

STATEMENT OF CONSISTENCY

In respect of

**PROPOSED MIXED USE RESIDENTIAL DEVELOPMENT AT A COMBINED
SITE LOCATED AT THE JUNCTION OF BELGARD SQUARE NORTH AND
BELGARD ROAD, TALLAGHT, DUBLIN 24**

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1.0 EXECUTIVE SUMMARY

This Statement of Consistency demonstrates that the proposed mixed use residential development at the junction of Belgard Road and Belgard Square North, Tallaght, Dublin 24 is consistent with the relevant policies pertaining to the site at local, county and national levels.

The proposed development may be summarised as follows:

The development will consist of a mixed use residential development (total GFA 55,180 sqm) comprising a new urban quarter and streets with 5 no. blocks to provide 438 no. apartment units (including live/work units) and associated amenity facilities, a 403 no. bedspace student accommodation scheme and associated amenity facilities, childcare facility (c.380 sqm), 6 no. retail / commercial units (c.632 sqm in total) and a security room (c.52 sqm). This will comprise phase I of the overall development of the c.7.2 ha. site and will be located on a net site area of 3.45 ha. (excluding proposed temporary car park at grade).

The development will consist of the demolition of all existing buildings on the site ranging from one to three storeys in height and the removal of hardstanding throughout. Proposed buildings for demolition include 2 – 3 storey Belgard Square (c.11,362 sqm) and associated single storey security hut (c.9 sqm); 3 storey Belgard House (c.9,706 sqm) and associated single storey security hut (c.14 sqm); 2 storey former Uniphar factory (c.7,780 sqm), associated 2 storey office building (c.1,033 sqm) and associated single storey security hut (c.14 sqm).

The proposed development will consist of:

- 5 no. blocks ranging from 4 – 10 storeys comprising a new urban quarter and streets to provide 438 no. apartment units consisting of 158 no. 1 beds, 230 no. 2 beds and 50 no. 3 beds (total apartment units include 8 no. live/work units with a total c.509 sqm work areas at ground floor) and c.732 sqm of tenant/resident service amenities, all within Blocks A1, A2, A3 and B1;
- Balconies / winter gardens / terraces to be provided on all elevations at all levels for each residential block;
- Block B2 to comprise a 403 no. bedspace student accommodation scheme and associated student amenity and staff facilities (c.815 sqm);
- Childcare facility (c.380 sqm) and external playing area (c.242sqm);
- 6 no. retail/commercial units (c.632 sqm in total);
- Security room (c.52 sqm);
- 107 no. car parking spaces below podium (a temporary car park at grade will be provided until such time as the completion of the permanent below podium car park);
- 22 no. car parking spaces at surface level;
- 1,227 no. bicycle parking spaces below podium and at surface level;
- 4 no. semi-private courtyards of c.5,516sqm;
- Public plaza (c.2,366 sqm);
- Public realm & landscaping (c.7,442sqm).

The proposed development will include the provision of a new north – south street bisecting the site (to later connect to the planned Airton Road Extension) with 2 no. East – West internal streets proceeding east towards Belgard Road (pedestrian access only onto Belgard Road) and proceeding west (to later connect to lands in ownership of SDCC if required).

Works to public roads to include replacement of roundabout with a signalised junction and provision of cycle lanes on Belgard Square North and provision of a pedestrian crossing at Belgard Road.

The proposed development will also include boundary treatments, public lighting, green roofs, solar panels, ESB substations and switch rooms, CHP plant, commercial and residential waste facilities and all ancillary works and services necessary to facilitate construction and operation. The proposed development will also include provision of site boundary protection where required to facilitate development phasing.

2.0 INTRODUCTION

2.1 Legislative Context

In accordance with Section 4(1) of the *Planning and Development (Housing) and Residential Tenancies Act, 2016*, Atlas GP Ltd.,¹ applies for planning permission in respect of proposed Strategic Housing Development (SHD) at the junction of Belgard Road and Belgard Square North, Tallaght, Dublin 24. The subject report constitutes the Statement of Consistency required to support the application.

2.2 Outline of This Report

This Statement of Consistency provides a description of the proposed site location and proposed development followed by a list of the various statutory and strategic policy documents considered. The Statement continues to demonstrate full consistency with the pertinent Development Plan, and the relevant S.28 Guidelines and National Policy.

3.0 POLICY DOCUMENTS CONSIDERED

The following policy documents have informed this Statement of Consistency:

3.1 Statutory Policy Documents

- *South Dublin County Development Plan 2016-2022*
- *Tallaght Local Area Plan 2006, extended 2011 (now expired)*

3.2 Strategic Policy Documents

- *Project Ireland 2040 - National Planning Framework (2018)*
- *Urban Development and Building Heights: Guidelines for Planning Authorities (December 2018)*
- *Sustainable Urban Housing: Design Standards for New Apartments (2018)*

¹ 8-9 Hanover Street East, Dublin 2, D02 Kx94, Ireland

- *Part V of the Planning and Development Act 2000: Guidelines (2017)*
- *Rebuilding Ireland: Action Plan for Housing and Homelessness (2016)*
- *Greater Dublin Area Transport Strategy 2016-2035*
- *Design Manual for Urban Roads and Streets (DMURS) (2013)*
- *The Planning System and Flood Risk Management (2009)*
- *Sustainable Residential Development in Urban Areas (2009)*
- *Urban Design Manual: A Best Practice Guide (2009)*
- *Childcare Facilities – Guidelines for Planning Authorities (2001)*
- *Birds and Habitats Directive – Appropriate Assessment*
- *Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities (2009)*
- *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (2018)*

4.0 STATUTORY POLICY

4.1 Introduction

This section of the planning report provides an account of the relevant local planning policy framework is provided primarily the *South Dublin County Development Plan 2016 – 2022*. The current application site is subject to the provisions of the *South Dublin County Development Plan 2016 – 2022* (hereafter *Development Plan*) and the recently expired *Tallaght Local Area Plan 2006* (extended in 2011, hereinafter *Tallaght LAP*).

