

**Report of Chief Executive
Strategic Housing Development**

APPLICANT: Sandyford Environmental Construction Limited

DEVELOPMENT ADDRESS: Junction of Ravens Rock Road and Carmanhall Road, Sandyford, Dublin 18

COMPETENT AUTHORITY FOR DECISION MAKING: An Bord Pleanála (ABP)

DLR/ABP REFERENCE: ABP-313338-22

PLANNING AUTHORITY REPORT DUE: on or before 8th June 2022

APPLICANT'S DESCRIPTION OF THE PROPOSED DEVELOPMENT

Permission for a strategic housing development at this site of c. 0.7 ha. The development would consist of 207 build to rent residential apartment units within 3 no. apartment blocks and as follows; 48 No. studio, 103 No. 1 bed, 55 No. 2 bed, 1 No. 3 bed. All residential units provided with private balconies/terraces to the north/south/east and west elevations. Creche 306 sqm. Residential amenity spaces 415 sqm. Height ranging from 6 to 10 storeys (over basement). A public pocket park on the corner of Carmanhall Road and Ravens Rock Road and landscaped communal space in the central courtyard. Provision of new vehicular entrance from Ravens Rock Road and egress to Carmanhall Road. Provision of pedestrian and cycle connections. Demolition of two light industry/office structures (total 1,613.49 sqm). 79 Parking spaces and 288 cycle spaces at ground floor/undercroft and basement car park levels. Plant and telecoms mitigation structures at roof level. The development also includes 2 no. ESB substations, lighting, plant, storage, site drainage works and all ancillary site development works above and below ground. The application contains a statement setting out how the proposal would be consistent with the objectives of the relevant Development Plan. The application contains a statement including why permission should be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000, as amended, notwithstanding that the proposed development materially contravenes a relevant development plan or local area plan other than in relation to the zoning of the land. An Environmental Assessment Report has been prepared in respect of the proposed development.

The application contains a statement setting out how the proposal would be consistent with the objectives of the relevant development plan. The application contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act, 2000, as amended, notwithstanding that the proposed development materially contravenes a relevant development plan or local area plan other than in relation to the zoning of the land.

1. STATUTORY REQUIREMENTS OF THIS REPORT

Report prepared pursuant to s.8(5)(a) of the Planning and Development (Housing) and Residential Tenancies Act 2016

A summary of the points raised in the submissions or observations on the proposed development received by the Board within the prescribed timeframe.

A summary of the views of the relevant elected members on the proposed development as expressed at relevant Area Committee Meeting.

The Chief Executive's views on the effects of that proposed development on the proper planning and sustainable development of the area of the authority and on the environment, having regard in particular to:-

- i.the matters specified in section 34(2) of the Act of 2000, and
- ii.submissions and observations duly received by the Board in relation to the application-
 - The Authority's opinion as to whether the proposed strategic housing development would be consistent with the relevant objectives of the development plan or local area plan, as the case may be
 - Where specifically requested by the Board, to furnish to the Board such information in relation to the effects of the proposed strategic housing development on the proper planning and sustainable development of the area concerned and on the environment as the Board may specify. (This has not been requested in this instance.)

The Planning Authority's Recommendation to An Bord Pleanála. (Set out from 10.0 onwards). In particular:-

- i.A statement as to whether the Authority recommends to the Board that permission should be granted or refused, with reasons.
- ii.Where the Authority recommends that permission be granted, the planning conditions (if any), and the reasons and grounds for them, that it would recommend in the event that the Board decides to grant permission.
- iii.If appropriate in the circumstances, where the authority recommends that permission be refused, the planning conditions, and the reasons and grounds for them, that it would recommend in the event that the Board decides to grant permission.

1.1 Competency

The Planning Authority notes the Board is the competent authority in relation to:

- i.Screening the prospective development as a Strategic Housing Development (SHD)
- ii.Environmental Impact Assessment (EIA) Screening/Scoping, the consideration of any EIA Report prepared by the applicant and the carrying out of an EIA of any SHD application
- iii.The consideration of Stage 1/Stage 2 Natura Impact Statement prepared by the applicant and the carrying out of an Appropriate Assessment Screening or Appropriate Assessment of any SHD application
- iv.The determination of any SHD application.

2. PROPOSED STRATEGIC HOUSING DEVELOPMENT

The proposed strategic housing development may be broken down into the following key parts:

Parameter	Site Proposal
No. of Units	207 No. BTR apartment units
Site Area	c. 0.7 ha gross. 0.57 ha net.
Density	Net density of 363 uph
Creche	306sqm
Retail Units	0
Building Height	6 – 10 no. storeys
Dual Aspect	40% dual aspect (45% stated by applicant)
Car Parking	79 No. spaces (0.38 spaces per unit)
Bicycle Parking	288 No. spaces
Motor Cycle Parking	0 No. spaces
Part V	20 no. units
Communal/Residents Open Space	1,050.56 sqm + 374.72sqm at roof level
Public Open Space	438sqm
Resident Facilities	0sqm
Resident Amenities	415sqm

The unit type is as follows:

Type	No. of Units	% of Units
Studio apartments	48	23.2%
1-bed apartments	103	49.7%
2-bed apartments	55	26.6%
3-bed apartments	1	0.5%
	Total 207 No.	Total 100%

Specialist Reports

The following documentation was submitted:

- Application Form
- EFT as proof of payment of application fee
- Copy of newspaper notice
- Copy of site notice
- Copy of the Cover Letter to An Bord Pleanála
- Letter to Dun Laoghaire Rathdown County Council
- Letters to Prescribed Bodies
- Letter of Consent from Dun Laoghaire Rathdown County Council
- Part V Costing by Marlet
- Letter of support and consent for the application from the owner of the adjacent site
- Schedule of Documentation
- Planning Report, Statement of Consistency by MacCabe Durney Barnes
- Planning Report, Material Contravention Statement by MacCabe Durney Barnes
- Response to the Opinion by MacCabe Durney Barnes
- BTR Covenant Agreement
- Social Infrastructure Audit by MacCabe Durney Barnes
- Letter to DLR Council Childcare Committee
- EIA Portal Confirmation Notification
- Part V letter to DLRCC
- Part V letter of acceptance
- Part V Lease Cost Calculation
- Schedule of Part V units
- Architectural Design Statement by McCauley Daye O' Connell
- Residential Quality Audit by McCauley Daye O' Connell
- Existing and proposed elevations, sections and plan drawings by McCauley Daye O' Connell
- Landscape cover letter by Niall Montgomery & Partners
- Landscape drawing index by Niall Montgomery & Partners
- Landscape planting schedule by Niall Montgomery & Partners
- Landscape open space calculations by Niall Montgomery & Partners
- Landscape plan and section drawings by Niall Montgomery & Partners
- Engineering Assessment Report by Waterman Moylan
- Flood Risk Assessment by Waterman Moylan
- Traffic and Transport Assessment by Waterman Moylan
- Statement of Consistency on DMURS by Waterman Moylan
- RWMP for Construction and Demolition Waste by Waterman Moylan
- Preliminary Construction Management Plan by Waterman Moylan
- Travel Plan by Waterman Moylan
- Stage 1 Storm Water Audit by Punch
- Stage 1 Quality Audit by Waterman Moylan
- Irish Water Confirmation of Feasibility
- Irish Water Statement of Design Acceptance
- Engineering drawings by Waterman Moylan
- Arboricultural Assessment, Arboricultural Impact and Tree Protection Strategy Report by CMK
- Tree Survey by CMK
- Arboricultural Impact by CMK
- Tree Protection by CMK
- Environmental Impact Assessment Report by Golder
- Verified Photomontages by Digital Dimensions
- Site Lighting Report by IN2 Engineering Design Partnership
- Energy Analysis Report by IN2 Engineering Design Partnership
- Utilities Report by IN2 Engineering Design Partnership

- Daylight and Sunlight Analysis by IN2 Engineering Design Partnership
- Building Life Cycle Report by Aramark
- Property Management Strategy Report by Aramark
- Operational Waste Management Plan by AWN
- Preliminary Fire Safety and Access and Use Strategy by MJP
- Appropriate Assessment Screening Report by Golder
- Statement in Accordance with Article 299B(1)(b)(ii)(II)(C) of the Planning and Development Regulations 2001 – 2021
- Construction Environmental Management Plan

3. SUBMISSIONS/OBSERVATIONS

Five submissions were received including observations from Irish Water (IW), Transport Infrastructure Ireland (TII) and Inland Fisheries Ireland (IFI).

A summary of the issues raised is as follows:

- The Building Height and Apartment Guidelines are 'ultra vires' and the development should not be considered in this context and permission should be refused. Guidelines are contrary to the Constitution and the SEA Directive and failure to comply with these guidelines which are mandatory in nature.
- Material Contravention:
 - The development materially contravenes the density, building height and visual impact, public open space, car parking, childcare provision, ACA, urban design framework and housing mix requirements of the Development and Local Area Plan.
 - Proposal is not of strategic or national importance and cannot be justified or considered on the basis of Strategic Housing Development.
- The applicant has not demonstrated sufficient infrastructural capacity for the development.
- If the Board purports to justify the proposal by reference to non-compliance with plan objectives, this will constitute unlawful breach of the SEA Directive.
- The EIAR is inadequate and deficient and does not permit as assessment of the likely environmental impacts of the proposed development.
- EIA and AA screening deficiencies.
- Proposal not in accordance with BRE Guidelines.
- Failure to comply with the Habitats Directive and the Planning and Development Act 2000, as amended.
- Reliance on the Ringsend Wastewater Treatment Plan is flawed.
- Scheme would not be permitted based on Dublin City Council BTR policy.
- This area of Dublin is becoming saturated with this type of development and lack of homes to purchase is a serious concern.
- Joint Masterplan
 - The owner of the adjacent site prepared a joint masterplan with the applicant and is generally supportive of the subject proposal.
 - The two sites are fully independent in terms of ownership and implementation.
 - Complementary vehicular accesses between both sites and can be developed independently.
 - Both landowners are committed to the delivery of the pedestrian bridge linking both sites.

Reports from Prescribed Bodies

Transport Infrastructure Ireland (TII):

In the case of this planning application, Transport Infrastructure Ireland recommends the following conditions:

'The proposed development falls within the area for an adopted Section 49 Supplementary Development Contribution Scheme - Extension of LUAS Line B1 (Sandyford to Cherrywood) under S.49 Planning and Development Act 2000, as amended. If the above application is successful and not exempt, as a condition of the grant please include for the Section 49 Contribution Scheme Levy.'

Irish Water:

Sufficient capacity noted in respect of water and wastewater. Statement of Design Acceptance has been received by Irish Water. Irish Water respectfully requests the board condition(s) any grant as follows:

'1. The applicant shall sign a connection agreement with Irish Water prior to any works commencing and connecting to the Irish Water network.

2. 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 for assessment of feasibility and have written confirmation of feasibility of diversion(s) from Irish Water prior to connection agreement.

3. All development shall be carried out in compliance with Irish Water Standards codes and practices.'

Inland Fisheries:

'The proposed development is in the Carysfort Maretimo Stream catchment, so surface water drainage will ultimately discharge to Brewery Stream/Carysfort Maretimo Stream and then the Irish Sea in Dublin Bay coastal water which hosts the South Dublin Bay Special Area of Conservation (SAC), South Dublin Bay and River Tolka Esturay Special Protection Area (SPA) and proposed National Heritage Area (pNHA) habitats.

Surface runoff of deleterious material entrained including suspended sediment, fuels and materials being used on-site during the construction or post construction phase of a development could potentially impact the receiving water quality.

IFI are becoming more aware of the lack of appropriate maintenance on interceptors, attenuation tanks on some developments in the operational phases and would encourage that the appointed site management/maintenance company, post construction phase be required to enter a service maintenance contract with an authorised specialised company with responsibility for the maintenance of this same infrastructure.

Should Appropriate discharge licenses be required from Dún Laoghaire-Rathdown County Council in respect of discharges from dewatering or other construction operations on-site, it is recommended that the discharge limits, particularly for Suspended Solids should be set at conservative levels with at least one of the sampling/monitoring locations being at the direct point of discharge from the site boundaries.

The developer must take adequate precautions to ensure there is no entry of solids, during the connection of pipework, to the existing surface water system.

It is essential that the receiving foul and storm water infrastructure has adequate capacity to accept predicted volumes from this development during construction and post construction phases with no negative repercussions for the quality of any receiving waters. Ringsend WWTP is currently working at or beyond its design capacity and won't be fully upgraded until 2023.

All discharges must be in compliance with the European Communities (Surface Water) Regulations 2009 and the European Communities (Groundwater) Regulations 2010.

All construction should be in line with a project specific Construction Environmental Management Plan (CEMP). The CEMP should be robust and identify potential impacts and mitigating measures, it should provide a mechanism for ensuring compliance with environmental legislation and statutory consents. The CEMP should detail and ensure Best Construction Practices including measures to prevent and control the introduction of pollutants and deleterious matter to surface water and groundwater and measures to minimise the generation of sediment and silt.

Should development proceed, best practice should be implemented at all times in relation to any activities that may impact on surface water (stream and river) or receiving waters.

The Department of Housing, local Government and Heritage have recently published the following interim guidance document on Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas Water Sensitive Urban Design Best Practice Interim Guidance Document which should be considered when designing drainage systems. <https://www.gov.ie/en/publication/10d7c-nature-based-solutions-to-the-management-of-rainwater-and-surface-water-runoff-in-urban-areas-best-practiceinterim-guidance-document/>.

4. ELECTED MEMBERS

A summary of the views of the relevant elected members as expressed at the Dundrum Area Committee Meeting held remotely on the 28th April 2022 were recorded as follows:

- The development is welcomed, good to see residential in this part of the estate.
- Concerns regarding dual aspect levels.
- The development is welcomed and required for this area.
- The parking provision is inadequate especially for visitors, no street parking nearby.
- The apartment mix is too low, one-bed, etc, it would be preferable to see a better mix.
- Concerns regarding wind, roof gardens at 8 storeys and no problem with height.
- The residential nature of the development and height in the area is good however concerns are raised regarding dual aspect provisions which are a material contravention and further concerns over unit mix and parking.
- There are too many car parking spaces given location, visitor parking available adjacent to the site, overbridge – welcomes permeability between sites for pedestrians, is it accessible, look at in detail.
- There should be designated loading bays within the site, construction – cycle tracks – condition no parking on cycle tracks, paths or verges.
- A parking area should be provided for construction vehicles.
- Tree retention is noted and welcomed.
- There are good open spaces, height and unit numbers.
- Concern regarding residential capacity in Sandyford on standalone sites.

5. PLANNING HISTORY

The relevant planning history for the site is as follows:

5.1 Site Specific Planning History

Previous pre-SHD permission

D05A/0566 - Permission granted by the Planning Authority for 'Demolition of existing warehouse, storage and ancillary offices; The construction of 16,766 sq.m gross floor area; comprising of 609 sq.m retail/commercial floor area at ground floor in 3 units, a 210 sq.m gym/private health club and 15,947 sq.m of residential development comprising 182 apartments with private balconies in three blocks. Block A faces on to Carmanhall Road and is 9 storeys over ground floor with a total height of 33.250 meters, Block B is set into the site and faces Ravens Rock Road across a landscaped courtyard at ground level and is 10 storeys from ground level with a total height of 31.800 meters, Block C is on the corner of Carmanhall Road and Ravens Rock Road and set back from the existing trees and is 12 storeys over ground floor with a total height of 47.871 meters; with 214 car parking spaces and 182 bicycle parking spaces, bin storage across two basement levels with vehicular access from Ravens Rock Road through entry court; emergency vehicle access to garden level is from Carmanhall Road, and ancillary site developments, boundary treatments, all on a site of 0.5783 hectares at Tack Packaging, Carmanhall Road'.

This permission, which was not implemented, has now expired.

The permitted development comprised blocks ranging from 9 to 12 storeys and having a stated floor area of 16,766sq.m.

Previous SHD on this site

PAC/474/18 - A Stage 1 pre-application discussion (SHD) was held on 24th July 2020.

The Stage 2 tripartite meeting was held between An Bord Pleanála, the Applicant and DLR Co. Co. on 17/12/2020 (ABP File Reference: ABP-308186-20).

Current SHD on this site

PAC/SHD/275/21 - The Council was not in a position to engage with the prospective applicant on foot of a request for a 'Stage 1' meeting in November 2021. The applicant was referred to previous advice given in respect of this site, and of the applicant's entitlement under S5(4) of the Act to proceed to 'Stage 2' with the board.

TC06D.308186 – 'Stage 2' consultation for 233 no. apartments, creche and associated site works. Strategic Housing Development – Consultation. Outcome: Requires further consideration/ amendment. Opinion issued by the board 22/12/2020.

5.2 Adjacent Sites

Avid Site – to the immediate southeast – subject to a shared materplan, as submitted

- ABP 31226521 – 'Stage 2' Pre-planning consultation was being undertaken with An Bord Pleanála for 336 no. build to rent apartments. Letter from applicant states that they have notified ABP of its intention to proceed and lodge an SHD application for the development within the period of 16 weeks of the relevant date. The board issued an opinion on 19/05/2022, subsequent to the lodging of the subject application. It is noted that integration between the two sites was cited in the board's opinion.
- ABP31010421 – A Strategic Housing Development application was refused by An Bord Pleanála for 428 no. build to apartments in an apartment building ranging in height from 6 to 17 no. storeys in height.

The application was refused for the following 2 no. reasons:

1. Having regard to the proposed quantum and resulting form of development, in particular the enclosed nature of the scheme layout and height on this restricted site, it is considered that the proposed development would result in a substandard quality of communal open space and an inadequate range and extent of resident support facilities and amenities serving the entire development. Furthermore, substandard bicycle parking facilities have been provided, in particular with regard to accessibility for all residents and the quantum provided for visitors, and the residential amenity of some individual apartments is deficient in relation to private amenity space and daylight availability. In the absence of suitable alternative proposals to compensate for design deficiencies in the proposed units and the scheme as a whole, the Board considers that the proposed development would result in a substandard level of residential amenity for the future occupants of the proposed development. In addition, the Board is not satisfied that the proposed development would provide a satisfactory interface with the adjoining site to the north-west in terms of proximity to the site boundary and sunlight and daylight impact, and that it would not prejudice the development potential of that site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development would materially contravene the height and density provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, including the Sandyford Urban Framework Plan. The Board is not satisfied that a material contravention of the Development Plan is justified in this instance, in that the proposed development fails to meet the criteria as set out in section 3.2 and Specific Planning Policy Requirement 3 of the Urban Development and Building Heights Guidelines for Planning Authorities, issued by the Department of Housing, Planning and Local Government in December 2018. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

- PL06D.30346719: Planning permission granted for a student accommodation development comprising 817 no. bed spaces and ancillary support facilities, 2 no. commercial units fronting Blackthorn Road (café/lounge and launderette), 57 no. car parking spaces and 586 no. bicycle parking spaces, service and emergency vehicular access from Blackthorn Road, and all ancillary works.

The permitted development comprises blocks ranging from 7 to 9 no. storeys and having a stated floor area of 25,459sq.m. This permission has not yet been implemented and has not expired.

Mercury House site – immediately adjacent to the southwest

- D21A/0479 - Permission granted by the Planning Authority for 'Permission for A: Change of use of the existing stores area at ground floor to offices and ancillary accommodation and the introduction of a mezzanine at first floor to provide additional office space and minor alterations at all floors to improve welfare facilities. B. External works to improve the appearance of the building including improvements to the facade, alterations to the main entrance and the replacement of a roller shutter to the north east with a glazed wall. C. general improvements to the setting of the building including the provision of stepped access from Ravens Rock Road and the provision of cycle parking adjacent to the entrance. A reduction in parking of 5no. spaces is proposed. D. Landscaping improvements externally and all other ancillary works.'
- D11A/0290 - Permission granted by the Planning Authority for 'Permission is sought to change the use of the existing stores area to offices, tutorial room, toilets and ancillary accommodation. The proposal would also involve the removal of the

existing roller shutter door and its replacement with a glazed screen and the formation of four high level windows to the toilets at the ground floor level, at the rear'.

