 hectares
Net Developable Area	2.05 hectares
No. of Houses	0
No. of Apartments	543
Total	543
Density –	
Total Site Area	166.6 units per hectare
Net Developable Area	265 units per hectare
Plot Ratio	2.60
Site Coverage	46.9%
Dual/ Triple Aspect Units	257 - 47%
Part V	152 - 28%
Public Open Space Provision	3,408 sq m
Communal Open Space	4,417 sq m
Car Parking –	

Residents	43
Residents Car Sharing	30
Residents Accessible Spaces	6
On-Street Parking	15
Total	94
Bicycle Parking –	
Residents	906
Visitors	138
Total	1,044
Motorcycle Parking	4

Table 2: Unit Mix –

Block – DCC1 (6 - 7 Storeys)		
Apartment Type	Number	Percentage
1 Bed/ 2 Person	33	30%
2 Bed/ 3 Person	7	6%
2 Bed/ 4 Person	60	54%
3 Bed/ 5 Person	11	10%
Total	111	100%
Block – DCC3 (6 - 15 Storeys)		
Apartment Type	Number	Percentage
1 Bed/ 1 Person	13	5%
1 Bed/ 2 Person	124	50%
2 Bed/ 3 Person	13	5%
2 Bed/ 4 Person	78	32%
3 Bed/ 5 Person	19	8%
Total	247	100
Block - DCC5 (2 - 7 Storeys)		
1 Bed/ 1 Person	9	7%

1 Bed/ 2 Person	32	24%
2 Bed/ 3 Person	19	14%
2 Bed/ 4 Person	58	44%
3 Bed/ 5 Person	14	11%
Total	132	100%
Block – DCC6 (7 Storeys)		
1 Bed/ 1 Person	14	26%
2 Bed/ 3 Person	13	25%
2 Bed/ 4 Person	26	49%
Total	53	100%

Table 3 – Unit Types

Type	Number	Percent
1 Bed	225	41.4%
2 Bed	274	50.5%
3 Bed	44	8.1%
Total	543	100%

Table 4 – Dwelling Tenure

	Social Housing	Cost Rental	Total
Total	152	391	543
% (approx.)	28%	72%	100%

The total internal gross floor area is stated to be 53,227 sq m.

The development also includes:

- A retail/café unit - 168 sq m
- Mobility hub - 52 sq m
- 952 sq m of community, artist workspace, arts and cultural space, including a creche which provides for 664 sq m of this floor area.

The application includes an Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS).

4.0 Planning History

Subject site:

There are no recent, relevant applications on this site.

Adjoining Lands:

ABP Ref. 314171-22 refers to a SHD application, lodged in July 2022, for the demolition of buildings, construction of 345 no. residential units (292 no. Build to Rent apartments, 49 no. Build to Sell apartments, 4 no. Build to Sell Houses) creche and associated site works at the Former Bailey Gibson Site, South Circular Road, Rehoboth Place, Rehoboth Avenue, South Circular Road and Donore Avenue, Dublin 8. No decision has been made to date.

ABP Ref. 308917-20 refers to an April 2021 decision to grant permission, for a SHD development, for the demolition of all buildings excluding the original fabric of the former Player Wills Factory, construction of 492 no. Build to Rent apartments, 240 no. Build to Rent shared accommodation along, creche and associated site works at the Former Player Wills site and undeveloped Land in Ownership of Dublin City Council, South Circular Road, Dublin 8.

ABP Ref. 307221-20 refers to a September 2020 decision to grant permission, for a SHD development, for the demolition of all structures, construction of 416 no.

residential units (4 no. houses, 412 no. apartments) and associated site works at the former Bailey Gibson Site, South Circular Road, Dublin 8.

PA Ref. 2475/18 refers to a June 2018 decision to grant Part 8 permission for the demolition of the remaining two flat complex blocks to the east of the site.

PA Ref. 4049/19 and **3537/21** refer to grants of permission for developments within the Coombe Women and Infants University Hospital campus to the west of the subject site.

5.0 Relevant Planning Policy

5.1. National Policy

5.1.1. Project Ireland 2040 – National Planning Framework (NPF)

Chapter 4 of the National Planning Framework (NPF) is entitled ‘Making Stronger Urban Places’ and it sets out to enhance the experience of people who live, work and visit the urban places of Ireland.

A number of key policy objectives are noted as follows:

- National Policy Objective 4 seeks to ‘Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being’.
- National Planning Objective 11 provides that ‘In meeting urban development requirements, there be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth’.
- National Planning Objective 13 provides that “In urban areas, planning and related standards, including, in particular, height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated

outcomes, provided public safety is not compromised and the environment is suitably protected”.

Chapter 6 of the NPF is entitled ‘People, Homes and Communities’ and it sets out that place is intrinsic to achieving a good quality of life.

A number of key policy objectives are noted as follows:

- National Policy 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’.
- National Policy 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’.
- National Policy Objective 35 seeks ‘To increase residential density in settlements, through a range of measures including restrictions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights’.

5.1.2. **Also Relevant:**

- Climate Action Plan 2023.
- Housing for All

5.1.3. **Section 28 Ministerial Guidelines**

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

- Urban Development and Building Heights - Guidelines for Planning Authorities – (DoHPLG, 2018).
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (DoHPLG, 2022).

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated Urban Design Manual) (DoEHLG, 2009).
- Quality Housing for Sustainable Communities (DoEHLG, 2007).
- The Planning System and Flood Risk Management including the associated Technical Appendices (DEHLG/ OPW, 2009).
- Childcare Facilities Guidelines for Planning Authorities (2001).
- Regulation of Commercial Institutional Investment in Housing – Guidelines for Planning Authorities (2021).

5.1.4. **Other Relevant Policy Documents include:**

- Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland 2009 – 2020.
- Permeability Best Practice Guide – National Transport Authority.

5.2. **Regional Policy**

5.2.1. **Regional Spatial and Economic Strategy (RSES) 2019 – 2031**

The Eastern & Midland Regional Assembly 'Regional Spatial & Economic Strategy 2019-2031' provides for the development of nine counties including Dublin City and supports the implementation of the National Development Plan (NDP). There are no specific references to the subject site.

5.3. **Local/ County Policy**

5.3.1. **Dublin City Development Plan 2022 - 2028**

The Dublin City Development Plan 2022 - 2028 is the current statutory plan for Dublin City, including the subject site. The site is zoned Z14 - Strategic Development and Regeneration Areas with objective: 'To seek the social, economic and physical development and/or regeneration of an area with mixed-use, of which residential would be the predominant use'.

A list of permissible uses includes residential, cultural/ recreational building and uses, mobility hub and childcare facility.

5.3.2. Chapter 13 of the city plan refers to Strategic Development Regeneration Areas (SDRAS). The subject site is within SDRA 11 – St. Teresa’s Gardens with capacity for 1,500 homes on a total site area of 13 hectares.

5.3.3. Figure 13-11 provides an indicative map for the development of these lands. The following are relevant:

- ‘Deliver a mixed-use quarter with a considerable capacity for high quality residential accommodation and complementary uses.
- To maximise the potential of well-connected but underutilised brownfield low-intensity residential land, situated within the existing built fabric of the city and adjacent to the proposed Greenhills to City Centre Core Bus Corridor.
- To support the development of a network of streets and public spaces to ensure the physical, social and economic integration of St. Teresa’s Gardens with the former Player Wills and Bailey Gibson sites and adjoining lands’.

‘Urban Structure

The proposed urban structure provides a strategic blueprint for the future development of the SDRA, identifying key connections, public open spaces, locations for increased height and building frontages that will inform an urban design-led approach to the regeneration of this strategic area. The development of a network of streets and public spaces will be promoted to ensure the physical, social and economic integration of St. Teresa’s Gardens with the former Player Wills and Bailey Gibson sites. The potential for further integration with the Coombe Hospital is indicated on the Guiding Principles Map but is indicative only. Integration of the White Heather Industrial Estate lands should be investigated in the future. The movement framework and street structure, as illustrated in the Guiding Principles Map, introduces permeability through the site, based on proposed key east-west and north-south links and several proposed local access streets. Ensuring north/south (Cork St. and Donore Avenue connection to South Circular Road) permeability and east/west (Dolphin’s Barn Street and Cork Street) is achieved’.

‘A new public park is proposed as a landmark feature with passive supervision by residential and other uses.... and will provide for an area sufficient in size to accommodate a minimum 80 m by 130 m playing pitch’.

'Land Use & Activity

The area will promote a mix of tenure and residential unit types with social, affordable and private units being provided across the site and a mix of one bed, two bed and family sized units'.

'Height

- In general, the height strategy for the SDRA is that building heights in the range of 3 -8 storeys will be considered the baseline height for new developments, subject to adequately interacting with the existing building heights adjacent to the subject site.
- The SDRA Guiding Principles Map identifies locations suitable for increased height over and above the standard 6-8 storeys, subject to compliance with Appendix 3 of the development plan.
- The SDRA Guiding Principles Map identifies opportunities for locally higher buildings in the order of 15 storeys to frame the proposed centrally located open space and to enhance the legibility of the built environment. The acceptability of such locally higher buildings will be subject to compliance with the performance criteria for locally higher buildings set out in Appendix 3 of the development plan'.

'Design

- High-quality public realm will be required and shall be applied to the network of streets and public spaces. Public realm improvements/studies at the key junctions of Dolphin's Barn/South Circular Road and Cork Street/Donore Avenue will be supported.
- The existing established residential amenity of properties along South Circular Road, Donore Avenue, Eugene Street and all adjacent streets shall be respected. As such, proposed developments will be required to demonstrate integration with the surrounding streetscapes.
- Design shall protect the special character of the listed Player Wills factory and its setting'.

'Green Infrastructure

- At least 20% of the SDRA site is to be retained for public open space, recreation and sporting facilities including an area to facilitate organised games'.

5.3.4. The policy chapters, especially Chapters 5 – Quality Housing and Sustainable Neighbourhoods, detailing the policies and objectives for residential development, making good neighbourhoods and standards respectively, are to be consulted to inform any proposed residential development.

5.3.5. Policy QHSN10 of the development plan promotes sustainable densities in accordance with the Core Strategy, in particular on vacant and/ or underutilised sites.

5.3.6. Policy QHSN11 seeks ‘To promote the realisation of the 15-minute city which provides for liveable, sustainable urban neighbourhoods and villages throughout the city that deliver healthy placemaking, high quality housing and well designed, intergenerational and accessible, safe and inclusive public spaces served by local services, amenities, sports facilities and sustainable modes of public and accessible transport where feasible’.

5.3.7. The following policies are also considered relevant:

- Policy QHSN36 – promote the development of high-quality apartments and sustainable neighbourhoods with suitable supporting infrastructure/ facilities to be provided.
- Policy QHSN38 – encourage a greater mix of housing types.
- Policy QHSN48 – Need for a Community and Social Audit for all developments in excess of 50 units.
- Objective QHSN015 – Need for a Community Safety Strategy for all developments in excess of 100 units.

5.3.8. Chapter 8 refers to Sustainable Movement and Transport and Chapter 10 refers to Green Infrastructure and Recreation.

5.3.9. Chapter 15 refers to Development Standards. Documents to be provided in support of applications in terms of thresholds is provided in Table 15-1. The issues of Height and Plot Ratio are addressed in Appendix 3. Increased density is to be supported where this can be demonstrated to be appropriate.

5.3.10. Section 15.8 refers to Residential Development. A number of sections are highlighted here:

- Public Realm is addressed under Section 15.8.5.
- Public open space to be provided at 10% minimum of the Site Area for Z14 zoned lands (Table 15-4).

5.3.11. Section 15.9 refers to Apartment Standards.

- Unit mix is covered under Section 15.9.1 and states:

‘Specific Planning Policy Requirement 1 states that housing developments may include up to 50% one bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms unless specified as a result of a Housing Need and Demand Assessment (HNDA) carried out by the Planning Authority as part of the development plan process’.

- Unit Size/ Layout is addressed under Section 15.9.2 and Table 15-5.
- Dual Aspect units under Section 15.9.3. Inset balconies with two internal elevations do not provide for dual aspect units or where facing walls are deemed to be too close.
- Communal Amenity Space under Section 15.9.8
- Microclimate under Section 15.9.16
- Daylight and Sunlight under Section 15.9.16.1, Wind under Section 15.9.16.2 and Noise under Section 15.9.16.3

Transport is addressed within Appendix 5.

5.3.12. Volume 2 of the City Plan provides the Appendices and Appendix 1 – Housing Strategy, Appendix 3 – Achieving Sustainable Compact Growth, Appendix 5 – Transport and Mobility: Technical Requirements, Appendix 13: Surface Water Management Guidance and Appendix 16: Sunlight and Daylight are noted as most relevant to this development.

5.3.13. Appendix 3 includes a Height Strategy for Dublin City and I note the following:

‘Prevailing Height: This is the most commonly occurring height in any given area. It relates the scale, character and existing pattern of development in an area. Within such areas, there may be amplified height. This is where existing buildings within the streetscape deviate from the prevailing height context, albeit not to a significant extent, such as local pop-up features. Such amplified height can provide visual interest, allow for architectural innovation and contribute to a schemes legibility’.

5.3.14. Key Criteria for increased height are indicated in Table 3 of Appendix 3. Density is addressed under Section 3.2. The SDRAs have a density of 100 to 250 units per hectare and there is a presumption against densities of 300 units per hectare. Plot Ratios in Regeneration Areas are between 1.5 – 3.0 and with an Indicative Site Coverage of 50-60% (Table 2).

5.3.15. Transport and Mobility is addressed within Appendix 5. Car Parking and Cycle Management is detailed under section 2.5. Table 1 provides ‘Bicycle Parking Standards for Various Lane Uses’ and Table 2 provides ‘Maximum Car Parking Standards for Various Land Uses’.

6.0 Third Party Submissions

6.1. A total of five third-party submissions were received. Comments were submitted individually by Councillors Máire Devine and Michael Pidgeon, a joint submission by Senator Rebecca Moynihan and Councillor Darragh Moriarty, a submission was made by the Dublin 8 Residents Association Players Please and by Antóin Doyle on behalf of Seán and Anne Doyle. Transport Infrastructure Ireland and the Department of Housing, Local Government and Heritage as prescribed bodies submitted comments; see Section 8.0 Prescribed Bodies of this report for their specific comments.

6.2. The submissions from residents/ members of the public, elected members, grouped under appropriate headings, can be summarised as follows.

6.2.1. Principle of Development:

- Support offered for the development of this site and the provision of social/ cost rental homes.

- The unit mix is considered to be a welcome improvement over similar proposals on adjoining sites.
- The site boundary should be extended to include all public lands and therefore the Land Development Agency can provide for the delivery of a playing pitch and additional social/ affordable housing.
- A comprehensive masterplan should be prepared for the development area including the adjoining sites.
- A physical model of the site and adjoining lands should be provided.
- The overall development of the subject and adjoining lands, should be incorporated into a single comprehensive development and lodged as a single application.

6.2.2. Impact on the Character of the Area:

- The submitted photomontages do not demonstrate the full visual impact of the development. For example, the image of the 15-storey apartment block is hidden by a tree, when viewed from the South Circular Road.
- No photomontages have been provided which demonstrate the potential impact on the Player Wills factory building, which is a protected structure.
- The existing units proposed for demolition should be retained/ incorporated into the proposed development.

6.2.3. Residential Amenity:

- Concern about the submitted 'Sky Visibility Study' and results need improvement.
- Only 6 Universal Design units are proposed, this should be increased.
- Should reduce the number of one-bedroom apartments that accommodate only one person.
- The childcare facility should be developed in the first phase and opened. This would provide activity in the vicinity of this development.
- Query if more dual aspect units could be provided, without impacting on overall unit numbers.

6.2.4. Recreational and Amenity Uses:

- Need for a suitable amount of open space on site to serve residents.
- The proposed community space does not comply with the requirements of the Dublin City Development Plan in terms of proposed floor space.
- Floor space should be measured in terms of gross floor area and not net floor area.
- Concern about the inclusion of an existing facility as part of the community space requirement.
- Query about what constitutes public open space.
- Need for additional pitches to serve the needs of this area.

6.2.5. Transport

- The proposed cycle that is reported as under construction should be upgraded and provided in tandem with other cycle network upgrades in the area.
- Need for a detailed parking and traffic management plan to provide for safe car alternatives such as the provision of bicycle bunker parking areas.
- Adequate street lighting should be provided.
- The reduction in car parking is welcomed as the impact from traffic would be reduced.
- The reduced car parking may put pressure on the surrounding area in terms of on-street parking.

6.2.6. Height

- There is a need for a detailed fire safety plan to be developed in conjunction with Dublin Fire Brigade prior to construction.
- The general height of 7 storeys is considered to be acceptable, though it would be high in terms of the neighbouring context.
- The 15 storey apartment block is out of character with the established/ existing form of the area. The height should be reduced to 7 or 8 storeys maximum.

6.2.7. Other Issues:

- Need full details on the proposed Construction Management Plans especially in relation to construction parking and site access.
- Community gain needs to be fully detailed and be understandable in terms of what the benefits to the area/ residents are.
- Require on-going liaison with the Donore Regeneration Forum and other relevant groups from the area.
- The development of this site should compliment the development of adjoining sites and vice versa.
- There is a need for a comprehensive Construction Management Plan, especially considering the length of time this development will take to complete.

7.0 Prescribed Bodies

7.1. The following prescribed bodies made a submission:

- Uisce Éireann
- Transport Infrastructure Ireland (TII)
- Department of Housing, Local Government and Heritage – Development Applications Unit (DAU)

The following is a brief summary of the issues raised.

7.2. Uisce Éireann:

7.2.1. Uisce Éireann have reported that a connection to the public water system is feasible subject to upgrades to the system. It is reported that the upgrades will be via adjacent developments within the Bailey Gibson and Player Wills sites and details of proposed infrastructure are provided.

7.2.2. The foul drainage system can be made without any need for upgrade works by Uisce Éireann. A Statement of Design Acceptance has been provided by the applicant to Uisce Éireann, for works within the applicant's boundary.

7.2.3. Details of a number of service diversions are provided by Uisce Éireann and the applicant has consulted with Uisce Éireann in this regard.

7.2.4. Uisce Éireann has requested that in the event that permission is granted that conditions be included as follows:

- ‘The applicant must sign a connection agreement with Irish Water prior to any works commencing and to connecting to our network’.
- ‘Irish Water does not permit any build over of its assets and separation distances as per Irish Waters Standards Codes and Practices shall be achieved. (a) Any proposals by the applicant to build over/near or divert existing water or wastewater services subsequently occurs, the applicant shall submit details to Irish Water’s diversion team and have written confirmation from prior to connection agreement’.
- ‘All development is to be carried out in compliance with Irish Water Standards codes and practices’.

7.3. Transport Infrastructure Ireland (TII)

7.3.1. TII have no observations to make on this proposed development.

7.4. Department of Housing, Local Government and Heritage (DAU)

7.4.1. The department noted Chapter 11 of the EIAR, and the recommendations made in relation to Archaeology and Cultural Heritage. Conditions are recommended in the event that permission is granted for the proposed development.

7.4.2. The DAU note the submitted Appropriate Assessment and Natura Impact Statement and the proposed mitigation measures. Conditions are recommended in the event that permission is granted for the proposed development, including the provision of bat friendly lighting for the construction and operational phases of the proposed development.

8.0 Assessment

8.1. The Board has received a planning application for a housing scheme under Section 175(3) of the Planning and Development Act 2000, as amended.

The assessment of the submitted development is therefore arranged as follows:

- Principle of Development
- Design and Layout
- Development Height
- Visual Impact
- Residential Amenity – Future Occupants
- Residential Amenity – Existing/ Adjacent Residents
- Transportation, Traffic and Parking
- Infrastructure and Flood Risk
- Childcare, Social Infrastructure and Part V Social Housing Provision
- Other Matters
- Appropriate Assessment Screening
- Environmental Impact Assessment

8.2. Principle of Development

8.2.1. The subject site is zoned 'Z14' in the Dublin City Development Plan 2022 – 2028 with the objective 'To seek the social, economic and physical development and/or regeneration of an area with mixed-use, of which residential would be the predominant use'. This zoning objective permits a range of uses including residential and related uses, offices, restaurant, and open space. I am satisfied that the development is in accordance with the Z14 zoning objective.

8.2.2. The site is located within a Strategic Development and Regeneration Area – SDRA 11 – St. Teresa's Gardens, which provides for a capacity of 1,500 homes on a total site area of 13 hectares. It is national and local policy to maximise the use of available lands and in established urban areas. The site zoning allows for residential development, and as an undeveloped brownfield site, the provision of residential units in the form of five apartment blocks would be an appropriate use of these lands. The area is predominately characterised by residential development, however, though the other vacant sites at the Players Wills lands and the Bailey Gibson lands are noted. The proximity of the development site to the Coombe hospital is also noted.

8.2.3. The proposed development is suitable in context of the designation of the site as a SDRA, the provision of additional residential units will ensure that the area develops as a sustainable urban district. I consider that the proposed development is acceptable in principle.

8.2.4. The proposal of 543 apartment units on a site area of 3.26 hectares provides for a gross density of 166.6 units per hectare or a net density of 265 units per hectare, which is a relatively high residential density. However, the site is located in an established urban area, where public transport is available and is within walking distance of the city centre/ a range of community/ retail services. Whilst the principle of development is accepted to be in accordance with the Z14 zoning objective, and is in accordance with local/ national policy, the impact on the adjoining area is considered further in this report.

8.2.5. **Conclusion on Section 11.3:** The site zoning is suitable for residential development of the nature proposed and the proposal would see the provision of 543 apartments on a brownfield site, with associated services/ facilities, in an established urban area, where public transport is available. The site is designated as a Strategic Development and Regeneration Area and is therefore appropriate for the form of development that is proposed. Considering the zoning of the subject site, and the nature of the proposed development as submitted, there is no reason to recommend a refusal to the Board.