Feedback given by SDCC under the Pre-Application meeting SPP01/18 has advised that the development of the site should be guided by principles of the expired LAP or the provisions of a draft LAP if at draft stage when the application is lodged. Whilst the position of the Local Authority is acknowledged, the expired LAP conflicts with recent national policy and guidelines in terms of allowable heights and density.

It is important to note that objectives included within the expired LAP conflict with national policy in relation to residential density adjoining public transport corridors and the sustainable use of well-located, serviced lands. The provisions of the LAP which present a challenge in this regard are: -

- Building Height: The expired LAP provides for heights of five storeys on the southern and north-eastern quadrants of the site stepping down to four storeys to the north west of the site. There are 3 no. 'Gateway' markers adjacent to the site, which normally allows buildings to exceed the height threshold by 2 storeys providing for a maximum height of six to seven storeys;
- Plot Ratio Threshold: Ratios of between 2.0:1 and 1.5:1 are allowable under the LAP;
- Car Parking: The LAP provides a minimum of 1 car parking space per dwelling and a maximum of 1.5 spaces (2 bed or less) and 2 spaces (3 bed +) is provided by the LAP;

It is considered that the provisions of the Tallaght LAP have been superseded in many respects with the most recent national policy and guidelines. This is acknowledged within page 7 of the *Inspector's Report on Recommended Opinion*, which refers to the Planning Authority Submission and statement that the Planning Authority note that the provisions of the LAP remain instructive, however, the proposed development is reflective of the advice in more recent national policy.

Therefore, it is considered that there is no current statutory LAP in place regarding the subject site and that the previous LAP has expired and has been superseded in many respects by recent national policy. The proposed development is then required to comply with this current national policy and the *County Development Plan*.

4.2 *South County Council Development Plan 2016 - 2022*

The site is located within the administrative area of South Dublin County Council and is therefore subject to the land use policies and objectives of the *County Development Plan 2016-2022* (hereinafter *Development Plan*).

4.2.1 Core Strategy

The *Planning and Development (Amendment) Act 2010* introduced the requirement for an evidence-based “Core Strategy” (CS) to be incorporated as part of County Development Plans. The purpose of a Core Strategy is to articulate a medium-to longer term quantitative-based strategy for the spatial development of the area of the Planning Authority, and, in so doing, to demonstrate that a Development Plan and its policies and objectives are entirely consistent with National and Regional development objectives as set out in the *National Spatial Strategy 2002-2022* (NSS) and *Regional Planning Guidelines 2010-2022* (RPGs).

The central focus of the Core Strategy is on residential development and ensuring that there is an acceptable equilibrium between the supply of zoned, serviced land for residential development and the projected demand for new housing during the lifetime of the Plan.

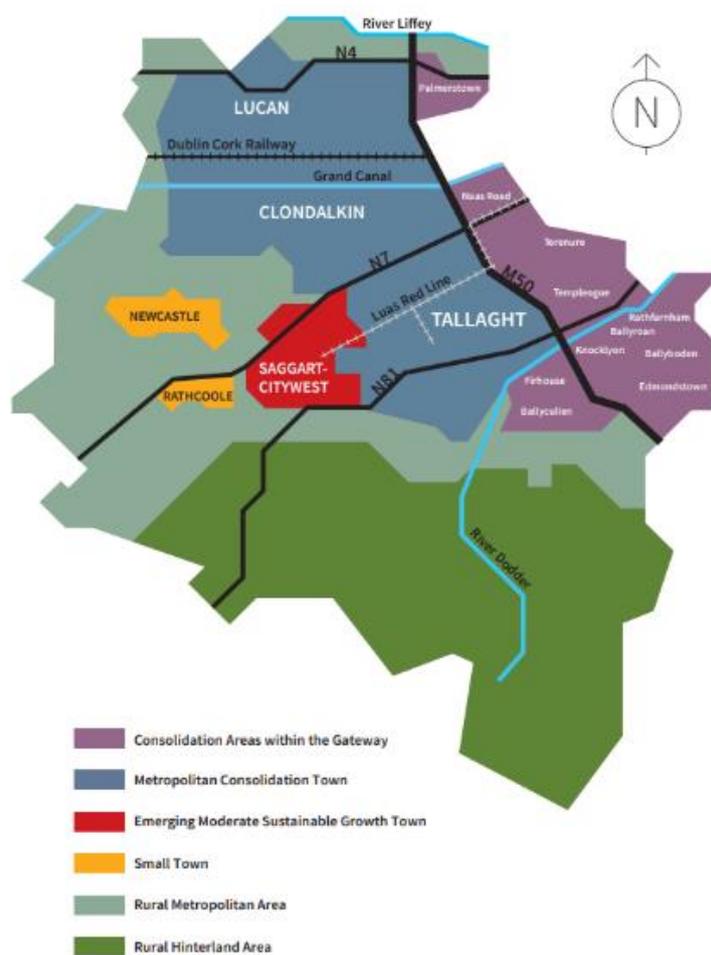


Fig. 1: Core Strategy Map (Source: *South Dublin County Development Plan, 2016, p. 10*)

With regard to housing provision, the Core Strategy states:

“The zoning objective of a number of sites has been amended to support development, should economic, market and demographic factors warrant this level of output. Most significantly, a new Regeneration zoning objective ‘REGEN’ has been introduced to support and facilitate the regeneration of underutilised industrial lands that are proximate to town centres and/or public transport nodes for more intensive enterprise and residential led development²”.

The Strategy seeks to focus higher density development in suitable strategic nodes along existing or planned public transport corridors. The subject lands occupy vacant brownfield sites adjacent to Tallaght Town Centre and directly near to high quality public transport infrastructure.

The proposed residential development will have a net density of 146 units per hectare (based on 65 no. house clusters and 438 no. apartments on a net site area of 3.45 ha.) and is located between c. 300m and 400m from high quality public transport infrastructure, providing an appropriate mix of unit types and sizes, in addition to substantial open space, and is considered to be consistent with the vision and strategies outlined above.