IVM Raven's Rock Road SHD – to the immediate northwest, across Ravensrock Road

- ABP31320922 – A Strategic Housing Development application was lodged for 101 no. build to rent apartments within a part 5, part 6 to part 11 no. storey building over partial basement comprising 65 no. 1 bedroom apartments and 36 no. 2 bedroom apartments (balconies on all elevations); 734sqm of external communal amenity space provided in the form of a podium courtyard at first floor level and a series of rooftop terraces at fifth, sixth and tenth floor levels, c. 514sqm of public open space provided fronting Carmanhall Road; 511 sqm of resident support facilities/ services and amenities space provided at ground and first floor levels; Vehicular access to the development will be from the upgraded existing access from Ravens Rock Road; Provision of 10 no. car parking spaces [1 no. accessible], 2 no. motorcycle spaces; in an undercroft carpark and 234 no. cycle parking spaces. Awaiting determination by ABP at time of writing this report.

6. SITE LOCATION AND DESCRIPTION

The subject site is located within the Sandyford Business District and is located on the corner of Carmanhall Road and Ravensrock Road. The site is bound by Carmanhall Road to the north and Ravens Rock Road to the west. The site is rectangular in shape and currently contains a 2 no. two storey light industry/office buildings and surface car parking. The site contains two no. landscape strips along the northern and western boundaries of the site and mature trees towards the north-west corner and at the south-west corner. The northern end of the site is noted to be elevated above the footpath and road on Carmanhall Road.

Low rise light industrial and office uses are located to the east, west and south of the site. The Sandyford Business District is an area that has been undergoing gradual transformation from a light industrial / business estate to a mixed use district. The site is located c. 350m from Stillorgan Luas stop and c. 500m from Sandyford Luas stop.

New developments in the surrounding area include a mix of purpose-built office blocks and mixed-use developments (residential and commercial). These developments are largely concentrated on lands between Carmanhall Road and Blackthorn Drive / Avenue and Corrig Road and Blackthorn Drive. The remaining areas largely comprise low density commercial and light industrial uses.

Central Park and South County Business Park are located a short distance from the site.

7.0 POLICY CONTEXT

7.1 Project Ireland 2040 - National Planning Framework

The National Planning Framework includes 76 No. National Policy Objectives. Of these, the following 7 No. are considered particularly relevant:

- *NPO3a; Deliver at least 40% of all new homes nationally within the built-up envelope of existing urban settlements.*

- *NPO4; 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.*
- *NPO 11: In meeting urban development requirements, there would 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.*
- *NPO13: In urban areas, planning and related standards, including in particular building height and car parking would be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards would 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.*
- *NPO 27: 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.*
- *NPO 33: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.*
- *NPO 35: Increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.*

7.2 Regional Spatial and Economic Strategy for the Eastern and Midlands Region 2019

The Regional Spatial and Economic Strategy for the Eastern and Midlands Region seeks among other things to consolidate the Dublin Metropolitan Area by focussing at least 50% of all new homes within or contiguous to the existing built-up area of Dublin.

7.3 Section 28 Ministerial Guidelines

The following ministerial guidelines are also considered relevant:

- 'Guidelines on Urban Development and Building Heights for Planning Authorities', 2018.
- 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities', 2020.
- 'Design Manual for Urban Roads and Streets', 2013.
- 'Architectural Heritage Protection: Guidelines for Planning Authorities', 2011.
- 'Urban Design Manual, A Best Practice Guide', 2009.
- 'The Planning System and Flood Risk Management Guidelines (including the associated 'Technical Appendices)', 2009.
- 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual', 2009.
- 'Childcare Facilities - Guidelines for Planning Authorities', 2001.

7.4 Other Relevant Plans and Guidelines

- Bus Connects Project (NTA).
- Greater Dublin Area Cycle Network Plan (NTA: 2013).
- Urban Design Manual: A Best Practice Guide (DEHLG: 2009).
- Retail Design Manual (DECLG & DAHG).
- Design Manual for Urban Roads and Streets (DTTS and DECLG: 2013 (updated in 2019)).

7.5 Dún Laoghaire Rathdown County Development Plan 2022 - 2028

The site is located within the area covered by the Sandyford Urban Framework Plan (SUFPP), which is appended to the County Development Plan (Appendix 16).

The site is primarily zoned Objective 'A2'; to provide for the creation of sustainable residential neighbourhoods and preserve and protect residential amenity. Build to Rent development is 'Open for Consideration' in such zones.

An objective to protect and preserve trees and woodlands is located on the north-western and south-western corners of the site.

Section 12.3.6 Build-to-Rent Accommodation

Policy Objective PHP28 – Build-to-Rent and Shared Accommodation/Co-living Developments

'BTR shall be located within a 10 minute walking time from high frequency public transport routes. BTR would be considered as a component part of achieving an appropriate mix of housing, however, a proliferation of Build to Rent in any one area shall be avoided.'

Chapter 2: Core Strategy

2.3.6 Housing Target for the Core Strategy

Policy Objective CS11 – Compact Growth

Chapter 3: Climate Action

3.4 Achieving Sustainable Planning Outcomes

Policy Objective CA5 - Energy Performance in Buildings

Policy Objective CA7 – Construction Materials

Policy Objective CA8 – Sustainability in adaptable Design

3.4.3 Decarbonising Motorised transport

Policy Objective CA18 Urban Greening

Chapter 4: Neighbourhood – People, Homes and Place

Overarching Policy Objective PHP1

4.2.1 Sustainable Communities and Neighbourhood Infrastructure

Policy Objective PHP3 – Planning for Sustainable Communities

4.3 Homes

4.3.1 Delivering and Improving Homes

Policy objective PHP18 – Residential Density

Policy Objective PHP20 – Protection of Existing Residential Amenity

4.3.2 Housing Choice

Policy Objective PHP25 – Housing for All – A new Housing Plan for Ireland, 2022

Policy Objective PHP27 – Housing Mix

Policy Objective PHP28 – Build-to-Rent and Shared Accommodation/Co-living Developments

Policy Objective PHP30 – Housing for all

Policy Objective PHP31: Provision of Social Housing

4.4 Place

Policy Objective PHP35 – Healthy Placemaking

Policy Objective PHP36 – Inclusive Design & Universal Access

Policy Objective PHP37 – Public Realm Design

Policy Objective PHP42 – Building Design & Height

Policy Objective PHP44 – Design Statements

Chapter 5: Transport and Mobility

5.4 Integrated Land use and Transport

Policy Objective T1 - Integration of Land Use and Transport Policies

5.5 Promoting Modal Change

Policy Objective T4: Development of Sustainable Travel and Transport.

5.6 Promoting Active Travel: Cycling and Walking

Policy Objective T11: Walking and Cycling
5.7 Demand Management and Travel Planning
Policy Objective T17: Travel Plans
Policy Objective T18: Car Sharing Schemes
Policy Objective T19: Carparking Standards
Policy Objective T26: Traffic and Transport Assessments and Road Safety Audits
Policy Objective T27: Traffic Noise
Policy Objective T28: Road Safety
Policy Objective T30: Street Lighting

Chapter 8: Green Infrastructure and biodiversity
Policy Objective GIB18 - Protection of Natural Heritage and the Environment
Policy Objective GIB19 – Habitats Directive
Policy Objective GIB25 – Hedgerows
Policy Objective GIB28 – Invasive Species

Chapter 9: Open Space, Parks and recreation
Policy Objective OSR4: Public Open Space Standards
9.3 – Open Space and Recreation;
9.4 – Sports and Play; and,
9.4.1.5 – Policy Objective OSR13: Play Facilities and Nature Based Play.

Chapter 10 Environmental Infrastructure and Flood risk
Policy Objective EI9 -Drainage Impact Assessment
Policy Objective EI11 – Resource Management
Policy Objective EI12 – Waste Management Infrastructure, Prevention, Reduction, Reuse and Recycling (Circular Economy approach)
Policy Objective EI14 – Air and Noise Pollution
Policy Objective EI22 – Flood Risk Management

Chapter 12 Development Management
12.1.1.2 Design Statements
12.1.1.3 Landscape Plans
12.1.2 Impacts on the Environment
12.2 Climate Action
12.2.6 Urban Greening
12.2 – Climate Action;
12.3 – Neighbourhood - People, Homes and Place;
12.3.3 – Quantitative Standards for All Residential Development;
12.3.3.1 – Residential Size and Mix;
12.3.3.2 – Residential Density;
12.3.4 – Residential Development – General Requirements;
12.3.5 – Apartment Development;
12.3.6 – Build-to-Rent Accommodation;
12.3.8 – Housing for All;
12.3.8.1 – Age Friendly Housing;
12.4 – Transport;
12.7 – Green Infrastructure and Biodiversity;
12.8 – Open Space and Recreation;
12.8.3 – Open Space Quantity for Residential Development;
12.8.7 – Private Amenity Space – Quality Standards;
12.8.8 – Financial Contributions in Lieu of Open Space;
12.8.10 – Amenity Space in Build-to-Rent;
12.9 – Environmental Infrastructure;
12.10 – Drainage, Flood Risk and Coastal Erosion;

Chapter 13: Land Use Zoning Objectives

- Section –13.1 Land Use Zoning Objectives

Relevant Appendices:

Appendix 2: Housing Strategy and HNDA

Appendix 3: Development Management Thresholds 2022-2028

Appendix 5: Building Height Strategy

Appendix 6: Waste Management Guidelines

Appendix 7: Sustainable Drainage System Measures

Other Dún Laoghaire-Rathdown County Council Guidance Documents:

Standards for Cycle Parking and associated Cycling Facilities for New Developments (January, 2018).

Sandyford Urban Framework Plan (hereafter referred to as 'SUFPP')

The overarching objective of the SUFP is to set out a plan-led strategy for the redevelopment of the area. The rationale underpinning the SUFP includes: *'To strengthen and enhance the structure and character of the urban form through appropriate sustainable land use zoning and guidance on typology, massing, scale, height, density of the built form and by promoting excellence in design of buildings and the spaces between them.'*

Employment-based uses are envisaged as the primary land-use within the core of Sandyford Business District, supported by residential and retail uses that benefit from co-location. Within the Sandyford Business District provision is made for residential uses in mixed-use inner and outer cores (Zones 1 and 2) and three residential neighbourhoods at Carmanhall Road, Burton Hall Road and South County Business Park (Zone 5).

The subject site is located within 'Zone 5: Residential'.

Residential development is regulated by way of density limits. Objective A2 -1 relates to residential density parameters in Zone 5. Map no. 2 of the SUFP sets a residential density cap of 150 units per hectare on the subject site. The immediate land to the west is covered by the 70 units per hectare density cap with the land to east covered by higher density caps from 150 – 175 units per hectare. The adjacent land to the south is covered by the 95 units per hectare density cap.

In regards to phasing, Policy P7 of the SUFP states the following

It is an objective of the SUFP to ensure the orderly development of the area and accordingly the following restrictions will apply:

No additional apartment development will be permitted that exceeds 1500 units (cumulative total) until the planning approval process for the Sandyford Business District Civic Park at the corner of Corrig Road and Carmanhall Road shall be complete and planning permission granted. The 1,500 figure relates only to future applications.

Objective BH1 relates to building height parameters within the SUFP. Map No. 3 of the SUFP sets a building height limit of 8 storeys on the subject site and the adjoining site to the east. The sites to the east of the site are given a height limit of 6 and 4 storeys. The sites to the east have a height limit of 3 – 5 storeys.

Objective BH2 of the SUFP sets out information to be provided in respect of building height impacts. Objective PR1 relates to the provision of high-quality public realm. Drawing No. 11 of the SUFP indicates a perimeter block layout within the Ravensrock and Carmanhall Road neighbourhood. Drawing no. 12 indicates a proposed cycle and pedestrian route along Ravensrock and Carmanhall Road. The subject site is also indicated as being within a Proposed 30km/h Zone.

Design guidance given in respect of the Carmanhall Road neighbourhood states (Section 3.5.4 'Zone 5 Sustainable Residential Neighbourhoods'):

- *Carmanhall Road which forms the base line for this residential neighbourhood is considered essential in enhancing the connectivity and linking the different retail, commercial and residential aspects of Sandyford Business District.*
- *This residential neighbourhood shall be contained by tall buildings at either end of Carmanhall Road where the building line along the southern side of Carmanhall Road shall be set back to provide a linear greenway. This linear greenway would widen into a substantial Civic Park located at the junction of Corrig Road and the north west of Carmanhall Road. It is envisaged that the Park together with the greenway would provide high amenity open space for both the local residents and employees alike.*
- *The urban form shall provide a strong, animated and active outer edge, with commercial uses at ground floor level, to the residential neighbourhood fronting onto Blackthorn Road. This outer edge while promoting routes and permeability would act as a buffer to the inner residential area and the green areas of this neighbourhood.*
- *The inner 'softer centre' of the residential neighbourhood shall comprise of a number of square urban blocks in a grid pattern of suitable scale and size in order to facilitate good sun penetration to the lower floor units.*
- *To promote connectivity, the urban blocks shall be individually modelled to provide visual variety for both residents and those working within Sandyford Business District. The blocks shall be of sufficient density to sustain urban living.*
- *Street frontages shall be predominantly own door access, family type units to promote active frontages with corners emphasised according to orientation.*
- *Dwelling frontages shall be specific to the dwelling's location and orientation in relation to aspect and street hierarchy. For example level changes should be introduced where the dwellings front public spaces, which would retain privacy while improving surveillance.*
- *Roads within the zone to be reduced in width and be tree lined to create an Avenue effect, in consultation with the Planning Authority.*

7.6 Other Relevant Guidance

- Standards for Cycle Parking and associated Cycling Facilities for New Developments (Dún Laoghaire-Rathdown County Council Municipal Services: 2018).
- BRE Site Layout Planning for Daylight and Sunlight (2nd Edition).

7.7 Hierarchy of Plans/Policy

Section 34 of the Act states where a specific planning policy requirement (SPPR) of Section 28 Planning Guidelines differ from the provisions of the development plan, then those requirements shall, to the extent that they differ, apply instead of the provisions of the development plan. Notwithstanding, it is noted that the new County Development Plan 2022-2028 approved by the Members on 10th March 2022 and in force since 21st April 2022 is in accordance with the s.28 Guidelines issued by the Minister up to date, as reflected in the statement of compliance included in Appendix 13 of the Development Plan.

However, for completeness, it is noted that a draft Ministerial Direction was issued on 12th April 2022, whereby the Planning Authority was directed to take the following steps:

- a. *Delete the following provisions from the adopted Development Plan:*
 - i.*the O/O zone objective, including symbol and boundary of objective area from maps 3, 4, 7 and 10;*
 - ii.*the text 'No increase in the number of buildings permissible' and associated symbols from maps 1-14;*
 - iii.*the policy section on 'Notable Character Area Exclusions' under section 4.3.1; and*
 - iv.*policy section 12.3.8.8 O/O Zone.*

b. *Delete the following text after the first paragraph of section 12.3.3 Quantitative Standards for All Residential Development from the adopted Development Plan:*

"That the requirement for certain percentages of 3-bed units in apartments shall apply to Build To Rent developments to accord with mix on page 233".

Save for the issues noted above as raised by the Minister, the Dun Laoghaire Rathdown Development Plan 2022-2028 is in accordance with National (primarily in the form of the National Planning Framework and the S.28 Guidelines) and Regional (the Regional Spatial and Economic Strategy by the Eastern and Midlands Regional Assembly) as demonstrated in Appendix 13.

8. PLANNING ASSESSMENT

8.1 Principle of Development

The proposed development comprises a Built to Rent apartment scheme with ancillary tenant facilities/ amenities and a creche.

'Childcare service' and 'open space' are permitted in principle under the site's zoning objective. This relates to the proposed creche and proposed pocket park public open space on the site which will be assessed in line with the relevant criteria below.

Build to rent residential development is 'open for consideration' on 'A2' zoned lands. Section 13.1.4 of the County Development Plan notes that uses shown as 'Open for Consideration' are uses which may be permitted where the Planning Authority is satisfied that the proposed development would be compatible with the overall policies and objectives for the zone, would not have undesirable effects, and would otherwise be consistent with the proper planning and sustainable development of the area.

Section 12.3.6 (Build-to-Rent Accommodation) of the County Development Plan 2022-2028 (hereafter referred to as the CDP) defines Built-to-Rent (BTR) accommodation as purpose-built, long-term rental apartment accommodation that incorporates dedicated residential amenities and facilities. BTR accommodation would only be permitted in suitable locations in accordance with Policy Objective PHP28 of the County Development Plan. Policy Objective PHP28 is detailed as follows:

'Build-to Rent and Shared Accommodation/ Co-living Developments

It is a Policy Objective to facilitate the provision of Build-to-Rent in suitable locations across the County and accord with the provisions of 'Sustainable Urban Housing: Design Standards for New Apartments', 2020 (and any amendment thereof). Proliferation of Built to rent should be avoided in any one area.'

Whilst BTR accommodation is identified as a permitted in principle use within 'MTC' and 'DC' zoned lands, it is important to highlight that, as a use category, BTR is only 'open for consideration' at the subject site.

Pursuant to policy objective PHP28 outlined above, BTR development shall be considered if located within a 10-minute walking time from high frequency public transport routes. It is also indicated that BTR accommodation will be considered as a component part of achieving an appropriate mix of housing tenure within any given area.

In terms of the suitability of the application site for a development of this nature, the site is located within a 5 minute walk from the Stillorgan Luas Stop and a 6 minute walk from the Sandyford Luas Stop. The site is located within Car Park Zone 2 which is defined in the CDP to be located within a '10 minute walk of Dart and Luas stations'. The application site is considered to be within a 10 minute walking time of the existing Luas Stops and therefore the site has accessibility to good quality public transport.

Regarding whether there is a proliferation of BTR accommodation in any one area, the Planning Authority consider the 'one area' as referenced above in the CDP to mean the 10-minute neighbourhood, which as described in the CDP, is an area within a 10-minute walk or cycle from the site. It is noted that two no. BTR developments have been permitted within a 10-minute walk or cycle from the subject site:

- ABP30594019: An SHD permission was granted and is under construction for 564 no. build to rent units on Carmanhall Road.
- ABP31154021: An SHD application was granted at St. Joseph's House on Leopardstown Road. The application consists of 463 no. apartments.

There is also a current SHD application pending decision with the Board (reg. ref. ABP31320922): An SHD application at Ravensrock Road, Sandyford. The application consists of 101 no. apartments.

Having regard to the fact that the SUFP area is identified as a strategic employment zone; and considering the demographic profile which will be seeking to live in/near same to be able to walk to work and enjoy a ten-minute neighbourhood, it is considered that the nature of the tenure is appropriate at this location, at this point in time.

On the issue of phasing, it is noted that policy P7 of the SUFP requires that *"No additional apartment development will be permitted that exceeds 1500 units (cumulate total) until the planning approval process for the Sandyford Business District Civic Park at the corner of Corrig Road and Carmanhall Road shall be complete and planning permission granted. The 1,500 figure relates only to future applications."* The approval process for this park has not progressed. However, so close to the adoption of the plan, the 1500 cap is nowhere near reached.

On balance, considering the quantum and mix of units proposed, the quantum of build to rent units permitted on 2 no. adjacent sites within the 10-minute neighbourhood, the location of the site to both local employment and Luas stops at Sandyford and Stillorgan, it is considered that the proposed use of the site for BTR is generally acceptable in principle and would not result in a proliferation of BTR development in the area. This is subject to an assessment of the proposed resident support facilities and services, amenities for communal recreation and the requirement for a robust management system for the apartments.

Key considerations for any future assessment include:

- Residential Density
- Housing Mix
- Standard of Accommodation
- Public and Communal Open Space and Trees
- Design and Finishes
- Impacts on Visual and Residential Amenity
- Childcare
- Telecommunications
- Access, Car and Bicycle Parking
- Building Height
- Surface Water Drainage and Flood Risk
- Part V/Social Housing
- Construction Management and Construction and Operational Waste Management
- Building Life Cycle Report
- Archaeology
- Appropriate Assessment and Environmental Impact Assessment Screening

8.2 Residential Density

The development has a net site area of 0.57ha and proposes to provide a net density of 363 units per hectare.