8.3. Design and Layout

8.3.1. As already reported, the site is located on lands that are zoned Z14 and are suitable for residential development. The focus is therefore to integrate such a development into the existing established urban area and as reported this is one of three large sites that may be developed over the course of the Dublin City Development Plan. The site is located within Strategic Development Regeneration Area 11, and which includes a large area to the south west of Donore Avenue, east of Dolphin's Barn Street and north of the South Circular Road. The former industrial lands on the Player Wills and Bailey Gibson sites and the subject site, make up the vast majority of this SDRA, with the Coombe Hospital to the west and Dublin City Council lands making up the majority of the remaining lands.

8.3.2. The SDRA, through Figure 13-11, provides an indicative layout for this site and which appears to be based on units within perimeter blocks, two west to north east and south east permeable routes and a number of internal routes. A large playing field is proposed to the north east of the SDRA and it is stated that 20% of the SDRA is to be allocated to open space. Building heights to be primarily 3 to 8 storeys but with higher buildings of up to 15 storeys permitted.

8.3.3. The proposed development consists of four apartment blocks ranging in height from 2 to 15 storeys. These blocks and heights are as follows:

- DCC01 – Podium of 1 storey, rest is 6 - 7 storeys – To north of the site
- DCC06 – 7 storeys – To south west of the site, located to the east of the Coombe Hospital
- DCC05 – 2 storeys to the south, rest is 7 storeys – Located to the south central of the site
- DCC03 – Podium of 1 storey, rest is between 6 and 7 storeys with a 15-storey feature section to the south west corner. This block is located to the south east of the site.

The issue of height will be assessed later in this report.

8.3.4. Access to the units will be to the north west from Margaret Kennedy Road. Construction access points may be provided from Donore Avenue to the north east. Public open space is to be provided to the north east and between blocks DCC03 and DCC05. Communal open space is provided within the area of each of the blocks and may be in the form of podium. Roof terrace and ground floor spaces. A separate area of open space is allocated for use by the creche at first floor terrace level within Block DCC05. The applicant reports that a total of 3,408 sqm of public open space is provided and which equates to 16.64% of the total site area. The area of open space to the north east of the site will integrate with a larger area of open space proposed as part of the overall development of the SDRA.

8.3.5. The proposed development has full regard to the future/ proposed development of adjoining sites especially the Bailey Gibson and Player Wills lands to the south and south east. The subject development allows for pedestrian and vehicular connections to these adjoining lands. This will allow for the comprehensive

development of these lands in a similar way to that indicated in the Dublin City Development Plan.

8.3.6. Assessment of Section 8.3: The subject site is constrained by its shape and by the adjoining lands uses. The SDRA sets out some clear parameters in terms of the nature of development that is proposed, heights and open space provision; these guiding principles are provided under a number of headings as follows:

Urban Structure: I am satisfied that the development will integrate with the existing urban form of the area and full consideration has been had to the development of adjoining sites. The development allows for permeability within and to/ from the subject site. Open space is adequately provided for. The SDRA proposal for a large area of open space to the north east, primarily as a playing pitch for what appears to be for Gaelic games (specification is for a pitch with a minimum size of 80 m by 130 m), will make up a large proportion of the requirement for 20% of the site area to be for open space.

Land Use & Activity: This SDRA is primarily for the residential development with supporting uses and the proposed development provides for that in the form of 543 residential units in four apartment blocks.

Height: The development provides for primarily 6 to 7 storey blocks with a 15-storey block included. The issue of height is assessed further in the next section of this report, but as submitted the development is in accordance with the SDRA.

Design: Full regard has been had to the established character of the area, and to the presence of protected structures on the Player Wills site.

Green Infrastructure: The proposed development provides for adequate open space, and which contributes to the requirement for 20% of the SDRA to be retained for open space, recreation and sporting facilities.

8.3.7. The proposed design is considered to be acceptable for this location. I am satisfied that the proposed development will result in a suitable scale and density of development on this site. The provision of suitable residential amenity and impact on existing residential amenity is considered further in this report. There is no

reason to recommend a refusal of permission to the Board in terms of the proposed design and layout.

8.4. Development Height

8.4.1. The proposed development primarily provides for units of between 6 and 7 storeys, however Block DCC03 includes a 15-storey element within its south west corner. As already reported, the SDRA does allow for taller buildings up to a maximum of 15 storeys. Such taller buildings provide framing to a centrally located open space area as well as setting a landmark/ wayfinding building on site and these units are to be provided in accordance with Appendix 3 of the Dublin City Development Plan.

8.4.2. Section 3.2 – ‘Development Management Criteria’ of the ‘Urban Development and Building Heights – Guidelines for Planning Authorities’, December 2018, sets out a number of considerations for developments with increased heights. Considering the height of the proposed development, it is appropriate that the development be assessed against these criteria.

In the interest of convenience, I have set these out in the following table:

At the scale of the relevant city/ town	
Criteria	Response
The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.	Public transport is available in the form of Dublin Bus Routes 27, 56A, 68, 77, 122, 150 and 151, and Go-Ahead Ireland Route 17, with bus stops less than 500 m from the site. The frequency of these bus routes varies, with off peak frequency summarised as follows: 17 – Every 20 minutes 27 – Every 10 minutes 56A – Every 75 minutes 68/A – Every 60 minutes

	<p>77A – Every 20 minutes</p> <p>122 – Every 12/20 minutes</p> <p>150 – Every 20 minutes</p> <p>151 – Every 20 minutes</p> <p>All routes other than the 17 operated to/ from the city centre, therefore approximately 24 buses an hour to the city centre.</p> <p>Route 17 operates from Blackrock, through UCD, Dundrum, Crumlin to Dolphins Barn.</p> <p>Routes 27/ 56A/ 77A serve Tallaght and points between.</p> <p>Route 150 serves Crumlin and Rossmore</p> <p>Route 151 serves Parkwest, Clondalkin and South Lucan to the west and the Docklands to the east.</p> <p>These and the other referenced routes connect to a range of other public transport modes such as the Luas and heavy rail services as well as connect to a significant number of other bus routes.</p>
<p>Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having regard to topography,</p>	<ul style="list-style-type: none"> • No protected views, Architectural Conservation Area (ACA), or other architectural/ visual sensitives apply to this site. The subject lands are a brownfield site and are within a designated Strategic Development Regeneration Area (SDRA). • Protected structures on adjoining sites are not impacted by the development

<p>its cultural context, setting of key landmarks, protection of key view. Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.</p>	<p>and are subject to separate development proposals.</p> <ul style="list-style-type: none"> • An ‘Architectural Design Statement’ has been prepared by Metropolitan Workshop in support of this application. • Photomontages prepared by Innovision have been prepared and submitted in support of the application. • A ‘Townscape and Visual Impact Assessment’ that forms part of the EIAR has been prepared by AECOM. • A ‘Landscape Architecture & Public Realm Design Report’ has been prepared by AECOM.
<p>On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape.</p>	<ul style="list-style-type: none"> • The proposed development will see the reuse of a brownfield site and will provide for high-quality urban design and permeability through and within the site. • Building heights are appropriate to the existing development on neighbouring sites. • The elevations are considered to be appropriate to their location and activity. • An ‘Architectural Design Statement’ has been prepared by Metropolitan Workshop in support of this application.
<p>At the scale of district/ neighbourhood/ street</p>	
<p>Criteria</p>	<p>Response</p>

<p>The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape.</p>	<ul style="list-style-type: none"> • The development will see the reuse of a brownfield site for residential use. Adjoining lands are primarily in residential use. • The site is located within an established urban area and the proposal will make a positive contribution to the area and its urban character. • The proposed development promotes the use of sustainable forms of transport.
<p>The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered.</p>	<ul style="list-style-type: none"> • A total of four blocks are proposed. • There is a variety in the block height and the development includes a mix of building materials/ colours which ensures that the development is not monolithic. • The design includes careful articulation of fenestration and detailing that ensure that the massing of the blocks is suitably broken up to ensure that the design of the development is not monolithic.
<p>The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/ marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a</p>	<ul style="list-style-type: none"> • The design provides for a suitable form of development, though primarily residential, a creche, retail/ café, mobility hub and a community space are also proposed as part of the development of this site.

<p>sense of scale and enclosure while being in line with the requirements of “The Planning System and Flood Risk Management – Guidelines for Planning Authorities” (2009).</p>	<ul style="list-style-type: none"> • Open space is provided on site, and which is proposed to be accessible to public use. • The ‘Planning System and Flood Risk Management – Guidelines for Planning Authorities’ (2009) are complied with, and a Flood Risk Assessment has been prepared by AECOM.
<p>The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner.</p>	<ul style="list-style-type: none"> • Improved legibility is provided in the form of strong elevations, and a mix of building heights. • The proposed building heights vary per block as they have regard to the existing form of development on adjacent sites. • Full regard is had to the potential for development of adjoining sites such as the Player Wills and Bailey Gibson sites.
<p>The proposal positively contributes to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood.</p>	<ul style="list-style-type: none"> • The proposed development provides for the comprehensive regeneration of a currently brownfield site within an established urban area that is very well served by public transport. • The proposed development will provide for a mix of one-, two- and three-bedroom apartment units. Housing in the immediate area is primarily in the form of own-door units and the

	proposed development provides for a suitable variety of tenure types.
At the scale of the site/ building	
Criteria	Response
The form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light.	<ul style="list-style-type: none"> • The development, in the form of four apartment blocks, provides for a mix of building heights. • Careful consideration has been had to the impact on adjoining/ existing units. • 3D Design Bureau have been engaged by the applicant to prepare a full 'Daylight and Sunlight • 47% of the total number of apartments are dual or triple aspect units.
Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like the Building Research Establishment's 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'.	<ul style="list-style-type: none"> • 3D Design Bureau have been engaged by the applicant to prepare a full 'Daylight and Sunlight and this report is provided in support of this application.
Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this has been clearly identified and a rationale for any alternative,	<ul style="list-style-type: none"> • As above. • The site is located within a SDRA and would result in the comprehensive redevelopment of a currently brownfield site.

<p>compensatory design solutions has been set out, in respect of which the Board has applied its discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution.</p>	
<p>Specific Assessment</p>	
<p>Criteria</p>	<p>Response</p>
<p>To support proposals at some or all of these scales, specific assessments may be required and these may include: Specific impact assessment of the micro-climatic effects such as downdraft. Such assessments shall include measures to avoid/ mitigate such micro-climatic effects and, where appropriate, shall include an assessment of the cumulative micro-climatic effects where taller buildings are clustered.</p>	<ul style="list-style-type: none"> • Daylight and Overshadowing analysis have been submitted and demonstrate compliance with standards, as applicable. • As part of the submitted EIAR, a pedestrian comfort analysis has been prepared by B-Fluid, no particular issues of concern were raised and suitable mitigation measures are indicated where required.
<p>In development locations in proximity to sensitive bird and / or</p>	<ul style="list-style-type: none"> • An EIAR and AA have been submitted in support of the application.

<p>bat areas, proposed developments need to consider the potential interaction of the building location, building materials and artificial lighting to impact flight lines and / or collision.</p>	<ul style="list-style-type: none"> • The brownfield nature of the site, located within an established urban area, does not provide for a suitable habitat for any animals, birds or bats that may be at risk.
<p>An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links.</p>	<ul style="list-style-type: none"> • AECOM have prepared a 'Mechanical and Electrical Report' and which includes a section on telecommunications and the proposed development will not impact on any such services.
<p>An assessment that the proposal maintains safe air navigation.</p>	<ul style="list-style-type: none"> • N/A Due to the location of the development away from any air navigation approach routes. The applicant has made contact with the Irish Aviation Authority.
<p>An urban design statement including, as appropriate, impact on the historic built environment.</p>	<ul style="list-style-type: none"> • Included with the application is an Architectural Design Statement prepared by Metropolitan Workshop and which demonstrates how the development will integrate into its surroundings.
<p>Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate.</p>	<ul style="list-style-type: none"> • SEA not required/ applicable due to the scale of the development. • EIAR and AA/ NIS are submitted with the application.

8.4.3. The above table demonstrates that the development complies with Section 3.2 of the 'Urban Development and Building Height' guidelines and that the criteria are suitably incorporated into the development proposal. Many of the issues identified in the table are assessed in greater depth in the following sections of my report.

8.4.4. The proposed development consists of four separate blocks, summarised as follows:

- DCC1: 6 to 7 Storeys – 23.85 m
- DCC3: 6 to 15 Storeys – 50 m
- DCC5: 2 to 7 Storeys – 23.85 m
- DCC6: 7 Storeys – 23.85 m

In addition to these heights, roof plant and lift overruns increase the overall height in places, however these are set back from the elevations of the building and do not give rise to a negative visual impact when viewed from adjoining ground level locations. These roof plant/ structures would raise the height by 3.8 – 4 m.

8.4.5. The Dublin City Development Plan under the section 'Height' of Chapter 13 specifies heights of 3 – 8 storeys for new development in the SDRAs and locally higher buildings of up to 15 storeys to 'frame the proposed centrally located open space and to enhance the legibility of the built environment. The acceptability of such locally higher buildings will be subject to compliance with the performance criteria for locally higher buildings set out in Appendix 3 of the development plan'. The proposed development of four blocks will mostly be 6 to 7 storeys in height but with part of Block DCC3 rising to 15 storeys.

8.4.6. National and local policy is to provide for increased heights and density on sites that can be demonstrated to be appropriate/ suitable for such development. The above table includes appropriate considerations for such development. The development is located on a brown field site, and which is designated as a Strategic Development Regeneration Area, and for which heights of up to 8 storeys are appropriate with opportunities for 15 storey buildings.

8.4.7. **Submission Comments:** Comment was made that the 15-storey block was out of character with the area. I note this, however the designation of the site under

the Dublin City Development Plan 2022 – 2028 as a SDRA allows for development of 15 storeys where this is considered to be appropriate.

8.4.8. **Conclusion on Section 8.4:** I note the documentation submitted by the applicant and the comments made in the third-party submissions. The proposed development is located on a brownfield site in an established urban area with good public transport provision. The wider area, as evidenced from my site visit, is undergoing significant regeneration and densification of under used sites should see a corresponding increase in local population that will support local services and facilities.

8.4.9. The applicant has had full regard to the proposed development on adjoining sites and the provision of 6 to 7 storey buildings is appropriate in this location. As is the provision of part of Block DCC3 as a 15-storey block. This will provide for a sense of wayfinding in the area, establishing a unique identity for the site. This taller building demonstrates compliance with the requirements for such a building located within a SDRA as detailed under Chapter 13 of the Dublin City Development Plan 2022 – 2028.

8.4.10. I am therefore satisfied that the proposed development and its heights are acceptable. Impact on visual and residential amenity is considered further in this report. I therefore have no reason to recommend a refusal of permission on the basis of height of the proposed development.

8.5. Visual Impact

8.5.1. The primary visual impact on the area is the proposed 15 storey element that forms part of Block DCC3. The applicant has engaged the services of Innovision to prepare Photomontages of the proposed development and the submitted 'Architectural Design Statement' by Metropolitan Workshop includes 'Visualisations' in Chapter 7. Both supporting information, includes the potential impact from the development of adjoining sites, though in indicative form only it does give an impression of how the overall development of the wider area may appear post construction phase.

8.5.2. The 'Architectural Design Statement' provides a rationale for the design style of these four blocks in chapters 5 and 6. Finishes, design and materials are detailed

in Chapter 6. Red and buff coloured brick will be utilised in the external treatment and the applicant has identified these colours of brick as a feature of the local area. The overall design and materials to be used are considered to be acceptable and appropriate to this location. The extensive use of brick is also appropriate in terms of the maintenance of the quality of the facades of these blocks over time.

8.5.3. The fenestration and balconies break up the elevations such that they are not monotonous facades when views off-site. This is further supported by the use of different materials/ material colours. The provision of active uses on the ground level combined with a high-quality landscaping/ public realm scheme, will ensure that the streetscape level is attractive for those living here/ using these areas of the development.

8.5.4. In terms of visual impact, there is no doubt that the 15-storey building will be a new feature on the skyline. The lower buildings will integrate into their surroundings in a relatively seamless manner. Its visual impact will be more evident from more distant views rather than in close proximity and as such it will provide for a landmark feature in the area. I note that the proposals for the adjoining sites include tall buildings also, but the separation between units is such as not to create a dense cluster of such buildings but to provide for distinctive landmarks on the skyline, which views off-site.

8.5.5. **Submission Comments:** I have already reported that comment was made on the proposed height of the 15-storey block. As reported, this is considered to be acceptable in terms of the SDRA designation of the site which allows for such development of up to 15 storeys, where this can be demonstrated to be in accordance with the requirements of the St. Teresa's Gardens and Environs SDRA.

8.5.6. I also note that it was suggested that the development be included with the other adjoining sites to form one large scheme. This is noted; however, the application has not been provided in that form and can only be assessed as submitted. The designation of the site as a SDRA does provide clear indication as to how the development of the site is to take place and what specific requirements are to be considered.

8.5.7. **Conclusion on Section 8.5:** I am satisfied that the proposed development is visually acceptable and will suitably integrate into this established urban area. The

development has regard to the potential development of adjoining sites but also can be developed on a standalone basis whilst integrating with the existing form of development in the area. As reported, the development includes active ground floor uses that will ensure an attractive street level combined with the proposed landscaping on site.

8.5.8. The 15-storey block has the greatest visual impact on the overall character of the area. This is justified in terms of the requirements for such a structure located within a designated SDRA. This block appropriately frames the open space to its front and forms an appropriate wayfinding/ landmark building on this site. The mix of 2, 6, 7 and 15 storey buildings will work well and will provide for a high-quality urban area, that will add to the established urban character of the immediate area of the subject site.

8.5.9. The proposed development in the form of four apartment blocks is considered to be visually acceptable and will integrate into this established urban area. There is no reason to recommend a refusal of permission to the Board in terms of the impact on visual amenity.

8.6. Residential Amenity – Future Occupants

8.6.1. Unit Mix: The proposed development of 543 units provides for a total of 225 one-bedroom units, 274 two-bedroom units and 44 three-bedroom units. The two-bedroom units can either accommodate three (52) or four (222) people, and the three-bedroom units can each accommodate five people. This unit mix is considered to be acceptable and the number of three-bedroom units is to be welcomed. As the applicant reports, under Section 8.96 of their Planning Report, the site is not identified for a specific unit mix policy as specified in the Dublin City Development Plan Housing Need and Demand Assessment (HNDA). The proposed development will provide for 28% social housing and the remaining 72% is proposed as cost rental units.

8.6.2. Metropolitan Workshop have prepared a 'Housing Quality Assessment' in support of the application, and this provides a detailed breakdown of each of the proposed apartment units. Excluding Studio units, 51% or 275 of the units exceed the minimum floor by 10% or more. The proposed apartments are considered to be

acceptable and demonstrate compliance with SPPR 3 of the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities'.

8.6.3. Storage: All units are provided with adequate storage space, and which is accessible within the individual apartment. Storage provision is generally in two or more separate spaces, and this is desirable, providing for a sense of more space within the individual units.

8.6.4. Aspect: 244/ 43% of the units are dual aspect, and an additional 13/ 2% are triple aspect. This is in excess of the specified minimum of 33% dual aspect units under SPPR4 of the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities'. for a central and accessible urban location. No single aspect, north facing units are proposed and single aspect units face onto open space areas, thereby providing for a good level of residential amenity.

8.6.5. I note that comment was made in the submissions, regarding the possibility of increasing the number of dual aspect units. This is possible but would reduce the overall quantity of units that are proposed, which is not desirable considering the demand for housing in this area. The site is constrained by its shape and the development of units with a different shape to the generally block form proposed is not possible as it may give rise to other impacts on the amenity of the area. True dual aspect units work best on the corner of a block, but that restricts the number of units that can be provided and increases the cost of a development. The proposed development is assessed against the impact on the existing residential amenity of the area later in this report.

8.6.6. The proposed floor to ceiling heights for ground floor units are 2.7 m and all upper floor units are provided with floor to ceiling heights in excess of 2.4 m. This is in accordance with SPPR 5 of the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities'.

8.6.7. Lift Cores: SPPR 6 of the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities' provides for a maximum of 12 units per core. The number of units per core varies but does not exceed the maximum specified of 12 units per core. The submitted floor plans indicate that two lifts per core are to be provided.

8.6.8. Ancillary Residential Amenity: The proposed development includes a number of commercial and residents' facilities at ground floor level in the following Blocks:

DCC1: Bicycle storage areas and communal refuse areas.

DCC3: Mobility Hub – 53 sq m, Arts/ Cultural Space – 128 sq m, Retail/ Café – 168 sq m, bicycle storage areas and communal refuse areas.

DCC5: Artist Workspaces – 160 sq m, Creche 247 sq m (play area on first floor), bicycle storage and communal refuse areas.

DCC6: Bicycle storage areas and communal refuse areas.

8.6.9. I welcome the provision of these spaces for residents and the availability of these spaces would add significantly to the amenity of the future occupants of this development. I accept that the refuse and cycle storage areas would be provided in any case.

8.6.10. **Conclusion on Sections 11.7.1 - 11.7.4:** The proposed development provides for an adequate mix of unit types. The internal layout of these units is acceptable and complies with recommended requirements. There is no reason to recommend a refusal of permission to the Board in terms of the unit mix and internal floor area quality.

8.6.11. **Quality of Units – Amenity Space:** All units are provided with adequate private amenity space in the form of balconies and the depth of this amenity space is acceptable. In most cases access to the balconies is from the living/ dining room area, though in some cases the balcony area extends to the front of an adjacent bedroom, generally the main bedroom in the unit.

8.6.12. The applicant has proposed a total of 3,408 sq m of public open space which equates to 16.64% of the overall site area. As already reported, two main areas of open space are provided, to the north east (Area B) and towards the south/ central area of the site (Area A). All blocks/ units are within easy access of the public open space. From the submitted details, the area to the north east will be integrated with other open space that is within the control of Dublin City Council, to allow for the provision of a playing pitch.