4.2.2 Zoning and Site Specific Objectives

The site is zoned ‘Regeneration’ with the objective to facilitate enterprise and/or residential led regeneration.

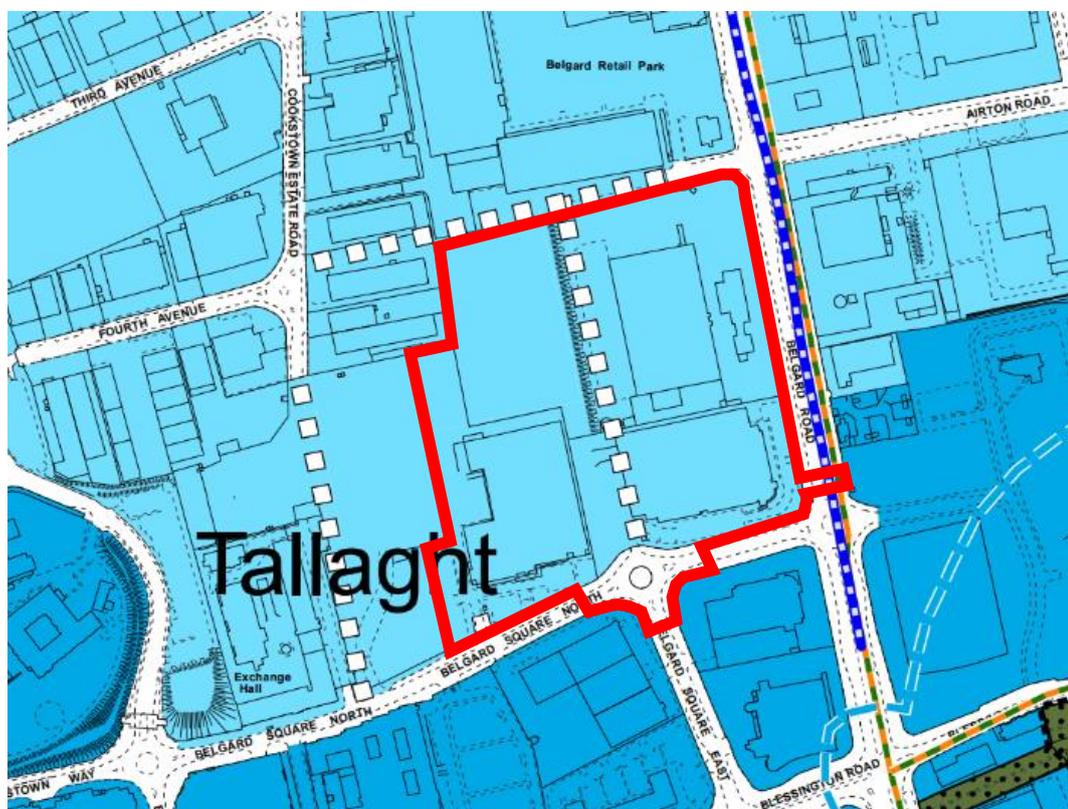


Fig. 2: Extract from Zoning Map with site outlined in red (South Dublin County Development Plan, 2016, Zoning Map 9)

² South Dublin County Development Plan, 2016, p. 19

There is a long term road objective bisecting the site which is proposed to be provided as part of the subject planning application. A second long term road objective is located to the north of the site and is to be partially provided by the Applicant as part of the Phase II application.

All uses proposed within the site are Permitted in Principle under the Regeneration zoning as shown below:

Table 11.4: Zoning Objective ‘REGEN’: ‘To facilitate enterprise and/or residential-led regeneration’

| USE CLASSES RELATED TO ZONING OBJECTIVE | |
|---|---|
| Permitted in Principle | Advertisements and Advertising Structures, Childcare Facilities, Community Centre, Education, Enterprise Centre, Health Centre, Home Based Economic Activities, Hotel/Hostel, Housing for Older People, Industry-Light, Live-Work Units, Motor Sales Outlet, Office-Based Industry, Office less than 100 sq.m, Offices 100 sq.m –1,000 sq.m, Offices over 1,000 sq.m ⁱ , Open Space, Petrol Station, Public Services, Recreational Facility, Residential, Restaurant/Café, Residential Institution, Science and Technology Based Enterprise, Shop-Local, Sports Club/Facility, Stadium, Traveller Accommodation. |
| Open for Consideration | Allotments, Bed & Breakfast, Betting Office, Boarding Kennels, Car Park, Crematorium, Cultural Use, Doctor/Dentist, Embassy, Funeral Home, Garden Centre, Guest House, Hospital, Industry-General, Nursing Home, Off-Licence, Place of Worship, Primary Health Care Centre, Public House, Recycling Facility, Retail Warehouse, Retirement Home, Service Garage, Shop-Neighbourhood, Social Club, Veterinary Surgery, Warehousing, Wholesale Outlet. |
| Not Permitted | Abattoir, Aerodrome/Airfield, Agriculture, Camp Site, Caravan Park-Residential, Cemetery, Concrete/Asphalt Plant in or adjacent to a Quarry, Conference Centre, Fuel Depot, Heavy Vehicle Park, Industry-Extractive, Industry-Special, Nightclub, Outdoor Entertainment Park, Refuse Landfill/Tip, Refuse Transfer Station, Rural Industry-Food, Scrap Yard, Shop-Major Sales Outlet, Transport Depot, Wind Farm. |

ⁱ In accordance with Chapter 4 Economic Development & Tourism Policy for Offices over 1,000 sq.m

Fig. 3: Zoning use table for Regeneration Objective (South Dublin County Development Plan, 2016, p. 190)

4.2.3 Compliance with Policies of the *South Dublin County Development Plan*

The *Development Plan* sets out the policies and objectives for new housing within Chapter 2. It is respectfully submitted that the proposed development is consistent with the requirement of the *Development Plan* with regard to the following:

Policy H10 Objective 1 Mix of Dwelling Types

The proposed development provides a mix of 1, 2 and 3 bed apartments totalling 438 no. units. This includes 8 no. live / work units, which is considered to be positive as these unit types are not currently available within the local area. Although a mix of unit types in terms of houses and apartments is not proposed within the scheme, it is considered that due to the significant quantum of traditional housing stock within Tallaght and the need to accommodate higher densities, a scheme providing for a mix of apartment typologies will contribute to the overall residential mix within the wider area and facilitate a range of household sizes.