Policy Objective PHP18: Residential Density states that it is a Policy Objective to:

- *'Increase housing (houses and apartments) supply and promote compact urban growth through the consolidation and re-intensification of infill/brownfield sites having regard to proximity and accessibility considerations, and development management criteria set out in Chapter 12.*

- *Encourage higher residential densities provided that proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development.'*

Furthermore, Policy Objective PHP20 Protection of Existing Residential Amenity states that:

'It is a Policy Objective to ensure the residential amenity of existing homes in the Built Up Area is protected where they are adjacent to proposed higher density and greater height infill developments.'

In addition to the above, regard is had to the Sandyford Urban Framework Plan (SUFF) which forms Appendix 16 of the CDP. Map no. 2 of the SUFF sets a residential density cap of 150 units per hectare on the subject site. Policy SUFF2 of the SUFF states that it is Council policy to ensure that the Sandyford Business District develops in an orderly manner in accordance with the increase in uses set out in the objectives of the plan and the density and plot ratio parameters set out in Map 2.

The quantum of development provided for in the SUFF is based on existing and planned infrastructure within the Business District, which was previously considered deficient relative of the scale of development proposals being put forward for the area. Infrastructure related policies and objectives in respect of water services, sustainable transport and community facilities are set out in Section 4 of the SUFF.

The proposed development at 363 units per hectare (uph) is therefore considered to materially contravene the density permitted in the Development Plan at 150 uph for the subject site. The Planning Authority therefore has serious concerns regarding the scale/quantum of development being proposed, which is substantially greater than what is envisaged in the SUFF and this is unacceptable.

The planning authority does not have an issue with density per se, but rather what it means for the carrying capacity of the area and for the residential quality of the resultant scheme.

It should be noted that the policies of the County Development Plan on density take cognisance of all applicable Section 28 Guidelines, and as such, no further assessment is required on this issue in this instance.

8.3 Housing Mix

The development proposes to provide 207 no. apartments, consisting of 48 no. studios, 103 no. one beds, 55 no. two beds and one no. three beds.

The provision of a suitable mix of unit types is important in ensuring the sustainability of residential communities. A good housing mix also allows people the choice and opportunity to remain in a given area while availing of accommodation that caters to their changing needs at particular stages of their life.

Policy Objective PHP 27 Housing Mix provides that: *'It is a Policy Objective to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided throughout the County in accordance with the provisions of the Housing Strategy and Housing Need Demand Assessment (HNDA) and any future Regional HNDA.'*

Table 12.1 of the Development Plan sets out the mix requirements for apartment developments. However, the Planning Authority acknowledges that the second paragraph of Section 12.3.3 which states *'that the requirement for certain percentages of 3 bed units*

in apartments shall apply to Build to Rent developments to accord with mix on page 237', is subject to a ministerial direction and shall be taken not to have come into effect. In this instance the Planning Authority refer to the Sustainable Urban Housing - Design Standards for New Apartments (2020) and specifically SPPR 8 which imposes no mix requirements in built to rent developments. The Planning Authority therefore consider that the proposed mix is acceptable in policy terms, but would have welcomed a mix of larger units within this scheme.

8.4 Standard of Accommodation

Size

Section 12.3.5.5 of the CDP states that all apartment developments shall accord with or exceed the minimum floor areas indicated in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities', (2020), as captured in the Table 12.4 of the Development Plan.

The proposed units must therefore meet or exceed the following minimum areas:

Studio	37 sq m
One bedroom	45 sq m
Two Bedrooms (4 persons)	73 sq m
Three Bedrooms	90 sq m

It is noted that all units either meet or exceed the minimum areas. Furthermore, it is noted that the majority (40%) of the units meet or exceed the above 10% exceedance requirement as required by Section 12.3.5.5 of the CDP.

Dual Aspect

Section 12.3.5.1 of the CDP provides in relation to the provision of dual aspect apartments that in accordance with the criteria set out in the 2020 Apartment Guidelines, DLR as a County is classified as a suburban or intermediate location and as such there shall generally be a minimum of 50% dual aspect apartments in a single scheme.

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

The application proposes to provide 40% dual aspect units in the scheme (45% stated). Noting the design of the dual aspect units and the percentage proposed, the Planning Authority therefore has serious concerns regarding the proportion of dual aspect units proposed which is less than the minimum 50% requirement. The proposed number of dual aspect units in the scheme would materially contravene the Development Plan objective in this regard and represent a sub-standard level of residential amenity for future occupants and is considered unacceptable to the Planning Authority.

In addition to assessment of dual aspect under the County Development Plan, the planning authority is obliged under Section 28(1C) of the Planning Act to consider SPPR4 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines (2018), and to comply, where necessary. SPPR 4 allows for a reduced minimum proportion of 33% dual aspect in more central and accessible locations. Section 2.4 of the guidelines sets out how a planning authority might categorise a given site's location as either 'Central and/or

Accessible', 'Intermediate', or 'Peripheral and/or Less Accessible', but caveats this with a statement that "The range of locations outlined above is not exhaustive and will require local assessment that further considers these and other relevant planning factors." It is considered that the preparation of the current County Development Plan represents the 'local assessment' envisaged by the guidelines. As such, regard is had to Section 12.3.5.1 of the County Development Plan which classifies the entirety of the County as 'Suburban or Intermediate' for the purposes of considering policy on dual aspect. As such, in applying SPPR 4 of the Apartment Guidelines to the subject scheme, it is considered that the assessment above under the County Development Plan is applicable, and no further assessment is required on this topic.

Floor to Ceiling Heights

Section 12.3.5.6 requires a minimum of 2.7m of floor-to-ceiling at ground level. The development proposes to provide a floor to ceiling height of 3.3m at ground floor and 2.55m at upper levels. No concern is raised by the Planning Authority in this regard.

Lift and Stair Cores

It is noted under Section 12.3.5.6 of the Development Plan that the maximum no. of 12 apartments per core do not apply to BTR developments. The proposed development provides a maximum of 13 no. apartments per core and no concern is raised in this regard. This is subject to overall design quality.

Internal Storage

Section 12.3.5.3 of the Development Plan sets out the following internal storage standards for apartments, which are detailed in Table 12.3:

Studio	3 sq m
One bedroom	3 sq m
Two bedrooms (4 persons)	6 sq m
Three bedrooms	9 sq m

On the basis of the Residential Quality Assessment submitted it appears that the above requirements for internal storage are met.

External Storage

Section 12.3.5.3 of the Development Plan sets out that apartment schemes should provide external storage for bulky items outside individual units (i.e. at ground or basement level), in addition to the minimum apartment storage requirements.

It is noted that the development proposes limited external storage areas at ground floor level of c.27.8sqm and c.10.8sqm at lower ground floor level. In this instance it is noted that some of the undercroft basement area parking could be used for the required external storage function subject to compliance with the Development Plan parking standards. This is considered to be an appropriate location for external storage space. It is recommended that a condition be attached in the event of a grant of permission requesting revised floorplans to be submitted incorporating areas for external storage space in accordance with the Development Plan 2022-2028. The following wording of a condition is suggested:

Prior to the commencement of development the applicant shall submit revised plans for agreement with the Planning Authority which provide external storage for bulky items for each apartment unit at basement level in accordance with Section 12.3.5.3 of the County Development Plan.

Sunlight & Daylight

Section 12.3.4.2 of the CDP requires the impact on existing habitable rooms to be considered and sets the 'Site Layout Planning for Daylight and Sunlight, A guide to Good Practice' by BRE as the relevant guidance document.

In this regard the applicant has submitted a Daylight and Sunlight Analysis Report which assesses light levels within the proposed development. It is noted that the reflectance assumptions quoted are quite high, for example 82% for ceilings, 62% for walls and 36% for floors. The Planning Authority has significant concerns regarding the assumptions used.

With regards to the average daylight factor, it is noted that 95% of the proposed rooms achieve compliance with the guidelines. This was on the basis of ADF > 2% for kitchen/living/dining areas and ADF > 1% for bedrooms per BRE 209. In relation to the Compensatory Design Solutions for the units to do not achieve the minimum ADF levels, the applicant has outlined 5 such measures including in relation to private amenity space, aspect, communal open space, dual aspect and unit size, for example, whereby *'units with rooms below the BRE target values which are oversized, +10% on the Apartment Guidelines minimum areas, would avail of enhanced residential amenity due to the larger space provided'*.

In relation to the 2018 Irish Standard (IS 17037:2018) which supersedes the relevant standard quoted in the Apartment Guidelines (the 2008 British standard), that the overall rate of compliance regarding the MDF for all spaces achieved is 65%.

It is noted that no assessment of Annual Probable Sunlight Hours (APSH) and Winter Sunlight on all windows of the proposed development are included in the report. In relation to all habitable rooms of the proposed development, it is noted that 'no skyline' and 'target illuminance' analysis have not been provided in the report.

Furthermore, it is noted that the applicant has included results of the average daylight factor for the proposed units, should future development take place on the adjoining Avid site. It is noted that the 95% compliance rate drops to 94% in this instance should development on adjoining sites be developed at similar heights. As highlighted earlier in the report, the SUFP envisages heights of between 7-9 storeys for the subject area. Should development on the subject site and adjacent sites adhere to the height stipulated in the SUFP, it is considered that improved levels of daylight can be achieved on the subject site.

In relation to the test for sunlight on the ground of the amenity space of the proposed development which should receive a minimum of 2 hours of sunlight on 21st March for in excess of 50% of the space, the proposal achieves an average result of 68% which is in excess of the minimum requirement. The amenity space for Block B achieves that lowest individual result of 66% which is in excess of the minimum standard and this is acceptable for the outdoor amenity spaces. It is noted that the result for the public amenity space on Carmanhall Road is 60%. The applicant has included results for the amenity spaces should future development take place on adjoining Avid site and these continue to achieve the minimum requirement based on the methodology used.

In this instance, noting the quantum of dual aspect units proposed which is below the 50% required in the CDP, the omissions and assumptions used in the applicant's daylight / sunlight analysis relative to the relevant Irish Standard; the planning authority has concerns regarding the level of amenity that future occupants of the apartments would experience.

Private open space

The minimum private open space standards for apartment developments are included in Table 12.11 of the Development Plan. Those minimum areas are noted to be in line with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2020 and are as follows:

Studio	4 sq m
One bedroom	5 sq m
Two bedrooms (4 persons)	7 sq m
Three bedrooms	9 sq m

Having regard to the Residential Quality Assessment submitted by the applicant, it is considered that the subject scheme fails to comply with the standards of private open space including for the three-bedroom unit where 4.73sqm of private open space is proposed and for the one-bedroom apartment type 10 where a Juliet balcony is provided (2 units, 1st floor Block B). There appear to be a small number of other units where private open space is not provided such as one-bedroom apartment type 09 on the first-floor of Block B and studio apartment type 03 on the first-floor of Block C. There are a total number of 11 units designed without private open space. The Planning Authority raises significant concerns in relation to this matter as the under provision of private open space will seriously impact the amenity value of these apartments for future residents. The Planning Authority does not consider this to be an acceptable design response.

In terms of the quality of the private open space, regard is had to the Wind and Microclimate section of the EIAR (chapter 12) submitted by the applicant which notes no concerns in this regard. It states that *'The Proposed Development is designed to be a high-quality environment for the scope of use intended of each areas/building (i.e. comfortable, and pleasant for potential pedestrian); The assessment of the proposed scenario has shown that no area is unsafe, and no conditions of distress are created by the Proposed Development. An assessment of the Proposed Development on the on-site receptors (pedestrian areas, roads, entrances) and on the off-site receptors (roads/pedestrian areas off-site on the north, south, west and east directions) and the impact has concluded that conditions would be suitable or calmer than required for the intended use of the receptors'*.

Residential Facilities

The applicant proposes to provide c. 415sqm of residential amenities with no support facilities such as laundry room, concierge and management facilities, maintenance/repair services noted. The residential amenities would be located at ground and first floor which are noted to include resident lounges, co-working spaces, library and gym. The applicant envisages that the shared amenity unit at the car park entry in Block A would function as a concierge although this is not confirmed on the plans. This can be conditioned if permission is granted.

It is noted that the quantum of residential support facilities and residential amenities, which amounts to c.2sqm per unit. A provision of c.5sqm per unit would be more satisfactory. On this basis there is a shortfall of 620sqm of residential amenity and support facility space noted. It is suggested that the ground floor apartment and some of the first floor apartment units in Blocks A, B and C be used for this purpose and that a compliance condition be attached to cater for this requirement should permission be granted. It is considered that a minimum of c.300 sqm of this space should be specifically allocated for the purpose of residential support facilities such as laundry etc. It is therefore considered that the development does not comply with section 12.3.6 of the County Development Plan in relation to resident services and amenities for BTR developments.

8.5 Public and Communal Open Space and Trees

Public Open Space

Section 12.8.3.1 of the CDP requires that all residential schemes must provide a minimum provision of public open space in accordance with Table 12.8, which has regard to the

content of the Section 28 Guidelines 'Sustainable Residential Development in Urban Areas' (2009). The provisions of Policy Objective OSR5 are also noted.

The minimum public open space standard, as per Table 12.8, for residential development in the existing built-up area is 15% of the site area. For the purposes of the subject development, that would amount to a minimum requirement of 0.0855ha (855sqm). The applicant proposes to provide 438sqm of public open space or c7.6% of the site area.

Public open space is defined in the Development Plan under section 12.8.3.1 as: an area 'designed and located to be publicly accessible and useable by all in the County; generally free from attenuation measures; and capable of being taken in charge'.

The CDP further states that:

'It is acknowledged that in certain instances it may not be possible to provide the above standards of public open space. High density urban schemes and/or smaller urban infill schemes for example may provide adequate communal open space but no actual public open space. In these instances where the required percentage of public open space is not provided the Council would seek a development contribution under Section 48 of the Planning and Development Act 2000, as amended. The contribution in lieu to be paid for any shortfall in the quantum of public open space to be provided would be used for the provision of improved community and civic infrastructure and/or parks and open spaces, in the vicinity of the proposed development for use of the intended occupiers of same'.

It should be noted, in these instances, where the required percentage of public open space is not provided, the Council will seek a development contribution under Section 48 of the Planning and Development Act 2000, as amended. The contribution in lieu to be paid for any shortfall in the quantum of public open space to be provided will be used for the provision of improved community and civic infrastructure and/or parks and open spaces, in the vicinity of the proposed development for use of the intended occupiers of same. It is noted that the parks department have not recommended attaching such a condition. For this reason, it is not considered possible to recommend such a condition in this report.

It is noted that the applicant has not submitted a specific taking in charge drawing. Should An Bord Pleanála consider granting planning permission, it is recommended that a condition is included requiring the application to submit details showing the primary area of public open space designed and constructed to taking in charge standards.

As noted in the Wind and Microclimate section of the EIAR, there are no concerns regarding wind speeds from the proposed development at ground level.

Communal Open Space

Section 12.8.3.2 of the CDP states that communal open space must also be provided for apartments, in accordance with the minimum standards set out in Table 12.9 in accordance with the standards in the 'Sustainable Urban Housing, Design Standards for New Apartments' Section 28 Guidelines, (2020). The minimum standards are noted as follows:

Studio	4 sqm
One bedroom	5 sqm
Two Bedrooms (4 persons)	7 sqm
Three Bedrooms	9 sqm

The proposed development generates a minimum requirement of 1,101 sqm of communal open space. The development proposes to provide 1,050.56 sqm of communal open space at podium level which is located at the courtyard in the centre of the development and includes some link spaces. In addition, there would also be communal open space of

374.72sqm located on the roof terrace which would be less than 30% of the total proposed communal space area.

Section 12.8.5.4 of the Development Plan is noted which states that in apartment schemes in excess of 50 units, no more than 30% of the communal open space shall be provided by way of a roof garden. However, in this instance the applicant has provided communal open space in excess of the minimum requirements. While the quantum of communal open space proposed by way of the roof gardens is noted (26.2%), given that the quantum of communal open space in the courtyard amounts to 95.4% of the minimum required communal open space, no concern is raised in this regard.

The applicant has submitted a Wind and Microclimate Modelling chapter in the EIAR, the results of which are noted. Nevertheless, given that increased winds are associated with increase height. There is a lack of detail submitted regarding boundary treatments at roof levels. Should An Bord Pleanála consider granting planning permission for the proposed development, it is recommended that revised boundary treatment details are agreed with the Planning Authority for the roof gardens to ensure safety for all users and noise mitigation. A workable solution may be the requirement for 2m high screens surrounding the roof gardens to ensure an appropriate quality of amenity for future occupants.

The development proposes to provide a play area at ground floor level in the courtyard area of 11.07sqm. Regard is had to section 4.13 in the Apartment Guidelines which states that small play spaces (c. 85 – 100sqm) should cater for the specific needs to toddlers and children up to age of 6 while within larger play areas (200-400sqm) should cater for more older children and young teenagers in schemes with 100 or more apartments. Given that the scheme is for 207 no. units, the Planning Authority consider that the applicant should provide separate play spaces for both toddlers and older children. It is noted that no details of play furniture have been submitted with the documentation and that it is unclear how the small single play area would cater for toddlers and older children. The roof garden is not considered to be an appropriate location for such play areas given the lack of passive surveillance and the lack of accessibility. Should An Bord Pleanála consider granting planning permission, it is recommended that this is addressed by way of condition.

In terms of the quality of the communal and public open spaces proposed, the Planning Authority is satisfied that the landscape design would create distinctive spaces that form a coherent open space network that is satisfactorily related to the proposed buildings and that would in turn deliver a high level of amenity to future residents.

Trees

The site contains an objective to protect and preserve trees and woodlands, which is located on the north-eastern boundary of the site on the F zoned land. The applicant proposes to retain the mature oak and beech at this location; the Planning Authority notes that these are the only category A trees on the site.

The development proposes to remove tree groups located to the south (predominantly birch) and south-west (mature alder) of the site and this includes 11 trees of moderate value and quality. These trees, as noted in the Tree Survey report, are in the main not considered to be particularly significant given their reduced life expectancy. The removal of a public tree would be required for the installation of underground services and additional street trees require removal to facilitate the proposed vehicular entrances on Raven's Rock and Carmanhall Roads.

To mitigate the impact of tree removal on site, the submitted landscape design statement outlines proposals to plant replacement native trees and shrubs and to create a wildflower meadow and grass areas within the site. Notwithstanding the recommendations contained within the Parks Department report; in considering the competing priorities to provide

residential development on residential zoned land; the Planning Authority notes that the replacement planting of native trees and shrubs would be consistent with the National Pollinator Plan (Section 12.2.6 of the CDP) and accepts the proposal to remove the protected trees located within the south west corner of the site. It is considered that the reasons of refusal included in the Parks Report can be addressed by way of condition, should An Bord Pleanála consider granting planning permission.

8.6 Design and Finishes

The proposed development employs high quality materials including off white brick, light grey brick, medium / dark grey brick, glass spandrel panel cladding, metal frame, and metal panel cladding which are welcomed. An appropriate condition regarding the proposed finishes can be included should the Board decide to grant permission.

8.7 Impacts on Residential & Visual Amenity

Residential amenity is a key consideration for the purposes of the subject application, particularly considering the A2 zoning objective of the site which seeks *'to provide for the creation of sustainable residential neighbourhoods and preserve and protect residential amenity'*.

Policy Objective PHP18: Residential Density is also noted which states how it is a policy objective to encourage higher residential densities while ensuring a balance between the protection of residential amenities and the established character of the area.

Outside the Development

- Overlooking

Section 12.3.5.2 of the Development Plan states that in order to protect the amenity of residents in apartment blocks, a minimum separation distance of circa 22 metres should be provided between opposing windows in the case of apartments up to three storeys in height. The CDP outlines how in taller blocks, a greater separation distance may be prescribed.