8.6.13. A total of 4,417 sq m of Communal open space, is proposed in the form of roof terraces and ground/ floor terrace spaces. Each of the apartment blocks is

allocated an appropriate area of communal open space. All units have access to the communal open space by way of lift/ stairs, which ensures that the allocated space is accessible to the residents of these blocks.

8.6.14. I am satisfied that the developer has proposed an adequate area of open space on site to serve the future residents of this development. The proposed open space will be appropriately overlooked ensuring passive surveillance.

8.6.15. **Submission Comments:** Comments were expressed about the ability to provide for additional dual aspect units. Whilst this may be possible, it would be at the expense of unit numbers. All units are provided with adequate private amenity space and the aspects from the units are considered to be acceptable, having regard to the location of the site within an established urban location.

8.6.16. A need for additional open space in the area was identified in the submissions. At present, the site is unused and is not accessible to the public. On completion of this development, there will be approximately 3,400 sq m of additional public open space serving this area. I assume that the adjacent sites will in themselves generate additional open space and this in turn will increase the area of recreational land available for the public to access and use in this part of Dublin 8.

8.6.17. **Conclusion on Sections 8.6:** The proposed development provides for adequate private, communal, and public open space areas. The hierarchy of open space will be accessible to those it is intended to serve. There is no reason to recommend a refusal of permission to the Board in terms of the quality of the amenity spaces.

8.6.18. **Daylight and Sunlight – Future Residents:** The applicant has engaged the services of ‘3D Design Bureau’ to prepare a ‘Daylight and Sunlight Report’ for the units/ open space within the development. This assessment is undertaken based on best practice guidance set out in the following documents:

- Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (2020).
- Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice’ BRE, 2022 (BR209). This will be the primary reference document as it is referenced in

the Apartment Guidelines and the Urban Development and Building Heights Guidelines.

- EN 17037: 2018: Daylight in Buildings (2018): This recommends that 300 Lux be received across a hypothetical reference plane of any room for half of the daylight hours of the year and no less than 100 Lux be received across 95% of the plane. There is no distinction made between the function of the room for target lux levels.
- I.S. EN 17037:2018 Daylight in Buildings (2018): This is a direct adoption of the European Standard EN 17037:2018 that provides recommendations for daylight within spaces. The target values are difficult to achieve, especially in cases where increased density is desired/ provided for.
- BS EN 17037:2018: Daylight in Buildings (2018): This is the British Annex to the European Standard and with this, daylight recommendations differ depending on the proposed function of a room. Target lux levels are applied across 50% of the reference plane of a room for half of the daylight hours.

The target lux levels are:

- 200 lux for kitchens.
- 150 lux for living rooms
- 100 lux for bedrooms.

There is no minimum stated to be achieved across 95% of the working plane. If a space has dual purposes, it is advised that the higher target value should be applied. Full details of terms and tests undertaken are provided in the applicant's document.

8.6.19. The submitted assessment of the proposed development undertook the following tests as follows:

- Test 1 – Sun on Ground in Proposed Outdoor Amenity Areas: The availability of sunlight should be checked for all open spaces where sunlight is required for its proper function as an amenity space. The BRE guide recommends that, for an open space to appear adequately lit throughout the year, at least 50% of its area should receive at least two hours of sunlight on the 21st of March.

- Test 2 – Sunlight Exposure (SE) in Proposed Units: Assesses the number of hours of sunlight that a room can be expected to receive on the 21st of March. BRE 209 recommends a minimum of 1.5 hours for a proposed unit with preference given for the main living room. Less than 1.5 hours is non-compliant, 1.5 and 3 hours is minimum, 3 to 4 hours is medium and over 4 hours is rated high. Assessment is also made for the impact of deciduous trees on a room/ proposed unit. The assessment also considers the impact of cumulative development associated with the proposed developments located adjacent to the subject site.

8.6.20. **Sun on Ground in Proposed Outdoor Amenity Areas:** The submitted analysis considers the received sunlight for the proposed outdoor amenity spaces. Consideration is also had to the impact if the adjoining developments are constructed as proposed.

The following are the assessed spaces:

- DCC1 – Rooftop 2
- DCC3 – Rooftop 1, 2, 3
- DCC5 – Rooftop 1,2 and Creche open space
- DCC6 – Rooftop 1
- Public Open Space Areas A (south central) and B (north east)
- DCC1, 3, 5 and 6 Courtyard areas.

All areas demonstrate compliance except for Public Open Space A and DCC6 – Courtyard. Public Open Space A receives reduced sunlight due to the presence of existing buildings to the south, however it would still provide for an important amenity function through linking up the different aspects of this development. The layout of Block DCC6 impacts on the communal open space, but again it would still provide an important amenity function for the residents of this block.

8.6.21. All the other tested areas demonstrate good receipt of sunlight, exceeding the 50% recommendation. I note that a number of the proposed amenity spaces receive very high levels of sunlight.

8.6.22. Sunlight Exposure Results: Tests in accordance with BRE 209. The assessment has been undertaken for all of the proposed apartment blocks and an analysis of the results is provided in Section 5.2 of the applicant's report. The results are provided in Section C.2 of the applicant's report, these tables provide a range of information including a consideration of the impact of the potential development of the adjoining sites and the presence or not of deciduous trees. I have provided a table of the units that do not comply with the recommended Sunlight Exposure (SE) for ease of reference as follows. I have given the aspect for Block DCC1 only:

Block DCC1		
Floor:	Unit No.	Note:
Ground Floor	D1a-00-02	NE/ NW aspect
Ground Floor	D1b-00-01	NE aspect
First Floor	D1a-01-04	NE/ NW aspect
First Floor	D1a-01-05	NE aspect
First Floor	D1a-01-06	NE aspect
First Floor	D1a-01-07	NE aspect
First Floor	D1b-01-03	NW aspect
Second Floor	D1a-02-04	NE/ NW aspect
Second Floor	D1a-02-05	NE aspect
Second Floor	D1a-02-06	NE aspect
Second Floor	D1a-02-07	NE aspect
Second Floor	D1b-02-03	NE aspect
Third Floor	D1a-03-04	NE/ NW aspect
Third Floor	D1a-03-05	NE aspect
Third Floor	D1a-03-06	NE aspect
Third Floor	D1a-03-07	NE aspect
Fourth Floor	D1b-03-03	NE aspect
Fourth Floor	D1a-04-04	NE/ NW aspect
Fourth Floor	D1a-04-05	NE aspect
Fourth Floor	D1a-04-06	NE aspect
Fourth Floor	D1a-04-07	NE aspect
Fourth Floor	D1b-04-03	NE aspect

Fifth Floor	D1a-05-04	NE/ NW aspect
Fifth Floor	D1a-05-05	NE aspect
Fifth Floor	D1a-05-06	NE aspect
Fifth Floor	D1a-05-07	NE aspect
Fifth Floor	D1b-05-03	NE aspect
Sixth Floor	D1b-06-03	NE aspect
Block DCC3		
Floor:	Unit No.	Note:
First Floor	D3a-01-01	
First Floor	D3a-01-02	
First Floor	D3a-01-03	
First Floor	D3b-01-02	
First Floor	D3b-01-03	
First Floor	D3b-01-04	
First Floor	D3b-01-05	
First Floor	D3b-01-06	
First Floor	D3b-01-07	
First Floor	D3c-01-08	
Second Floor	D3a-02-06	
Second Floor	D3a-02-07	
Second Floor	D3a-02-08	
Second Floor	D3b-02-03	
Second Floor	D3b-02-04	
Second Floor	D3b-02-05	
Second Floor	D3b-02-06	
Second Floor	D3b-02-07	
Second Floor	D3b-02-08	
Second Floor	D3c-02-07	
Second Floor	D3c-02-08	
Third Floor	D3a-03-06	
Third Floor	D3b-03-04	
Third Floor	D3b-03-05	

Third Floor	D3b-03-06	
Third Floor	D3b-03-07	
Third Floor	D3b-03-08	
Third Floor	D3c-03-07	
Third Floor	D3c-03-08	
Fourth Floor	D3a-04-06	
Fourth Floor	D3b-04-04	
Fourth Floor	D3b-04-05	
Fourth Floor	D3b-04-07	
Fourth Floor	D3b-04-08	
Fourth Floor	D3c-04-07	
Fifth Floor	D3c-04-08	
Fifth Floor	D3a-05-06	
Fifth Floor	D3b-05-04	
Fifth Floor	D3b-05-05	
Fifth Floor	D3b-05-07	
Fifth Floor	D3b-05-08	
Fifth Floor	D3c-05-07	
Fifth Floor	D3c-05-08	
Sixth Floor	D3c-06-07	
Sixth Floor	D3c-06-08	
Eleventh Floor	D3a-11-06	
Block DCC5		
Floor:	Unit No.	Note:
Ground Floor	D5a-00-03	
Ground Floor	D5a-00-04	
Ground Floor	D5b-00-01	
Ground Floor	D5b-00-02	
Ground Floor	D5b-00-03	
Ground Floor	D5b-00-04	
First Floor	D5a-01-01	
First Floor	D5a-01-02	

First Floor	D5a-01-06	
First Floor	D5a-01-07	
First Floor	D5a-01-08	
First Floor	D5b-01-02	
First Floor	D5b-01-03	
First Floor	D5b-01-04	
First Floor	D5b-01-05	
First Floor	D5b-01-06	
First Floor	D5b-01-07	
First Floor	D5b-01-09	
First Floor	D5b-01-10	
First Floor	D5b-01-11	
Second Floor	D5a-02-01	
Second Floor	D5a-02-06	
Second Floor	D5a-02-07	
Second Floor	D5a-02-08	
Second Floor	D5b-02-02	
Second Floor	D5b-02-03	
Second Floor	D5b-02-04	
Second Floor	D5b-02-05	
Second Floor	D5b-02-06	
Second Floor	D5b-02-07	
Second Floor	D5b-02-08	
Second Floor	D5b-02-09	
Second Floor	D5b-02-11	
Third Floor	D5a-03-01	
Third Floor	D5a-03-07	
Third Floor	D5a-03-08	
Third Floor	D5a-03-09	
Third Floor	D5b-03-02	
Third Floor	D5b-03-03	
Third Floor	D5b-03-04	

Third Floor	D5b-03-05	
Third Floor	D5b-03-06	
Third Floor	D5b-03-07	
Third Floor	D5b-03-11	
Fourth Floor	D5a-04-01	
Fourth Floor	D5a-04-07	
Fourth Floor	D5a-04-08	
Fourth Floor	D5a-04-09	
Fourth Floor	D5b-04-02	
Fourth Floor	D5b-04-04	
Fourth Floor	D5b-04-05	
Fourth Floor	D5b-04-06	
Fourth Floor	D5b-04-07	
Fifth Floor	D5a-05-01	
Fifth Floor	D5a-05-07	
Fifth Floor	D5a-05-09	
Fifth Floor	D5b-05-02	
Fifth Floor	D5b-05-04	
Fifth Floor	D5b-05-05	
Fifth Floor	D5b-05-06	
Fifth Floor	D5b-05-07	
Sixth Floor	D5a-06-09	
Sixth Floor	D5b-06-02	
Sixth Floor	D5b-06-05	
Sixth Floor	D5b-06-06	
Block DCC6		
Floor:	Unit No.	Note:
Ground Floor	D6a-00-01	
Ground Floor	D6a-00-03	
First Floor	D6a-01-02	
First Floor	D6a-01-03	
First Floor	D6a-01-04	

First Floor	D6a-01-05	
Second Floor	D6a-02-02	
Second Floor	D6a-02-03	
Second Floor	D6a-02-04	
Second Floor	D6a-02-05	
Third Floor	D6a-03-02	
Third Floor	D6a-03-03	
Third Floor	D6a-03-04	
Fourth Floor	D6a-04-02	
Fifth Floor	D6a-05-02	
Sixth Floor	D6a-06-02	

8.6.23. The applicant has assessed the 'Spatial Daylight Autonomy' (SDA) for the proposed units and this assessment has regard to IS EN 17037 and BRE 209. IS EN 17037 considers the % of a floor that achieves 300 LUX – should be more than 50% for a good result or 100 LUX – should be more than 95% for a good result. Under BRE209 the assessment is the % of the area that this above a target LUX. The LUX is room dependent – 100 LUX for a bedroom, 200 LUX for a Living, Kitchen, Dining space. The applicant has considered the potential impact from the potential development of the adjoining lands.

8.6.24. I have summarised the rooms within the units that do not achieve the target values for IS EN 17037 and BRE 209 as follows.

Block DCC1				
Floor	Unit No.	Non-compliance with IS EN 17037	Non-compliance with BRE 209	Note:
Ground	D1a-00-01	LKD		
Ground	D1a-00-02	Bedroom 3		
Ground	D1a-00-03	All rooms		
Ground	D1a-00-04	All rooms		
Ground	D1b-00-01	All rooms	LKD	
Ground	D1b-00-02	Bedroom 1 & 2		
Ground	D1b-00-03	All rooms	LKD	
Ground	D1b-00-04	All rooms	Bed 2 & LKD	

First	D1a-01-01	All rooms	LKD	
First	D1a-01-02	LKD		
First	D1a-01-03	Bed 1 & 3		
First	D1a-01-04	Bed 3		
First	D1a-01-05	Bed 2 & LKD	LKD	
First	D1a-01-06	All rooms		
First	D1a-01-07	All rooms		
First	D1a-01-08	Bed 2 & LKD	LKD	
First	D1a-01-09	All rooms		
First	D1a-01-10	Bed 1		
First	D1b-01-01	All rooms		
First	D1b-01-02	Bed 2 & LKD	LKD	
First	D1b-01-03	All rooms	LKD	
First	D1b-01-04	All rooms		
First	D1b-01-05	Bed 1 & 2	LKD	
First	D1b-01-06	All rooms	Bed 1 & LKD	
First	D1b-01-07	All rooms	Bed 1 & 2	
First	D1b-01-08	Bed 1		
Second	D1a-02-01	All rooms		
Second	D1a-02-02	LKD		
Second	D1a-02-03	Bed 3		
Second	D1a-02-04	Bed 3		
Second	D1a-02-05	Bed 2 & LKD		
Second	D1a-02-07	Bed 1		
Second	D1a-02-08	Bed 2 & LKD		
Second	D1a-02-10	All rooms		
Second	D1b-02-01	All rooms		
Second	D1b-02-02	Bed 2 & LKD		
Second	D1b-02-03	Bed 2 & LKD		
Second	D1b-02-04	Bed 1		
Second	D1b-02-05	Bed 1 & Bed 2		
Second	D1b-02-06	Bed 1 & LKD	LKD	

Second	D1b-02-07	Bed 1 & Bed 2	Bed 2	
Second	D1b-02-08	Bed 1		
Third	D1a-03-01	Bed 1		
Third	D1a-03-03	Bed 3		
Third	D1a-03-04	Bed 3		
Third	D1a-03-05	Bed 2 & LKD		
Third	D1a-03-07	Bed 1		
Third	D1a-03-08	Bed 1 & Bed 2		
Third	D1a-03-10	Bed 1 & Bed 2		
Third	D1b-03-01	Bed 1 & Bed 2		
Third	D1b-03-02	Bed 2 & LKD		
Third	D1b-03-04	Bed 1		
Third	D1b-03-05	Bed 1		
Third	D1b-03-06	Bed 1 & LKD		
Third	D1b-03-07	Bed 2		
Third	D1b-0308	Bed 1		
Fourth	D1a-04-01	Bed 1		
Fourth	D1a-04-03	Bed 3		
Fourth	D1a-04-04	Bed 3		
Fourth	D1a-04-05	Bed 2 & LKD		
Fourth	D1a-04-07	Bed 1		
Fourth	D1a-04-08	Bed 2		
Fourth	D1a-04-10	Bed 1		
Fourth	D1b-04-01	Bed 1		
Fourth	D1b-04-02	Bed 2 & LKD		
Fourth	D1b-04-03	Bed 2 & LKD		
Fourth	D1b-04-04	Bed 1		
Fourth	D1b-04-05	Bed 1		
Fourth	D1b-04-06	Bed 1 & LKD		
Fourth	D1b-04-07	Bed 2		
Fourth	D1b-04-08	Bed 1		
Fifth	D1a-05-04	Bed 3		

Fifth	D1a-05-05	Bed 2		
Fifth	D1a-05-07	Bed 1		
Fifth	D1a-05-10	Bed 1		
Fifth	D1b-05-01	Bed 1		
Fifth	D1b-05-02	Bed 2		
Fifth	D1b-05-03	Bed 2 & LKD		
Fifth	D1b-05-04	Bed 1		
Fifth	D1b-05-07	Bed 2		
Fifth	D1b-05-08	Bed 1		
Sixth	D1a-06-02	Bed 1		
Sixth	D1a-06-05	Bed 1		
Sixth	D1b-06-01	Bed 1		
Sixth	D1b-06-03	Bed 2 & LKD		
Sixth	D1b-06-04	Bed 1		
Block DCC3				
Floor	Unit No.	Non-compliance with IS EN 17037	Non-compliance with BRE 209	Note:
Ground	D3d-00-02	Bed 1 & LKD		
Ground	D3d-00-03	Bed 1		
First	D3a-01-01	All rooms	All rooms	
First	D3a-01-02	All rooms	LKD	
First	D3a-01-03	All rooms	LKD	
First	D3a-01-04	All rooms	LKD	
First	D3b-01-01	All rooms	LKD	
First	D3b-01-02	All rooms	LKD	
First	D3b-01-03	All rooms	All rooms	
First	D3b-01-04	All rooms	LKD	
First	D3b-01-05	All rooms	LKD	
First	D3b-01-06	All rooms	Bed 1	
First	D3b-01-07	Bed 1 & Bed 2	LKD	
First	D3b-01-08	Bed 1, Bed 2 & LKD	LKD	
First	D3c-01-01	Bed 3 & LKD	LKD	

First	D3c-01-02	Bed 2 & Bed 3		
First	D3c-01-03	Bed		
First	D3c-01-04	Bed 2		
First	D3c-01-05	LKD		
First	D3c-01-06	LKD	LKD	
First	D3c-01-07	All rooms	LKD	
First	D3c-01-08	All rooms	LKD	
First	D3d-01-01	All rooms	LKD	
First	D3d-01-05	Bed 1		
Second	D3a-02-01	All rooms		
Second	D3a-02-02	Bed 2		
Second	D3a-02-03	Bed 1		
Second	D3a-02-04	All rooms		
Second	D3a-02-05	All rooms	LKD	
Second	D3a-02-06	All rooms	All rooms	
Second	D3a-02-07	All rooms	LKD	
Second	D3a-02-08	All rooms	LKD	
Second	D3a-02-09	All rooms		
Second	D3b-02-01	All rooms	LKD	
Second	D3b-02-02	All rooms	LKD	
Second	D3b-02-03	All rooms	LKD	
Second	D3b-02-04	All rooms	LKD	
Second	D3b-02-05	All rooms	LKD	
Second	D3b-02-06	All rooms	LKD	
Second	D3b-02-07	Bed 1 & Bed 2		
Second	D3b-02-08	Bed 1 & Bed 2		
Second	D3b-02-09	Bed 1 & Bed 3		
Second	D3c-02-01	Bed 3 & LKD		
Second	D3c-02-02	Bed 3		
Second	D3c-02-06	LKD	LKD	
Second	D3c-02-07	Bed 1 & LKD	LKD	
Second	D3c-02-08	Bed 1 & LKD	LKD	

Second	D3d-02-01	All rooms	LKD	
Second	D3d-02-05	Bed 1		
Third	D3a-03-01	Bed 1		
Third	D3a-03-04	All rooms		
Third	D3a-03-05	All rooms	LKD	
Third	D3a-03-06	All rooms	Bed 2 & LKD	
Third	D3a-03-07	All rooms	LKD	
Third	D3a-03-08	All rooms	LKD	
Third	D3a-03-09	All rooms		
Third	D3b-03-01	All rooms	LKD	
Third	D3b-03-02	All rooms	LKD	
Third	D3b-03-03	All rooms	LKD	
Third	D3b-03-04	All rooms	LKD	
Third	D3b-03-05	All rooms		
Third	D3b-03-06	All rooms	LKD	
Third	D3b-03-07	Bed 1		
Third	D3b-03-08	Bed 2		
Third	D3d-02-09	Bed 3		
Third	D3c-02-01	Bed 3		
Third	D3c-02-02	Bed 3		
Third	D3c-02-06	LKD	LKD	
Third	D3c-02-07	All rooms	LKD	
Third	D3c-02-08	All rooms	LKD	
Third	D3d-03-01	All rooms	LKD	
Third	D3d-03-05	Bed 1	LKD	
Third	D3d-03-01	All rooms		
Fourth	D3a-04-04	LKD		
Fourth	D3a-04-05	All rooms	LKD	
Fourth	D3a-04-06	All rooms	LKD	
Fourth	D3a-04-07	Bed 2 & LKD	LKD	
Fourth	D3a-04-08	All rooms		
Fourth	D3a-04-09	Bed 1		

Fourth	D3b-04-01	All rooms	LKD	
Fourth	D3b-04-02	All rooms	LKD	
Fourth	D3b-04-03	Bed 2 & LKD	LKD	
Fourth	D3b-04-04	All rooms	LKD	
Fourth	D3b-04-05	All rooms		
Fourth	D3b-04-06	Bed 2 & LKD		
Fourth	D3b-04-07	Bed 1		
Fourth	D3b-04-08	Bed 2		
Fourth	D3b-04-09	Bed 3		
Fourth	D3c-04-01	Bed 3	LKD	
Fourth	D3c-04-02	Bed 3	LKD	
Fourth	D3c-04-06	LKD	LKD	
Fourth	D3c-04-07	All rooms	LKD	
Fourth	D3c-04-08	All rooms	LKD	
Fourth	D3d-04-05	Bed 1		
Fifth	D3a-05-05	All rooms	LKD	
Fifth	D3a-05-06	All rooms		
Fifth	D3a-05-07	LKD		
Fifth	D3a-05-08	All rooms		
Fifth	D3b-05-01	All rooms	LKD	
Fifth	D3b-05-02	LKD	LKD	
Fifth	D3b-05-04	LKD	LKD	
Fifth	D3b-05-06	Bed 2 & LKD	LKD	
Fifth	D3b-05-07	Bed 1	LKD	
Fifth	D3c-05-01	Bed 3		
Fifth	D3c-05-02	Bed 3		
Fifth	D3c-05-06	LKD	LKD	
Fifth	D3c-05-07	LKD		
Fifth	D3c-05-08	LKD		
Fifth	D3d-05-01	All rooms	LKD	
Fifth	D3d-05-05	Bed 1		
Sixth	D3a-06-05	All rooms		