Policy H1 Objective 2 Part V

The Applicant has engaged in consultation with the Housing Section of SDCC and has reached agreement on the Part V proposals outlined and confirmation of same is enclosed with this planning application.

The proposed development will provide for 10% social housing, i.e. 44 no. units in total as set out in the Part V documentation accompanying the planning application, in accordance with the Council's Housing Strategy and as is required under Part V of the *Planning and Development Act, 2000* (as amended).

The preliminary agreement is for the transfer of 44 units within Block A1 as follows:

- 22 no. 1 beds
- 18 no. 2 beds
- 4 no. 3 beds

The Applicant agrees to accept a condition attaching to a grant of planning permission, if An Bord Pleanála is minded to approve the proposed development, which requires the Applicant to enter into a Part V agreement with SDCC as per their requirements, prior to the commencement of development.

Policy H7 Objectives 1 and 2 Urban Design in Residential Developments

The proposed scheme has been designed in compliance with the provisions of the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas 2009*, the Urban Design Manual 2009 and the Design Manual for Urban Roads and Streets as outlined in Section 5 of this Statement.

Policy H8 Objectives 1,2,5 and 6 Residential Densities

The proposed development will have a density of 146 units per hectare. This is considered appropriate with regard to the proximity of the site to excellent public transport links and recent national policy guidance which emphasises the importance of higher density developments at strategic locations.

Policy H9 Objective 1 and 4 Residential Building Heights

Objective 1 seeks to encourage varied building heights in new residential developments to support compact urban form, sense of place, urban legibility and visual diversity. The proposed schemes which provides a range of building heights and forms is considered compliant with this objective.

It is noted that Objective 4 seeks to locate tall buildings higher than five storeys to strategic and landmark locations in Town Centres, Mixed Use zones and Strategic Development Zones and subject to an approved Local Area Plan or Planning Scheme. The subject site is located in a mix use zone (Regeneration), however the Local Area Plan has expired.

As such, notwithstanding recent National Policy provisions which seek to supercede prescriptive height guidance in appropriate locations, it is submitted that a material contravention of the Development Plan occurs as a result of the subject proposals, which seek heights of up to ten storeys. A *Material Contravention Statement* accompanies this planning application and demonstrates how An Bord Pleanála is justified to grant permission for the scheme having regard to Section 37(2)(b) of the *Planning and Development Act 2000* (as amended).

Policy H11 Objectives 1 and 2 Residential Design and Layout

The proposed site layout and scheme design has been developed in compliance with the standards provided for in Chapter 11 of the *Development Plan* and Part L of the *Building Regulations*.

Policy H11 Objective 2 Energy Efficiency

This objective seeks to promote new residential developments taking account of energy efficiency, prioritising passive house construction standards, as well as renewable energy opportunities, including solar energy where appropriate, in accordance with Part L of the Building Regulations. The proposed development is fully compliant with this objective as demonstrated by the accompanying *Energy Efficiency and Climate Adaption Report*.

Policy H12 Objectives 1 and 2 Public Open Space and Policy H13 Objectives 1, 2 and 3 Private and Semi-Private Open Space

A generous provision of public open space is provided throughout the scheme in compliance with *Development Plan* requirements. Public open space of 10% of the site area is provided as follows:

Semi-Private Courtyards

- A1: 1,410 sqm
- A2/A3: 1,361sqm
- B1: 1,495 sqm
- B2: 1,250 sqm

Public Plaza: 2,366 sqm

The public plaza will form the primary public amenity space for the scheme and will provide a focal area for residents to meet and relax. Public events will also take place here such as performances and public markets. It is therefore important to note that this amenity is being provided in phase I of the overall masterplan site.

In addition to the above there is c. 7,442 sqm of new public realm along roads/streets, with wide footpaths and cycle lanes, tree planting, sustainable urban drainage, high-quality paving, cycle parking and seating.

Therefore, in total, open space of 15,324 sqm is proposed which equates to 44.3% of the site (using the net site area for Phase I). Excluding the new areas of public realm, open space of 22.8% of the Phase I net site area is provided.

Private open space is provided via balconies and terraces in compliance with minimum areas. Many balconies exceed the minimum areas required with balconies of greater than 7.5 sqm provided in most cases.

A number of apartments are provided with larger balconies (c.20 sqm) which will benefit from views towards the mountains. These will be particularly suitable to families.

Policy H15 Objectives 1 to 4 - Privacy and Security

The layout and block design of the scheme ensures that passive surveillance of public spaces is maximised. The location of the amenity spaces which overlook and are accessed from Belgard Square North will greatly improve visibility on a road which is currently poorly overlooked. Adequate separation distances are provided between blocks with privacy strips providing additional screening for ground floor apartments.

Policy H4 Objective 1 – Student Accommodation

It is the policy of the Council to support the provision of accommodation for third level students in the campus of third level Institutions or at other appropriate locations that are proximate to centres of third level education.

The proposed development includes a purpose built student accommodation scheme, which comprises 403 no. bedspaces within a short walking distance of ITT and thus is compliant with this Objective.

Policy ET4 Objective 2 - Live / Work Units

This policy supports and encourages the provision of ground floor live-work units as part of mixed use and residential developments in appropriate locations, as a means of enlivening streets and to provide flexible accommodation for small businesses. Some 8 no. Live/ Work units are proposed within the development to be accessed from the new central north-south street. These are compatible with the Regeneration zoning of the site and will encourage new businesses and start-ups to the area.