The development proposes to position the southern elevation of the block a minimum of c.7m off the southern boundary of the site. Along the western boundary of the site, the western elevation is noted to be set back a minimum of c1.75m from the boundary of the site. Along the eastern boundary there would be a minimum separation distance of the elevations of 5.415m from the site boundary and along the northern elevation there would be a minimum separation distance of 5.8m from the boundary.

Along the eastern elevations the applicant has proposed windows on all floors facing east from the proposed new blocks including Block A and C which are located closest to the eastern site boundary. In the context of the masterplan submitted for the subject site and adjacent Avid site to the east, there would be an 11m separation distance between the habitable rooms of Block C and notional block D from the masterplan. The separation distance between the habitable rooms of Block A and notional Block G of the masterplan would be c.14m.

Noting the separation distances between the proposed development and adjacent sites to east, it is considered that an unreasonable level of overlooking would occur and that this would negatively impact the development potential of the Avid site to the east. The Planning Authority does not consider this to be an acceptable, site responsive design outcome.

The applicant is proposing to provide two no. own-door units on the western boundary of the site at ground floor which are accessed from Ravens Rock Road. The proposed own door access is welcomed by the Planning Authority and would activate the streetscape of Ravens Rock Road. However, the Planning Authority raise concerns regarding the privacy of the lower ground floor one-bed unit and in particular the private amenity space which is set off the public footpath by c.1m. Should An Bord Pleanála consider granting a planning permission which includes this unit, it is considered that the privacy issue can be addressed by way of condition by increasing the setback between the western façade and the public footpath along Ravensrock Road.

- Overbearing

The Planning Authority raises concerns that Block C, at 10 storeys, and Block B at 9 storeys would appear overbearing when viewed from the streetscape along Carmanhall Road having regard to the lack of a setback from the street. The applicant has submitted a Site Boundary Plan which identifies the areas for which the letter of consent from Dun Laoghaire Rathdown covers. Given the massing, height proposed and limited setback from the public footpath, the Planning Authority expresses serious concern that Block C and Block B, above 8 storeys, would overbear the streetscape. As discussed above, it is considered that should An Bord Pleanála consider granting planning permission, it is recommended that a condition is included requiring the applicant to omit two floors of Block C and one floor of Block B.

- Noise

Having regard to the proposed use of the subject development, primarily for residential purposes, it is not considered that the operational phase of the proposed development would give rise to levels of noise that would be inappropriate in a residential context within a suburban area. However, noting the positioning of the blocks adjacent to the boundaries of the site and the location of the roof gardens, it is recommended that a condition is included in any grant of planning permission requiring the Management Company to monitor and control potential noise disturbance during later night time hours to ensure residential amenity is maintained.

- Sunlight, Daylight & Overshadowing

It is noted that no assessment of Annual Probable Sunlight Hours (APSH) and Winter Sunlight on all windows for the surrounding development are included in the applicant's Daylight and Sunlight Analysis report as the site is surrounded by commercial development and this is not applicable to such development. It is considered that the adjacent commercial properties fall beyond the scope of assessment for sunlight and skylight levels.

It is noted that the applicant's report has not considered the potential impact on the residential amenities of future development to the east of the site and on the surrounding sites zoned for residential development. The Planning Authority notes significant concerns in this regard.

Within the Development

Within the development there is a concern that direct overlooking could occur between Block A and Block B where there is a proposed separation distance between habitable rooms of 8.9m above ground floor level and between Block B and Block C where there is a separation distance between habitable rooms proposed of c8m at ground floor levels with these separation distances increasing slightly above ground level. This is not

acceptable to the Planning Authority as it would represent a poor standard of residential amenity for future occupants and be contrary to CDP policy.

Should the Board consider granting planning permission it is recommended that some of the western facing windows in the relevant units of Block C are fitted with opaque glazing and that's some of the the southern facing windows of the relevant units of Block B are fitted with opaque glazing. If rooms' primary windows are left as clear glazing, but any secondary windows are opaquely glazed, it should be sufficient to address this issue.

8.8 Childcare

The proposed development includes a creche of 306sqm with an outdoor play area of 60.78sqm. The proposed development includes 55 no. two-bedroom and one no. three bedroom apartment units. Section 12.3.2.4 of the Development Plan notes that one childcare facility (20 child places) should be provided for every 75 no. dwelling units, with the exception for one bedroom and or studio type units which should not generally be considered to contribute to a requirement for any childcare provision, subject to location. The CDP states that this may also apply in part or whole, to units with two or more bedrooms.

Having regard to the proposed size of the creche floor area, Appendix 1 of the Childcare Guidelines regarding floor space area per child and the number of proposed two/three bedroom units, it is considered that the proposed creche facility is acceptable to the Planning Authority. The creche would give rise to a parking requirement of 5 no. car spaces. While the proposed set-down space beside the creche is welcomed, it is considered that 5 no. car parking spaces should be allocated from the undercroft parking area to cater for the creche should permission be granted.

8.9 Telecommunication

The applicant proposes to install 6 no. 0.3m dish antennas on support poles mounted with standoff brackets to the plant screen i-beams on the roof of Block C. This is stated to be telecoms mitigation infrastructure in the EIAR. Noting the design and location of the poles and dish antennas, the Planning Authority raise no concern in terms of negative visual impact, or adverse impact upon existing or future residential amenity.

8.10 Access, Car and Bicycle Parking

Access

The proposed development would have vehicular access from Ravensrock Road with egress onto Carmanhall Road. There is permability implied through the scheme for pedestrians, but it does not stand up to close inspection. East-west access through the site would be imeded along the entirety of the meridian of the 'shared' north-south road, as shown by the inclusion of a 2m high mesh fence along the entirety of the boundary as shown in the 'Boundary Treatment Plan' drawing. Futhermore the east-wst roadway off Ravensrock road would be devoid of a footpath and at a lower level than its surroundings as shown in Section 01 of the 'Sections 1 of 2' drawing, as submitted. This route is effectively a car park access ramp, not a 'green street' as depicted.

The north-south access would be fronted by undercroft parking to the west which is considered to represent a poor street environment having regard to high quality urban design principles. For example, there would be a lack of passive surveillance and animated street front at ground level with an artificially lit car park the main view to the west of the new road.

The proposed east-west link, via a bridge to the Avid site, is wholly dependent on the development of the Avid site in a timely manner in the manner envisaged by the submitted masterplan, and indeed would only ever be available to residents of the scheme. However, this cannot be guaranteed to be permitted or developed and it is open to the owner of the Avid site to apply for a different type and form of development at any time or not at all. The applicant has invited the Board to recognise that the bridge be implemented in full in association with the development of the adjoining site. The Planning Authority have serious concerns regarding the proposed east-west link bridge and the fronting of the north-south street with undercroft parking as these proposals represent sub-standard urban design solutions to achieve permeability within and without the site. There is a lack of planning certainly associated with these proposals, which leads the Planning Authority to conclude that the subject proposal is premature at this point in time.

The applicant is proposing a considerable amount of works to the public realm on land outside of their ownership. It is noted that no Taking in Charge drawing has been submitted which would clearly identify the taking in charge extents. Should an Bord Pleanála consider granting Planning Permission, it is recommended that this is addressed by way of condition.

The Planning Authority notes the quantum of works proposed to the public realm which are located on land owned by the Local Authority. As these public realm works are included within the red line boundary of the application, it is considered acceptable that this work would be undertaken by the applicant and that a section 48(2)(c) contribution is not required.

The Sandyford Cycle Improvement Scheme identifies that the existing Carmanhall Road as sub-standard in width and alignment for footpaths and cycle track. Regard is had to the applicant's Site Layout plan which identifies a future cycle lane along Carmanhall Road. At present the Sandyford Cycle Improvement Scheme is now subject to a Part 8 application. It is therefore recommended that should the Board consider granting planning permission that a condition is included requiring that prior to commencement the applicant shall obtain approval from the Planning Authority to ensure that the development does not conflict with the Sandyford Cycle Improvement Scheme.

Noting that the DLR Transportation Report outlines concerns in relation to the proposed access arrangements which it considers to be insurmountable, it is recommended that the application be refused on Transportation grounds.

Car Parking

Per Table 12.6 of the CDP, the proposed development would give rise to a car parking requirement of 137 no. spaces. The applicant has proposed 79 no. car parking spaces (0.38 spaces per unit) at undercroft and basement levels. This would give rise to a shortfall of 56 no. car parking spaces and 4 no. car share spaces based on the maximum car parking space standards for the SUFP area per Table 12.6. The Transportation report notes that *'typically to overcome this requirement there could be extra provision for club-car parking . There is no mention of club-car space and no letter to this effect from Go-Car or suitable operator. These specific number no. mobility parking spaces is not mentioned but this should be 5% of total spaces. 10% of total spaces should also be incorporated for visitor parking'*.

The provision of undercroft parking areas is not considered to be an optimal or high quality design solution and the planning authority would have a strong preference for underground parking in line with the principles of high quality urban design for high density development in order to avoid undercroft or surface parking provision.

Section 12.4.5.2(i) of the CDP provides the assessment criteria for deviation from the Car Parking Standards set out in Table 12.6. It is noted that the site is located in an accessible area in close proximity to public transport services with a range of services available in the area and that there would be urban design, regeneration and civic benefits generated by the proposal. It is noted that the car parking ratio would increase on foot of the recommendation to remove floors from the scheme. In this regard, subject to a minimum provision of 65 no. car spaces plus 4 no. car share spaces (total 69 no. spaces), the proposed car parking quantum is acceptable to the planning authority although the location in an undercroft layout is not acceptable.

It is noted that a considerable portion of the basement would likely be required to cater for external storage and other uses for the proposed future occupants and this would severely limit the car parking area available for future residents.

Greater use of car club parking, mobility spaces and EV charging points should also be considered in respect of the parking shortfall as recommended in the Transportation Report. Should planning permission be granted, a condition should be included requiring the applicant to demonstrate that parking provision is in line with the SUFP and or how the shortfall can be accommodated by provision of car club parking spaces, mobility spaces and EV charging points.

Cycle Parking

The applicant proposes to provide 240 cycle spaces at ground floor/undercroft and basement car park levels. The proposed cycle parking provision is noted to be below the standard set out in the DLR 'Standards for Cycle Parking and Associated Cycling Facilities for New Developments' (248 no. spaces) and to be below the standards of the Apartment Guidelines standards (311 no. spaces). While the quantum of cycle parking provision is welcomed by the Planning Authority, serious concern is had in relation to the cycle parking design and location with the lack of ground floor locations noted (see Transportation Report). The cycle parking would all be located at undercroft level. The location of the short-stay cycle parking is not specifically designated.

The DLR Cycle Parking standards include the following statement,

'Cycle parking should be convenient, accessible and be sited as close as possible to the principal destination (including entry and exit doors, lifts etc), with visitor parking no further than 25m from main entry points. Cycle parking should always be as near to or closer to the destination than the nearest non-disabled car parking space.'

Should An Bord Pleanála consider granting planning permission, it is considered that the conditions recommended in the DLR Transportation Report should be applied.

8.11 Building Height

Policy Objective PHP42 of the 2022-2028 CDP states that:

'It is a Policy Objective to:

- Encourage high quality design of all new development.*
- Ensure new development complies with the Building Height Strategy for the County as set out in Appendix 5 (consistent with NPO 13 of the NPF).'*

Section 3.2 of Appendix 5 of the 2022 CDP states that it is an objective of the SUFP Building Height Strategy to ensure that Sandyford Business District is developed in accordance with height limits set out in Map 3 of the SUPF. Map 3 of the SUFP identifies a building height limit of 8 storeys on the subject site.

The subject development proposes a maximum building height of 10 no. storeys, which therefore exceeds the requirements set out in Map 3 of the SUFP by two no. storeys. Notwithstanding that the development exceeds the height policy of the SUFP, the proposed height will be considered in more detail below having regard to the Building Height Strategy (Appendix 5) of the CDP.

Under Section 4.2.8 of the Building Height Strategy, it is stated that:

'SUFP policy 3 explains, that the building heights indicated on Map 3, have been established through an assessment of location, character of an area and proposed land use. The policy does allow for buildings to exceed the building height limit at certain locations subject to meeting identified performance criteria, which are set out.'

Policy Objective BHS 1 relates to increased height identifying the SUFP Area as appropriate for the consideration of taller buildings and states that *'proposals ensure a balance between the reasonable protection of existing amenities and environmental sensitivities, protection of residential amenity and the established character of the area'*.

Policy Objective BHS 2 goes on to state the following (emphasis added)

*Building Height in areas covered by an approved Local Area Plan or Urban Framework Plan (UFP must form part of the County Plan). It is a policy **objective to promote and support proposed heights as set out** in any approved statutory Local Area Plans and as set out for certain areas in this County Development Plan (**Sandyford Urban Framework Plan area, Dundrum Urban Framework Plan Area and Dun Laoghaire Urban Framework Plan area**).*

*Having regard to the Building Height Guidelines and more specifically in order to apply SPPR 3 **there may be instances where an argument can be made for increased height** and/or taller buildings in the areas mentioned above on the basis of placemaking. In those instances, any such proposals must be assessed in accordance with the **performance based criteria set out in table 5.1** which is contained in section 5. The onus will be on the applicant to demonstrate compliance with the criteria.*

Within the built up area of the County increased height can be defined as buildings taller than prevailing building height in the surrounding area. Taller buildings are defined as those that are significantly taller (more than 2 storeys taller) than the prevailing height for the area.

In this instance, the applicant has submitted a Material Contravention Statement which seeks to set out how the development complies with the Urban Development and Building Height Guidelines for Planning Authorities.

The following analysis sets out the Planning Authority's assessment of how the development complies with the relevant criteria under table 5.1 of Appendix 5 – Building Height Strategy of the CDP.

Criteria for all such proposals	DM Requirement & Assessment
At County Level:	
<i>Proposal assists in securing objectives of the NPF, in terms of focusing development in key urban centres, fulfilling targets in relation to brownfield, infill</i>	The proposal would be located in Sandyford Business District, which is considered to be a strategic employment centre in the county. The SUFP for the area targets residential growth on such brownfield land

Criteria for all such proposals	DM Requirement & Assessment
<i>development and delivering compact growth.</i>	and the development would be considered infill development and to provide compact growth.
<i>Site must be well served by public transport – i.e. within 1000 metre/10 minute walk band of LUAS stop, DART Stations or Core/Quality Bus Corridor, 500 metre/5 minute walk band of Bus Priority Route - with high capacity, frequent service and good links to other modes of public transport.</i>	The site is located within close proximity to the Sandyford Luas Stop within a 10 minute walk as defined by Car Parking Zone 2 of the CDP, which is considered to be a high capacity frequent service with good links to other modes of public transport.
<i>Proposal must successfully integrate into/enhance the character and public realm of the area, having regard to topography, cultural context, setting of key landmarks. In relation to character and public realm the proposal may enclose a street or cross roads or public transport interchange to the benefit of the legibility, appearance or character of the area.</i>	<p><i>Landscape and visual assessment by suitably qualified practitioner. Urban Design Statement. Street Design Audit (DMURS 2019).</i></p> <p>The applicant has submitted an Architect's Design Statement including Urban Design assessment, Verified Photomontages and a Stage 1 Quality Audit which incorporates the DMURS Street Design Audit.</p> <p>Having regard to the modulation of the proposed facades, with the exception of the undercroft parking area, and the differing positions of the blocks relative to Carmanhall Road and Raven's Rock Road, the enclosure provided to the street, together with the proposed height, it is considered that the development up to 8 storey level integrates into and enhances the character and public realm of the area while the proposed storeys above this level fail to integrate in this regard.</p> <p>Furthermore, the eastern ground level/undercroft area façade facing the proposed new north-south street is considered to be a poor design response, that fails to appropriately enclose the public realm / street and does not benefit the legibility, appearance or character of the area as it lacks building frontage and animation to the street and would present an artificially lit undercroft parking area facing the street. The Planning Authority does not concur with the Applicant's assertion that this design outcome complies with DMURS.</p>

Criteria for all such proposals	DM Requirement & Assessment
<p><i>Protected Views and Prospects: Proposals should not adversely affect the skyline, or detract from key elements within the view whether in foreground, middle ground or background. A proposal may frame an important view.</i></p>	<p>There are no protected views or key landmarks proximate to the site.</p>
<p><i>Infrastructural carrying capacity of area as set out in Core Strategy of CDP, relevant Urban Framework Plan or Local Area Plan.</i></p>	<p>The density of the development at 363uph greatly exceeds the density set out for the site at 150uph in the SUFP. The Planning Authority therefore has serious concerns regarding the scale/quantum of development being proposed, which is substantially greater than what is envisaged in the SUFP.</p> <p>Regard is had to the letter submitted from Irish Water which states that both water and wastewater connections are feasible without upgrades and that there is capacity currently available in the Irish Water network to accommodate the proposed development.</p>
<p>At District/Neighbourhood/Street Level:</p>	
<p><i>Proposal must respond to its overall natural and built environment and make a positive contribution to the urban neighbourhood and streetscape.</i></p>	<p><i>Proposal should demonstrate compliance with the 12 criteria as set out in "Sustainable Residential Development in Urban areas, Guidelines for Planning Authorities" 2009. Street Design Audit (DMURS 2019).</i></p> <p>Best Practice Design Manual criteria</p> <ol style="list-style-type: none"> 1. Context: How does the development respond to its surroundings? 2. Connections: How well is the new neighbourhood / site connected? 3. Inclusivity: How easily can people use and access the development? 4. Variety: How does the development promote a good mix of activities? 5. Efficiency: How does the development make appropriate use of resources, including land? 6. Distinctiveness: How do the proposals create a sense of place? 7. Layout: How does the proposal create people-friendly streets and spaces? 8. Public realm: How safe, secure and enjoyable are the public areas? 9. Adaptability: How would the buildings cope with change?