Sixth	D3a-06-06	Bed 1 & Bed 2		
Sixth	D3a-06-07	Bed 1 & Bed 2		
Sixth	D3c-06-06	Bed 1 & Bed 2		
Sixth	D3d-06-01	All rooms		
Sixth	D3d-06-05	Bed 1		
Seventh	D3c-07-05	Bed 1		
Block DCC5				
Floor	Unit No.	Non-compliance with IS EN 17037	Non-compliance with BRE 209	Note:
Ground	D5a-00-01	Bed 2		
Ground	D5a-00-02	All rooms	All rooms	
Ground	D5a-00-03	All rooms	All rooms	
Ground	D5a-00-04	All rooms		
Ground	D5b-00-01	All rooms		
Ground	D5b-00-02	All rooms	Bed 2 & LKD	
Ground	D5b-00-03	All rooms	All rooms	
Ground	D5b-00-04	All rooms	All rooms	
First	D5a-01-01	All rooms	Bed 2 & LKD	
First	D5a-01-02	All rooms	LKD	
First	D5a-01-03	Bed 1 & Bed 2		
First	D5a-01-04	All rooms	Bed 2 & LKD	
First	D5a-01-05	All rooms	All rooms	
First	D5a-01-06	All rooms	All rooms	
First	D5a-01-07	All rooms		
First	D5a-01-08	All rooms	All rooms	
First	D5a-01-09	Bed 1, 2 & 3		
First	D5b-01-01	All rooms		
First	D5b-01-02	All rooms		
First	D5b-01-03	Bed 1 & Bed 2		
First	D5b-01-04	All rooms	All rooms	
First	D5b-01-05	All rooms	Bed 2 & LKD	
First	D5b-01-06	All rooms	Bed 1 & LKD	

First	D5a-01-07	All rooms	All rooms	
First	D5a-01-09	All rooms	LKD	
First	D5a-01-10	All rooms	LKD	
Second	D5a-02-01	All rooms	LKD	
Second	D5a-02-02	All rooms	LKD	
Second	D5a-02-04	All rooms	LKD	
Second	D5a-02-05	All rooms	All rooms	
Second	D5a-02-06	All rooms	Bed 2 & LKD	
Second	D5a-02-07	Bed 1 & Bed 2		
Second	D5a-02-08	All rooms	Bed 2	
Second	D5a-02-09	Bed 1, 2 & 3		
Second	D5b-02-01	Bed 2 & 3		
Second	D5b-02-02	Bed 2 & LKD		
Second	D5b-02-03	Bed 1 & 2		
Second	D5b-02-04	All rooms	LKD	
Second	D5b-02-05	All rooms	Bed 2 & LKD	
Second	D5b-02-06	All rooms	All rooms	
Second	D5b-02-07	All rooms	All rooms	
Second	D5b-02-09	All rooms		
Second	D5b-02-10	All rooms	LKD	
Second	D5b-02-11	All rooms		
Third	D5a-03-01	All rooms		
Third	D5a-03-02	All rooms		
Third	D5a-03-03	Bed 1		
Third	D5a-03-05	All rooms	LKD	
Third	D5a-03-06	All rooms	LKD	
Third	D5a-03-07	All rooms	Bed 1	
Third	D5a-03-08	Bed 1 & Bed 2		
Third	D5a-03-09	All rooms		
Third	D5a-03-010	Bed 1 & LKD		
Third	D5b-03-01	Bed 3		
Third	D5b-03-02	Bed 1		

Third	D5b-03-03	LKD		
Third	D5b-03-04	All rooms	LKD	
Third	D5b-03-05	All rooms	Bed 2 & LKD	
Third	D5b-03-06	All rooms	LKD	
Third	D5b-03-07	All rooms	LKD	
Third	D5b-03-09	Bed 1		
Third	D5b-03-10	All rooms		
Third	D5b-03-11	Bed 1 & LKD	LKD	
Fourth	D5a-04-01	Bed 2 & LKD	LKD	
Fourth	D5a-04-02	All rooms		
Fourth	D5a-04-03	Bed 2 & LKD		
Fourth	D5a-04-05	All rooms	LKD	
Fourth	D5a-04-06	All rooms	LKD	
Fourth	D5a-04-07	All rooms	LKD	
Fourth	D5a-04-08	Bed 1		
Fourth	D5a-04-09	Bed 1		
Fourth	D5a-04-09	All rooms		
Fourth	D5a-04-10	All rooms		
Fourth	D5b-04-01	Bed 3		
Fourth	D5b-04-02	Bed 2		
Fourth	D5b-04-03	Bed 2 & LKD		
Fourth	D5b-04-05	Bed 2 & LKD	LKD	
Fourth	D5b-04-06	All rooms	LKD	
Fourth	D5b-04-07	All rooms	LKD	
Fourth	D5b-04-09	Bed 1		
Fourth	D5b-04-10	All rooms		
Fourth	D5b-04-11	LKD	LKD	
Fifth	D5a-05-01	Bed 2 & LKD		
Fifth	D5a-05-03	Bed 1		
Fifth	D5a-05-05	Bed 2 & LKD		
Fifth	D5a-05-06	All rooms		
Fifth	D5a-05-07	Bed 2 & LKD		

Fifth	D5a-05-08	Bed 1		
Fifth	D5a-05-09	Bed 2		
Fifth	D5b-05-01	Bed 3		
Fifth	D5b-05-02	Bed 1 & LKD		
Fifth	D5b-05-03	Bed 1		
Fifth	D5b-05-04	All rooms		
Fifth	D5b-05-05	Bed 2 & LKD		
Fifth	D5b-05-06	All rooms	LKD	
Fifth	D5b-05-07	All rooms	LKD	
Fifth	D5a-05-11	Bed 2		
Sixth	D5a-06-05	LKD		
Sixth	D5a-06-06	LKD		
Sixth	D5a-06-07	Studio		
Block DCC6				
Floor	Unit No.	Non-compliance with IS EN 17037	Non-compliance with BRE 209	Note:
Ground	D6a-00-01	All rooms		
Ground	D6a-00-02	All rooms	All rooms	
Ground	D6a-00-03	All rooms	All rooms	
Ground	D6a-00-04	All rooms	All rooms	
Ground	D6a-00-05	All rooms		
First	D6a-01-01	Bed 2		
First	D6a-01-02	Bed 2 & LKD		
First	D6a-01-03	All rooms		
First	D6a-01-04	All rooms	All rooms	
First	D6a-01-05	All rooms	All rooms	
First	D6a-01-06	All rooms	All rooms	
First	D6a-01-07	All rooms	All rooms	
Second	D6a-02-01	Bed 2		
Second	D6a-02-02	Bed 2		
Second	D6a-02-03	Bed 1 & Bed 2		
Second	D6a-02-04	All rooms	Bed 2 & LKD	

Second	D6a-02-05	All rooms	Bed 2 & LKD	
Second	D6a-02-06	Studio	Studio	
Second	D6a-02-07	Studio		
Third	D6a-03-01	Bed 1		
Third	D6a-03-02	Bed 2		
Third	D6a-03-03	Bed 1		
Third	D6a-03-04	All rooms	Bed 2 & LKD	
Third	D6a-03-05	All rooms	Bed 2	
Third	D6a-03-06	Studio		
Third	D6a-03-07	Studio		
Fourth	D6a-04-01	Bed 1		
Fourth	D6a-04-02	Bed 2		
Fourth	D6a-04-03	Bed 2		
Fourth	D6a-04-04	All rooms	LKD	
Fourth	D6a-04-05	All rooms	Bed 2	
Fourth	D6a-04-06	All rooms		
Fourth	D6a-04-07	All rooms		
Fifth	D6a-05-02	Bed 2		
Fifth	D6a-05-03	Bed 2		
Fifth	D6a-05-04	Bed 2 & LKD		
Fifth	D6a-05-05	Bed 1 & Bed 2		
Sixth	D6a-06-04	LKD		

A number of the units listed in the table above, demonstrate very poor compliance in relation to the guidelines/ available standards. Compliance with BRE 209 is better than that demonstrated for IS EN 17037. Demonstration of compliance with the 300 LUX is far more difficult to achieve than with the 100 LUX requirement. This may only be possible with south and west facing aspects or dual aspect units. The proposed development proposes a number of perimeter blocks/ semi perimeter blocks addressing communal open space and in order to achieve good lighting conditions to adjacent open space, the apartment units suffer as a consequence.

8.6.25. I note that a number of the units that demonstrate poor Lux tests, are the Living/ Kitchen/ Dining (LKD) spaces that have a direct balcony or terrace

attached to them. The use of inset amenity spaces/ balconies reduces the amount of light that can enter the relevant rooms and is a consequence of providing larger amenity spaces and room sizes. Revised amenity spaces such as projecting balconies may help address this issue in some cases; this would have an impact on the overall architectural design and visual appearance of the apartments.

8.6.26. The applicant states in their assessment that 70 – 71% of units are compliant in terms of Sunlight Exposure, and in terms of Spatial Daylight Autonomy, some 87 – 88% of units are compliant. I consider these results to be acceptable considering the nature of the development located within an established urban area. The sunlight and daylight test are only one aspect for consideration in a development such as this.

8.6.27. A revised design could increase the percentage of units that achieve the relevant compliances; however, this may be at the expense of unit numbers and the design of the proposed units. For example, in Block DCC3, the D3a-xx-06 bedroom 2 achieve 0.00-hour SE ratings. Moving the rooms out to align with the adjoining units would improve standards but would likely impact on bedroom 1 and the LKD area. The revision to this bedroom would increase the overall cost of this block and would not significantly increase the amenity afforded to the residents of these units.

8.6.28. As reported already, larger private amenity spaces and rooms sizes provide compensation for the reduced daylight standards. The applicant has outlined a number of Compensatory Design Measures within Section 5.2.4 of their report. These include the larger rooms sizes, increased floor to ceiling heights for some units, increased widths and depths over the minimum standards set out in the apartment guidelines. The development ensures that unit's face onto open space areas which in itself provides an acceptable form of amenity. I once again refer to the location of the site within an established urban area, on a brownfield site and on which it is difficult to achieve the maximum standards for daylight and sunlight.

8.6.29. The majority of the public/ communal opens spaces achieve adequate sunlight and I note the assessment in relation to the apartment units, and the proposed compensatory measures for the units that do not reach the appropriate

targets. No issue of concern is expressed. The assessment results are what would be expected for an urban location such as this.

8.6.30. **Conclusion on Daylight and Sunlight Assessments:** I have had appropriate and reasonable regard of quantitative performance approaches to daylight provision, as outlined in the BRE 'Site Layout Planning for Daylight and Sunlight' (209). I am satisfied that the design and layout of the scheme has been fully considered alongside relevant sunlight and daylighting factors. The standards achieved, when considering all site factors and the requirement to secure comprehensive development of this accessible and serviced site within the Dublin City Council area, in accordance with national policy guidance, are in my opinion acceptable and will result in an acceptable level of residential amenity for future occupants. Overall, I am satisfied that the proposed development will provide for good daylight and sunlight to the proposed units. Those units that do not achieve the relevant target benefit from compensatory factors such as the size of the relevant rooms and are provided with an acceptable area of private amenity space.

8.6.31. The proposed development will provide for a significant number of residential units in an area where there is demand for such housing. The development will also provide for the redevelopment of a brownfield site in accordance with the parameters set out for SDRAs in the Dublin City Development Plan 2022 – 2028 and therefore I have no reason to recommend refusal for the development on this basis.

8.6.32. **Childcare Provision:** The proposed development provides for a total of 543 residential units, and it is proposed to provide for a childcare facility to serve the needs of the future residents of this development. In support of the application, a 'Community and Social Audit' has been prepared by JSA, and Appendix 3 provides a 'Childcare Facilities Assessment'. Reference is made to the Sustainable Urban Housing: Design Standards for New Apartments, 2020 which state that 'One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms'.

8.6.33. Childcare provision would therefore only apply to the two-bedroom units, 274 of them and the three-bedroom units of which there are 44 in total. I have made the following calculations in the interests of simplicity:

	2001 Childcare Guidelines	2020 Apartment Guidelines – without one-bedroom units	2020 Apartment Guidelines – without one-bedroom units and only 50% of the two-bedroom units
Number of Units	543	318	181
One Facility with capacity for 20 children for every 75 units	145	85	48

8.6.34. The applicant states that they were excluding the 52 number two-bedroom, three person units, but they have actually included them in their calculations. The applicant has proposed the provision of a childcare facility that can accommodate 85 children, but as stated in the JSA Planning Report, this unit can accommodate up to 130 children. Additional childcare facilities in the area are identified by the applicant in their report in Appendix B. A total of 1,337 childcare spaces are available, however it is not clear what proportion of these are free at present/ time of writing of the assessment.

8.6.35. The proposed childcare facility will be located in Block 5 and will have a stated floor area of 663.71 sq m. The submitted plans indicate that a first-floor terraced area will be utilised as a play area/ amenity space for the use of the creche.

8.6.36. **Conclusion on Childcare Provision:** The proposed development provides for a mix of one-, two- and three-bedroom units, and the applicant has proposed the provision of a childcare facility that can accommodate 85 children. The final details on this can vary due to demand/ different age profiles etc. I note also that there are a significant number of childcare facilities available in the area. I am

satisfied that the childcare provision is acceptable to serve the needs of the future residents of this development.

8.6.37. **Conclusion on Residential Amenity:** Overall the proposed development will provide for a high quality of residential amenity in this established urban area. Room sizes and amenity spaces are of a good standard. The site is restricted by its urban location and the site layout, but the proposed scheme will provide for a suitable development of this serviced urban site. The development complies with the requirements of National and Local policies.

8.7. Residential Amenity – Existing/ Adjacent Residents

8.7.1. Existing Site: The development of any site within an established urban setting will give rise to a level of nuisance and disturbance to residents, especially during the site clearance and subsequent construction phases. It is accepted that any form of development of a site of this scale and located in such an area will give rise to some temporary nuisance and this has to be weighed up against the long-term impact of the development of this site.

8.7.2. The planning history of the subject site and the adjoining area is noted, especially the Bailey Gibson and Player Wills lands. The current situation is of an area that is either cleared or consists of semi-derelict structures. I would suggest that the relatively short-term disruption associated with the development of these lands including the subject site, would be preferable to the uncertainty that is associated with the current situation.

8.7.3. AECOM have prepared a 'Construction & Demolition Waste Management Plan', and Enviroguide have prepared a 'Construction Environmental Management Plan' in support of the application. A finalised construction management plan can be agreed with the Planning Authority and be put in place prior to the commencement of site clearance, though limited, and subsequent development of the site.

8.7.4. **Daylight and Sunlight:** The impact of the development in terms of daylight and sunlight on adjoining properties is considered in the 'Daylight and Sunlight Assessment Report' by 3D Design Bureau. This assessment has been prepared based on best practice guidance set out in the following documents:

- BRE 209 2022: Site Layout Planning for Daylight and Sunlight, 2022.

The submitted assessment undertook a number of tests and these are detailed in the following section of this report.

Daylight & Sunlight Analysis: The Vertical Sky Component (VSC) is assessed. This is the ratio of the direct sky illuminance falling on the outside of a window, to the simultaneous horizontal illuminance under an unobstructed sky. Even if the VSC is less than 27%, as long as the VSC value is still greater than 80% of its former value, prior to the construction of the adjoining development, this would be acceptable and thus the impact would be considered negligible on the host site.

Annual Probable Sunlight Hours (APSH) and Winter Probable Sunlight Hours (WPSH) are also considered to be relevant assessments.

8.7.5. The impact of the development on units on the South Circular Road (Southfield), Margaret Kennedy Road, and the Coombe Hospital Laboratory Building were undertaken. The impact on the proposed developments on the Player Wills and Gibson Bailey sites were also undertaken. In summary the impact to existing buildings was found to be Negligible in most cases or minor adverse to an extent that the impact would not be noticeable. The only exception was impact on the Coombe Hospital Laboratory building with some major adverse impacts to ground floor windows, however this is not a residential building and, in any case, relatively minor development on the subject site would likely give rise to similar results, for example the development of a two-storey building to the south of the affected area of the laboratory.

8.7.6. In terms of Annual Probable Sunlight Hours, 66 windows were assessed and 66 had negligible impacts, one was minor adverse and the other was moderate adverse. These two were located on the first floor of the Coombe Laboratory building. The assessment of Winter Probable Sunlight Hours found that out of 68 windows, 56 endured negligible impacts, three were moderate adverse and the remaining 9 were adverse. These were located on the Coombe Laboratory building on ground, first, second and third floors.

8.7.7. In terms of impact to undeveloped adjoining sites, the results are generally negligible though some adverse impacts are found especially in relation to ground floor windows. Compliance rates are good for APSH and WPSH.

8.7.8. Overshadowing to existing areas: Included with the applicant's report is a shadow study and which is undertaken for March, June and December. The location and layout of the development is such, that whilst there will be increased overshadowing, this will be confined to the morning for existing residential units. The assessment also includes the potential impact on the proposed development of the adjoining sites. The impact here is much more difficult to assess as the nature of the development on the adjoining sites is such that they will cast a shadow on their own site/ proposed buildings on these sites. No issues of concern are raised in this regard.

8.7.9. **Conclusion on sunlight/ daylight impacts to neighbouring properties:** It is noted that there is likely to be instances where judgement and balance of considerations apply. To this end, I have used the Guidance documents referred to in the Ministerial Guidelines and within the Dublin City Development Plan 2022 - 2028 to assist me in identifying where potential issues/impacts may arise and to consider whether such potential impacts are reasonable, having regard to the need to provide new homes within the Dublin city area, and to increase densities within zoned, serviced and accessible sites, as well as ensuring that the potential impact on existing residents from such development is not significantly negative and is mitigated in so far as is reasonable and practical. I have no reason, therefore, to recommend to the Board that permission be refused.

8.7.10. **Potential overlooking:** In addition to the issues of height, availability of daylight/ sunlight, the issue of separation distance is one of the major issues to be considered in the assessment of this proposed development, with particular reference to overlooking. Considering the brownfield nature of the site and the majority of the adjoining lands, the potential for overlooking is reduced. The provision of a 15-storey building on site does not give rise to an increased amount of overlooking than is the case for a 6-storey building.

8.7.11. The general acceptance is that there be 11 m to the boundary that a building faces, in the case where it adjoins a rear garden or private amenity space. A separation distance of 22 m between rear opposing windows is the standard to ensure that privacy is maintained. There are no such situations on this site and the nearest point to existing occupied residential units is to the north west of the site

adjoining Margaret Kennedy Road and in this case the existing units face onto the public road with their private amenity spaces not impacted by potential overlooking.

8.7.12. **Conclusion:** Overall I am satisfied that the development will not have a unduly negative impact on the existing residential amenity of the area. The Z14 zoning allows for residential development of the scale/ density proposed, is located in an established urban area and with access to existing services. The site is a designate SDRA and as such a high density of residential units is expected. This designation sets out clear parameters for the nature of development that the site can accommodate and I am satisfied that the applicant has achieved this.

8.7.13. The applicant has taken suitable measures to protect the residential amenity of adjoining sites and I note that adjoining lands, which are also located on brownfield sites, are proposed for similar development. I have no reason, therefore, to recommend to the Board that permission be refused due to impact on the residential amenity of the existing area.

8.8. **Transportation, Traffic and Parking**

8.8.1. The application is supported with a number of documents in relation to transportation, traffic and parking as follows:

- Traffic & Transport Assessment – AECOM
- Mobility Management Plan – AECOM
- Public Transport Capacity Assessment – AECOM
- Infrastructure Report – AECOM
- Stage 1 Road Safety Audit – AECOM

The Planning Report prepared by JSA also provides information on transportation, traffic, and parking provision.

8.8.2. The Traffic & Transport Assessment provides full details on walking/ cycling provision in the area, public transport services and also details the road network serving the area. Details are also provided on proposed infrastructure improvements in the area, primarily in the form of the Bus Connects project. The overall development of the subject site and adjoining lands would allow for a network of sustainable transport routes primarily in the form of cycle/ pedestrian routes, to / from and through the site.

8.8.3. The primary vehicular, pedestrian and cycle access will be from a new junction on Margaret Kennedy Road. This access/ junction will be designed in accordance with DMURS. As reported, provision will be made for future connections to the adjoining Bailey Gibson and Player Wills sites. Figure 3.3 of the applicant's Traffic & Transport Assessment provides a 'Taking in Charge Drawing'.

8.8.4. Car Parking: A total of 94 car parking spaces are proposed. This is below the Dublin City Council standard of 272, but full justification is provided in the submitted report. 30 of the spaces will be allocated for residents' use.

8.8.5. The site is located in an area with good public transport, and which serves a range of destinations throughout the south city but also beyond the core city centre, with services such as the 122 operating to Ashington/ Cabra on the northside and the 151 operating to the north Docklands. The applicant has submitted a 'Public Transport Capacity Assessment' in support of the application and it has found that there is sufficient capacity on the existing network/ available services to accommodate demand generated by the proposed development.

8.8.6. I am satisfied that the car parking provision is acceptable for this location within walking/ cycling distance of the city centre, and which is accessible by public transport. Adequate provision is made for electric vehicles within the proposed car parking areas.

8.8.7. Bicycle Parking: A total of 1,044 bicycle parking spaces are proposed. These will serve residential (906 spaces), visitor (119), creche (16) and café (3) needs. A total of 5% of the residential spaces will be able to accommodate cargo bikes. Parking will be spread throughout the site but will be accessible to those who use these spaces.