4.2.4 Development Management Guidelines and Standards

Chapter 11 of the *Development Plan* sets out the development standards and criteria that seek to ensure development takes place in an orderly and efficient manner. The following development standards are relevant to the current application and are considered under the headings contained within Chapter 11 of the *Development Plan*:

- Regeneration zone (Section 11.2.4)

The *Development Plan* states the following:

“Development in Regeneration zones will be assessed against the relevant criteria within the Urban Design Manual, the Design Manual for Urban Roads and Streets and/or the Retail Design Manual as appropriate. A Design Statement (see Section 11.2.1 Design Statements) accompanying development proposals in Regeneration (REGEN) zones should also address the following criteria³”:

| DEVELOPMENT PLAN REQUIREMENT | APPLICANT RESPONSE |
|---|---|
| Demonstrate a clear transition towards a more urban form of development and a traditional street network. | The proposed layout provides a clear network of street bordered by perimeter blocks with internal courtyards |
| Address connectivity and linkages in the area and demonstrate that the development of the site would not give rise to isolated piecemeal pockets of residential development that are disconnected from shops, amenities and/or other residences. | The proposed scheme delivers a north south street as identified within the Development Plan. This street will connect to the Cookstown Way Part 8 Road and the Airton Road extension once these are delivered. |
| Residential development should not be introduced at ground floor level adjacent to busy roads, and/or roads that are subject to significant movements by Heavy Goods Vehicles (HGVs). | Residential accommodation has been limited adjacent to Belgard Square North and Belgard Road through the location of amenity facilities within these areas for the use of residents and students. |
| Given the transitional nature of Regeneration zones, precautions will be taken to ensure that the potential for noise pollution, air pollution or other nuisance from established industrial uses will not exceed acceptable environmental standards. The Planning Authority may seek a report from a suitably qualified person to identify and quantify sources of noise pollution, air pollution, or nuisance, assess the potential impacts on the proposed development and provide a series of recommendations to mitigate the impacts of any pollutants insofar as possible (e.g. orientation and layout of dwellings, positioning of openings and insulation). | A noise assessment was undertaken on the site in April 2018 and found that the primary noise generator in the area was from adjacent traffic routes rather than any industrial uses in the area. An overview of noise impacts is provided in the EIAR. |

³ South Dublin County Development Plan, 2016, p. 200

| | |
|--|--|
| It may be necessary to consider improvements to the surrounding road and street network in conjunction with the Planning Authority, to calm traffic and improve pedestrian and cyclist access. | A number of road improvements relating to traffic, cyclist and pedestrian movements are proposed and detailed within the ancillary documentation provided by OCSC. |
|--|--|

Table 1: Summary of Design Criteria and Responses for Regeneration Zones

Residential (Section 11.3.1)

The proposed dwelling units are designed in accordance with the guidelines and standards for dwelling mix, residential density, public open space/ children’s play and internal spaces.

Bicycle Parking Standards (Section 11.4.1)

Bicycle storage for the dwelling units is provided within secure covered bicycle stores (1,227 no. spaces are proposed). This is marginally less than the 1 no. bike space per bedspace as required by the Apartment Guidelines, however it is considered appropriate as many local destinations (The Square, ITT, Luas stops) are within easy walking distance. In addition, it is proposed to provide a shared bicycle scheme for the use of residents, which further reduces the requirement for a personal bike space.

Car Parking Standards (Section 11.4.2)

Specifically, Tables 11.22 – 11.24 set out the parking standards for car parking. It is noted that the *Development Plan* standards are maximum standards. A total of 107 no. car parking spaces are provided on site under podium, with a further 22 no. provided on street level at grade. As noted in Section 5 below, the site is highly accessible by rail, bus, bicycle and on foot. Furthermore, it should be noted that the student accommodation in particular will be located within a short walking distance of ITT which dramatically reduces any need to travel. Based on the above, it is clear that the development is suitable for the provision of a reduced quantum of car parking.

5.0 STRATEGIC POLICY

5.1 *Project Ireland 2040 – National Planning Framework (2018)*

The *National Planning Framework*, published in February 2018, sets out a strategic development framework for the Country to 2040. Among its key messages is the need to provide the highest possible quality of life for people and communities via well designed and managed built and natural environments.

The following Objective 13 has particular relevance to the proposed development which seeks to move away from prescriptive development management policies towards an evidence-based approach:

*“In urban areas, planning and related standards, including in particular **building height and car parking will be based on performance criteria** that seek to achieve well-designed high quality outcomes in order to achieve targeted growth.*

These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected”.

National Planning Framework, Objective 13, p. 67

And

*“Increase residential density 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**”.*

National Planning Framework, Objective 35, p. 93

National Policy Objective 28 has a stated aim to ensure that safe and convenient alternatives to the car are integrated into the design and planning of new communities which is fully consistent with the proposed reduced level of car parking provision within the scheme.

With particular respect to housing and community development, National Policy Objective 33 of the *National Planning Framework* has the following stated objective:

“Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.”

The *National Planning Framework* (hereinafter NPF) also provides that *“To more effectively address the challenge of meeting the housing needs of a growing population in our key urban areas, it is clear that we need to build inwards and upwards, rather than outwards. This means that apartments will need to become a more prevalent form of housing, particularly in Ireland’s cities”* (*National Planning Framework*, p.93).

The NPF also states that *“in the Higher Education sector, the development of Technological Universities has the potential to deliver greater opportunity to students in the regions served, to staff working in the institutions, and to the broader local economy and society”* (NPF, p.90).

In this regard, it is noted that the *Technological Universities Act 2018* has recently been passed and it is considered that Institute Technology Tallaght (ITT) which is located adjacent to the subject site and IT Blanchardstown will be the first to gain this status later this year. As such, the provision of purpose built student accommodation within walking distance of ITT will contribute to and enhance the offering of the Third Level Institution.

A childcare facility is also proposed as part of the Phase I development and will cater for approximately 73 children. This is supported by the NPF which emphasises the importance of “*the provision of childcare facilities and new and refurbished schools on well located sites within or close to existing built-up areas, that meet the diverse needs of local populations*” (NPF, p. 90, Objective 31).

In conclusion, the redevelopment of this brown field urban site would contribute to compact growth. It is submitted that the proposed development is consistent with the objectives of the NPF in seeking to consolidate and densify an urban area proximate to primary transport routes.