Criteria for all such proposals	DM Requirement & Assessment
	<p>10. Privacy / amenity: How do the buildings provide a high quality amenity? 11. Parking: How would the parking be secure and attractive? 12. Detailed design: How well thought through is the building and landscape design?</p> <p>The applicant has submitted an Architect's Design Statement which addresses how the proposal complies with the 12 criteria detailed in the Urban Design Manual accompanying the 'Sustainable Residential Development in Urban areas, Guidelines for Planning Authorities' 2009.</p> <p>The Planning Authority have concerns in relation to how well the scheme delivers on the criteria in the Urban Design Manual, particularly around Criteria no. 1 Context, no. 2 Connections (specifically the undercroft fronted new street and proposed pedestrian bridge and connections not at grade), no. 7 Layout (daylight and sunlight impacts), no. 8 Public Realm, no. 10 Privacy / amenity and no. 11 Parking. These items have already been discussed in previous sections of the report.</p> <p>Notwithstanding these issues the Planning Authority considers that where there are shortcomings in terms of delivering on the 12 No. criteria, the issues arising may be addressed via conditions should a grant be deemed appropriate with the exception of the connection and layout issues relating to the public realm issues relating to the undercroft area and the proposed pedestrian bridge, the layout issues regarding daylight and sunlight provision and the under provision of dual aspect units.</p>
<p><i>Proposal should not be monolithic and should avoid long, uninterrupted walls of building in the form of slab blocks.</i></p>	<p><i>Design Statement</i></p> <p>The submitted Architect's Design Statement is considered to meet the design statement requirement.</p> <p>The design of the facades of the proposed blocks are appropriately broken down through the introduction of vertical elements such as the proposed different external cladding materials, two tone bricks, recesses and design treatments in</p>

Criteria for all such proposals	DM Requirement & Assessment
	the various vertical sections. This avoids slab block effects as required.
<i>Proposal must show use of high quality, well considered materials.</i>	<p><i>Design Statement.</i> <i>Building Life Cycle Report.</i></p> <p>The submitted plans, documentation and Building Lifecycle Report demonstrates the high quality and well considered materials proposed.</p>
<i>Proposal where relevant must enhance urban design context for public spaces and key thoroughfares and marine or river/stream frontage.</i>	<p><i>Must also meet the requirements of "The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009".</i></p> <p>The site is not located on a marine/ stream frontage.</p> <p>The development provides a pocket park of public open space fronting Carmanhall and two new streets and this is welcomed in principle by the Planning Authority, however part of the proposed new streets would be faced by undercroft parking areas which is not considered to provide a high quality public realm, especially for pedestrians and cyclists.</p> <p>As stated within this planning report there are concerns regarding the overbearing impact of the development on the public realm on Carmanhall Road due to the height and positioning proposed.</p>
<i>Proposal must make a positive contribution to the improvement of legibility through the site or wider urban area. Where the building meets the street, public realm should be improved.</i>	<p>Architect's Design Statement is noted.</p> <p>The positioning of Block C fronting Carmanhall Road and Block B and A fronting Raven's Rock Road is welcomed as this would create a new building line and enclosure. The position of the proposed pocket park fronting both of these streets would provide urban greening and modulation of the new urban environment.</p> <p>As stated within the report there are concerns regarding the overbearing impact of Block C and Block B on the public realm on Carmanhall Road and in relation to undercroft parking fronting the new north-south street and the proposed pedestrian bridge. Due to the positioning of the site,</p>

Criteria for all such proposals	DM Requirement & Assessment
	public realm works are proposed on land outside the applicant's ownership on the grass verge.
<i>Proposal must positively contribute to the mix of uses and /or building/dwelling typologies available in the area.</i>	<i>Design Statement.</i> The development would deliver a mixture of mainly studio, one and two bedroom build to rent apartments in addition to public and communal open space in this emerging high density area. This is considered to contribute in this regard.
<i>Proposal should provide an appropriate level of enclosure of streets or spaces.</i>	<i>Design Statement.</i> It is considered that the scheme fronting Carmanhall Road and Raven's Rock Road would provide a significant public realm upgrade and enhanced urban grain that would improve the legibility of the urban area and as a result has been appropriately designed to provide a sense of enclosure on these roads. It would provide similar effects in terms of the new streets and spaces to be created within the scheme except where the undercroft parking area would front the new north-south street. As stated within this planning report there are also concerns regarding the overbearing impact of the development on the public realm on Ravens Rock Road due to the height and positioning proposed.
<i>Proposal should be of an urban grain that allows meaningful human contact between all levels of buildings and the street or spaces.</i>	The development proposes to provide some own door and residential amenity space at ground floor level. This is welcomed and is considered to provide meaningful human contact.
<i>Proposal must make a positive contribution to the character and identity of the neighbourhood.</i>	The design makes a positive contribution to the character of the neighbourhood through high quality finishes, the creation of new streets and through the enclosure of these streets and spaces including through the inclusion of passive surveillance except for the undercroft parking fronting the new north-south street. The provision of open space fronting Carmanhall Road and Raven's Rock Road and the retention of mature trees at this corner would make a positive contribution to the character of the area.
<i>Proposal must respect the form of buildings and landscape around the site's edges and</i>	Please see section 8.7 Impacts on Residential and Visual Amenity above.

Criteria for all such proposals	DM Requirement & Assessment
<i>the amenity enjoyed by neighbouring properties.</i>	The detailed design of the elevations of the blocks above ground level are considered to appropriately respect both the existing and emerging urban form of the area. It is considered that these matters can be addressed by way of condition.
At site/building scale	
<i>Proposed design should maximise access to natural daylight, ventilation and views and minimise overshadowing.</i>	<i>Must address impact on adjoining properties/spaces/</i> Please see section 8.7 Impacts on Residential and Visual Amenity above.
<i>Proposal should demonstrate how it complies with quantitative performance standards on daylight and sunlight as set out in BRE guidance "Site Layout Planning for Daylight and Sunlight" (2nd Edition). Where a proposal does not meet all the requirements, this must be clearly identified and the rationale for any alternative, compensatory design solutions must be set out. On relatively unconstrained sites requirements should be met.</i>	The applicant's Daylight and Sunlight Assessment fails to addresses these issues as outlined in section 8.7 Impacts on Residential and Visual Amenity herein.
<i>Proposal should ensure no significant adverse impact on adjoining properties by way of overlooking overbearing and/or overshadowing.</i>	Please see section 8.7 Impacts on Residential and Visual Amenity herein which raises concern regarding the overbearing impact of the development on Carmanhall Road to the north due to the height proposed.
<i>Proposal should not negatively impact on an Architectural Conservation Area (ACA) or the setting of a protected structure.</i>	N/A
<i>Proposals must demonstrate regard to the relative energy cost of and expected embodied and operational carbon emissions over the lifetime of the development. Proposals must demonstrate maximum energy efficiency to align with climate policy. Building height must have regard to the relative energy cost of and expected embodied carbon emissions over the lifetime of the development</i>	The applicant has submitted a Building Lifecycle Report which sets out the energy requirements associated with the development. The Planning Authority is satisfied that the proposal has demonstrated regard to the relative energy cost and expected embodied and operational carbon emissions over the lifetime of the development and would be built to modern (Part L) building regulations standards.
County Specific Criteria	

Criteria for all such proposals	DM Requirement & Assessment
<i>Having regard to the County's outstanding architectural heritage which is located along the coast , where increased height and/or taller buildings are proposed within the Coastal area from Booterstown to Dalkey the proposal should protect the particular character of the coastline. Any such proposals should relate to the existing coastal towns and villages as opposed to the coastal corridor.</i>	<p>An urban design study and visual impact assessment study should be submitted and should address where appropriate views from the sea and/or piers.</p> <p>N/A – The site is located at a significant remove from the coastal area and coastal towns and villages.</p>
<i>Having regard to the high quality mountain foothill landscape that characterises parts of the County any proposals for increased heights and/or taller building in this area should ensure appropriate scale, height and massing so as to avoid being obtrusive.</i>	<p>An urban design study and visual impact assessment study should be submitted.</p> <p>The applicant's Architect's Design Statement include CGI images, Verified Photomontages, demonstrates how the proposal would sit in the surrounding urban context and would not give rise to undue negative impacts on the high quality mountain foothill landscape of the County by reason of scale, height and massing and would not be visually obtrusive in this wider context as shown by the applicant's design reports.</p>
<i>Additional specific requirements (Applications are advised that requirement for same should be teased out at pre planning's stage).</i>	N/A
<i>Specific assessments such as assessment of microclimatic impacts such as down draft.</i>	Having regard to the Wind and Microclimate section of the EIAR, the Planning Authority is satisfied that the development would not create an unpleasant environment in the public areas surrounding the site or in the private and communal amenity spaces for the residents.
<i>Potential interaction of building, materials and lighting on flight lines in locations in proximity to sensitive bird/bat areas.</i>	The Ecology and Biodiversity section of the EIAR prepared by Golder confirms no impact on bird or bat sensitive areas.
<i>Assessment that the proposals allows for the retention of telecommunications channels, such as microwave links.</i>	Please see section 8.9 above in this report which refers to how the Utilities Report submitted by the applicant raises no concerns.
<i>An assessment that the proposal maintains safe air navigation.</i>	N/A – proposed height of 10no. storeys is not considered to impact air navigation.
<i>Relevant environmental assessment requirements, including SEA, EIA (schedule</i>	This is a matter for An Bord Pleanála and will not be assessed in this report.

Criteria for all such proposals	DM Requirement & Assessment
<i>7 information if required), AA and Ecological Impact Assessment, as appropriate.</i>	
<i>Additional criteria for larger redevelopment sites with taller buildings</i>	N/A
<i>Proposal should make a positive contribution to place making, incorporating new streets where appropriate, using massing and height to achieve densities but with variety and scale and form to respond to scale of adjoining development.</i>	<p>While the Planning Authority welcome the public open space of a pocket park, new streets, communal spaces, the retention of mature trees, the high quality materials, varied elevation treatments, urban greening and activating street frontage at ground floor through the provision of own door units and tenant amenities; the Planning Authority also have serious concerns regarding the overbearing impact of the development on Carmanhall Road due to the height of Block C and B above the eighth floor level and the positioning of the building with limited setback from the public footpath. The proposed height above the eighth floor level is not considered to be within a tolerable limit of the parameters set for the site in the SUFP due to the overbearing impacts noted in this report. The Planning Authority also has serious concerns regarding the location of undercroft parking fronting the new north-south street and the absence of appropriate enclosure, street animation and passive surveillance from this car park level.</p> <p>The Planning Authority note that the proposed north-south internal street shall sit c.4m deep from the podium level above, thus creating an unsafe environment for children playing within the internal courtyard as well as an unsafe environment for people to walk along at grade with car parking on either side. This design response is not considered to comply with DMURS nor the placemaking objectives of the CDP.</p>
<i>For larger unconstrained redevelopment sites BRE standard for daylight and sunlight/any forthcoming EU standards on daylight sunlight should be met.</i>	The applicant's Daylight and Sunlight Assessment addresses these issues as outlined in section 8.7 Impacts on Residential and Visual Amenity of this Planning Report. Please refer to Section 8.7 for an assessment of same.

Having examined the criteria under Table 5.1 of Appendix 5 Building Height Strategy of the CDP, the proposed height of the development is not considered to meet all of the

relevant safeguarding criteria above and the proposed building height of Blocks B and C above eighth floor level is not considered acceptable based on the relevant CDP and SUFP building height policies.

However, should An Bord Pleanála be minded to grant permission, the Planning Authority have considered and would recommend that the following condition be included regarding the height of the apartments:

The proposed development shall be amended as follows:

The 4th and 5th floors of Block C and the 4th floor of Block B shall be omitted in their entirety. The maximum permitted height of the apartment Blocks B and C shall be 8 no. floors above basement level.

The above condition would ensure that the development aligns with the SUFP and in particular section 3.5.4 which states that Carmanhall Road shall be contained by tall buildings at either end.

In addition to assessment of building height under the County Development Plan, the Planning Authority is obliged under Section 28(1C) of the Planning Act to consider SPPR3 of the Urban Development and Building Height Guidelines (2018), and to comply, where necessary. SPPR 3 allows for the Planning Authority to consider approving development 'even where specific objectives of the relevant development plan or local area plan may indicate otherwise'. It is considered that there are no specific objectives of the County Development Plan or the SUFP which would indicate an assessment or conclusion on the issue of height that would run contrary to an assessment or conclusion undertaken on foot of the Urban Development and Building Height Guidelines.

As such, the Planning Authority's position on the issue of height is based on the assessment above. It is noted that the criteria under the guidelines are substantively replicated in the County Development Plan.

8.12 Surface Water Drainage & Flood Risk

The Board is referred to the report from the Drainage Section which is included in appendix A.

8.13 Part V/Social Housing

The applicant proposes to comply with the Part V requirements by way of the provision of 20 units at ground and first floor levels of Block A via a long-term lease. These units would be broken down into 4 no. studio units, 10 no. one bedroom units and 6 no. two bedroom units in Block A on the site. It is noted that 20 units equates to 9.6% of the total number of proposed units. The applicant states that the proposed 20 units represent 10% of 'all floor area'.

As per the report from the Housing Section, the Housing Department are prepared to provisionally accept the Part V provision proposed. However, the report highlights that as the government is phasing out long term leasing of social housing, the Part V proposal will be reviewed through compliance should planning permission be granted. Should Part V units be provided in the scheme a condition should also be attached to ensure the occupants of these units enjoy the same access to communal facilities and spaces as all other residents.

8.14 Construction Management and Construction and Operational Waste Management

The Board is referred to the report from the Environment Health Officer which is included in Appendix A. As noted in the report, should the Board consider granting Planning Permission, it is recommended that conditions are included requiring the agreement of a construction environmental management plan and a construction and demolition waste management plan.

8.15 Building Life Cycle Report

The applicant has submitted a Building Life Cycle Report in accordance with Section 6.13 of the Design Standards for New Apartments. The proposed measures to effectively manage and reduce costs for the benefit of residents are noted. The use of high quality and robust materials that requires minimal on-going maintenance is welcomed. Details of the Owners' Management Company should be provided to the Planning Authority should permission be granted.

8.16 Archaeology

The findings of the submitted Archaeological Assessment report (Appendix 10.1 of the EIAR) are noted which state that there is no predicted impact upon the archaeological resource as a result of the proposed development and an agreed Archaeological Strategy be implemented for the construction phase of development. This can be dealt with by condition should permission be granted.

8.17 Ecological Impacts

The findings and recommendations of the Ecology and Biodiversity chapter of the EIAR are noted. It is recommended that should permission be granted a condition be attached requiring the mitigation measures to be implemented in full.

8.18 Development Contributions

The subject development, if granted shall be subject to the Council's S.48 Development Contributions Scheme. The proposed development is located within an area subject to supplementary S.49 development contributions in respect of the Luas Line B1 extension.

It should be noted that the contribution calculations given by way of appendix at the end of this report are based on a full build-out of the scheme as proposed, and these contributions would need to be reduced if parts of the scheme are removed by condition, as recommended by the planning authority.

8.19 Taking in Charge

It is noted that the applicant has not proposed any areas to be taken in charge and that no specific Taking in Charge drawing has been submitted with the application. Regard is had to the letter of consent which has been submitted by Dun Laoghaire Rathdown County Council. Notwithstanding this, in order to accord with Development Plan Section 12.8.3.1, the Planning Authority respectfully requests that the Bord include conditions on any permit that may issue requiring that all works within the identified public open space area be completed to taking in charge standard and be fully accessible to the public at all times.

8.20 Appropriate Assessment/Environmental Impact Assessment

The Applicant's submission of reports in support of AA Screening and Natura Impact Statement and EIA Screening are noted.

An Bord Pleanála is the competent authority in terms of screening the development at application stage for appropriate assessment and ecological impact assessment.

9.0 CONCLUSIONS

The issues expressed in the submissions received have been noted by the Planning Authority and have been taken into consideration in the assessment of the proposed development.

Having regard to the site's zoning objective of 'A2', the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022 - 2028, the National Planning Framework, the Regional Spatial and Economic Strategy and the Section 28 Guidelines for Planning Authorities, the Planning Authority, while welcoming the redevelopment of this underutilised brownfield site in principle, has serious concerns regarding the layout of the development including the inclusion of undercroft parking and the provision of a bridge above a new street negating at grade crossing and the associated negative urban design attributes of same; the significantly excessive residential density proposed; the height of Blocks B and C above 8 storeys and the overbearing visual impact this will have on the streets in close proximity, which would negatively impact the character of the area; the deficient number of dual aspect units; the inadequacies and omissions contained in the applicant's daylight / sunlight analysis; the inadequate play areas to be provided for children and the inadequate separation distances proposed between blocks and to the east of the site.

The proposed development thereby contravenes the zoning objective A2 which seeks to provide for the creation of sustainable residential neighbourhoods and preserve and protect residential amenity. It is considered that by virtue of its height in relation to Carmanhall Road and Ravensrock Road, the proposed development would result in an adverse visual impact on the streetscape by way of an overbearing impact. It is considered that the inclusion of undercroft parking fronting a new urban street and a pedestrian bridge crossing over this is not in accordance with the principles of high quality urban design that require enclosure, street animation, passive surveillance and permeability.

The Planning Authority are not in favour of permitting the scheme as proposed; consider the proposal to be premature and lacking planning certainty; and are of the view that there are no conditions that can adequately remedy the recommended reasons for refusal stated below. Notwithstanding this conclusion, the Planning Authority has provided suggested conditions for the Bord's consideration should the scheme be granted permission.

10. RECOMMENDATION

It is recommended that permission be refused for the proposed development for the following reasons:

1. The proposed development represents piecemeal development. The proposed east-west pedestrian link, via a bridge, to the adjacent Avid site to the east, is wholly dependent on the development of the Avid site in a timely manner and in line with the development of the subject site and the submitted masterplan for the two sites and the development of the adjacent site in the manner envisaged cannot be reasonably conditioned if permission is granted for the subject development. The masterplan

development cannot be guaranteed to be permitted or developed. The Planning Authority consider that the proposed east-west link bridge, the fronting of the north-south street with undercroft parking on to the new street, and the quality of the east-west route along the site's southern boundary is substandard having regard to Policy Objective PHP35 – Healthy Placemaking - of the Development Plan. These proposals represent sub-standard urban design solutions that fail to enclose the street, animate the street, provide passive surveillance and fail to achieve permeability within and without the site by the absence of an at-grade crossing. Furthermore, the development at the subject site would, if permitted with the layout envisaged, set an undesirable precedent for similar development. The proposed layout in this regard would materially contravene the stated zoning objective, which is 'to provide for the creation of sustainable residential neighbourhoods and preserve and protect residential amenity' as set out in the Dun Laoghaire Rathdown County Development Plan 2022 – 2028 and is contrary to the proper planning and sustainable development of the area.

2. The proposed development at 363 units per hectare is considered to not accord with the density permitted in the Dun Laoghaire Rathdown County Development Plan 2022 – 2028 (CDP) at 150 uph for the subject site. The Planning Authority therefore considers the scale/quantum of development being proposed, which is substantially greater than what is envisaged in Sandyford Urban Framework Plan (CDP Appendix 16, zone 5, map no. 2), to materially contravene the density policies of the Development Plan and to be contrary to the proper planning and sustainable development of the area.
3. 40% of the scheme apartment units would be dual aspect units which is contrary to Section 12.3.5.1 of the Dun Laoghaire Rathdown County Development Plan 2022 – 2028 which requires a minimum of 50% dual aspect apartments in a single apartment scheme. The proposed development, in this regard, would materially contravene the Development Plan objectives relating to residential amenity for future occupants of the units and represents a sub-standard form of development that is contrary to the proper planning and sustainable development of the area.
4. Having regard to Table 12.11 in relation to standards of private open space of the Dun Laoghaire Rathdown County Development Plan 2022 – 2028, it is considered that the subject scheme fails to comply with the standards of private open space including for the three-bedroom unit where 4.73sqm of private open space is proposed and for the one-bedroom apartment type 10 where Juliet balconies are provided and in respect of a small number of other units. This would constitute a sub-standard level of residential amenity for future occupants of the development contrary to policy. This would materially contravene the private open space objectives of the Development Plan and is contrary to the proper planning and sustainable development of the area.
5. Having regard to the inadequate separation distances between the proposed development and adjacent sites to east, it is considered that an unreasonable level of overlooking would occur and that this would negatively impact the development potential of the site to the immediate southeast. This is contrary to policy and to the proper planning and sustainable development of the area.
6. The proposed access arrangements and internal access layout and parking arrangements are considered to be sub-standard and the issues that arise are considered to be insurmountable from a Transportation Planning perspective. The proposed access arrangements would endanger public safety by reason of a traffic hazard or obstruction.

Note: the Planning Authority also has serious concerns in relation to inadequate external storage space for the apartments, inadequate amenities and facilities for the build-to-rent

units and inadequate play areas for children, which it considers cannot be adequately remedied by conditions without significant knock-on impacts on other aspects of the development, for example car and bicycle parking provision and dual aspect provisions, whereby a significant re-design of the development would be required that is outside the scope of this application. The inadequate separation distances between habitable rooms below 9 metres between Block A and B and below 8 metres between Block B and C would also represent a poor standard of residential amenity for future occupants.

11 SUGGESTED CONDITIONS

Planning and Design

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specification lodged with the application, save as may be required by the other conditions attached hereto.

Reason: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2. The development hereby permitted shall be for build to rent units which shall operate in accordance with the definition of Build to Rent developments as set out in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, 2020 and be used for long term rentals only. No portion of this development shall be used for short term lettings.

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

3. Prior to the commencement of development, the owner shall submit, for the written consent of the planning authority, details of a proposed covenant or legal agreement which confirms that the development hereby permitted shall remain owned and operated by an institutional entity for a minimum period of not less than 15 years and where no individual residential units shall be sold separately for that period. The period of 15 years shall be from the date of occupation of the first residential unit within the scheme

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

4. Prior to expiration of the 15-year period referred to in the covenant, the owner shall submit for the written agreement of the planning authority, ownership details and management structures proposed for the continued operation of the entire development as a Build-to-Rent scheme. Any proposed amendment or deviation from the Build-to-Rent model as authorised in this permission shall be subject to a separate planning application.