8.8.8. Traffic: The submitted reports indicate that the proposed development will not adversely impact on traffic flows in the area. Clearly there will be an increase in traffic on Margaret Kennedy Road, but this road is designed to accommodate the future development of the adjoining lands including the subject site. Existing traffic flow was observed to be very low on the day of the site visit. Junctions in the area were assessed by the applicant to be able to accommodate the additional traffic generated by this development.

8.8.9. **Conclusion on Transportation, Traffic and Parking:** The development is located in an area with good public transport provision, and which is accessible within walking distance of the site. The site is within walking distance of the city

centre. Car and bicycle parking provision is appropriate to the scale and nature of development proposed. In terms of public transport, the bus network will be the primary form of transport in the short to medium term and the applicant has identified that there is adequate capacity in the current system to serve the needs of this development,

8.8.10. I have no reason to recommend refusal of permission to the Board due to any traffic or transport reasons.

8.9. Infrastructure and Flood Risk

8.9.1. Uisce Éireann have reported no objection to this development in relation to the connection to public foul drainage and the public water supply systems. The applicant has engaged with Uisce Éireann and has submitted design proposals. Uisce Éireann have recommended conditions in the event that permission is granted.

8.9.2. A 'Flood Risk Assessment' report – prepared by AECOM has been included with the application, and this report is dated November 2022. The assessment has full regard to 'The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009'.

8.9.3. The CFRAM mapping indicates that 90% of the site is located within Flood Zone C, 9% within Zone B and a very small proportion is within Zone A. The applicant's report states that the CFRAM mapping is dated to 2016 and is out of date in relation to the subject site as flood routes have changed due to the demolition of the St Teresa's Gardens flats. The site would not receive flood waters due to the demolition of these flats and coupled with the Z14 zoning that applies to this site, the applicant reports that the subject site passes the Justification Test.

8.9.4. CFRAM reports that the fluvial water level may rise to 18.49 m OD and it is recommended that the finished floor levels (FFL) be a minimum of 19 m to allow for a 500 mm freeboard above the 1 in 1000 year flood event. It is noted that the lowest proposed FFL is 19.1 m and there are no recorded incidents of flooding on site. Suitable SuDS measures will be incorporated into the overall site layout and landscaping design. Green roofs and permeable roof paving are also proposed as part of the design.

8.9.5. **Conclusion on Infrastructure and Flood Risk:** The site is served by a public water supply and the public foul drainage network. Wastewater will be treated

at the Ringsend WWTP and having regard to the submitted information, there is no concern in relation to this facility been able to treat the foul water from this proposed development. The submitted flood risk assessment is thorough and no issues of concern have been raised, the site is suitable for residential development of the nature proposed. I have no reason to recommend a refusal of permission to the Board due to water services/ drainage infrastructure, and flood risk.

8.10. Social Infrastructure

8.10.1. The 'Community & Social Audit' dated December 2022, prepared by John Spain Associates provides details on social services and community infrastructure in the vicinity of the subject site. This outlines available childcare facilities, schools, community/ cultural facilities, healthcare facilities and sport/ recreation facilities in the area. Generally, a radius of 1.5 km from the site is drawn and the number of facilities within this area is identified. A radius of 0.75 km is also drawn, these distances equate to cycling and walking distances from the centre of the subject site. As reported, the site is approximately 1.6 km distant from Grafton Street and 2 km from O'Connell Street.

8.10.2. Section 5.0 of the applicant's report provides details on 'Existing Community Facilities' in the area. Adjacent to the site is the Donore Community Centre which is not operational at present due to fire damage. Dublin City Council plan to refurbish and to reopen this community centre and which will provide for 1,400 sq m of community space, benefiting the future residents of the subject development. Table 6.1 of the applicant's report provides an 'Overview of key community facilities within 750m and 1.5 km of the subject site'. Figure 5.7 and the associated table of the applicant's report provides and 'Overview of Open Space and Recreation Facilities within 750m and 1.5 km'.

8.10.3. Full details of Educational Facilities are provided in the applicants report and the location of all primary, secondary and third level facilities are identified through Figure 5.8 – 'Overview of Education Facilities within 1.5 km with approximate locations'. Childcare facilities in the area are also identified through Figure 5.11.

8.10.4. Table 6.2 provides an 'Overview of Healthcare Facilities within 750m and 1.5 km'. This includes a list of pharmacies in the study area. The following

sections of the applicant's report provides details on Religious Facilities, Arts & Cultural Facilities, and Retail availability in the area. The supporting Appendices provide statistical data on the schools in the area, demographics and childcare availability in the area.

8.10.5. Overall, the area appears to be well served by social, education, community, and sporting facilities. The location of the site is such, that these services are likely to be obtained from places outside of the study area considering the accessibility of this location. For example, the 17-bus route allows for relatively easy access to UCD, without having to change buses in the city centre. Similarly, second level education may be obtained outside of the study area. The submitted report does demonstrate that there are available services in the immediate area, able to cater for the likely demand from this development. The proposed development will provide for a childcare facility and a café/ retail space which will benefit the residents of the development.

8.10.6. **Comment on submissions:** Comment was made about the need for additional playing pitches in the area. The subject development does not allow for adequate space for a full-sized pitch, but the proposed development does contribute space for part of a pitch.

8.10.7. Additional community facilities are sought for the area. I have referred to the Donore Community Centre, which is not operational at present, and it can be assumed that the reopening of this, following refurbishment, would meet much of the demand for community space in the area. Some community space is proposed within the proposed development. There is no doubt that the increase in population associated with the proposed development and on the adjoining sites, would increase the demand for community spaces for different activities in the area.

8.10.8. **Conclusion on 8.10:** The proposed development is located in an area with a good range of services and facilities. The site is located in an established urban area and the proposed development will support the continued viability of existing services in the immediate area. The reopening of the Donore Community Centre would meet much of the demand for community space in the area and the proposed development provides for floor space that is for community use, though unspecified at this time.

8.11. Other Issues

8.11.1. **Archaeology:** Details are provided in the EIAR – Chapter 11, and the Department/ National Monuments Service have recommended conditions in the event that permission is granted for the development.

8.11.2. I agree with the applicant that any archaeology on site is likely to have been significantly disturbed by development on site over the years. I therefore have no concern regarding the impact of the development on potential archaeology in the area.

8.11.3. **Contributions:** I note the nature of the development and the applicant is the Land Development Agency on behalf of Dublin City Council. It is recommended that a Section 48 Contribution Condition be included as the creche, and café/ retail unit provide for commercial development within the subject site. There is no suggestion that these be operated on a non-commercial basis. The Planning Authority can levy the appropriate condition for the development of the site/ nature of development proposed.

8.11.4. **Other Reports:** Trees: CMK have been engaged by the applicant to prepare an 'Arboricultural Assessment & Impact Report'. All trees on site are to be removed. There are no Category A trees on site and overall, there are only 9 trees impacted by the proposed development, some of these are in very poor condition.

8.11.5. **Landscaping:** A 'Landscape Architecture & Public Realm Design Report' has been provided in support of the application. The submitted information details all landscaping aspects of the proposed development and I am satisfied that this will provide for a suitably high quality of finish complementing the architecture of the proposed apartment blocks. Figure 2.4.2 – 'Tree Hierarchy' indicates the location of proposed trees on site. The number of trees planted will be significantly more than those lost as per Section 8.11.3 of this report.

8.11.6. An 'Energy & Sustainability Strategy' has been prepared by AECOM and submitted in support of the application. A centralised district heating system using heat pumps will be used to heat the proposed development. Details are also provided on SuDS and Sustainable Transport Infrastructure in the area. A car sharing club will be supported and electric vehicle charging will be supported on the site.

9.0 Appropriate Assessment

9.1. Stage 1 – Appropriate Assessment Screening

9.1.1. The applicant has engaged the services of Altemar, to carry out an appropriate assessment screening; the report is dated December 2022. I have had regard to the contents of same.

9.1.2. The requirements of Article 6(3) as related to screening the need for appropriate assessment of a project under part XAB, section 177U and 177V of the Planning and Development Act 2000 as amended are considered fully in this section.

The areas addressed are as follows:

- Compliance with Article 6(3) of the EU Habitats Directive
- Screening the need for appropriate assessment
- Appropriate assessment of implications of the proposed development on the integrity of each European site

9.2. Compliance with Article 6(3) of the EU Habitats Directive

9.2.1. The Habitats Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site before consent can be given.

9.2.2. The subject site is located on the lands of the former St Teresa's Gardens residential development to the west of Donore Avenue, Dublin 8. The proposed development consists of 543 apartment units to be provided within four apartment blocks. The apartment blocks vary in height from 2 to a maximum of 15 storeys. In addition, the proposed development provides for community, artist workspace, cultural space and a creche. A retail/ café unit of 168 sq m is also proposed. The proposed development provides for open space, car/ bicycle parking and all necessary infrastructure works.

9.2.3. A number of supporting documents/ assessments are listed in the applicant's report and are included with this application.

9.2.4. The subject site is not directly connected with, or necessary to the management of a Natura 2000 sites. The zone of influence of the proposed project would be limited to the outline of the site during the construction phase. The proposed development is therefore subject to the provisions of Article 6(3).

9.2.5. A total of 16 European Sites have been identified as located within the potential zone of influence and these are as follows:

Name	Site Code	Distance from Site
South Dublin Bay SAC	(000210)	4.6 km to the east
North Dublin Bay SAC	(000206)	7.3 km to the east
Glenasmole Valley SAC	(001209)	9.8 km to south west
Wicklow Mountains SAC	(002122)	10.4 km to the south
Baldoyle Bay SAC	(000199)	12.2 km to the north east
Rockabill to Dalkey Island SAC	(003000)	12.8 km to east
Howth Head SAC	(000202)	13 km to the north east
Rye Water Valley/ Carton SAC	(001398)	13.7 km to the north west
Knocksink Wood SAC	(000725)	14.2 km to the south east
Malahide Estuary SAC	(000205)	14.9 km to the north east
South Dublin Bay and River Tolka Estuary SPA	(004024)	4.4 km to the east
North Bull Island SPA	(004006)	7.3 km to the east
Wicklow Mountains SPA	(004040)	10.5 km to the south

Baldoyle Bay SPA	(004016)	12.5 km to the north east
Dalkey Islands SPA	(004172)	14 km to the south east
Malahide Estuary SPA	(004025)	14.9 km to the north east

No designated Natura 2000 sites located outside of the Zone of Influence could be influenced by the proposed development.

9.2.6. Table 2 of the applicant's report provides an initial screening of the identified European sites with potential of a hydrological connection to the proposed development site. Each of the above sites is assessed and the applicant has screened in the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and the North Bull Island SPA. Due to an indirect hydrological pathway to the identified European sites, there is a potential for pollutants to enter the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, and the North Bull Island SPA by way of the proposed surface water drainage system.

9.2.7. Surface water will be directed to the public surface water drainage network, that outflows to the Poddle Stream, which in turn outfalls to the River Liffey and eventually Dublin Bay. In the absence of suitable mitigation measures, dust and contaminated surface water runoff may enter the Poddle Stream. Mitigation measures are required to ensure the protection of the Qualifying Interests of the SAC and the SPA. All other sites are screened out.

9.2.8. I have listed the Qualifying Interests of South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, and the North Bull Island SPA

Name	Site Code	Distance from Site
South Dublin Bay SAC	(000210)	4.6 km to the east
Qualifying Interests:		

<p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Annual vegetation of drift lines [1210]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Embryonic shifting dunes [2110]</p>		
<p>North Dublin Bay SAC</p> <p>Qualifying Interests:</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Annual vegetation of drift lines [1210]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows [1330]</p> <p>Mediterranean salt meadows [1410]</p> <p>Embryonic shifting dunes [2110]</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p> <p>Humid dune slacks [2190]</p> <p>Petalwort [1395]</p>	(000206)	7.3 km to the east
<p>South Dublin Bay and River Tolka Estuary SPA</p> <p>Qualifying Interests:</p> <p>Light-bellied Brent Goose [A046]</p> <p>Oystercatcher [A130]</p> <p>Ringed Plover [A137]</p> <p>Grey Plover [A141]</p>	(004024)	4.4 km to the east

<p>Knot [A143] Sanderling [A144] Dunlin [A149] Bar-tailed Godwit [A157] Redshank [A162] Black-headed Gull [A179] Roseate Tern [A192] Common Tern [A193] Arctic Tern [A194] Wetland and Waterbirds [A999]</p>		
<p>North Bull Island SPA</p> <p>Qualifying Interests:</p> <p>Light-bellied Brent Goose [A046] Shelduck [A048] Teal [A052] Pintail [A054] Shoveler [A056] Oystercatcher [A130] Golden Plover [A140] Grey Plover [A141] Knot [A143] Sanderling [A144] Dunlin [A149] Black-tailed Godwit [A156] Bar-tailed Godwit [A157] Curlew [A160] Redshank [A162] Turnstone [A169] Black-headed Gull [A179]</p>	<p>(004006)</p>	<p>7.3 km to the east</p>

Wetland and Waterbirds [A999]		
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9.2.9. In-combination effects are considered and are summarised in Table 3 of the applicant's report. Referenced planning applications are at the Coombe Hospital to the west of the site and proposed development to the south of the subject site, at the Player Willis and Gibson Bailey sites.

9.2.10. Having reviewed the documents and submissions, I am satisfied that the information allows for a complete examination and identification of any potential significant effects of the development, alone, or in combination with other plans and projects on European sites.

9.3. Stage 1 Screening - Test of Likely Significant Effects

9.3.1. The proposed development is examined in relation to any possible interaction with European sites, the relevant sites have been detailed in the previous sections of this report to assess whether it may give rise to significant effects on any designated European Site. The project is not directly connected with or necessary to the management of a European Site and therefore it needs to be determined if the development is likely to have significant effects on a European site(s).

9.3.2. A description of the site is provided in this Appropriate Assessment Screening Report; I have already outlined the development description under Section 3.0 of this report. In summary the development is for the provision of 543 apartment units within four apartment blocks and all supporting infrastructure. An EIAR Screening has been submitted in support of the application.

9.3.3. **Submissions and Observations:** Third-Party submissions are summarised in Section 6 of my assessment.

9.3.4. **Zone of Influence:** A summary of European sites that are located proximate to the proposed development, including their conservation objectives and Qualifying Interests has been examined by the applicant. A precautionary approach in the submitted Screening Report of including all SACs within 15 km of the development site was taken to be the zone of influence of the development site, which are listed are section 10.2.5 of this report.

9.3.5. In determining the Natura 2000 sites to be considered, I have had regard to the nature and scale of the development, the distance from the site to the designated Natura 2000 sites, and any potential pathways which may exist from the development site to a Natura 2000 site. The site is not directly connected with, or necessary to the management of a Natura 2000 sites. The impact area of the construction phase would be limited to the outline of the site.

9.3.6. In terms of the zone of influence, I would note that the site is not within or immediately adjacent to a European site and therefore there will be no loss or alteration of habitat, or habitat/species fragmentation as a result of the proposed development. The nearest European sites are South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA, which are between 4.6 km and 4.4 km from the subject site.

9.3.7. There are no watercourses on the site, and it is reported that the Camac River is not hydraulically connected to the subject site and the development will have no impact on the statue of this watercourse.

9.4. **Screening Determination**

9.4.1. The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out a Screening for Appropriate Assessment of the project, it has been concluded that the project individually (or in combination with other plans or projects) could have a Significant Effect on South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and the North Bull Island SPA, in view of these sites' Conservation Objectives, and the applicant has reported that Appropriate Assessment (and submission of a NIS) is therefore required. Mitigation measures are required to ensure that dust and contaminated water runoff does not enter the designated sites. The applicant acknowledges that the requirement for appropriate assessment is on a strictly precautionary basis, and I note this.

9.4.2. **Water Pollution:** The Appropriate Assessment Screening identified an indirect hydrological connection between the subject site and designated sites by way of the Poddle Stream.

9.4.3. The applicant has provided a full surface water drainage layout to serve the subject site. In support of the application Enviroguide Consulting have carried out a 'Hydrological and Hydrogeological Risk Assessment' and it is reported, 'It is noted that there are no identified impacts to surface water in the downstream Poddle Stream, Liffey Estuary and Dublin Bay. There are no identified potential impacts to offsite groundwater associated with the Proposed Development' and 'The Proposed Development will not cause any impact to Natura 2000 sites with a potential hydraulic connection to the Proposed Development Site In the worst-case scenario in the absence of mitigation or design avoidance measures there would be no deterioration in water quality or impact on the receiving environment associated with the Proposed Development that would result in a significant effect on any Natura 2000 sites either in combination with other plans or projects or individually.'

9.4.4. I am satisfied that the proposed development will not impact on any water courses and in turn, will not impact on any designated site that are hydrologically connected to the subject site.

9.4.5. Water will be supplied to the development from the existing public water system. Foul drainage will be via the public system and will be treated in the Ringsend Waste Water Treatment Plant, which is undergoing upgrades that are due to be complete by 2023. From the submitted documentation, the upgrade works to Ringsend will be complete well in advance of commencement of works on site.

9.4.6. I note that the applicant has carried out a Stage 2 Appropriate Assessment through the submission of a Natura Impact Statement. This includes a list of mitigation measures, which I would consider to be standard and expected for a construction development of the nature proposed. I do not consider that these mitigation measures are unique for the proposed development.

9.4.7. I note the distance between the site and the identified designated sites, the nature of the proposed development, the character of the area and also the fact that the Ringsend Wastewater Treatment Plant is undergoing upgrades that will increase its capacity. I am satisfied that there is no realistic likelihood of pollutants reaching the identified Natura 2000 sites due to the nature of the development, the distance to identified designated sites and that significant dilution/ mixing of land originating

water and seawater, would occur that would ensure the dilution of waters before they reach the designated sites of Dublin Bay.

AA Screening Conclusion:

9.4.8. It is reasonable to conclude that on the basis of the information provided on file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and the North Bull Island SPA, or any other European site, in view of these sites' Conservation Objectives, and having regard to the nature and scale of the proposed development and the location of the site in an established, serviced urban area and the significant separation distance to the nearest European site, no Appropriate Assessment issues arise.

9.4.9. Full consideration has been had to the potential impact on designated sites from water pollution/ dust generated on site. It is therefore considered that the development would not be likely to give rise to a significant effect individually or in combination with other plans or projects on an European site.

In consideration of the above conclusion, there is no requirement therefore for a Stage 2 Appropriate Assessment.

10.0 Environmental Impact Assessment Screening

10.1. This application was submitted to the Board after the 1st of September 2018 and therefore after the commencement of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which transpose the requirements of Directive 2014/52/EU into Irish planning law.

10.2. The application was accompanied by an Environmental Impact Assessment Report (EIAR), which is mandatory for the development in accordance with the provisions of Part X of the Planning and Development Act 2000, as amended and Schedule 5 of the Planning and Development Regulations 2001 as amended.

10.3. Item 10(b) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001 as amended, and section 172(1)(a) of the Planning and

Development Act 2000 as amended provides that an EIA is required for infrastructure developments comprising of urban development which would exceed:

- 500 dwellings
- Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. A business district is defined as 'a district within a city or town in which the predominant land use is retail or commercial use'.

The proposed development is described and consists of 543 apartment units provided within four blocks ranging in height between 2 and 15 storeys. Also proposed are a retail/café unit (168 sq m), mobility hub (52 sq m) and 952 sq m of community, artist workspace, arts and cultural space, including a creche. Bicycle, car parking and all necessary services are provided to serve the proposed development. The subject site is located at the former St Teresa's Gardens residential development, Donore Road, Dublin 8.

The proposed development therefore requires mandatory EIA, and an EIAR has been submitted with the application. This has been prepared by Enviroguide Consulting with support from specialists. The contributors/ specialists are listed in Table 1-3 of the EIAR in relation to the relevant chapter that they contributed to.

The EIAR is set out as follows:

Volume 1 – EIAR Non-Technical Summary

Volume 2 - Volume II: Environmental Impact Assessment Report

The following chapters are included in the EIAR

1. Introduction and Methodology
2. Description of the Proposed Development & Assessment of Alternatives
3. Planning and Development Context
4. Population and Human Health
5. Biodiversity
6. Land and Soils

7. Hydrology
8. Air Quality and Climate
9. Noise and Vibration
10. Landscape and Visual Amenity
11. Archaeology and Cultural Heritage.
12. Material Assets _Traffic, Utilities and Waste Management
13. Risk Management
14. Interactions
15. Mitigation and Monitoring

Volume III: Environmental Impact Assessment Report (EIAR) – Volume 3.1 to 3.4
Appendices

Chapter 1 includes an overview of the development, the need for/ purpose of EIA, EIA Methodology including a list of relevant legislation/ guidance, possible outcomes, details on consultation/ scoping, EIAR process, structure of the EIAR, and a list of the EIAR project team and relevant surveys is also provided. No difficulties were encountered in the compilation of the required information in order to prepare the EIAR.

10.3.1. Chapter 2 provides a more detailed project description, details on the site environment/ location and details on the available services/ infrastructure on/ adjoining the site. A description of alternatives is provided under Section 2.6 and the following are considered:

- ‘Do-nothing’ alternative
- Alternative locations
- Alternative designs
- Alternative layouts
- Alternative processes
- Alternative mitigation measures’

10.3.2. Chapter 3 provides a detailed overview of relevant ‘Policy and Planning Context’. The Dublin City Development Plan 2022 – 2028 is the statutory plan for the area and this was adopted in November 2022. The applicant reports that the final plan details were not published at the date of the lodgement of the application, but the applicant has used the information/ wording that they consider to be the final adopted version of the plan. A detailed planning history of the site/ surrounding area is provided.

Further details are provided in the documentation submitted in support of this application.