Subject Proposal is Fully Consistent with Provisions of NPF:

Provides 438 no. new homes with a range of unit types and mix at a strategically located, zoned site with a sensitive design which responds to the evolving urban context in full accordance with National Policy Objective 33

Design and Layout of proposal encourages non-car use within the site with the low provision of car parking spaces, the use of shared surfaces, provision of new footpaths and cycle lanes and future provision for linkages with adjacent zoned sites, in full accordance with National Policy Objective 28

5.2 Urban Development and Building Heights: Guidelines for Planning Authorities (December 2018)

The *Height Guidelines* have been prepared in response to the publication of Project Ireland 2040 and the National Planning Framework which signalled the preparation of new Section 28 guidelines regarding building height. The *Height Guidelines* outline how Local Authorities have set generic height limits within their functional areas, and state the following:

“such limits have resulted from local-level concerns, like maintaining the character of an existing built-up area, for example. However, such limits, if inflexibly or unreasonably applied, can undermine wider national policy objectives to provide more compact forms of urban development as outlined in the National Planning Framework and instead continue an unsustainable pattern of development whereby many of our cities and towns continue to grow outwards rather than consolidating and strengthening the existing built up area. Such blanket limitations can also hinder innovation in urban design and architecture leading to poor planning outcomes.”⁴

⁴ *Urban Development and Building Heights: Guidelines for Planning Authorities* (December 2018), p.1

The *Height Guidelines* state that with regard to major towns which are identified for growth, it is appropriate to support heights of at least six storeys at street levels with scope for greater height subject to design parameters.

It is stated that the Guidelines, and the included specific planning policy requirements (SPPRs), shall take precedence over any conflicting policies and objectives within existing statutory planning documents (e.g. Development Plans, Local Area Plans and Strategic Development zones).

Section 3.2 of the *Height Guidelines* set out a number of criteria which should be satisfied in terms of proposals for greater height which includes the following:

- Accessibility to high capacity, frequent public transport;
- Positive contribution to placemaking and legibility with new streets and public spaces with a variety in the scale and form of buildings;
- Response to natural and built environment with avoidance of long uninterrupted walls of buildings;
- Specific impact assessment of the micro-climatic effects such as downdraft;
- An assessment that the proposal maintains safe air navigation;
- Submission of relevant environment assessment requirements such as EIA.

The *Guidelines* state that where the above criteria are met, the following Strategic Planning Policy Requirement (SPPR) will be applied:

“SPPR 3

It is a specific planning policy requirement that where;

1. an applicant for planning permission sets out how a development proposal complies with the criteria above; and

2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines;

then the planning authority may approve such development, even where specific objectives of the relevant development plan, local area plan or planning scheme may indicate otherwise⁵”.

With regard to the above, it is considered that the proposed development is consistent with the requirements of these *Height Guidelines*. It is noted that notwithstanding that these Guidelines take precedent over local planning policy, a Material Contravention of the Development Plan is still considered to occur until such time that the Development Plan has been updated to account for the Height Guidelines. Therefore, a *Statement of Material Contravention* is included with this planning application which demonstrates why permission should be granted having regard to a consideration specified in section 37(2)(b) of the *Planning and Development Act 2000 (as amended)*.

⁵ *Urban Development and Building Heights: Guidelines for Planning Authorities* (December 2018), p.15

5.3 ***Eastern & Midland Regional Assembly Draft Regional Spatial & Economic Strategy (Consultation Draft, November 2018)***

The Draft *Regional Spatial & Economic Strategy* (hereinafter Draft RSES) has been published by the Eastern and Midland Regional Assembly and covers nine counties including twelve Local Authorities.

The purpose of the Strategy is to support the implementation of Project Ireland 2040 through providing a long-term strategic planning and economic framework for the development of the Regions. A Metropolitan Area Strategic Plan (MASP) is provided in order to deliver compact regeneration and growth in the Dublin metropolitan area. The MASP provides 5 no. strategic corridors which includes the South Western Corridor. Tallaght is located in the South West Corridor and it is stated that “*There is further capacity for regeneration of major brownfield lands at Naas Road, Tallaght and to create new residential communities at Fortunestown near to the emerging town of Saggart/Citywest, served by the LUAS redline⁶”.*

In terms of Phasing / Enabling Infrastructure, the Draft RSES states that the regeneration of the brownfield lands in Tallaght can occur in the short to medium term with short term population capacity of 45,000 and a medium term capacity of 21,000 giving a total of capacity of 66,000 persons. The development of the subject site is fully compliant with the intentions of the Draft RSES as the proposal will regenerate a vacant brownfield site proximate to Tallaght town centre and within a short walking distance of the Luas red line.

5.4 ***Sustainable Urban Housing: Design Standards for New Apartments 2018***

The new *Apartment Guidelines* are intended to promote sustainable housing, by ensuring that the design and layout of new apartments provide satisfactory accommodation for a variety of household types and sizes, including families with children over the medium to long term.

This planning application is accompanied by a Housing Quality Assessment (HQA) document, prepared by O’Mahony Pike Architects which demonstrates the compliance of the proposed development with the relevant quantitative standards required under the 2018 *Apartment Guidelines*.

The HQA illustrates how each apartment within Blocks A1, A2, A3 and B1 meet or exceed the relevant standards for example in respect to apartment size, internal areas, dimensions, private open space, dual aspect etc.

The proposed apartment buildings and units are considered to be suitably located on the subject site, integrated within the landscape and well connected to adjacent facilities including public transport, and will provide high quality residential development on the subject site.