Reason: In the interest of orderly development and clarity.

5. The proposed development shall be amended as follows:

a. Prior to commencement of development the developer shall submit a phasing plan for the agreement of the planning authority, for the construction of the pedestrian bridge between the 'Tack' and 'Avid' sites. This plan shall have regard to the timing of commencement notices for the two sites and any agreement between the two parties for the delivery of this structure.

b. Prior to the commencement of development, the applicant shall submit details of the design of the pedestrian bridge for agreement with the planning authority. The proposed pedestrian bridge shall be implemented with the agreement of the adjacent landowner within three years of the date of the commencement of development. Where the proposed bridge cannot be delivered the applicant shall provide an alternative east-west pedestrian link between the courtyard open space at podium level to the adjacent site to the east that aligns with the location of the open space and the adjacent site to the east.

c. The 4th and 5th floors of Blocks C and the 4th floor of Block B shall be omitted in their entirety. The maximum permitted height of the apartment Blocks B and C shall be 8 no. floors above basement level.

- d. Prior to the commencement of development, the applicant shall submit details of which proposed apartment units in the lower ground, ground and first floor levels of Block A, B and C which shall be used for communal BTR services/facilities and amenities in line with the identified shortfall of such space of 620sqm identified. A minimum of 300sqm of the communal BTR space shall be used for residential support facilities. The lower ground floor unit of Block B identified on the floor plans as 'Shared Amenity ?' shall be used by the scheme concierge service which the scheme shall provide on a 24 hour, 7 days a week basis.
- e. A minimum setback of 1.5m from the public footpath shall be provided to the western boundary of the private open space of the lower ground floor one-bedroom unit in Block B.
- f. Any non-primary western facing windows of the relevant apartment units of Block C that are located within 18m directly opposing a unit in Block B and any non-primary southern facing windows of the relevant apartment units of Block B that are located within 18m directly opposing a unit of Block A, shall be fitted with opaque glazing. A non primary window in this instance means a window other than the main window for a given room.

Reason: In the interests of visual and residential amenities and to provide an appropriate quality of public realm.

6. All communal facilities, amenities and open space shall be available to use by all residents of the scheme on the same basis without restriction and without restriction based on type of tenancy or type of unit occupied.

Reason: in the interests of residential amenity and orderly development.

7. Prior to the commencement of development, the applicant shall submit details of the barriers at the roof terraces for agreement with the Planning Authority.

Reason: In the interests of safety.

8. The Prior to the commencement of development, the applicant shall submit revised plans for agreement with the Planning Authority which provide external storage for bulky items for each apartment unit at ground floor level in accordance with Section 12.3.5.3 of the County Development Plan.

Reason: To accord with Section 12.3.5.3 of the 2022 – 2028 County Development Plan.

9. No access to the roof gardens should be facilitated outside daylight hours or after 8pm, whichever is the earlier.

Reason: To protect the residential amenities of adjacent properties.

10. Each apartment shall be used as a single dwelling unit only and shall not be subdivided in any manner or used as two or more separate habitable units.

Reason: To prevent unauthorised development.

11. Details of all external finishes including materials, colours and textures shall be submitted prior to the commencement of development for the written agreement of the Planning Authority.

Reason: In the interests of visual amenity.

12. All public services to the proposed development, including electrical, telephone cables and equipment shall be located underground throughout the entire site. Provision shall be made for broadband connectivity in the development.

Reason: In the interests of amenity.

13. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling storage tanks, ducts or other external plant, telecommunications aerials, antennas or equipment, unless authorised by a further grant of planning permission. Reason: To protect the residential amenities of the properties in the vicinity and the visual amenities of the area.
14. Proposals for an apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and apartment numbers, shall be provided in accordance with the agreed scheme. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name.
Reason: In the interest of urban legibility.

Housing

15. Prior to the commencement of development, the applicant, or any other person with an interest in the land to which the application relates, shall comply with requirements of Part V, Section 96 of the Planning and Development Act 2000, as amended, and in accordance with agreement to be reached with the County Council's Housing Department, unless the applicant shall have applied for and been granted an exemption certificate under Section 97 of the Planning & Development Act, 2000, as amended. In this regard, the Applicant shall submit a detailed submission to include, inter alia, existing and development use land values, construction, development and any attributable costs associated with the development.
Reason: To comply with Part V of the Planning and Development Act, 2000 as amended.

Drainage

16. Prior to the commencement of development, the applicant shall submit to the Planning Authority for its written agreement evidence that shows the proposed development meets the criteria for green roof provision, as set down in the County Development Plan 2022-2028. As described within the planning documents a minimum of 50% of the roof area shall be intensive, with a total green roof area of 60%. The Green roofs shall be designed in accordance with The SUDS Manual (C753) and BS EN 12056-3:2000. Prior to the commencement of development, the applicant shall submit full dimensioned construction details of the proposed Green Roofs to the Planning Authority for its written agreement. Details shall include a construction plan and a post-construction maintenance specification and schedule. Maintenance contractors with specialist training in green roof care should be used. The applicant shall also provide details of maintenance access to the green roofs and should note that in the absence of a stairwell type access to the roof, provision should be made for alternative maintenance and access arrangements such as external mobile access that will be centrally managed. Thereafter, the works shall be carried out in accordance with the agreed details and the green roof shall be maintained at all times in accordance the post-construction maintenance specification and schedule, which shall be included in the Safety File.
Reason: In the interest of public health.
17. Prior to the commencement of development, the applicant shall submit to the Planning Authority for its written agreement details to show all drainage within the basement is directed to the foul network.
Reason: In the interest of public health.

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18. Prior to the commencement of development, the applicant shall submit to the Planning Authority for its written agreement construction management plan and programme of works that amongst other items provides for interception, containment and treatment of construction runoff. No construction runoff should be diverted to proposed SuDS measures. Any surface water sewer pipes used to convey construction runoff should be thoroughly cleaned before subsequent connection to SuDS elements.
Reason: In the interest of public health.
19. Prior to the commencement of development, the applicant shall submit full dimensioned construction details of the proposed attenuation systems to the Planning Authority for its written agreement. All relevant inlet and outlet levels, dimensioned clearances between other utilities, and actual depths of cover to the system and details of the proposed inlet and outlet manholes and arrangements to facilitate draw down and maintenance shall be provided. Details shall also include a construction plan and a post-construction maintenance specification and schedule. Thereafter, the works shall be carried out in accordance with the agreed details and the attenuation system shall be maintained at all times in accordance the post-construction maintenance specification and schedule, which shall be included in the Safety File.
Reason: In the interest of public health.
20. The SuDS measures shall be designed in accordance with The SUDS Manual (C753). Where SuDS measures are within 1000mm of groundwater the measures shall be lined to prevent ingress of groundwater. Prior to the commencement of development, the applicant shall submit full dimensioned construction details of the proposed SuDS measures to the Planning Authority for its written agreement. Details shall include a construction plan and a post-construction maintenance specification and schedule. Maintenance contractors with specialist training in SuDS care should be used. Thereafter, the works shall be carried out in accordance with the agreed details and the SuDS measures shall be maintained at all times in accordance the post-construction maintenance specification and schedule, which shall be included in the Safety File.
Reason: In the interest of public health.
21. Prior to the commencement of development, the applicant shall submit full details of the flow control devices, including model and make number, orifice size and flow control hydraulic characteristics graph. The flow control devices will not be permitted to have a bypass door and a penstock must be provided in the manhole in which each flow control device is located.
Reason: In the interest of public health.
22. Prior to the commencement of development, the applicant shall submit to the Planning Authority for its written agreement a Stage 2 - Detailed Design Stage Stormwater Audit, as required under Policy EI9: Stormwater Impact Assessments of the County Development Plan, so as to check the detail of all the SuDS elements and to ensure that any necessary amendments have been included in the construction stage drawings. The applicant shall also submit to the Planning Authority a 1-2 page design statement for the drainage systems noting critical elements and describing how they operate.
Reason: In the interest of public health.
23. Upon completion of the development, the applicant shall submit to the Planning Authority for its written agreement a Stage 3 Completion Stage Stormwater Audit to ensure the SuDS measures were installed and working as designed, no misconnections have taken place and that damage has not occurred to any of the stormwater drainage infrastructure during construction. A report shall, be issued

to the Planning Authority and any necessary recommendations carried out, unless agreed otherwise with the Planning Authority. This stage may require the installation of flow monitors and/or dye testing; the extent of monitoring will depend on the findings of the audit. A CCTV survey shall be carried out of all stormwater pipes and the survey and report forwarded to the Planning Authority.
Reason: In the interest of public health.

24. Prior to the commencement of development, the applicant shall submit to the planning authority for its written approval, details of the 50% blockage analysis of the surface water drainage system carried out, details of any flooding caused, and potential impacts/mitigation measures provided.

Transportation

25. Prior to commencement the applicant needs to demonstrate an appropriate ground floor loading bay or drop off zone for deliveries, maintenance and refuse collection within the applicant site that does not obstruct access to the residential cycle parking. An autotrack drawing must also be provided demonstrating refuse vehicle movement at this drop off area.

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

26. Prior to commencement the applicant needs to demonstrate car parking provision in line with the reduced standard of the SUFP of 137 car parking and/or demonstrates how shortfall can be accommodated by provision of club-car parking spaces, mobility spaces and EV charging points. The applicant is requested to demonstrate 10% of these spaces to be available for visitor parking and demonstrated in the parking layout.

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

27. The Applicant is requested to provide full dimensioned details of location and area of all cycle parking areas (resident and visitor cycle parking) demonstrating required cycle provision correctly designed in accordance with the Dun Laoghaire Rathdown County Council – Standards for Cycle Parking and associated Cycling Facilities for New Developments (January 2018). http://www.dlrcco.ie/sites/default/files/atoms/files/dlr_cycle_parking_standards_0.pdf.

Short-term Cycle Parking: The Applicant shall submit revised drawings and details which demonstrate the required 104 number short term cycle parking spaces designed in accordance with the DHPLG Apartment Guidelines 2018 . The drawings should clearly identify the location and also demonstrate that a minimum of 50% of short-term cycle parking should be covered with minimum spacing of 1m between cycle stands. Drawings should clearly identify the locations, type of cycle stands, dimensions and spacing in accordance with the DLR's Standards. Short term parking is visitor parking for the development and cannot be considered in areas for public amenity on Carmanhall road or taken in charge.

Long-Term Cycle Parking: The Applicant shall submit revised drawings showing the provision of 264 long-term cycle parking designed in accordance with Section 3 & Section 4 of DLRCC's Standards for Cycle Parking and associated Cycling Facilities for New Developments (January 2018).

Stacked cycling parking is not recommended and the preferred type of cycle parking stand is the Sheffield cycle stand. Accordingly, all proposed cycle parking at the development should be of the preferred "Sheffield" type and be constructed in accordance with the DLRCC standards. The provision shall

accommodate a variety of users and facilitate the move to sustainable modes of transportation, including the provision of up to 10% of bicycle storage should cater for larger footprint cargo bikes. The applicant shall provide adequate provision to accommodate electric charging points for the use of electric bicycles for residents.

The drawings should clearly identify the location, quantum of cycle parking provision, type of stands, access routes to and from the public road, storage compounds and to core of apartment units / lifts. The applicant is advised to make provision of a dedicated cyclists access to basement cycle store units, addressing way issues with pinch points, sharp corners and undesirable access routes.

It is recommended that the Applicant have regard to the recent Government Apartment guidelines for Bicycle Parking and Storage of Sections 4.16 and 4.17. Provision of cycle parking space for future demand (about 20%) should also be considered.

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

28. Prior to commencement the Applicant shall demonstrate with an appropriate drawing that demonstrates 20% of all parking spaces to be EV Charging spaces for this development in accordance with the DLR CDP 2022-2028 Section 12.4. Also all car parking spaces are constructed so as to be capable of accommodating future electric charging points for electrically operated vehicles when and if required. These drawings should show adequately spaced car parking to enable ducting and charging to be facilitated.

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

29. Prior to commencement the applicant shall comply, at their own expense, with the report and drawings submitted by Roadplan Consulting April 2022 and recommendations to be incorporated into the design and implemented by the design team in the submitted Audit Feedback Forms for the development. The Applicant shall liaise with the planning authority, or any other required third party, as necessary to carry out the Road Safety Audit and Quality Audit recommendations and actions.

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

30. At the Applicant's expense a final Stage 2 (detailed design) and post construction (Stage 3) independent Quality Audit (which shall include a Road Safety Audit, Access Audit, Walking Audit and a Cycle Audit) shall be carried out for the development in accordance with the Design Manual for Urban Roads & Streets (DMURS) guidance and TII (Transport Infrastructure Ireland) standards. Part of this review should focus on the existing access proposals from Carmanhall/Ravensrock road and possible interface with Avid site adjacent and Blackthorn road access that its width and accessibility for pedestrian and cyclists is in accordance with DMURS.

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

31. The Quality Audit team shall be approved by the Planning Authority (Transportation Planning Section) and all measures recommended by the Auditor shall be undertaken unless the Planning Authority approves any departure in writing. A feedback report shall also be submitted providing a response to each of the items.

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

32. Prior to commencement the applicant shall demonstrate that the basement car parking complies with the requirements set out in the UK's Institution of Structural Engineers booklet entitled 'Design Recommendations for Multi Storey and Underground Car Park Fourth Edition' (2011) and any subsequent updates. This

should include but not limited to -removal of pinch points (note restriction of two way access to Basement level -2 for this development)- demonstration 2.4m headroom -shared access provision and wayfinding for all users.
Reason: In the interests of traffic safety and residential amenity.

33. The Applicant shall ensure that the selected contractor implements the general measures and actions indicating in the submitted Outline Construction Management Plan CS Consulting March 2022 and submits, a minimum of 2 months prior to commencement of demolition/construction, for the written approval of the Planning Authority (Transportation Planning), a detailed site-specific Construction Management Plan, which shall be considered a live dynamic document which may require amendment, subject to the agreement of DLRCC Municipal Services Department (Traffic Section & Roads Maintenance/Roads Control), to take account of changeable site/construction circumstances. The detailed site-specific Construction Management Plan shall include measures dealing with:

How it is intended to avoid conflict between construction traffic/activities and traffic/road users, particularly pedestrians and cyclists, on public roads with site accesses and site perimeter public roads, during construction works.

Full and comprehensive Traffic Management Plan, produced by a competent designer in accordance with Chapter 8 of the Traffic Signs Manual, including construction vehicular access to site in particular, to avoid conflict between construction traffic/activities and traffic/road users, particularly pedestrians and cyclists, on public roads with site accesses and site perimeter public roads and the surrounding public road network, during construction works. An access route to site for construction traffic/vehicles to be agreed with DLRCC Traffic Section, Municipal Services Department.

How/where it is intended to provide a site compound including materials storage and staff welfare facilities.

e) How it is intended to provide for site delivery vehicles manoeuvres, in that vehicles should enter and exit the site/compound/materials storage area in a forward gear.

f) Where it is intended to provide for site staff car parking during construction in that it is not acceptable to have long term site staff car parking on the nearby public road network.

g) How it is intended to provide suitable facilities for vehicle cleansing and wheel washing on site.

h) Proposed measures to minimise/eliminate nuisance caused by noise and dust, proposed working hours and measures to minimise/prevent transfer of dirt to the public road with associated measures to clean the public roads / gully's etc in the vicinity of the site and continuing replacement of roads line markings resulting therefrom.

i) A procedure for dealing with complaints from third parties arising from the construction process.

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

34. All necessary measures shall be taken by the Applicant and the selected contractor to avoid conflict between construction traffic/activities and traffic/road users, particularly pedestrians and cyclists, on public roads with site accesses and site perimeter public roads and the surrounding public road network, during construction works.

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

35. The Applicant and the selected contractor shall prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining properties as a result of the construction works and repair any damage to the public road arising from carrying out the works.

1. Reason: In the interests of traffic safety and residential amenity.

36. Prior to the commencement of development, the applicant shall obtain approval from the Planning Authority to ensure that the development does not conflict with the Sandyford Cycle Improvement Scheme.

Reason: In the interests of sustainable development.

37. Prior to commencement the applicant needs to demonstrate an adequately detailed Taking in charge drawing that cover the access junction and that all works to be carried out on the public road/footpath shall be at the Applicant's expense to meet the Dun Laoghaire-Rathdown County Council's 'Taking-in-Charge' requirements and all to the satisfaction of the Municipal Services Department. Furthermore, the Applicant shall ensure that all development works associated with the pocket park on F zoned land, shall also be constructed to Taking In Charge standards. All works, both on the public road (i.e. road carriageways, kerbs (which must be insitu), footpaths, street lighting, signs, etc) and within the pocket park area shall be designed and constructed, at the Applicant's own expense, to meet Dún Laoghaire-Rathdown County Council's 'Taking-in-Charge' requirements and 'Taking In Charge Policy Document (April 2016)': <http://www.dlrcoco.ie/en/planning/building-control/taking-charge> and 'Taking in Charge Procedure Document' and all to the satisfaction of the Planning Authority (Municipal Services Department).

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

Waste

38. The Waste Management Plan is required to contain details for the management of domestic waste and in particular recyclable materials and food waste arising within the site development. Facilities are required for separation, storage and collection of waste, ensuring that there is adequate signage and lighting to facilitate the operation of these facilities.

Reason: In the interests of sustainable development.

39. Prior to commencement of site works, a Detailed Construction Waste Management Plan together with a detailed 'Environmental Management Construction Plan' consistent with "The DLR Guidance Notes for Environmental Management of Construction Projects.

Reason: In the interests of public health.

40. The requirements set out in the Dún Laoghaire-Rathdown County Council (Segregation, Storage And Presentation Of Household And Commercial Waste) Bye-Laws, 2019 must be adhered to and, in particular, the requirement in the bye-laws to segregate waste into separate fractions to facilitate the collection of dry recyclables, organic kitchen/garden waste and residual waste in line with Waste Management (Food Waste) Amendment Regulations 2015 (S.I. 190 of 2015) and the European Union (Household Food Waste and Bio-waste) Regulations 2015 (S.I. 191 of 2015), Waste Management (Food Waste) Regulations 2009 (S.I. 508/2009) and the Eastern-Midlands Regional Waste Management Plan 2015 – 2021.

Reason: In the interest of public health.

Lighting

41. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The applicant shall ensure that a bat friendly lighting design is utilised, in accordance with any mitigation recommendations contained within the EIAR. Full details of proposed lighting scheme to be provided.

Details shall include lantern type, lighting column height and type and light intensity/lux levels. Such lighting shall be provided prior to the making available for occupation of any unit. All proposed street lighting shall be shown to be designed in accordance with Dun Laoghaire-Rathdown County Council's February 2015 guidance document for 'Public Lighting Installations in Residential and Industrial Areas'. For bollard lighting, the use of only low voltage LED type bollard lighting is recommended.

REASON: In the interests of amenity and public safety.

Ecology and Biodiversity

42. All the mitigation measures set out in the Environmental Impact Assessment Report (EIAR) submitted with the Application shall be implemented in full. An Ecologist shall be retained for the duration of the construction phase to supervise the works.
REASON: In the interest of sustainable development.

Parks

43. Prior to the commencement of development, the applicant shall submit for written agreement a drawing showing the area of public open space / pocket park to be designed and constructed to meet Dun Laoghaire Rathdown County Council's 'Taking-in-Charge' requirements 'Taking in Charge Policy Document (April 2016)' and 'Taking in Charge Procedure Document' and all to the satisfaction of the Planning Authority at the Applicant's own expense.

REASON: In the interests of proper planning and sustainable development of the area.

44. Landscape Planting: Where native plant species are specified in the Landscape Plan, they will be sourced from Irish stock, including trees, shrubs and herbs/flowers. Native seed stock will be used so that it is suitable for supporting native pollinators.

Reason: To provide appropriate landscape design that provides mitigation and enhancement measures for Biodiversity.