10.3.3. The likely significant direct and indirect effects of the proposed development are considered in the remaining chapters, in the order provided in the EIAR, which collectively address the following headings, as set out in Article 3 of the EIA Directive 2014/52/EU:

- Population and Human Health
- Biodiversity (Flora and Fauna)
- Land, Soil, Water, Air and Climate
- Material Assets, Cultural Heritage and the Landscape
- Interactions
- Mitigation and Monitoring

10.3.4. I am satisfied that the EIAR has been prepared by competent experts to ensure its completeness and quality, and that the information contained in the EIAR, and supplementary information provided by the applicant, adequately identifies and describes the direct and indirect effects of the proposed development on the environment and complies with article 94 of the Planning and Development Regulations 2000, as amended. Each chapter demonstrates the competency of the assessor, relevant guidance that they have considered, and the assessment criteria.

10.3.5. I have carried out an examination of the information presented by the applicant, including the EIAR, and the submissions made during the course of the application. A summary of the submissions made by the planning authority and prescribed bodies has been set out already in this report. This EIA has had regard

to the application documentation, including the EIAR, the observations received, and the planning assessment completed above.

10.3.6. **Consultations:** Details of the consultations carried out by the applicant as part of the preparation of the application and EIAR are set out in the documentation submitted and these are considered to be adequate. I am satisfied that the participation of the public has been effective, and the application has been made accessible to the public by electronic and hard copy means with adequate timelines afforded for submissions.

10.3.7. **Assessment of Likely Significant Direct and Indirect Effects:** My assessment is based on the information provided by the applicant, including the EIAR, in addition to the submissions made during the course of the application, together with my site visit.

Population and Human Health

10.3.8. Chapter 4 has been prepared by Enviroguide Consulting. The technical chapters within the EIAR have also been reviewed by the applicant when assessing the likely effects on population and human health. Relevant chapters include those relating to air quality (Chapter 8), noise and vibration (Chapter 9), hydrology (Chapter 7), traffic and transport (Chapter 12) and landscape and visual (Chapter 10). A Community Audit with Childcare Facilities Assessment (prepared by JSA, 2022) (Appendix D) has also been used to inform this Chapter of the EIAR.

10.3.9. The Methodology is provided under Section 4.2 and full details of the study area and 'Information Sources' are provided. Extensive assessment of census data is undertaken within Section 4.3 'The Existing and Receiving Environment (Baseline Situation)'. An issue raised was the use of the 2016 census data as full date from the 2022 census was not available at the time of preparation of the EIAR. The proposed construction phase is expected to take place over 35 months.

10.3.10. Section 4.5 considers the 'Potential Impact of the Proposed Development', and it is reported that during the construction phase, the proposed development has potential to cause additional traffic, noise, air quality, socio-economic, water and visual impacts during the construction stage. The following are assessed under this chapter in terms of impact during the construction phase of the development:

- **Human Health:** Contractor will comply the HSE and all other relevant guidance. The site is not located within a high Radon Area (as assessed in Chapter 6 – Land and Soil) and the impact of the construction phase on human health will be slight, neutral, and short term, with no likely significant negative effects.
- **Socio-economic:** The development will provide for employment opportunities, with up to 200 construction workers employed over a 35-month period. Indirect employment opportunities will arise through benefits to local shops etc. Therefore, the proposal will have a slight positive impact in terms of additional direct and indirect employment, and on the local socio-economic environment which will be short-term for the duration of construction on site, and there will be no likely significant effects on human health as a result of socio-economic impacts.
- **Air Quality and Climate:** Nuisance dust emissions can be generated during the construction phase of the development. Chapter 8 of the EIAR, has concluded, that there will be no significant impacts on air quality as a result of the proposal and as such the likely effects on human health will be slight, negative, and short term, and there will be no likely significant negative effects on human health as a result of air quality.
- **Noise and Vibration:** The impact is assessed in Chapter 9 – Noise and Vibration of this EIAR. Mitigation measures will be implemented as part of good practice and as such, there will be no significant, negative long-term impacts on human health. The impact is further considered in terms of Phase 1 and Phase 2 Construction Noise and in terms of Construction Traffic Noise. Overall, in terms of noise, there will be no significant noise effects in relation to population and human health.
In terms of construction phase vibration, suitable monitoring will take place with particular reference to potential impacts to the adjacent Coombe hospital. The EIAR states that ‘vibration levels will not exceed the specified threshold values therefore there will be no significant negative impact on human health’.

- Hydrology: A number of potential sources of contamination are identified and further details are provided in Chapter 7 of the EIAR. It is concluded that there would be no significant impact on population and human health as a result of the Construction Phase of this development.
- Traffic and Transport: Suitable measures will be put in place to control/ manage construction vehicles arriving and departing to and from the site and also those operating within the site area. Suitable measures will be put in place to control construction related car parking in the area. It is concluded that there would be no significant impact on population and human health as a result of traffic/ transport related issues.
- Landscape and Visual: The nature of the proposed development is such that there is a potential for landscape and visual impact. Construction related impacts will be temporary and will last for the duration of the construction period. The significance on human health is reported to be temporary, slight-moderate and negative and there will be no likely significant negative effects on human health.

10.3.11. Section 4.5.2 assesses the impact on Human Health during the operational phase of the proposed development.

- Human Health: Contractor will comply the HSE and all other relevant guidance. The site is not located within a high Radon Area (as assessed in Chapter 6 – Land and Soil). The proposed development will provide for additional housing in an area with a need for such housing and this will provide for a positive impact on human health. A Daylight and Sunlight Assessment was undertaken, and no issues of concern were raised. It is therefore concluded that the Proposed Development is not likely to have any significant adverse impact on population and human health.
- Socio-economic: The development will provide for employment opportunities, with up to 50 jobs created during the operational phase of the development. Indirect employment opportunities will arise through benefits to local shops/ service providers etc. Therefore, the proposal will have a positive impact in terms

of additional direct and indirect employment, and there will be no likely significant effects on human health as a result of socio-economic impacts.

- **Air Quality and Climate:** Traffic related air emissions can be generated during the operational phase of the development, though these are expected to be insignificant in term of overall air standards. There will be no likely significant negative effects on human health as a result of air quality.
- **Noise and Vibration:** The impact is assessed in Chapter 9 – Noise and Vibration of this EIAR. Mitigation measures will be implemented as part of good practice and as such, there will be no significant, negative long-term impacts on human health and, there will be no significant negative, long term effects in relation to population and human health. Traffic related noise and plant related noise will not give rise to significant impacts on human health. Development at the adjoining Coombe hospital will include suitable mitigation measures to ensure that there will be no significant effects on human health during the operational phase of the proposed development.
- **Traffic and Transport:** Sustainable transport options are available to serve the needs of the future residents of this development. The availability of such measures will reduce the need for car use. A full assessment of the traffic and transport impacts are provided in Chapter 12.1 of this EIAR. It is concluded that there will be no significant impact on human health as a result of operational traffic.
- **Townscape and Visual:** A full assessment of the potential impacts are undertaken in Chapter 10 of this EIAR. Townscape impacts will vary from slight to very significant and neutral to positive. This is detailed in in Chapter 10, Table 10-12 of this EIAR. The visual effects will vary from low to significant, and from slight to positive, further details are provided in Chapter 10, Table 10-13 of this EIAR). The resulting changes will not cause a significant negative impact on population and human health.
- **Community Amenities:** The proposed development will increase the overall population of the surrounding area, and this in turn will put additional demand on

existing community services. John Spain Associates have been engaged by the applicant to undertake a Community Audit of available services etc. The proposed development also includes a childcare facility of 851 sq m and suitable open space in addition to other space that can be used for community use. In conclusion, there will be no negative, significant long-term impact on human health.

10.3.12. Potential Cumulative Impacts: Table 4-18 is provided and identifies the 'Potential Cumulative Impacts' with reference to other permitted development in the area. The chapters on Air, Noise and Traffic provide further details on cumulative impact factors.

10.3.13. Section 4.6 of the EIAR outlines the 'Avoidance, Remedial & Mitigation Measures' that are proposed for the construction and operational phases of the development and for 'Residual Impacts' under Section 4.7. A 'Worst Case' scenario is not relevant to the chapter on Population and Human Health. Section 4.8 states that monitoring is not required for the construction and operational phases of the development in relation to Population and Human Health. Interactions are assessed under Section 4.9.

10.3.14. **Submissions and Observations:** No particular issues of concern were raised by third parties. Services such as community facilities, open space and childcare should be provided at the earliest opportunity. Welcome was made for the provision of housing in this area.

10.3.15. **Assessment:** The submitted information demonstrates that the proposed development as submitted will not negatively impact on Human Health. The submitted EIAR indicates that the development will provide beneficial impacts through the provision of housing within an area with a need for housing, in addition to facilities including public open space, childcare and community facilities will be provided for.

10.3.16. I am satisfied that the identified impacts would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. The mitigation measures are detailed in other chapters of the submitted EIAR. I am therefore

satisfied that the proposed development would not have any unacceptable direct or indirect impacts on public health.

Biodiversity

10.3.17. Chapter 5 considers the impact of the development on Biodiversity and this chapter was prepared by Altemar Limited with full details of the authors provided in section 5.1.1., 'Study Methodology' under Section 5.2 including Table 5-1 'Field Surveys', and 'The Existing and Receiving Environment (Baseline Situation)' under Section 5.3. There are two Natura 2000 sites (South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA) within 5 km and five National conservation sites (Grand Canal pNHA, Royal Canal pNHA, North Dublin Bay pNHA, South Dublin Bay pNHA, and Liffey Valley pNHA) within 5 km of the subject site. The distance and details of the conservation sites within 15 km of the Proposed Development are provided in Table 5-2 and Table 5-3 of the EIAR with further details provided in the form of plans and aerial photographs. Species data is provided under Section 5.3.3 and in Table 5-4. No species of conservation importance were noted on site.

10.3.18. Site surveys were undertaken in April 2021, August 2021 and July 2022. A detailed description of the site and habitats classified in accordance with Fossitt (2000) is provided under Section 5.3.4 – 'Site Survey'. In relation to bats the following is reported:

'Foraging activity of two bat species (soprano pipistrelle (*Pipistrellus pygmaeus*) and common pipistrelle (*Pipistrellus pipistrellus*) were noted along the southern side of the site (Appendix F bat Fauna Assessment). No foraging was noted in other areas of the site. No buildings are on site. No trees of bat roosting potential are noted on site. No roosting bats were noted on site'.

No species or habitats of conservation importance were identified on site. No invasive plant species were identified either.

10.3.19. Section 5.5 considers the 'Potential Impact of the Proposed Development' at construction and operation stages. The site is not within a designated conservation area. The EIAR considers the 'Impacts: Low adverse / International/ Negative Impact / Not significant / short term. Mitigation is needed to prevent impacts on the surface water network and downstream designated sites'.

Note: This issue is considered in the submitted Appropriate Assessment Screening and the assessment under Section 9 of my report.

10.3.20. There were no protected terrestrial mammals noted on site and loss of habitat and habitat fragmentation may affect some common mammalian species. The potential impacts are reported to be 'Low adverse / site / Negative Impact / Not significant / short term'. Mitigation measures are required in the form of a pre-construction inspection for terrestrial mammals that are of conservation importance. No protected flora was found on site and no bats were found to be roosting here, therefore no significant impacts are foreseen. Construction lighting may impact on foraging activity in the vicinity of the subject site. Suitable measures are required to ensure that aquatic biodiversity downstream of the site is protected. Impacts are reported to be 'Low adverse / site / Negative Impact / Not Significant / Short term'. No bird species of conservation importance were noted on site and impacts would be 'Low adverse / Local / Negative Impact / Not significant / short term. Mitigation is needed in the form of site clearance outside bird nesting season'.

10.3.21. Impacts during the operational stage, in the absence of mitigation, are provided under Section 5.5.2. Designated sites would be impacted, 'Low adverse / local / Negative Impact / Not significant / long term' with standard mitigation measures in relation to surface water required. Biodiversity impacts would be 'Low adverse / site / Negative Impact / Not significant / long term', Bat Fauna would be 'Low adverse / International / Negative Impact / Not significant / long term'. Aquatic Biodiversity impacts would be 'Low adverse / local / Negative Impact / Not significant / long term' and Bird Fauna is assessed as 'Low adverse / site / Negative Impact / Not significant / long term'.

10.3.22. Section 5.5.3 considers the 'Potential Cumulative Impacts' with Table 5-6 detailing relevant planning permissions in the area. The EIAR reports that 'It is considered that in combination effects on biodiversity, with other existing and Proposed Developments in proximity to the application area, would be unlikely, neutral, not significant and localised. It is concluded that no significant effects on designated conservation sites will be seen as a result of the Proposed Development alone or in combination with other projects'. Mitigation Measures & Monitoring are outlined in Section 5.6 of the EIAR. Section 5.7 considers 'Residual Impacts Conclusion' and 'Monitoring' is assessed under Section 5.8, with a proposal for an

ecologist to be employed during the construction phase of the proposed development.

10.3.23. **Submissions and Observations:** No issues of concern were raised in relation to this section of the EIAR.

10.3.24. **Assessment:** The submitted details in the EIAR provide a detailed assessment of the current situation in relation to Biodiversity and the potential impact on it through the construction and operational phases of the development. I note that the species found on site are generally common in the area and nationally and they are not rare or under threat at an Irish level. The applicant has proposed a detailed range of mitigation measures, and these are considered to be acceptable. Site clearance works would be restricted to the requirements of other non-planning legislation.

10.3.25. I am satisfied that the identified impacts would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts on Biodiversity.

Land and Soil

10.3.26. This chapter was prepared by Enviroguide Consulting. The Study Methodology is provided under Section 6.2. Table 9-1 provides a 'Criteria for Rating Site Importance of Geological Features' and Table 6-2 provides 'Assessment of Potential Terminology and Methodology'. The Existing and Receiving Environment is detailed under Section 6.3. Table 6-3 provides 'Historical Land Use', dating from 1837 to the present time. As reported, the site 'is currently undeveloped brownfield land'. Under Section 6.3.4, the topography is described and the 'Site slopes towards the north with elevations recorded at 17.82mOD in the northern portion of the Site and at 19.99maOD in the southern portion of the Proposed Development'.

10.3.27. Soils consist of 'Made Ground', 'Made/ built land' and as per Figure 6-3 'Soils' this is the predominant form of soil in the immediate area, of this part of the city. More details on soil types are provided under Sections 6.3.6 to 6.3.8. Soil Investigation Results are provided under Section 6.3.9. I note that Asbestos and Polychlorinated biphenyls (PCBS) were not detected on site. No hazardous waste

was found on site and details are provided in Table 6-5. Radon is discussed under Section 6.3.10 and the site is not considered to be a 'High Radon Area', though as reported, high radon can be found in any home. No 'Geohazards' are expected to occur on this site. Table 6-6 lists 'Sites of Geological Importance within 2km of the Proposed Development'.

10.3.28. The 'Characteristics of the Proposed Development' are provided in Section 6.4 of the EIAR, with the construction phase detailed under Section 6.4.1 and the operational phase under Section 6.4.2. The 'Potential Impact of the Proposed Development' is provided under Section 6.5. In terms of Land Take and Land-Use, 'There will be an overall 'positive', 'moderate' and 'permanent' impact taking account of the surrounding land and zoning objectives on land at the Site. There is no significant, adverse, long-term impact associated with the proposed land take and land-use'. Medium term, negative impacts could result from the use of cement during the construction phase, there would be no long-term significant impact arising.

10.3.29. Full details are provided on the 'Excavation of Soil and Bedrock' under Section 6.5.1.1.3 of the EIAR and it concludes that 'Based on the assigned importance of the underlying in-situ soils and substrate at the Site there is an overall anticipated 'negative', 'moderate' and 'permanent' impact associated with the loss of soils at the Site'. Aggregates will be imported onto the site, in accordance with relevant requirements and 'There is no identified significant, adverse, long-term impact associated with the importation of aggregates'. As per Section 6.5.1.3 of the EIAR, 'There will be no secondary impacts associated with the Construction Phase of the Proposed Development'.

10.3.30. Operational Phase impacts are considered under Section 6.5.2 and due to the nature of the proposed development, 'There are no identified significant, adverse, long-term impacts associated with the Operational Phase of the Proposed Development'. There are no Indirect and Secondary impacts associated with the Operational Phase of the proposed development.

10.3.31. Cumulative impacts are considered under Section 6.5.3 of the EIAR. Table 6-8 provides a detailed list of 'Recent applications granted permission in the vicinity of the Proposed Development'. It is reported that 'following a review of the

applications specified in Table 6-8 that applications ABP-307221-20 (BG1) and ABP-314171-22 (BG2) have been submitted for the same site however, only one of these applications will progress for development if the submissions for the site are approved'. It is reported 'There are no identified significant adverse cumulative impacts associated with the excavation and removal of soil and stone from the Proposed Development in the long-term. There will be no other cumulative impacts on land, soil and geology associated with the Proposed Development'.

10.3.32. 'Avoidance, Remedial & Mitigation Measures' are outlined under Section 6.6 of the EIAR. Construction Phase measures are provided under Section 6.6.1 and Operational Phase measures under Section 6.6.2. A significant amount of detail is provided on the 'Management of Stockpiles (soil and other materials/ waste)' under Section 6.6.1.3. In terms of concrete use, it is proposed that precast concrete will be used as much as possible though cast-in-place concrete will be required for foundation and footpath works. No specific measures are required for the Operational Phase of the development and 'Worst Case Scenario' is considered under Section 6.6.3, with identified issues 'deemed to be an unlikely scenario'. Section 6.7 considers 'Residual Impacts'. Table 6-9 provides a 'Summary of Impacts'.

10.3.33. No specific monitoring requirements are required, and Section 6.9 provides details on 'Interactions'. No difficulties were encountered in the compilation of this chapter of the EIAR.

10.3.34. **Submissions and Observations:** No issues of concern were raised.

10.3.35. **Assessment:** The submitted information fully assesses the impact of the development on land and soil. The site is located within an established urban area and the location has been defined as a brownfield site. The land consists of made soils and no soils of importance or of economic value were identified. The construction and operational phases of this development are not likely to adversely impact on the land and soils.

10.3.36. The proposed mitigation measures are noted, though I would consider these to be standard practice for a development of this nature within an established urban environment. I am therefore satisfied that the proposed development would not have any unacceptable impact on land and soil.

Water

10.3.37. Chapter 8, 'Water' has been prepared by Enviroguide. Section 7.2 provides details on the Methodology used in the assessment of this chapter of the EIAR with details on the 'Phase Approach' of the assessment provided under Section 7.2.2. Table 7-1 provides 'Criteria for Rating Site Importance of Hydrogeological Features' and Table 7-2 provides an 'Assessment of Potential Impacts Terminology and Methodology'. Section 7.3 details 'The Existing and Receiving Environment (Baseline Situation)'.

10.3.38. Relevant considerations are 'Topography' under Section 7.3.2, 'Rainfall' under Section 7.3.3, 'Soil, Geology' under Section 7.3.4 and 'Regional Hydrogeology' under Section 7.3.5., which states, 'The bedrock aquifer of the Lucan Formation beneath the Proposed Development Site is within the Dublin GWB (EU Code: IE_EA_G_008) (EPA, 2022). The Dublin GWB covers 837km² across Co. Dublin, Co. Kildare and Co. Meath (GSI, 2022)'. Section 7.3.5.3 classifies 'The bedrock aquifer within the Lucan Formation beneath the Site is classified by the GSI (2022) as a 'Locally Important Aquifer – Bedrock' (Aquifer Code: LI) which is Moderately Productive only in Local Zones.' Table 7-5 provides the 'Vulnerability Mapping Criteria (DEHLG/EPA/GSI, 1999)' and 'The GSI has assigned a groundwater vulnerability rating of 'Moderate' (M) for the groundwater beneath the majority of the Site and a rating of 'High' (H) to the south-eastern portion of the Site (GSI, 2022)'. Figure 7-5 provides 'Inferred Groundwater Flow Direction' as it relates to this site.

10.3.39. In terms of Hydrology, 'The Site is located within the Liffey and Dublin Bay Catchment (Catchment ID 09) and the Dodder SC_010 sub-catchment (Sub-Catchment ID 09_16). The Site is located within Hydrometric Area 09 and within the Poddle_010 River Sub-basin (EPA, 2022)'. A number of surface waterbodies with a potential hydraulic connection to the subject site are listed under Section 7.3.6 of the EIAR. 'Site Drainage' details are provided under Section 7.3.7 and the following are identified:

- 'A 150mm surface water connection directs surface water from lands located to the south-west of the Site (previously the Bailey-Gibson warehouse) through the Site, to connect to a 300mm sewer located in lands west of the Site before discharging to a 1m stormwater culvert located to the north of the Site on Donore Avenue. This

stormwater culvert ultimately discharges at an outfall point at the Poddle Stream located approximately 0.65km north-east of the Proposed Development;

- The remains of a 1,030mm combined sewer is identified in the northern portion of the site which flows to a storage a surface water network located to the west of the Site which is then directed to a 450mm sewer located adjoining the eastern Site boundary as described below; and
- The 450mm sewer is located adjoining the eastern Site boundary directs water towards the north, however, the outfall location for this is not known at the time of writing this report'.

10.3.40. Section 7.3.8 considers issues of 'Flooding' and AECOM have undertaken a site-specific flood risk assessment report (SSFRA), and which has identified that 90% of the site is within Flood Zone A and 10% within Flood Zone B. The assessment provides for different results to those modelled as part of CFRAM, as the site situation has changed due to the demolition of the St Teresas Garden's flats. The site is not within a flood risk zone.

10.3.41. Water quality is assessed under Section 7.3.9 and data from the Liffey monitoring station at Islandbridge indicates that water quality is poor at this point, as the applicant has noted, this monitoring station is 2.27 km from the subject site. There are no relevant groundwater monitoring stations within close proximity of the subject site. In relation to drinking water, 'There are no groundwater source protection areas recorded that have any hydraulic connection to the Site or within a 2km radius of the Site or potentially hydraulically connected'. Table 7-8 provides 'WFD Risk and Water body Status' and Figure 7-8 indicates the location of these relevant to the subject site. Details of 'Designated and Protected Sites with Hydraulic Connection to the Site' are provided in Table 7-9 of the EIAR and are mapped as per Figure 7-9.