⁶ Draft Regional Spatial & Economic Strategy, 2018, p.70

In line with the provisions of the Apartment Guidelines, the subject site can be considered to be located within a 'Central and/or Accessible Urban Location' which is defined as follows:

Such locations are generally suitable for small- to large-scale (will vary subject to location) and higher density development (will also vary), that may wholly comprise apartments, including:

- *Sites within walking distance (i.e. up to 15 minutes or 1,000-1,500m), of principal city centres, or significant employment locations, that may include hospitals and third-level institutions;*
- *Sites within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m) to/from high capacity urban public transport stops (such as DART or Luas); and*
- *Sites within easy walking distance (i.e. up to 5 minutes or 400-500m) to/from high frequency (i.e. min 10 minute peak hour frequency) urban bus services.*

Apartment Guidelines, 2018, p. 5

As per the above, the subject site is located within a 15 minute walktime of both Tallaght University Hospital (TUH) and Institute of Technology Tallaght (ITT) in addition to Tallaght Town Centre. Furthermore, the site is located 500m from the terminus for the Red Line Luas and is within easy walking distance of high frequency bus services located on Belgard Square North and Belgard Road. It is also located adjacent to a new route identified within the *BusConnects* plan. Therefore, it is clear that the subject site is an excellent representation of a 'Central and/or Accessible Urban Location' which are considered suitable for higher density schemes.

Some 37% of the proposed apartments benefit from dual aspect. This is in accordance with Section 3.17 of the *Apartment Guidelines* which requires that at least 33% of apartments in Central / Accessible areas be delivered as dual aspect.

With respect to parking, c.0.25 spaces per unit will be provide below podium between Blocks B1 and B2. This reduced level of parking is supported by Section 4.19 of the *Apartment Guidelines* for schemes located in central and / or accessible urban locations.

Given the high quality public transport infrastructure available in the local area, in addition to planned infrastructure delivery (*BusConnects*, Metro West), the subject site represents the ideal location within the County for a scheme with reduced car parking provision.

A total of 22 no. surface car parking spaces are provided for visitors and short term parking at street level throughout the scheme.

Dedicated secure cycle parking for some 1,227 no. spaces is provided for the entire scheme to be located within secure and covered bicycle storage rooms. The *Apartment Guidelines* provide a ratio of 1 no. bike space per bedroom and 1 no. visitor space for every two units which would lead to a requirement of 988 no. spaces. It is noted that the *Development Plan* standards would require just 132 no. spaces. The *Guidelines* do not provide figures for student accommodation developments, whereas *Development Plan* requirements would result in a need for 484 no. spaces.

Given that a significant population of residents will continue to opt to use public transport or walk, the assumption of a 100% modal share for bicycle parking is unrealistic and will lead to vacant bike parking spaces.

As such it is proposed to provide 75% of the targeted residential bike parking as set out by the Guidelines (total of 741 no. spaces) and to provide 100% of the student accommodation requirement as per the Development Plan requirements (total of 484 no. spaces). This is considered appropriate due to the sites' location within easy walking distance of public transport and major employment locations.

Furthermore, provision will also be made for bike club schemes within the site. See the enclosed *Traffic Impact Assessment* provided by OCSC for further details.

5.5 ***Part V of the Planning and Development Act 2000: Guidelines (2017)***

This Guidance document advocates consideration of Part V issues at the earliest point possible. In this regard, the issue of compliance with Part V requirements was discussed with the Local Authority at a preliminary stage on 15th May 2018, which proposed the onsite provision of 42 no. dwelling units. A letter confirming the acceptability in principle of this proposal was provided by South Dublin County Council Housing Procurement Unit in June 2018 in advance of the Section 6 Pre-Application Request to An Bord Pleanála.

Further to the subsequent refinement of the design, an updated proposal providing for 44 no. units (to account for the overall increase in units from 427 no. to 438 no.) was provided for the consideration of the SDCC Housing Procurement Unit and a letter confirming the acceptability of the proposal was issued. This letter and full details of the Part V proposal are submitted with this planning application.

Section 2.3 of the *Part V Guidelines* sets out the requirements for applications to which Part V relates.

As discussed above, the subject proposal is entirely consistent with the 2017 Guidelines, which states:

The acquisition of units on the site of the development is the recommended option in order to advance the aim of achieving a social mix in new developments. This option should be pursued by the local authority from its earliest engagement with the developer, with a view to acquiring houses which meet its social housing requirements for that area/site.

(Source: *Part V of the Planning and Development Act 2000: Guidelines (2017) p.10*)

Given that the instant proposal will provide some 44 no. units on site, it is fully consistent with the preferred option as recommended by the Guidelines.

5.6 ***Rebuilding Ireland: Action Plan for Housing and Homelessness (2016)***

Rebuilding Ireland was launched in 2016 with the aim of addressing ongoing supply issues for residential accommodation in Ireland. The overarching aim of the *Action Plan* is to increase the delivery of housing from its current undersupply across all tenures and to help individuals and families meet their housing needs.

The *Action Plan* provides a target to double the number of residential dwellings delivered annually by the construction sector and to provide 47,000 social housing units in the period up to 2021. The importance of land supply and location is a central consideration of the *Action Plan* which states that:

“locating housing in the right place provides the opportunity for wider family and social networks to thrive, maximises access to employment opportunities and to services such as education, public transport, health and amenities, while also delivering on sustainability objectives related to efficiency in service delivery and investment provision”⁷.

The proposed development is located on zoned, serviced lands within walking distance of a range of amenities and services. The development is proximate to existing residential areas and employment opportunities which is in line with the provisions of the *Action Plan*.

The Action provides five key Pillars which will then support a range of actions which will support the increased delivery of housing. The proposed development will directly respond to Pillar 2 of the *Action Plan* which seeks to ‘accelerate the delivery of social housing’ as 10% of units to be provided on site will be transferred for use as social housing amounting to 44 no. dwellings.



Fig. 4: Five Pillars of the Action Plan (source: Rebuilding Ireland: Action Plan for Housing and Homelessness, 2016, p. 12)

Pillar 3 of the *Action Plan* seeks to ‘build more homes’ in order to meet ongoing demand. The proposed development of 438 no. units will provide a wide mix of unit types and will be suitable for a range of household types and needs.