45. The applicant shall submit drawings of the play areas which shall accord with section 4.13 in the Apartment Guidelines which states that small play spaces (c. 85 – 100sqm) should cater for the specific needs to toddlers and children up to age of 6 whilst within larger play areas (200-400sqm) should cater for more older children and young teenagers in schemes with 100 or more apartments.

Reason: In the interests of residential amenity.

46. Retention of Qualified Arborist/Tree Works:

Prior to the commencement of any permitted development, the developer shall engage the services of a qualified arborist as an arboricultural consultant, for the entire period of construction activity. The applicant shall inform the planning authority in writing of the appointment and name of the consultant, prior to commencement of development. The consultant shall visit the site at a minimum on a monthly basis, to ensure the implementation of all of the recommendations in the tree reports and plans. To ensure the protection of trees to be retained within the site, the applicant shall implement all the recommendations pertaining to tree retention, tree protection and tree works, as detailed in the Arboricultural Method Statement and Tree Protection Plan in the submitted tree report. All tree felling, surgery and remedial works shall be completed upon completion of the works. All

works on retained trees shall comply with proper arboricultural techniques conforming to BS 3998: 2010 Tree Work – Recommendations. The clearance of any vegetation including trees and scrub should be carried out outside the bird-breeding season (1 March – 31 August inclusive) or as stipulated under the Wildlife Acts 1976 and 2000. The arborist shall carry out a post construction tree survey and assessment on the condition of the retained trees. A completion certificate is to be signed off by the arborist when all permitted development works are completed and in line with the recommendations of the tree report. The certificate shall be submitted to Dlr Parks and Landscape Services for written agreement upon completion of the works.

Reason: To ensure and give practical effect to the retention, protection and sustainability of trees during and after construction of the permitted development.

47. Retention of the Landscape Architect:

Prior to the commencement of any permitted development - the developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement. A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of Dlr Parks and Landscape Services and in accordance with the permitted landscape proposals.

Reason: To ensure full and verifiable implementation of the approved landscape design.

Contributions & Bonds

48. 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 application indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall Page 36 of 59 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.

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Reason: It is considered reasonable that the payment of a contribution be required in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended would be provided, by or on behalf of the Local Authority.

49. A financial contribution shall be paid by the proposer to the Council towards the cost of the extension of Luas Line B from the Sandyford Depot to Cherrywood, namely Luas Line B1. This contribution shall be paid prior to the commencement of the development or in such other manner as may otherwise be agreed with the Planning Authority. The rate of contribution payable shall be that pertaining to the particular year in which implementation of the Planning Permission is commenced. The Supplementary Development Contribution Scheme provides for an annual increase in the levels of contribution payable, as outlined in the scheme, by a factor of 5% compound interest per annum. The levels of contribution would be reviewed annually on the 13th of January of each year during which the scheme is in force to take account of the aforementioned increase. It should be noted that contributions assessed in accordance with the Supplementary Development

Contribution Scheme cannot be appealed to An Bord Pleanála unless the applicant considers the levy referred to in this condition has not been properly applied in accordance with the terms of the Scheme.

Reason: To part finance the extension of the Luas Line B1 from Sandyford Depot to Cherrywood, as provided for in the Supplementary Development Contribution Scheme adopted by the Council of Dún Laoghaire-Rathdown on the 13th of January 2003.

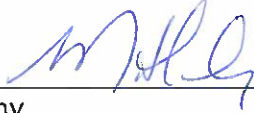
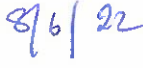
50. No development on foot of this permission shall commence until security for the provision and satisfactory completion of services (including roads, footpaths, open spaces, public lighting, sewers, watermains and drains) in accordance with the Plans and particulars lodged with the application, has been given by:- a) Lodgement with the Council of an approved Insurance Company Bond in the sum of € which shall be kept in force by the Developer until such time as Roads, Open Spaces, Car Parks, Sewers, Watermains and Drains are completed to the satisfaction of the Council OR/... b) Lodgement with the Council of a Cash Sum to be applied by the Council at its absolute discretion if such services are not duly provided to its satisfaction on the provision and completion of such services to standard specifications. Reason: To ensure that a ready sanction may be available to the Council to induce the provision of services and prevent dis-amenity in the development.

NOTE 1: The proposed development shall accord with the requirements of Irish Water.

Signed _____
Ciaran Daly
Assistant Planner

Signed _____
Michelle Breslin
Senior Executive Planner

Signed  _____
Ger Ryan
Senior Planner

Signed  _____ Date 
Mary Henchy
Director of Planning on behalf of the Chief Executive,
Dun Laoghaire Rathdown County Council

Housing Report

I refer to your request for a housing report in connection with the above proposed development.

It is noted the applicant proposes to comply with Part V requirements by way of a long-term lease of 20no. units on-site comprising 4 studio units, 10no. One-bedroom units and 6no. Two-bedroom(4-person) units. Indicative monthly rents respectively of €1,700 for studio units, €1,950 for 1-bedroom units and €2,350 for 2-bedroom units.

It is the government's stated policy to phase out long-term leasing of social housing. As long-term leasing currently remains a Part V compliance option, we are prepared to provisionally accept the compliance proposal as tabled. Should planning permission be granted we will review the proposal in light of available compliance options.

It should be noted that acceptance of this proposal in no way contractually binds the Council or its agents to lease the stated units, or such other units, or to lease them at the stated rents, which are acknowledged as being indicative only and subject to full review and evaluation should planning permission be granted.

Any proposal for compliance with Part V will be subject to Planning Permission and funding being made available and agreement being reached on land values and market rents.

Drainage Report

Introduction

Following some engagement by the applicant and their Consultants with Drainage Planning, the applicant has submitted a detailed report that that generally satisfies the requirements of Municipal Services subject to the following comments and proposed conditions:

Surface Water Drainage

Proposed Conditions

1. Prior to the commencement of development, the applicant shall submit to the Planning Authority for its written agreement evidence that shows the proposed development meets the criteria for green roof provision, as set down in the County Development Plan 2022-2028. As described within the planning documents a minimum of 50% of the roof area shall be intensive, with a total green roof area of 60%. The Green roofs shall be designed in accordance with The SUDS Manual (C753) and BS EN 12056-3:2000. Prior to the commencement of development, the applicant shall submit full dimensioned construction details of the proposed Green Roofs to the Planning Authority for its written agreement. Details shall include a construction plan and a post-construction maintenance specification and schedule. Maintenance contractors with specialist training in green roof care should be used. The applicant shall also provide details of maintenance access to the green roofs and should note that in the absence of a stairwell type access to the roof, provision should be made for alternative maintenance and access arrangements such as external mobile access that will be centrally managed. Thereafter, the works shall be carried out in accordance with the agreed details and the green roof shall be maintained at all times in accordance the post-construction maintenance specification and schedule, which shall be included in the Safety File.
2. Prior to the commencement of development, the applicant shall submit to the Planning Authority for its written agreement details to show all drainage within the basement is directed to the foul network.
3. Prior to the commencement of development, the applicant shall submit to the Planning Authority for its written agreement construction management plan and programme of works that amongst other items provides for interception, containment and treatment of construction runoff. No construction runoff should be diverted to proposed SuDS measures. Any surface water sewer pipes used to convey construction runoff should be thoroughly cleaned before subsequent connection to SuDS elements.
4. Prior to the commencement of development, the applicant shall submit full dimensioned construction details of the proposed attenuation systems to the Planning Authority for its written agreement. All relevant inlet and outlet levels, dimensioned clearances between other utilities, and actual depths of cover to the system and details of the proposed inlet and outlet manholes and arrangements to facilitate draw down and maintenance shall be provided. Details shall also include a construction plan and a post-construction maintenance specification and schedule. Thereafter, the works shall be carried out in accordance with the agreed details and the attenuation system shall be maintained at all times in accordance the post-construction maintenance specification and schedule, which shall be included in the Safety File.
5. The SuDS measures shall be designed in accordance with The SUDS Manual (C753). Where SuDS measures are within 1000mm of groundwater the measures shall be

lined to prevent ingress of groundwater. Prior to the commencement of development, the applicant shall submit full dimensioned construction details of the proposed SuDS measures to the Planning Authority for its written agreement. Details shall include a construction plan and a post-construction maintenance specification and schedule. Maintenance contractors with specialist training in SuDS care should be used. Thereafter, the works shall be carried out in accordance with the agreed details and the SuDS measures shall be maintained at all times in accordance the post-construction maintenance specification and schedule, which shall be included in the Safety File.

6. Prior to the commencement of development, the applicant shall submit full details of the flow control devices, including model and make number, orifice size and flow control hydraulic characteristics graph. The flow control devices will not be permitted to have a bypass door and a penstock must be provided in the manhole in which each flow control device is located.
7. Prior to the commencement of development, the applicant shall submit to the Planning Authority for its written agreement a Stage 2 - Detailed Design Stage Stormwater Audit, as required under Policy EI9: Stormwater Impact Assessments of the County Development Plan, so as to check the detail of all the SuDS elements and to ensure that any necessary amendments have been included in the construction stage drawings. The applicant shall also submit to the Planning Authority a 1-2 page design statement for the drainage systems noting critical elements and describing how they operate.
8. Upon completion of the development, the applicant shall submit to the Planning Authority for its written agreement a Stage 3 Completion Stage Stormwater Audit to ensure the SuDS measures were installed and working as designed, no misconnections have taken place and that damage has not occurred to any of the stormwater drainage infrastructure during construction. A report shall, be issued to the Planning Authority and any necessary recommendations carried out, unless agreed otherwise with the Planning Authority. This stage may require the installation of flow monitors and/or dye testing; the extent of monitoring will depend on the findings of the audit. A CCTV survey shall be carried out of all stormwater pipes and the survey and report forwarded to the Planning Authority.

Site Specific Flood Risk Assessment

It is noted that the Site Specific Flood Risk Assessment references an out of date County Development Plan, however based on the information contained in the Site Specific Flood Risk Assessment (SSFRA) submitted by the applicant, the conclusions contained therein are accepted and thus the proposed development is considered to be in accordance with Appendix 15 (Strategic Flood Risk Assessment) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 on the following condition.

1. Prior to the commencement of development, the applicant shall submit to the planning authority for its written approval, details of the 50% blockage analysis of the surface water drainage system carried out, details of any flooding caused, and potential impacts/mitigation measures provided.

Environmental Impact Assessment Report

It is noted that within Section 7, reference has been made to an out of date County Development Plan, however, the principles outlined under Sections 7 as they relate to surface water /stormwater are acceptable subject to the implementation of proposals in accordance with proposed planning conditions, if any.

Environmental Section Planning Report

General Comments

Environmental Enforcement note the location of this development in close proximity to established residential and institutional land uses.

Environmental Enforcement wish to support the report submitted by the EHO. In this context it is considered that the noise and vibration planning for the proposed works is seriously deficient, and fails to take plan properly for the necessary mitigation measures to ameliorate either the possibility of significant noise, dust and vibration nuisance during the construction or operational phases of the proposed works or the increasing traffic congestion in this area.

Deficiencies in Submitted documents

1. Noise Planning

It is considered that this has not been given adequate consideration and that there is a serious lack of relevant detail in relation to design of noise attenuation mitigation measures to minimise nuisance affecting adjoining properties and design of building services, including proposed heating provision, to avoid creation of nuisance affecting both the completed development and adjoining areas.

2. Resource and Waste Management Planning

While an outline resource management plan has been submitted, this plan falls far short of the requirements of "BEST PRACTICE GUIDELINES for the preparation of resource & waste management plans for construction & demolition projects", published by the Environmental Protection Agency in 2021 and it not considered to be adequate to a project of this size. There is also a lack of detail in relation to construction waste storage and management procedures in the submitted documents.

3. Operational Waste Management Planning

The absence of planning for operational waste management in the completed development is considered to be a serious deficiency in the submitted documents. The absence of any detailed planning to demonstrate designation of suitable waste storage and collection areas within the curtilage of the completed development and proposals for segregation and management of waste within the completed development is likely to give rise to serious environmental nuisance in the completed development.

Recommendations

The following minimum planning conditions are recommended;

1. Noise management

- A Noise Management Plan shall be developed and implemented demonstrating selection of construction methodology and implementation of mitigation measures to minimise nuisance affecting adjoining properties and design of building services, including proposed heating provision, to avoid creation of nuisance affecting both the completed development and adjoining areas.

2. Environmental Monitoring

- Prior to the commencement of the proposed site works noise, vibration and dust monitoring stations to be installed and maintained to provide continuous monitoring to measure and record the impact of site activities on local receptors. Noise monitoring to demonstrate compliance with the recommendations contained in BS 5228 shall be installed, monitored and reported on at weekly intervals by a suitable qualified specialist company for the duration of the contract. All monitoring data to be compiled into a weekly technical monitoring report which shall identify remedial measures where levels exceed relevant limit values.

3. Construction Waste

- Records shall be maintained and made available for inspection on site demonstrating tracking of all waste generated to final destination.

- A Materials Source and Management Plan, complying with "BEST PRACTICE GUIDELINES for the preparation of resource & waste management plans for construction

& demolition projects", published by the Environmental Protection Agency shall be developed and implemented identifying type of materials/proportion of re-use/recycled materials and future maintenance to support the implementation of Government and EU circular economy policy.)

4. Liaison with Public

- A Public Liaison Plan shall be developed and implemented for the duration of the works, covering the following;
- Appointment of a Liaison Officer as a single point of contact to engage with the local community and respond to concerns
- Keeping local residents informed of progress and timing of particular construction activities that may impact on them
- Provision of a notice at the site entrance identifying the proposed means for making a complaint
- Maintenance of a complaints log recording all complaints received and follow up action

5. Operational Waste Management

- Submission of a detailed Operational Waste Management Plan demonstrating designation of suitable waste storage and collection areas within the curtilage of the completed development and proposals for segregation and management of waste within the completed development.

6. Pest Control

- An appropriate rodent/pest control plan shall be developed and implemented for the duration of the works on site.

Environmental Health Officer Report

Observations and Recommendations:

Before a decision is made on this proposal further information is required:

Noise

1. A baseline noise survey should be performed by an independent qualified technician before a decision is made.

The impacts of the demolition and construction phases on the receiving environment should be predicted and mitigation measures proposed, especially for any proposed rock braking activities.

The impacts of the demolition and construction phases of a concurrent proposed development ABP31320922 should also be predicted.

'the proposal with its own Construction Management Plan is also expected to be developed on the former Avid Technology site to the east, it will comprise 336 Build-to-Rent residential units and 118 car parking spaces at Lower Ground', Preliminary Construction Management Plan, Water Moylan Engineers.

- The impact of any potential excessively noisy works on neighbouring properties shall be predicted and measures suggested for reducing the impact of such works. Including reduced working hours, appointing a community liaison officer to handle complaints and setting a trigger point noise level that if exceeded works will stop and additional noise attenuation measures implemented. A plan for continuous dust, noise and vibration monitoring shall be included.
- This report should include a baseline environmental noise survey and predictive modelling on the noise impacts of the operational phase.
- The noise survey shall include an inward noise impact assessment and consider ProPG: "Professional Practice Guidance on Planning and Noise for new Residential Development" and BS 8233 "Guidance on Sound Insulation and Noise Reduction for Buildings".

Advisory Note:

A reference to a Baseline Noise Survey was discussed in document submitted: Chapter 9, Noise and Vibration, EIAR Proposed Tack Sandyford SHD, Golder Ltd.

Chapter 9 was omitted from this document and this office was unable to analyse noise measurements or the location of Construction and Operational Noise Sensitive Receptors to verify findings below:

"Noise and Vibration Noise and vibration from construction activities at the Proposed Development can have indirect impacts to surrounding residential developments through annoyance and effects on mental health. Potential noise and vibration impacts from the Proposed Development have been assessed in Chapter 9 (Noise and Vibration) of the EIAR. The factors relevant to human health considered in the assessment are the generation of construction noise and impact at off-site receptors; and the impacts of noise at Noise Sensitive Receptors (NSRs) during the operational phase. Construction Noise - NSRs were identified in the assessment, the closest residential receptor is located 100 m to the north of the Proposed Development. However, noise effects arising at off-site NSRs (including the residential NSR 100 m to the north) have been evaluated using Bloom Health (50 m west) as a worst-case. Noise effects associated with the proposed construction activities during weekday daytimes and Saturday mornings have been evaluated against threshold noise levels which have been derived from measured baseline noise levels in accordance with BS5228. For these times a High adverse impact magnitude has been identified. However, with appropriate construction mitigation measures as outlined in Chapter 9 and

Chapter 16 of this EIR, it has been concluded that the short-term activities will result in a low magnitude impact to the 'High' sensitivity populations or groups surrounding the development. This will result in a Slight short-term adverse effect and is therefore not significant".

Transportation Planning Report

Report

The proposed development will comprise some 207 Build-to-Rent residential units with a Creche (306 sqm) and Shared Amenity Space (415 sqm). See Figure 3. Car parking with a total of 79 car spaces will be provided at Lower Ground Level and Basement. Cycle parking with 288 spaces will be provided at Lower Ground Level. Access for vehicular traffic is proposed from Ravens Rock Road with egress onto Carmanhall Road. The public realm around the site will incorporate an upgrade of the pedestrian and cycle environment.

Access proposals and the Sandyford Urban framework Plan (SUFP)

The development description is for a new access points from Carmanhall Road and Ravens Rock Road. Transportation have a number of issues with these access proposals

- The location of this proposed new vehicular entrance at Carmanhall Road conflicts with existing signalised pedestrian crossing at Carmanhall Road . the existing access to this site would be more favourable as an access point as it ties in with the design incorporated for the Sandyford cycle improvement scheme due to commence and agreed access point for this development site from the SUVP.
- The double entrance off Ravensrocks road appears unnecessary. Why no vehicular exit proposed via Raven’s Rock Road?
- Pedestrian and cycleway access across this site is very poor which is also flagged in the submitted Stage 1 Quality Audit by Roadplan, with no way find crossing points,no access into the site for cyclists and inaccessible cycle parking
- Access routes to and from cycle parking are required to be clearly defined and access shared with motor vehicles require a 1.75m wide separate lane for cyclists in accordance with the Dun Laoghaire Rathdown County Council – Standards for Cycle Parking and associated Cycling Facilities for New Developments (January2018).
- Pedestrian priority of the footway is required to be maintained across proposed development vehicular entrance at Carmanhall Road and across the proposed service vehicle access at Blackthorn Road.

Given these concerns with the general layout transportation consider this application unviable. A new application which has adequately reviewed and considered main servicing access routes to minimise conflicts , entry and exit routes and have consideration for all road users is recommended.

Public Realm and adjoining roads

The applicant is showing a considerable extent of public realm works outside their boundary of ownership,The Taking in charge extents have not been demonstrated with an appropriate Taking in charge drawing(s) or details in accordance with the DLR TIC Standards. A comprehensive and detailed drawings needs to be presented showing TIC extents. These must be to be DLRs Taking in charge standards .

Car Parking

The Sandyford Urban Framework Plan Table 12.7 for reduced recommend provision of 137 car spaces which is less than the 2018 DHPLG DLR Reduced Standard of 207 as shown below. Typically to overcome this requirement there could be extra provision for club-car parking . There is no mention of club-car space and no letter to this effect from Go-Car or suitable operator.

These specific number no. mobility parking spaces is not mentioned but this should be 5% of total spaces . 10% of total spaces should also be incorporated for visitor parking.

Type	Total No.	DLR 2022-2028 Table SUFP	CDP 12.7	2018 DHPLG DLR Reduced Standard 1 per unit Apartmetn Unit	Proposed
1 Bed Apt/Studio	151	91		151	

2 Bed Apt	55	44	55	
3 Bed Apt	1	2	1	
Total Residential	207	137	207	79

Ratio 0.38 car parking spaces per unit
Shortfall 58 car parking spaces to acceptable reduced standards

Cycle Parking

A total of 240 no cycle parking spaces are proposed which is under the DHPLG requirement below which would be recommended in this central location. **Transportation Planning are concerned with the location proposed of the short stay visitor cycle spaces as it is not clear where these are located and if these are accessible**. DLR recommends following the DHPLG March 2018 recommends 104 short stay cycle parking and 264 long stay cycle parking. Short term parking located in public realm areas or areas for taking in charge cannot be consider in the short term cycle parking provision for this development.