10.3.42. Section 7.4 provides the 'Characteristics of the Proposed Development', broken down to the 'Construction Phase' under Section 7.4.1 and the 'Operational Phase' under Section 7.4.2.

10.3.43. The 'Potential Impact of the Proposed Development' is provided under Section 7.5. The site was paved when in residential use, is now unpaved but approximately 50% of the surface cover will consist of impermeable surfaces due to

the proposed development. There will be no significant impacts on the groundwater recharge within the Dublin GWB in the long-term. The EIAR considers that 'any impact on the hydrogeological regime within the aquifer is unavoidable and will be 'negative', 'imperceptible', 'temporary' ('long-term' during post construction/ operational phase) within a very localised zone of the aquifer only and there will be no impact on the hydrogeological regime of the receiving groundwater body and associated downgradient receptors'. The impact on Water Quality is assessed under Section 7.5.1.2 and impact would only arise 'in the absence of standard and appropriate construction management and mitigation measures'. Full details are provided in this section of the EIAR. During the Operational Phase, similar impact as at construction phase are expected. 'There will be an unavoidable 'negative', 'imperceptible', 'long-term' within a very localised zone of the aquifer only and there will be no impact on the offsite groundwater within the GWB and flow regime of receiving surface water or other water bodies'.

10.3.44. The impact on Water Quality will again depend on the use of standard mitigation measures. Suitable measures are provided in this section of the EIAR. 'Potential Cumulative Impacts' are considered under Section 7.5.3. and Table 7-10 provides a list of 'Recent applications granted permission in the vicinity of the Proposed Development'.

10.3.45. Section 7.6 considers 'Avoidance, Remedial & Mitigation Measures' at both the Construction Phase and the Operational Phase of the proposed development. Specific measures are proposed in relation to the control and management of water/ of soil. The 'Importation of Soil and Aggregates', 'Concrete Works' and 'Piling Methodology' have been considered. Regard has been had to 'Welfare Facilities' under Section 7.6.1.7 and 'Wheel-Wash and Water Treatment Facilities' under Section 7.6.1.8. Section 7.6.1.9 considers the 'Decommissioning of Boreholes'.

10.3.46. Section 7.6.3 considers the 'Worst Case Scenario' and it is reported that 'taking account of the avoidance and mitigation measures the worst-case scenario is deemed to be an unlikely scenario'. No public health issues have been identified for the Construction and Operational Phases of the proposed development. No adverse impacts in relation to Water Framework Directive (WFD) have been

identified. No concerns have been raised in relation to residual impacts and table 7-11 provides a summary of these.

10.3.47. Section 7.9 provides 'Monitoring' details. Construction Phases measures are standard for a development of this nature and specific measures in relation to water are proposed for the Operational Phase. Section 7.10 details 'Interactions'. No difficulties were encountered in the compilation of this chapter of the EIAR.

10.3.48. **Submissions and Observations:** No particular issues of concern were raised by third parties.

10.3.49. **Assessment:** The proposed development is for a residential scheme on suitably zoned lands, which is currently a brownfield site suitable for development. Suitable mitigation measures are proposed that address any concerns in relation to the construction phase of the proposed development.

10.3.50. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of Water.

Air Quality, Climate and Microclimate

10.3.51. Chapter 8 deals with Air Quality, Climate and Microclimate, Enviroguide have prepared this chapter of the EIAR, relevant legislation, policy and guidance is provided in Section 8.1.1.1, with Methodology provided in Section 8.1.2. 'The Existing and Receiving Environment (Baseline Situation)' is provided under Section 8.1.3 of the EIAR, with reference to Air Quality, Macroclimate and Microclimate.

10.3.52. The 'Potential Impact of the Proposed Development' is provided in Section 8.1.5 of the EIAR. The Construction Phase impacts on air quality are provided in Section 8.1.5.1.1 and Operational Phase impacts under Section 8.1.5.1.2. Climate is considered under Section 8.1.5.2 at both the construction and operational phases of the proposed development. Climatic impacts are insignificant and will be short-term and imperceptible. At operational stage there is potential for a risk of increased flooding due to rising sea levels, however appropriate measures

have been proposed in the EIAR to provide appropriate measures to address such potential issues. In terms of traffic and the generation of greenhouse gases, any generated as a result of this development will be insignificant and over time, they will reduce due to an increase in the use of electric forms of transport.

10.3.53. 'Potential Cumulative Impacts' are considered under Section 8.1.5.3. and are summarised in Table 8-9.

10.3.54. Section 8.1.6 outlines the 'Avoidance, Remedial & Mitigation Measures', again for both the Construction and Operational phases of the proposed development. These are standard practices in relation to air quality and similarly for climate though options are reduced to the nature of climate. 'Residual Impacts' are outlined under Section 8.1.7 and 'Monitoring' is detailed under Section 8.1.8. No specific monitoring measures are proposed during the Operational Phase.

10.3.55. Section 8.1.9 details 'Interactions' and no specific issues of concern are raised. No difficulties were encountered in the compilation of this chapter of the EIAR.

10.3.56. Section 8.2 'Wind Microclimate' was prepared by B-Fluid Limited on behalf of AECOM. The Site Location is identified under Section 8.2.1. Section 8.2.1.1 provides details on 'Urban Wind Effects' and Figure 8-5 illustrates 'Wind parabolic velocity profile'.

10.3.57. The assessment considers the impact of development on potential receptors as follows:

- 'Amenity areas (pedestrian level), areas likely to be utilised for leisure purposes and as such should be comfortable surroundings.
- Pedestrian routes and seating areas – to determine if locations are comfortable for leisure activities.
- Entrance to the buildings – to determine if there is potential for pressure related issues for entrances or lobbies.
- Landscaped areas – where there are sheltered areas.
- Impact to existing or adjoining developments – where the proposed buildings will cause discomfort conditions through proximity related issues'.

10.3.58. As reported, wind speeds at pedestrian level in an urban environment are generally low compared with wind speeds in upper-levels. Wind flowing through buildings can cause local wind accelerations or re-circulations, thereby affecting pedestrian safety and comfort. Wind effects to be avoided and/ or mitigated in an urban environment include the following:

- Funnelling Effects: The wind can accelerate significantly when flowing through a narrow passage between building structures. The highest speeds are experienced at the point where the restriction of the area is the greatest.

- Downwash Effects: The air stream when striking a tall building can flow around it, over it and a part can be deflected towards the ground. This downward component is called downwash effect and its intensity depends on the pressure difference driving the wind. The higher the building, the higher this pressure difference can be.

- Corner Effects: Wind can accelerate around the corners of the buildings. Pedestrians can experience higher wind speeds as well as more sudden changes in wind speeds. The reason for this is that there are narrow transition zones between the accelerated flows and the adjacent quiescent regions. This effect is linked to the downwash effect as the downward stream component subsequently flows around the corners towards the leeward side of the building.

- Wake Effect: Excessive turbulence can occur in the leeward side of the building. This can cause sudden changes in wind velocity and can raise dust or lead to accumulation of debris. This effect is also dependent on the height of the building.'

Section 8.2.1.2 provides relevant 'Guidance and Legislation for Wind Microclimate' and refers to Section 28 guidelines, the Dublin City Development Plan and guidance from the UK. Section 8.2.2.1 details the 'Lawson Comfort and Distress Criteria' which assesses the long-term suitability of urban areas for walking and for sitting having regard to wind effects and microclimate air movements, that are influenced by urban environment. Details of comfort distress are provided. Table 8-10 provides the 'Comfort categories for wind in accordance with Lawson criteria' and the 'Safety categories for wind in accordance with Lawson criteria' under Table 8-11. Table 8-13 provides the 'significance criteria for off-site receptors'.

10.3.59. Details on the method/ process of modelling is provided under section 8.2.2.3. The Existing and Receiving Environment (Baseline Situation) is provided

under section 8.2.3. Predominant wind direction is from the south-west/ west. Section 8.2.3.3.2 provides the 'Baseline Wind Microclimate' and no area on site is unsafe and the site is suitable for walking and long-term sitting.

10.3.60. The 'Characteristics of the Proposed Development' are provided under section 8.2.4. and the 3D models demonstrate the layout taken from a number of different viewpoints. Section 8.2.5.2.1 provides the 'Wind speeds at pedestrian level', Section 8.2.5.2.2 provides the 'Wind speeds on sensitive receptors (balconies-vertical plane)'. Section 8.2.5.2.3 details the 'Proposed Scenario Wind Microclimate' and considers the comfort ratings in terms of the Lawson Comfort and Distress levels with results appropriately mapped. Table 8-17 provides the 'Significance impact of the Proposed Development versus baseline conditions' and no issues of concern are raised.

10.3.61. Section 8.2.5.3 considers the 'Potential Cumulative Impacts - Bailey Gibson SHD 1' and again no issues of concern are raised. Some beneficial impacts are identified. The results are summarised in Table 8-18: 'Significance impact of the Proposed Development versus cumulative conditions'. 8.2.5.4 considers the 'Potential Cumulative Impacts - Bailey Gibson SHD 2' and Table 8-19 provides the 'Significance impact of the Proposed Development versus cumulative conditions' with no issues of concern raised. Table 8-20 provides 'Details of category of comfort achieved at Sensitive Receptors for N.3 Scenarios' and only to the west of Block 3 would sitting be an issue, though there are beneficial differences between the scenarios as modelled.

10.3.62. Under section 8.2.5.6 the following summary is provided:

- The Proposed Development does not impact or give rise to negative or critical wind speed profiles at the nearby adjacent roads, or nearby buildings when the permitted development has been constructed. Moreover, in terms of distress, no critical conditions were found for "Frail persons or cyclists" and for members of the "General Public" in the surroundings of the development.
- The Proposed Development is designed to be a high-quality environment for the scope of use intended for each area/building (i.e., comfortable, and pleasant for potential pedestrians).

- The assessment of the Cumulative Scenario, similarly to that already displayed with the Proposed Scenario has shown that no area is unsafe, and no conditions of distress are created by the Proposed Development.'

Under section 8.2.6, 'Avoidance, Remedial & Mitigation Measures' are provided for the Construction and Operational phases of the proposed development. No issues of concern are raised, and monitoring is not required during the different phase of this development. The 'Do-Nothing Scenario' does not indicate any significant differences from the impact of the proposed development.

10.3.63. **Submissions and Observations:** No particular issues of concern were raised by third parties.

10.3.64. **Assessment:** The submitted information demonstrates that the proposed development as submitted will not impact on Air Quality and Climate. Suitable mitigation measures are proposed where they are deemed appropriate.

10.3.65. I am satisfied that the identified impacts would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. The assessment of Wind Microclimate is thorough and does not raise any issues of concern in relation to the proposed development, either in terms of itself or in conjunction with the development of the adjoining sites. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of Air Quality and Climate.

Noise and Vibration

10.3.66. Chapter 9 has been prepared by Redkite Environmental. The Study Methodology is provided under Section 9.2 of the EIAR. Site specific surveys were undertaken in September 2021, June 2022, and October 2022. Sound monitoring was undertaken during some of these visits. Figure 9-1 indicates the 'Locations of Noise Monitoring Points (NMPs), NSLs and closest VSLs' and are further detailed in Table 9-1. The noise 'parameters measured during the survey are principally L_{Aeq} , L_{A90} , L_{A10} , L_{Amax} and L_{amin} '. The details of relevant guidance and standards are provided in section 9.2.2 and definitions are provided under section 9.2.3.

10.3.67. 'The Existing and Receiving Environment (Baseline Situation) is outlined under Section 9.3 of the EIAR. Noise Sensitive Locations (NSLs) are

detailed under this section. Extracts from the 'Environmental Noise Action Plan, 2018 - 2023 for the Dublin Agglomeration' indicate noise levels along the local road network that adjoins the subject site. Table 9-3 provides a 'Summary Results of Monitoring at Adjacent Sites'. Some increase in noise was experienced and which was from the adjoining Coombe hospital, from external plant associated with the laboratory area.

10.3.68. Section 9.5 considers the 'Potential Impact of the Proposed Development' at Construction and Operational phases. Tables are provided of the 'Conservative Estimated Noise' at the various Noise Sensitive Locations. Where noise levels exceed the selected threshold value, suitable mitigation measures will be provided. 'Construction Phase – Vibration' is considered under Section 9.5.2 of the EIAR.

10.3.69. During the Operational Phase, there will be an increase in traffic to and from the site and this will result in a corresponding increase in traffic generated noise. The impact on Donore Avenue will be less than 1 dB and would therefore constitute 'a negligible long-term impact magnitude rating which corresponds to a likely non-significant effect'. The overall effect is considered not be likely to be significant.

10.3.70. Potential Cumulative Impacts are considered under Section 9.5.5 and again these have regard to other developments in the immediate area of the subject site. The 'Do Nothing' impact is considered under Section 9.5.6 and notes that the site is zoned for residential development of the nature proposed. Section 9.6 outlines 'Avoidance, Remedial & Mitigation Measures'. The preparation of a CEMP will outline all measures to be taken in relation to noise and vibration. 'Residual Impacts' are outlined under Section 9.7. Monitoring will take place during the construction phase as outlined under Section 9.8.1, but no monitoring is required under the operational phase of the development. Interactions are identified and assessed under Section 9.9 of the EIAR.

10.3.71. **Submissions and Observations:** No particular issues of concern were raised in the third-party submissions.

10.3.72. **Assessment:** The submitted information demonstrates that the proposed development will not give rise to noise and vibration that would impact on

sensitive receptors. Potential issues are addressed in terms of appropriate mitigation measures.

10.3.73. I am satisfied that the identified impacts would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of noise and vibration.

Townscape and Visual

10.3.74. Chapter 10 of the EIAR has been prepared by AECOM and relevant guidance/ legislation has been listed under Section 10.1.2 with Methodology provided under Section 10.2. 'Townscape and Visual Impact Assessment Criteria' are outlined under Section 10.2.2 and Table 10-1 provides a 'Definition of Duration of Effects' with a 'Definition of Quality of Effects' provided under Tabel 10-2.

10.3.75. The 'Assessment of Effects' is provided under Section 10.2.6. Table 10-3 outlines 'Townscape Value' and 'Townscape Susceptibility Criteria' under Tab 10-4. Table 10-5 provides 'Townscape Sensitivity to Change Criteria'. Table 10-7 provides a 'Value of the View' with a Low to High value ascribed to the quality of views and Table 10-9 outlines the 'Sensitivity to Change Criteria'. Cumulative Effects are considered under Section 10.2.10.

10.3.76. Site surveys were undertaken in November 2021 and July 2022 to ascertain the key viewpoints and visibility of the proposed development. As reported, 'The booklet of photomontages prepared by Innovision Media Limited contains details on viewpoint locations and Photomontages 1 – 9'. Photomontages were prepared using specialist software. Section 10.3 of the EIAR provides 'The Existing and Receiving Environment (Baseline Situation)' and considers the adjoining area. Blue and Green Infrastructure is considered under Section 10.3.2 'Existing Townscape Context' and reports that the Grand Canal is only 400 m to the south of the subject site. There are no designated within or adjoining the subject site as provided in the Dublin City Development Plan 2022 – 2028.

10.3.77. The Potential Effects are outlined under Section 10.5 of the EIAR. Effects at Construction Phase will be local, and it is accepted that there will be visual impacts as the schemes progresses during this phase of the development. The

EIAR reports that the magnitude of visual effects is considered low, and their significance / quality is considered to be slight-moderate / adverse. The 'Effects at Operational Phase' are considered under Section 10.5.2. The proposed development will result in the consolidation of an established urban area and the conversion of a brownfield site into a contemporary apartment complex with suitable landscaping. It is reported that the 'magnitude of townscape change at the site level is Very High and the resulting significance/quality of change is Very Significant / Beneficial'. Table 10-12 provides a 'Summary of Townscape Effects' and no negative impacts are listed.

10.3.78. The impacts on different viewpoints are provided under Section 10.5.4 'Visual Effects' and full regard is had to cumulative impacts primarily associated with the development of adjoining sites. Table 10-22 provides a 'Summary of visual effects from representative viewpoint locations' and no issues of concern are raised. Table 10-23 provides a 'Summary of cumulative effects' and again no issues of concern are raised.

10.3.79. Section 10.6 provides an assessment of 'Avoidance, Remedial and Mitigation Measures' and 'Potential Residual Effects' are assessed under Section 10.7. There is no requirement for monitoring and 'Interactions' are considered under Section 10.9 of the EIAR. A 'Summary' of this chapter is provided under Section 10.12 and overall, no issues of concern are raised.

10.3.80. **Submissions and Observations:** No particular issues of concern were raised by third parties in relation to visual impact. The height of the proposed development is noted but also a welcome for the development of these lands for primarily residential uses.

10.3.81. **Assessment:** The submitted information demonstrates that the site can be developed without impact on the visual amenity of the area. The site is located on a brownfield site within an established urban area in Dublin 8. There are proposals for the development of adjoining sites and combined with these, the proposed development would result in a consolidation of this urban area. The proposed scheme would have an impact on the visual character of the area but considering its zoning under Z14 - Strategic Development and Regeneration Areas, the nature and scale of development is as expected for a development of this nature.

10.3.82. The submitted information is considered to be acceptable and I am therefore satisfied that the proposed development would not have any unacceptable impacts on Townscape and Visual amenity.

Archaeology and Cultural Heritage

10.3.83. Chapter 11 has been prepared by AECOM and the 'Study Methodology' under Section 11.2 provides details on relevant Legislation and Guidance, written sources and on the study area. Table 11-1 lists the 'Factors Determining the Value of Heritage Assets'. Section 11.2.6 outlines the potential effects on a heritage asset from a development and the following is noted: 'The effect score is arrived at without reference to the value of the asset. It can be given against a four-point scale:

- Very high; • High; • Medium; and • Low.

The level of effect takes into account mitigation measures, which have been embedded within the Proposed Development as part of the design development process'.

Table 11-2 outlines the 'Factors Determining the Magnitude of Effect'.

10.3.84. Section 11.3 of the EIAR provides 'The Existing and Receiving Environment (Baseline Situation)'. A site survey was undertaken in July 2022. There are no National Monuments within the subject site or within the surrounding study area. 25 sites listed on the Record of Monuments and Places (RMPS) were identified within 500 m of the subject site; these are detailed under Section 11.3.4 of the EIAR and Figure 11-1 indicates their location relative to the subject site. None of these, or any protected structures, are on or adjoin the site boundary.

10.3.85. The National Inventory of Architectural Heritage identifies 19 buildings within the study area, but none are within the boundary of the proposed development. The most relevant is the Player Wills Factory and which is located to the south east of the subject site. Table 11-5: lists the 'Archaeological investigations within the study area which uncovered nothing of significance'. Under 11.3.8 of the EIAR the applicant has reported the results of a 'Cartographic Research' of the subject site/ adjoining lands.

10.3.86. Section 11.5 of the EIAR details the 'Potential Impact of the Proposed Development'. No significant impacts are foreseen. The site was developed in the

past and all structures have now been cleared. Archaeological testing in the area in the past found nothing of significance though it is accepted that archaeological remains may be found. Consideration has been given under the section on 'Potential Cumulative Impacts' to six adjacent developments as follows:

- The Bailey Gibson permission (Ref. ABP-307221-20);
- The Bailey Gibson (BG2) Ref. ABP-311959-21
- The Player Wills permission (ABP-308917-20);
- The Coombe Laboratory Building permission (4049/19) and the Colposcopy Building permission (Ref. 3537/21);

and

- The Part 8 permission for the demolition of the remaining two original flat complex blocks (Ref 2475/18)'.

The impacts to these from the proposed development are considered to be slight.

10.3.87. Section 11.6 reports on 'Avoidance, Remedial & Mitigation Measures'. It is recommended that archaeological testing be undertaken, and the advice of the National Monuments Service be sought as necessary. A qualified/ licensed Archaeological Contractor will be employed to carry out such fieldwork. Residual Impacts are considered under Section 11.7 and no issues of concern are raised at this stage. No specific additional monitoring is required other than the appointment of the Archaeological Consultant to oversee groundworks etc. Interactions are provided under Section 11.9.

10.3.88. **Submissions and Observations:** The Department of Housing, Local Government and Heritage have recommended that archaeological monitoring be undertaken in the event that permission is granted for the proposed development. No issues were raised in the third-party submissions in relation to impact on cultural heritage.

10.3.89. **Assessment:** The submitted information demonstrates that the proposed development as submitted will not impact on Archaeology and Cultural Heritage. I note the comments of the Department and their recommendations can be provided in the form of a suitable condition.

10.3.90. I am satisfied that the identified impacts would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. This is a brownfield site and has already undergone significant earthworks and excavations over time. Careful monitoring of groundworks will ensure that any archaeological remains on site can be protected. No impacts to any structures listed on the RMPs are foreseen. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts on archaeology and cultural heritage.

Material Assets: Traffic, Waste and Utilities

10.3.91. The chapter is divided up under the above headings.

10.3.92. Section 12.1 refers to Traffic and the Study Methodology is provided under Section 12.1.2. This section of Chapter 12 has been prepared by AECOM. Table 12-1 provides the 'Potential Effect Parameters'. It is reported under Section 12.1.2.4 that consultation was held with the Dublin City Council Transportation Planning Section in September 2021. A follow-up meeting was held in January 2022. Figure 12-1 locates the subject site and indicates relevant traffic/ transport factors in the immediate area, and these are described in the following sections of the EIAR. The subject site is located within a designated Strategic Development Regeneration area. Traffic surveys were undertaken in October 2022 on a school day.

10.3.93. Public transport is available primarily in the form of the bus and cycle infrastructure is available in the area. Table 12-3 provides a summary of bus services in the area, though I note some inaccuracies in this table. Improvements to public transport are proposed through the Bus Connects project. Seven car share sites are located within 500 m walking distance from the subject site, and these are listed in Table 12-4 and 12-5.

10.3.94. Table 12.1.4.1 provides Dublin City Council parking standards and for a development of 543 apartments, there should be 272 car parking spaces provided for. The site is located within Parking Zone 1 and a reduced parking requirement may be applied subject to compliance with a number of criteria as follows:

- Locational suitability and advantages of the site.
- Proximity to High Frequency Public Transport services (10 minutes' walk).

- Walking and cycling accessibility/permeability and any improvement to same.
- The range of services and sources of employment available within walking distance of the development.
- Availability of shared mobility.
- Impact on the amenities of surrounding properties or areas including overspill parking. (see Appendix F Social Audit)
- Impact on traffic safety including obstruction of other road users.
- Robustness of Mobility Management Plan to support the development.'

10.3.95. Table 12-7 provides a 'Junction Percentage Impact Assessment'. With the most significant expected increases at the site entrance and at Junction 4. Full details of construction traffic movements are provided, and Figure 12-17 indicate the 'Proposed Construction Route' and Figure 12-18 the 'Proposed Construction Access routes'. Cumulative traffic impacts at construction stage are considered under Section 12.1.5.5. Table 12-14 provides the 'Combined Peak Hour Vehicular Trips for the associated SDRA 11 Committed/ Cumulative Developments'. This indicates that there would be 21 arrivals and 75 departures in the AM peak and 62 arrivals and 34 departures in the PM peak. Mitigation measures are primarily provided in the Mobility Management Plan, with a move towards more sustainable forms of transport.

10.3.96. Section 12.1.6 provides 'Avoidance, Remedial & Mitigation Measures'. A Construction Traffic Management Plan (CTMP) is to be provided (separate to the EIAR) and this provides a list of suitable mitigation measures to be used on site/ during the construction phase of the development. During the Operational Phase, the prepared Mobility Management Plan (MMP) will seek to reduce the need for car travel. Measures include the appointment of a mobility manager, the provision of GoCars for the exclusive use of the residents, and details of alternatives to the use of cars. No issues of concern are raised in relation to the 'Worst Case Scenario' and Residual Impacts.

10.3.97. During the construction phase there will be negative impacts, but these will be local, short-term and not significant. At Operational Phase, the proposed mitigation measures will reduce the demand for car use. The site is located in an

area that is suitable for reduced car use. Monitoring at Construction Phase will be undertaken by the site manager, but no unique measures are identified and at Operational Phase, the Mobility Manager will ensure that the MMP is implemented. Interactions are considered under Section 12.1.9 with specific reference to 'Noise and Vibration' and to 'Landscape and Visual' chapters of the EIAR. The impact in both cases is likely to be a temporary neutral effect on the study area.

10.3.98. Section 12.2 refers to Waste and Utilities and a definition is provided under Section 12.2.1. Infrastructure to be considered includes the following:

- Electricity Supply
- Gas Supply
- Information and Communications Technology
- Surface Water Drainage
- Water Supply and Demand,
- Wastewater Management
- Waste Management

Natural resources have been considered within their relevant chapters of the EIAR.

10.3.99. This section of Chapter 12 has been prepared by Enviroguide and the Methodology is outlined under Section 12.2.2. Section 12.2.2.1 provides the 'Prediction and Assessment of Impacts'. Table 12-16 provides 'Terminology used to assess the quality potential impacts & effects', Table 12-17 provides 'Terminology used to assess the significance of potential impacts & effects', Table 12-18 'Terminology used to assess the duration of potential impacts/effects', Table 12-19 provides the 'Definition of the Extent and Context of Effects' and Table 12-20 a 'Definition of the Probability of Effects'. The Baseline Situation is outlined under Section 12.2.3 and Section 12.2.3.2 provides an overview of the 'Immediate Surroundings'.

10.3.100. Section 12.2.3.4 provides details on a 'Utility Survey' that was undertaken by Murphy Geospatial on behalf of the AECOM and Figure 12-21 indicates the location of the services on this site. The location of electricity lines, gas pipelines, and telecommunications have been identified on site. In addition, water

supply and foul drainage networks have been located. Details of 'On-site Surface Water Drainage' are provided under Section 12.2.3.8 of the EIAR. It is reported that part of the surface water network crosses the site, and these services will have to be diverted to facilitate the development. The location of the water supply network can only be considered as indicative as full records of location of services cannot be provided at present. Wastewater is discharged to the public system on Donore Avenue and is treated in the Ringsend Wastewater Treatment Plant.

10.3.101. Waste Management is assessed under Section 12.2.3.11 of the EIAR. Construction and demolition waste will be disposed in accordance with Regional/ Local requirements. Local recycling centres are identified in the EIAR and identified in Figure 12-23.

10.3.102. The Construction Phase will take approximately 35 months and full details are provided under Section 12.2.4.1 as they relate to waste. A Construction Environmental Management Plan (CEMP) has been prepared and provided in support of the planning application. The proposed development will take place in two main phases, as detailed in this section of the EIAR. Site access will be from Donore Avenue to the north of the site. No specific issues are raised in relation to the Operational Phase of the development.

10.3.103. Details in relation to Power Supply are provided under Section 12.2.5.1 for the Construction and Operational phase of this development. Figure 12-25 indicates the 'Existing and Proposed ESB Network'. Details in relation to telecommunications are provided under Section 12.2.5.2. Issues in relation to flooding and surface water drainage are outlined under Section 12.2.5.3, but are detailed under Chapter 7 of the EIAR. Figure 12-26 provides the 'Proposed Wastewater and Surface Water Diversions' necessary to facilitate the development of this site. 'Water Supply and Demand' is considered under Section 12.2.5.5 and 'Wastewater Management' under Section 12.2.5.6. Waste Management, under Section 12.2.5.7 includes 'Table 12-22: Expected Waste Types and List of Waste Codes'.

10.3.104. Section 12.2.5.8 considers the 'Cumulative Impacts' and no issues of concern arise with neutral or in some cases positive impacts as the development may result in the modernisation of existing service provision in this area. In relation

to wastewater treatment, the EIAR reports that 'the cumulative impact of the Proposed Development, along with existing developments, the adjacent permitted developments and future developments has already been assessed in an EIAR, EIA and AA as part of the application process for the planning permissions concerning Ringsend WwTP's upgrade works'. No issues of concern therefore arise in relation to the Ringsend Wastewater Treatment Plant and its capacity to treat additional wastewater generated from the development and the adjoining sites.

10.3.105. Section 12.2.6 provides 'Avoidance, Remedial & Mitigation Measures' as they relate to this section of Chapter 12. The development will have to comply with the Construction, Demolition and Waste Management Plan and the Construction Environmental Management Plan. Service diversion will be undertaken in accordance with the requirements of the relevant service provider.

10.3.106. No issues of realistic concern are raised under Section 12.2.6.3 'Worst Case' Scenario and no significant residual impacts are identified under Section 12.2.7. Interactions are considered under Section 12.2.9 and refer to Chapters 4 – Population and Human Health, Chapter 5 – Biodiversity, Chapter 7 – Water and Chapter 12 as it relates to Traffic. No significant impacts are identified.

10.3.107. **Submissions and Observations:** No particular issues of concern were raised in the third-party submissions.

10.3.108. **Assessment:** The submitted information demonstrates that the proposed development will not adversely impact on traffic, waste and utilities. The site is located in an established urban area which is served by water supply, foul drainage, electricity, gas and telecommunications. No capacity issues have been identified in any of these services. A potential benefit arises in that existing services may be upgraded to facilitate this development and potential development on adjoining sites. This will benefit existing residents in the area.

10.3.109. The applicant has promoted the use of sustainable forms of transport and having regard to the availability of public transport in the area and the proximity of the site to the City Centre, demand for car use should be much reduced than would be the case in a suburban location. This is a brownfield site within an established urban area and the use of sustainable forms of transport should be encouraged, thereby reducing the demand for car use and a reduction in vehicular

movements in the area. This in turn reduces the potential for air pollution and noise generated from this site.

10.3.110. I am satisfied that the identified impacts would not have an adverse impact on Traffic, Waste and Utilities

Risk Management

10.3.111. Chapter 13 assesses how vulnerable the proposed development is to a major accident/ natural disaster. This chapter has been prepared by CMSE. Table 13-1 provide the 'Key terms used in this Chapter'. The 'Study Methodology' is provided under Section 13.3 of the EIAR. Table 13-2 provides a Classification of Likelihood Extract (DoEHLG, 2010)' and Table 13-3 provides a 'Risk Matrix Extract'.

10.3.112. Section 13.4 provides the 'Risk Identification, Likely Effects and Predicted Impacts'. The only Very Likely likelihood of a Risk refers to Weather related issues. All other risks are unlikely. It is reported that Dublin City Council have a 'Major Emergency Plan' that would be implemented if required. Section 13.4.2 considers the 'Likely Significant Effects' at Construction and Operational Phases of the proposed development. Table 13-5 provides the 'Preliminary review of Schedule 1 Risks'. Operational Phase risks are standard for any similar residential development of this nature. Flood risk is not an issue with this development.

10.3.113. Table 13-7 provides 'Risk Analysis' and Table 13-8 a 'Risk Evaluation'. The EIAR identifies the construction phase as the main risk to safety and health of humans. Wider geographical consequences are not foreseen. The nearest identified Seveso site is over 5 km from the subject site. Mitigation Measures are considered under Section 13.8, and these are standard for a development of this nature.

10.3.114. **Submissions and Observations:** Third Party submissions did not raise any issues of concern.

10.3.115. **Assessment:** The submitted information demonstrates that the applicant has considered Risk Management. These are considered for the construction and operational phases of the proposed development. Demolition on site will be very limited due to almost total site clearance. The only foreseen risk would be at construction phase and appropriate safety measures will be put in place

by the relevant contractors. Extensive requirements are in place for health and safety for construction sites. Operational phase risks are again as expected for a residential development of this nature. No specific, unique mitigation measures are required.

10.3.116. I am therefore satisfied that the proposed development would not give rise to Major Accidents, and Disasters and no concerns are raised in relation to Risk Management.

Interactions

10.3.117. Chapter 14 was prepared by Enviroguide Consulting and full details of the 'Study Methodology' are provided in Section 14.2. A number of tables are provided to demonstrate the interactions between the different environmental factors:

- Table 13-9 - Preliminary review of Schedule 1 Risks
- Table 13-10 - Population and Human Health
- Table 13-11 - Biodiversity
- Table 13-12 - Land and Soils
- Table 13-13 - Hydrology and Hydrogeology
- Table 13-14 - Air Quality and Climate
- Table 13-15 - Noise and Vibration
- Table 13-16 - Landscape and Visual
- Table 13-17 - Archaeology and Cultural Heritage
- Table 13-18 - Material Assets – Traffic
- Table 13-19 - Material Assets - Waste and Utilities

Note: The EIAR references Tables 14-1 to 14-10, but the submitted document only includes Table 13-9 to 13-19, indicating that a referencing error.

10.3.118. Assessment: The submitted information is noted and no issues of concern are raised.

10.3.119. Mitigation and Monitoring

10.3.120. Full details of all mitigation and relevant monitoring measures are provided in Chapter 15. These are summarised under the relevant chapter headings of the EIAR.

10.3.121. The submitted information is considered to be acceptable and provides a thorough response to the requirements for mitigation as necessary.

Appendices:

10.3.122. The EIAR includes Appendices in support of the EIAR.

10.3.123. The EIAR is also accompanied by a Non-Technical Summary (NTS) as is required.

Reasoned Conclusion on Significant Effects:

10.3.124. The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, provided information which is reasonable and sufficient to allow the Board to reach a reasoned conclusion on the significant effects of the proposed development on the environment, having taken into account, current knowledge and methods of assessment.

10.3.125. The Board is satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU. Having regard to the examination of environmental information contained above, and in particular to the EIAR and supplementary information provided by the developer, and the submissions from the Planning Authority, prescribed bodies and observers in the course of the application, it is considered that the main significant direct and indirect effects of the proposed development on the environment are as follows:

- Population and Human Health: Impacts are likely to be positive with the provision of additional housing and an increased local population that will avail of services/ facilities in the area. The increased demand on services is likely to require the upgrading of existing services and this will benefit the wider community. No significant negative impacts from the development and no significant residual effects are identified.
- Biodiversity: Impacts to be mitigated by the provision of a suitable surface water drainage network and a project ecologist will be employed to ensure that best practice measures are fully operated during the construction phase of the development. Suitable bat friendly lighting will be provided on site and lighting will be controlled to ensure that there is no spillage onto adjoining lands. No

significant negative impacts from the development and no significant residual effects are identified.

- **Land & Soils:** The impacts to be mitigated by construction management measures including control/ management of water/ surface water runoff, management of works in the vicinity of water courses, management of material removal/ delivery, control of use of fuel/ chemicals/ plant and machinery and management processes for unanticipated discharges on site. A Construction Environment Management Plan (CEMP) will be put in place during the construction phase of this development. No specific measures are required at the operational stage of this development. No significant negative impacts from the development and no significant residual effects are identified, subject to appropriate mitigation measures.
- **Water:** The impacts to be mitigated by management of surface water run-off during construction; management/ control of materials from off-site sources, appropriate fuel/ chemical handling, and management of accidental discharges on site. Suitable monitoring measures will be put in place during the construction phase of this development. No significant negative impacts from the development are identified.
- **Air Quality & Climate:** The impacts will be mitigated by suitable measures taken on site during the construction phase of development. These will be detailed in the adopted Construction Environment Management Plan (CEMP). The list of measures is standard for a development of this nature. No specific measures are required at operational stage of this development.
- **Microclimate:** The proposed site landscaping has been developed to have full regard to wind speed through the development. No specific monitoring is required.
- **Noise & Vibration:** Impacts will be mitigated by adherence to requirements of relevant code of practice; location of noisy plant away from noise sensitive locations and through the use of suitable noise control techniques on site such as the use of acoustic screening. As a precautionary measure, vibration monitoring will be undertaken in a number of Vibration and Noise sensitive locations during piling and similar works. The outline CEMP submitted with this application will

include the noise and vibration management measures listed in this EIAR. No specific measures will be required at operational stage of the development though it has been agreed with the Coombe hospital that certain plant will be removed from the hospital laboratory.

- Landscape & Visual Impact: No mitigation or monitoring measures are proposed during the construction phase. Operational phase measures will rely on the design and type of materials that will be used for the proposed units. A suitable landscaping proposal is included with the application. No monitoring measures are required during the operational phase of the development.
- Archaeology and Cultural Heritage: Archaeological testing will be undertaken prior to the commencement of development and will be in accordance with the requirements of the National Monuments Service. Ongoing monitoring will take place during the construction phase and no specific measures will be required in the operational phase of this development.
- Material Assets – Traffic: Impacts to be mitigated by implementation of a Construction Traffic Management Plan (CTMP) during the construction phase, and the promotion of sustainable travel patterns by residents during the operational phase of this development.
- Material Assets – Waste & Utilities: Impacts will be mitigated by consultation with relevant service providers; adherence to relevant codes of practice and guidelines; service disruptions kept to a minimum.

The submitted EIAR has been considered with regard to the guidance provided in the EPA documents 'Guidelines for Planning Authorities and An Bord Pleanála on Carrying out Environmental Impact Assessment' (2018); 'Guidelines on the Information to be Contained in Environmental Impact Assessment Reports' (draft August 2017) and 'Advice Notes for Preparing Environmental Impact Statements' (draft September 2015).

In conclusion, the submitted details have sufficiently demonstrated that the proposed development would not adversely impact on the existing environment. The proposed development is located on lands that are suitably zoned for residential development

and these zoned lands have undergone Strategic Environment Assessment (SEA) as part of the county and local plan processes.

11.0 Recommendation

11.1. I recommend that permission is granted for the proposed development subject to conditions.

12.0 Reasons and Considerations

In coming to its decision, the Board had regard to the following:

- (a) the location of the site in the established urban area of Dublin City in an area zoned for mixed use/predominately residential (Z14 'Strategic Development and Regeneration Areas (SDRAs)' where the proposed uses are permitted in principle use;
- (b) the policies and objectives of the Dublin City Development Plan 2022 - 2028;
- (c) The Rebuilding Ireland Action Plan for Housing and Homelessness 2016 and Housing for All: A new Housing Plan for Ireland 2021;
- (d) The Guidelines for Sustainable Residential Developments in Urban Areas, 2009 and the accompanying Urban Design Manual – a Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009;
- (e) Urban Development and Building Heights Guidelines for Planning Authorities, prepared by the Department of Housing, Planning and Local Government in December 2018;
- (f) The Sustainable Urban Housing: Design Standards for New Apartments issued by the Department of the Environment, Community and Local Government 2022;
- (g) Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March 2013;
- (h) The nature, scale and design of the proposed development and the availability in the area of public transport, water services and social/ community/ educational infrastructure;
- (i) The pattern of existing and permitted development in the area;
- (j) The planning history of the area;
- (k) The submissions and observations received;

(l) The report of the inspector.

The Board considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the Dublin City Development Plan 2022 – 2028, with particular reference to the designation of the site as a Strategic Development Regeneration Area (SDRA), would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be appropriate to the established urban character of the area and would otherwise be acceptable in terms of pedestrian and traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on European sites, taking into account the nature and scale of the proposed development on serviced lands, the nature of the receiving environment, the distances to the nearest European sites and the hydrological pathway considerations, submissions on file, the information submitted as part of the applicant's Appropriate Assessment Screening documentation and the Inspector's report. In completing the screening exercise, the Board agreed with and adopted the report of the Inspector and that, by itself or in combination with other development, plans and projects in the vicinity, the proposed development would not be likely to have an effect on any European site in view of the conservation objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

Environmental Impact Assessment

The Board completed an environmental impact assessment of the proposed development, taking into account the following:

- (a) the nature, scale and extent of the proposed development,
- (b) the Environmental Impact Assessment Report and associated documentation submitted in support of the application,

(c) submissions from observers and prescribed bodies in the course of the application,

(d) the Inspector's report.

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant identifies and describes adequately the direct, indirect and cumulative effects of the proposed development on the environment. The Board is satisfied that the information contained in the Environmental Impact Assessment Report complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU.

The Board agreed with the summary and examination, set out in the Inspector's report, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the applicant and submissions made in the course of the application. The Board is satisfied that the Inspector's report sets out how these were addressed in the assessment and recommendation (including environmental conditions) and are incorporated into the Board's decision.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application except as may otherwise be required in order to comply with the following conditions. Where any mitigation measures set out in the Environmental Impact Assessment Report or any conditions of this Approval require further details to be prepared by or on behalf of the Local Authority, these details shall be placed on the file and retained as part of the public record.

Reason: In the interest of clarity.

2. The number of residential units permitted by this grant of permission is 543 no. units in the form of 225 no. one bedroom units, 274 no. two bedroom units and 44 no. three bedroom units.

Reason: In the interests of clarity.

3. Details of the materials, colours, and textures of all the external finishes to the proposed building shall be as submitted with the application, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of visual amenity.

4. The Mitigation and Monitoring measures outlined in the plans and particulars, including the Environmental Impact Assessment Report submitted with this application as set out in Chapter 15 of the EIAR 'Mitigation and Monitoring', shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: In the interest of protecting the environment and in the interest of public health.

5. Proposals for a development name and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme.

Reason: In the interest of urban legibility.

6. Details of all security shuttering, external shopfront to the café/ retail unit, lighting and signage shall be as submitted to An Bord Pleanála with this application unless otherwise submitted to, and agreed in writing with, the Planning Authority prior to-occupation of the commercial/retail units.

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

7. The operating hours of the café/ retail unit shall be agreed in writing with the Planning Authority prior to the commencement of operation of this unit.

Reason: In the interest of clarity.

8. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through the communal open spaces, details of which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any apartment unit.

Reason: In the interests of amenity and public safety.

9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

10. The road network serving the proposed development, including turning bays, junction with the public road, parking areas, footpaths and kerbs, access road to service areas and the car park shall be in accordance with the detailed construction standards of the Planning Authority for such works. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of amenity and of traffic and pedestrian safety.

11.(a) The car parking facilities hereby permitted shall be reserved solely to serve the proposed development. All car parking spaces shall be assigned permanently for the residential development and shall be reserved solely for that purpose. These residential spaces shall not be utilised for any other purpose.
(b) Prior to the occupation of the development, a Parking Management Plan shall be prepared for the development and shall be submitted to and agreed in writing with the Planning Authority.

Reason: To ensure that adequate parking facilities are permanently available to serve the proposed residential units and the remaining development.

12. A minimum of 10% of all car parking spaces should be provided with functioning EV charging stations/ points, and ducting shall be provided for all remaining car parking spaces, facilitating the installation of EV charging points/stations at a later

date. Where proposals relating to the installation of EV ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the Planning Authority prior to the occupation of the development. All of the car parking spaces for sole use of the car sharing club shall also be provided with functioning EV charging stations/ points.

Reason: To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles.

13. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the Planning Authority for such works and services.

Reason: In the interest of public health and surface water management

14. The developer shall enter into water and waste water connection agreement(s) with Uisce Éireann, prior to commencement of development.

Reason: In the interest of public health.

15. The site shall be landscaped (and earthworks carried out) in accordance with the detailed comprehensive scheme of landscaping, which accompanied the application submitted, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development.

Reason: In the interest of residential and visual amenity.

16. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -

- (a) notify the Planning Authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
- (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
- (c) provide arrangements, acceptable to the Planning Authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

17. (a) A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities for each apartment unit shall be submitted to, and agreed in writing with, the Planning Authority not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.

(b) This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

18. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- b) Location of areas for construction site offices and staff facilities;
- c) Details of site security fencing and hoardings;
- d) Details of on-site car parking facilities for site workers during the course of construction;
- e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- f) Measures to obviate queuing of construction traffic on the adjoining road network;
- g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;

- l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the Planning Authority.

Reason: In the interest of amenities, public health and safety.

19. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the Planning Authority.

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

20. Prior to commencement of development, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the Planning Authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

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

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

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Paul O'Brien

Inspectorate

17th April 2023