Also with regarding to stand type provision it is not clear from the drawing but it is likely this relies on double stacked provision based on the area allowed for cycle parking in the undercroft parking which is not favoured and ease of accessibility 'Sheffield' cycle stands at a minimum 1m centres are recommended. Provision of two tier stacked cycle parking does not comply with DLRCC cycle standards.

Unit Type	No. of Units	No. of Bedrooms	DLRCC Std.	DHPLG Std.	Proposed
1 bedroom	151	151	-----	-----	-----
2 bedroom	55	110	-----	-----	-----
3 bedroom	1	3	-----	-----	-----
Short Stay			41.4	103.5	48
Long Stay			207	264	192
Total	207	264	248	368	240

Shortfall 128

Cargo bikes **NONE**

E-bike **NONE**

The long term cycle parking is poorly access, with now segregated access from Ravensrock road or with this undercroft/basement car parking and door access is obstructed by parking bays to access. This is not in accordance with the DLR Cycle Parking standards 2018. https://www.dlrcoco.ie/sites/default/files/atoms/files/dlr_standards_for_cycle_parking.pdf

Based on Transportation plannings review of the scheme and the insurmountable issues highlighted throughout this report, we recommend refusal of this scheme

If the board decide to grant the following items are requested to be conditioned by transportation planning:

1. Prior to commencement the applicant needs to demonstrate an appropriate ground floor loading bay or drop off zone for deliveries, maintenance and refuse collection within the applicant site that does obstruct access to the residential cycle parking. An autotrack drawing must also be provided demonstrating refuse vehicles movement at this drop off area.
2. Prior to commencement the applicant needs to demonstrate car parking provision in line with the reduced standard of the SUFF of 137 car parking and/or

demonstrates how shortfall can be accommodated by provision of club-car parking spaces, mobility spaces and EV charging points. The applicant is requested to demonstrate 10% of these spaces to be available for visitor parking and demonstrated in the parking layout.

3. The Applicant is requested to provide full dimensioned details of location and area of all cycle parking areas (resident and visitor cycle parking) demonstrating required cycle provision correctly designed in accordance with the Dun Laoghaire Rathdown County Council – Standards for Cycle Parking and associated Cycling Facilities for New Developments (January 2018). http://www.dlrcoco.ie/sites/default/files/atoms/files/dlr_cycle_parking_standards_0.pdf.
- Short-term Cycle Parking: The Applicant shall submit revised drawings and details which demonstrate the required 104 number short term cycle parking spaces designed in accordance with the DHPLG Apartment Guidelines 2018 . The drawings should clearly identify the location and also demonstrate that a minimum of 50% of short-term cycle parking should be covered with minimum spacing of 1m between cycle stands. Drawings should clearly identify the locations, type of cycle stands, dimensions and spacing in accordance with the DLR's Standards. Short term parking is visitor parking for the development and cannot be considered in areas for public amenity on Carmanhall road or taken in charge.
- Long-Term Cycle Parking: The Applicant shall submit revised drawings showing the provision of 264 long-term cycle parking designed in accordance with Section 3 & Section 4 of DLRCC's *Standards for Cycle Parking and associated Cycling Facilities for New Developments (January 2018)*.

Stacked cycling parking is not recommended and the preferred type of cycle parking stand is the Sheffield cycle stand. Accordingly, all proposed cycle parking at the development should be of the preferred "Sheffield" type and be constructed in accordance with the DLRCC standards. The provision shall accommodate a variety of users and facilitate the move to sustainable modes of transportation, including the provision of up to 10% of bicycle storage should cater for larger footprint cargo bikes. The applicant shall provide adequate provision to accommodate electric charging point for the use of electric bicycles for residents.

The drawings should clearly identify the location, quantum of cycle parking provision, type of stands, access routes to and from the public road, storage compounds and to core of apartment units / lifts. The applicant is advised to make provision of a dedicated cyclists access to basement cycle store units, addressing way issues with pinch points, sharp corners and undesirable access routes.

- It is recommended that the Applicant have regard to the recent Government Apartment guidelines for Bicycle Parking and Storage of Sections 4.16 and 4.17. Provision of cycle parking space for future demand (about 20%) should also be considered.
4. Prior to commencement the Applicant shall demonstrate with an appropriate drawing that demonstrates 20% of all parking spaces to be EV Charging spaces for this development in accordance with the DLR CDP 2022-2028 Section 12.4 . Also all car parking spaces are constructed so as to be capable of accommodating future electric charging points for electrically operated vehicles when and if required. These drawings should show adequately spaced car parking to enable ducting and charging to be facilitated.
5. Prior to commencement the applicant shall comply, at their own expense, with the report and drawings submitted by Roadplan Consulting April 2022 and recommendations to be incorporated into the design and implemented by the design team in the submitted Audit Feedback Forms for the development. The Applicant shall liaise with the planning authority, or any other required third party, as necessary to carry out the Road Safety Audit and Quality Audit recommendations and actions.

6. At the Applicant's expense a final Stage 2 (detailed design) and post construction (Stage 3) independent Quality Audit (which shall include a Road Safety Audit, Access Audit, Walking Audit and a Cycle Audit) shall be carried out for the development in accordance with the Design Manual for Urban Roads & Streets (DMURS) guidance and TII (Transport Infrastructure Ireland) standards. Part of this review should focus on the existing access proposals from Carmanhall/Ravensrock road and possible interface with Avid site adjacent and Blackthorn road access, that its width and accessibility for pedestrian and cyclists is in accordance with DMURS.

The Quality Audit team shall be approved by the Planning Authority (Transportation Planning Section) and all measures recommended by the Auditor shall be undertaken unless the Planning Authority approves any departure in writing. A feedback report shall also be submitted providing a response to each of the items

7. The Applicant shall ensure that all future occupants shall be made aware of the reduced car parking/ car storage provision and lack of car parking entitlement. The reduced level of car parking provision and lack of car parking entitlement should be included within the BTR Deed of Covenant in addition to specific mobility management measures to support reduced car ownership levels.
8. Prior to commencement the applicant shall demonstrate that the basement car parking complies with the requirements set out in the UK's Institution of Structural Engineers booklet entitled 'Design Recommendations for Multi Storey and Underground Car Park Fourth Edition' (2011) and any subsequent updates. This should include but not limited to
 - removal of pinch points (note restriction of two way access to Basement level -2 for this development)
 - demonstration 2.4m headroom
 - shared access provision and wayfinding for all users.
9. Prior to commencement the applicant needs to demonstrate an adequately detailed Taking in charge drawing that cover the access junction and that All works to be carried out on the public road/footpath shall be at the Applicant's expense to meet the Dun Laoghaire-Rathdown County Council's 'Taking-in-Charge' requirements and all to the satisfaction of the Municipal Services Department. The Applicant shall ensure that all development works, both on the public road and within taken in charge lands/areas, (i.e. road carriageways, kerbs (which must be insitu), footpaths, street lighting, signs, etc) are designed and constructed, at the Applicant's own expense, to meet Dún Laoghaire-Rathdown County Council's 'Taking-in-Charge' requirements and 'Taking In Charge Policy Document (April 2016)': <http://www.dlrcco.ie/en/planning/building-control/taking-charge> and 'Taking in Charge Procedure Document' and all to the satisfaction of the Planning Authority (Municipal Services Department).
10. The Applicant shall ensure that the selected contractor implements the general measures and actions indicating in the submitted Outline Construction Management Plan CS Consulting March 2022 and submits, a minimum of 2 months prior to commencement of demolition/construction, for the written approval of the Planning Authority (Transportation Planning), a detailed site-specific Construction Management Plan, which shall be considered a live dynamic document which may require amendment, subject to the agreement of DLRCC Municipal Services Department (Traffic Section & Roads Maintenance/Roads Control), to take account of changeable site/construction circumstances. The detailed site-specific Construction Management Plan shall include measures dealing with:
 - a. How it is intended to avoid conflict between construction traffic/activities and traffic/road users, particularly pedestrians and cyclists, on public roads with site accesses and site perimeter public roads, during construction works.
 - b. Full and comprehensive Traffic Management Plan, produced by a competent designer in accordance with Chapter 8 of the Traffic Signs Manual, including

construction vehicular access to site in particular, to avoid conflict between construction traffic/activities and traffic/road users, particularly pedestrians and cyclists, on public roads with site accesses and site perimeter public roads and the surrounding public road network, during construction works.

- c. An access route to site for construction traffic/vehicles to be agreed with DLRCC Traffic Section, Municipal Services Department.
- d. How/where it is intended to provide a site compound including materials storage and staff welfare facilities.
- e) How it is intended to provide for site delivery vehicles manoeuvres, in that vehicles should enter and exit the site/compound/materials storage area in a forward gear.
- f) Where it is intended to provide for site staff car parking during construction in that it is not acceptable to have long term site staff car parking on the nearby public road network.
- g) How it is intended to provide suitable facilities for vehicle cleansing and wheel washing on site.
- h) Proposed measures to minimise/eliminate nuisance caused by noise and dust, proposed working hours and measures to minimise/prevent transfer of dirt to the public road with associated measures to clean the public roads / gully's etc in the vicinity of the site and continuing replacement of roads line markings resulting therefrom.
- i) A procedure for dealing with complaints from third parties arising from the construction process.

12. All necessary measures shall be taken by the Applicant and the selected contractor to avoid conflict between construction traffic/activities and traffic/road users, particularly pedestrians and cyclists, on public roads with site accesses and site perimeter public roads and the surrounding public road network, during construction works.

13. The Applicant and the selected contractor shall prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining properties as a result of the construction works and repair any damage to the public road arising from carrying out the works.

Parks Report

COMMENTS Parks recommend a refusal and the following points need to be addressed:

The Parks department request increased natural outdoor open space for primary usage at ground level that is actually usable for residents and reduced heights to provide for greater southerly radiant sunlight throughout all open space areas as the south facing sunlight is predominantly blocked especially during months from October to February.

Roof terraces are not considered usable open space areas at excessive heights compromised much of the year by the Irish climate lacking adequate shelter from cold winds and rain. Roof garden terraces will be underutilized and uninviting for residents in an Irish Climate from mid-September to mid-June. Biting cold dry winds from the north and east with strong prevailing winds from the Northwest and Southwest is a regular component of Irish weather all year round.

Open space is far too constrained (for the number of potential residents and visitors). Informal play areas adjacent to a water feature has obvious safety and hygiene concerns within a tight constrained space.

The Parks department requests a review of design and layout to enhance the primary usability within the confines of this site. The overall quality of the facilities must ensure residents enjoy an enhanced overall standard of outdoor amenity space with increased Tree retention. Sandyford is already an area of limited Tree and vegetation coverage and this proposal is potentially damaging.

This proposal development has not provided roadside planting verge to what is existing corner of the Carmanhall road and blackthorn road.

No areas of taking in charge have been agreed.

The pre-construction management plan from the applicant has excluded any proposals from the arborist recommendations to protect existing Trees.

An agreed Landscape plan that is consistent and incorporated into the engineering and lighting plan drawings for this site to verify no conflicts exist to install the landscaping for this site that commensurate with existing roadside planting on the Carmanhall road

Protection of open space during site works: No services, utilities or trenches – including underground SuDS tanks – shall be located in areas shown conditioned as Public Open Space, unless so permitted by prior, written approval of Dlr Parks +Landscape Services.

Prior to the commencement of any permitted development, the applicant shall submit a Landscape Design Rationale together with comprehensive, detailed Landscape Design and Maintenance Proposals, all prepared by a qualified Landscape Architect, for the written approval of Dlr Parks and Landscape Services.

A Preliminary Landscape Masterplan - with cross- sections (where applicable that includes any proposed swales into the landscape plan) - showing all external spaces (including proximity to engineering services), including play spaces, and proposed lighting, boundaries, along with any small structures and other hard and soft landscape elements.

Outline details of Soft Landscape Design to include a detailed Planting Plan and Planting Schedule - as appropriate - stating species/varieties that are appropriate for wind and elevated areas, indicative quantities, sizes, rootball presentation and spacings. Planting

mixes should specify a diverse range of species/varieties/cultivars and a diversity of forms and plant sizes (multi-stems, feathered, semi-matures, etc.); using pollinator-friendly native species (in accordance with the All-Ireland Pollinator Plan 2015-2020), all designed to provide vegetation that is visually-appealing, bio-diverse, and easily managed.

Outline plans and details of Hard Landscape Design for boundary treatments, seating, kerbs, edges, surfaces, lighting, and showing civil engineering elements (e.g. retaining structures, attenuation tanks, existing and proposed underground utilities, services, drainage and ancillary infrastructure as it relates to landscape)

An Outline Landscape Specification for all materials (hard and soft), for workmanship and Landscape Maintenance (18 months minimum period). Use of chemical herbicides is not allowable. It is essential Irish National Action Plan for the Sustainable Use of Pesticides (Plant Protection Products) Feb 2019 is followed.

Zero use of pesticides and herbicides as well as artificial fertilisers by the applicant (high risk in enclosed areas) is not allowed to ensure promotion of biodiversity and ensure healthy living for residents, plants and soil 'life'.

The use of qualified organic fertilisers are preferred opposed to resin coated high salt indexed artificial fertilisers. The potential impacts of any proposed works of High Nitrogen applications may run the risk of nitrate leaching into nearby drainage and waterways? The candidate is better placed to seek the advice of a qualified horticulturalist advising the use of organic fertilisers.

Landscape works on site to include a Quality Audit during construction agreed with Dun Laoghaire Rathdown Co. Council to provide evidence to verify during installation works that the landscape specification is adhering to the Landscape standards required

A Timescale for Implementation of all proposals, including the specified landscape maintenance operations. The landscape contract shall include a post- Practical Completion Certificate (signed by the landscape consultant) and a Defects Liability Clause of 18 months minimum.

If development in part or full is to be Taken in Charge by DLR Co. Co., maps of proposed TIC areas should be submitted to be agreed in writing with DLR Parks department.

The developer shall retain the professional services of a qualified and registered or chartered Landscape Architect, as Landscape Consultant for the full duration of the development works(which shall include photographic site evidence before works commence, landscape installation works and post installation to ensure it meets the design standards proposed); and shall notify, in writing, the planning authority of that appointment, including the agreed consultant's brief, prior to commencement. That brief shall engage the Landscape Consultant to procure, oversee and supervise the Landscape Contract for the implementation of the permitted landscape proposals. When all landscape works are inspected and fully completed to the satisfaction of the Landscape Consultant, he/she shall sign and submit a Practical Completion Certificate to Dlr Parks and Landscape Services, as verification that all specified landscape works have been fully implemented, including resolution of any snags.

Prior to the commencement of development, the developer shall appoint a qualified arborist as an Arboricultural Consultant for the entire period of construction on weekly visits that is recorded. The applicant shall inform the planning authority in writing of the appointment and from the named Consultant and their brief, prior to any mobilisation of plant, machinery or construction equipment. The Consultant's brief shall be as follows:- The developer shall implement all the recommendations for Tree Retention, Tree

Protection and Tree Works, as detailed in the Arboricultural Method Statement and Tree Protection Plan; and so instruct his/her contractors.

Tree Survey Plan & Schedule: all trees and hedges on and adjacent to the subject site (i.e. within falling distance thereof) shall be accurately plotted, tagged and shown on a scaled drawing of a topographical survey of the site; and a summary of the surveyed trees and hedges, giving a breakdown of their tag nos., species, size, age, condition and useful life expectancy.

Schedule of works; to retained trees should be submitted to the local authority Parks and Landscape Services as part of the planning application and all works should be completed and tree protection measures installed before clearance, enabling or construction works on site begin. This should contain detailed specification of works in accordance with BS 3998:2010.

The applicant shall lodge a Tree Bond with the Planning Authority, as security for tree protection and a deterrent to wilful or accidental damages during construction. The Bond shall be based on a notional estimate of the combined value - amenity and ecosystems services - of retained trees; and taking account of the percentage tree loss(-es) due to direct impacts on healthy trees. The minimum value of the Tree Bond shall be €60,000.

Lodgement of the Bond shall be part of an Arboricultural Agreement signed by the developer, empowering the planning authority to apply the Tree Bond, or part thereof, for satisfactory protection of all retained trees on and immediately-adjoining the subject site, or the appropriate and adequate replacement of any such trees which die, are removed or become seriously damaged or diseased within a period of 2-years from the substantial Practical Completion of the development. Sequestration of all or part of the bond shall be based on an estimate of the total costs of appropriate, compensatory tree planting at semi-mature sizes. Replacement planting shall be of the same or similar species/varieties as those lost, or as may be specified by Dlr Parks & Landscape Services.

Bond Release: 24 months – inclusive of at least two growing seasons (May – Sept.) - after Practical Completion of the permitted development, the developer shall submit to Dlr Parks and Landscape Services, an Arboricultural Assessment Report prepared by a qualified arborist. Any remedial surgery or other tree works recommended in that Report shall be undertaken by the developer at his/her expense, under the supervision of a qualified arborist. The Tree Bond shall not be released unless and until an Arboricultural Certificate - signed by a qualified arborist, stating that all tree works have been fully undertaken, trees on site alive and in good condition with useful life expectancy - has been submitted to and agreed with Dlr Parks+Landscape Services.

At Practical Completion of the development, the Consultant shall carry out a Post-construction Arboricultural Assessment of all retained trees, making recommendations for any necessary and additional Tree Works. The Consultant shall submit to Dlr Parks and Landscape Services - for its consideration - a signed Arboricultural Completion Certificate stating that all Tree Works were satisfactorily completed in accordance with his/her recommendations, including any additional items arising from the Post-construction Assessment.'

Appendix B. Bonds and Contributions

ABP31333822
RCN8398
RBN686

Junction of Ravenshall & Carmanhall rd

	C and P c/wide	C&P SUFP	Roads c/wide	Roads SUFP	SW c/wide	Total CW
Multiplier retail and non retail	€ 37.99	€6.89	€58.57	€26.41	€2.56	€99.12
Multiplier office	€ 37.99	€14.67	€58.57	€56.23	€2.56	€170.02
S48 Calculations Multiplier residential	€ 4,401.70	€3,795.49	€6,780.97	€1,566.61	€296.11	€16,840.88

	C and P c/wide	Roads c/wide	SW c/wide	Total CW		
Residential units	207 € 911,151.90	€ 785,666.43	€ 1,403,660.79	€ 324,288.27	€ 61,294.77	€ 3,486,062.16
Retail area in square metres	0 € -	€ -	€ -	€ -	€ -	€ -
Non retail in square metres	0 € -	€ -	€ -	€ -	€ -	€ -
Car spaces to be levied?	0 € -	€ -	€ -	€ -	€ -	€ -
High Intensity employment (office) in sq metres	0 € -	€ -	€ -	€ -	€ -	€ -
Totals	€ 911,151.90	€ 785,666.43	€ 1,403,660.79	€ 324,288.27	€ 61,294.77	€ 3,486,062.16

Section 49 Luas	Area in hectares	Multiple (rate per hectare)	Contribution
Residential area	0.67	€351,774	€235,688.58
Commercial area	0.03	€802,047	€24,061.41
	0.7	Total	€259,749.99

207 residential units Bond/Cash
Bond = €720,700
Cash Sec = €446,600

Section 49 calculations Glenamuck

	Number	Multiple per unit	Contribution
Residential units	0	€ 27,507.37	€0.00
Commercial/retail rate	sq metres	multiple per metre	
	0	€ 137.81	€0.00

Creche 306sqm

Demo of 1613.49sqm as per planners report, demo of office/industrial units, this gives demo CR of 50% 806.74sqm

Demo CR of 806.74sqm minus creche 306sqm leaves no leviable commercial Commercial 306sqm = 0.03ha(Luas)

207 Residential units Parking is undercroft Luas 0.7ha as per drawing office

DRAFT
Sue McGinn
2 - June - 2022

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