Pillar 4 of the Action Plan has the objective to improve the rental sector and lists a number of key actions. Included within these key actions is the objective to support the greater provision of student accommodation due to the estimated unmet demand of approximately 25,000 places per year. Given that there is currently no purpose built student accommodation located in the SDCC administrative area and the imminent creation of the Technological University Dublin in January 2019 (to be formed by DIT, IT Blanchardstown and Institute of Technology Tallaght), the proposed scheme which includes 403 no. bed spaces with high quality student and staff facilities within walking distance of ITT, is wholly compliant with the objectives of the *Action Plan*.

⁷ Rebuilding Ireland: Action Plan for Housing and Homelessness, 2016, p. 24

5.7 **Greater Dublin Area Transport Strategy 2016 – 2035**

The *Greater Dublin Area Transport Strategy 2016 – 2035* (hereinafter *Transport Strategy*) has been prepared by the National Transport Authority with regard to the Greater Dublin Area (GDA) which includes the Counties of Dublin, Meath, Kildare and Wicklow. The purpose of the Strategy is:

“To contribute to the economic, social and cultural progress of the Greater Dublin Area by providing for the efficient, effective and sustainable movement of people and goods.”⁸

The GDA is divided into 6 no. Radial Transport Corridors with the subject site located within *Corridor D – Newbridge – Naas – Clondalkin – North Tallaght – to Dublin City Centre*. With regard to Corridor D, it is stated that:

“Inside the Metropolitan Area, but outside of the M50, Tallaght and Clondalkin are the largest urban settlements, with the highest rate of population growth currently occurring in new development areas on their peripheries. The current and anticipated demand profile should allow these areas to be largely serviced by the existing pattern of public transport services, albeit at a higher level of service to reflect increasing demand.”⁹

The Transport Strategy notes the objective to increase the capacity of the LUAS Red Line and to provide a BRT service Tallaght town centre, both of which will benefit the proposed development. The new *Busconnects* plan will also serve the site.

The proposed residential development, which provides for a density of c.146 units per hectare, adjacent to existing good quality public transport and future planned infrastructure, is considered to be consistent with the vision and objectives of the *Transport Strategy* for the GDA.

5.8 **Design Manual for Urban Roads and Streets (2013) (DMURS)**

A key objective of the *Design Manual for Urban Roads and Streets* (hereinafter DMURS) is to achieve safe, attractive and vibrant streets by balancing the needs of all users, and prioritising alternatives to car journeys. The manual advocates a design-led approach, which takes account of both the physical and social dimensions of place and movement. The subject proposal is fully consistent with this recommended approach, and achieves a sense of place and residential amenity whilst also facilitating efficient and secure internal movement with provision for future linkages to the adjacent zoned site in the ownership of SDCC and to the surrounding area.

The *Engineering Services Report* and *Traffic Impact Assessment* prepared by OCSC Consulting Engineers provides further detail in respect of the compliance of the proposed development with DMURS, which is discussed below also. The consistency of the proposed development with the principles within DMURS was a key issue discussed during pre-application

⁸ *Greater Dublin Area Transport Strategy, 2016 – 2035, p.6*

⁹ *Greater Dublin Area Transport Strategy, 2016 – 2035, p.42*

consultations with the Planning Authority and An Bord Pleanála and resulted in a number of alterations to the layout to the final proposals now submitted.

The proposed road hierarchy has been developed in compliance with DMURS principles as it consists of Belgard Road and Belgard Square North at the top of the hierarchy, the proposed central spine road and a network of local roads providing link streets. Enclosure of streets is enhanced by generous street tree planting where appropriate, which accords with Section 4.2.2 of DMURS. The latter recognises that street trees can act as buffers; encourage traffic calming; and enhance the legibility of connecting routes.

DMURS notes that permeable layouts provide more frequent junctions which have a traffic calming effect as drivers slow and show greater levels of caution. The site layout demonstrates that the proposal has adopted this principle. Connectivity and permeability are encouraged throughout the development. Linkages to the planned Airton Road extension and the adjoining areas have also been proposed to encourage and improve connectivity in the wider area.

DMURS also suggests that measures should be considered that reduce the dominance of the vehicle in favour of pedestrian and cyclists having dominance within a street. This is provided within the proposed layout.

5.9 **The Planning System and Flood Risk Management (2009)**

The *Planning System and Flood Risk Management Guidelines* were published by the Minister for the Environment, Heritage & Local Government in November 2009 under Section 28 of the Planning & Development Act 2000 (as amended).

The key stated objectives of the *Guidelines* are set out at Table 1.6 as shown below:

| Objectives of the Guidelines | |
|-------------------------------------|--|
| 1.6 | The core objectives of the Guidelines are to: |
| :: | Avoid inappropriate development in areas at risk of flooding; |
| :: | Avoid new developments increasing flood risk elsewhere, including that which may arise from surface water run-off; |
| :: | Ensure effective management of residual risks for development permitted in floodplains; |
| :: | Avoid unnecessary restriction of national, regional or local economic and social growth; |
| :: | Improve the understanding of flood risk among relevant stakeholders; and |
| :: | Ensure that the requirements of EU and national law in relation to the natural environment and nature conservation are complied with at all stages of flood risk management. |

(Source: *The Planning System and Flood Risk Management – Guidelines for Planning Authorities [2009] p.5*)

In addition, the Guidelines recommend a staged approach, whereby flood risk is first identified; then an initial assessment is undertaken, followed by a detailed flood risk assessment. The subject proposal accords in full with this approach insofar as the following steps have been taken:

- Stage 1: Flood Risk Identification
- Stage 2: Initial Flood Risk Assessment
- Stage 3: Detailed Flood Risk Assessment

The site is zoned Regeneration with residential development permitted in principle. Residential development is considered to be a highly vulnerable land use. A *Site Specific Flood Risk Assessment* (SSFRA) has been prepared by OCSC and accompanies this application. The SSFRA was prepared to comply with current planning legislation, in particular the recommendations of *The Planning System & Flood Risk Management - Guidelines for Planning Authorities*. The SSFRA finds that the site is located within Flood Zone C and thus, the proposal is acceptable in principle.

5.10 Sustainable Residential Development in Urban Areas (2009)

The *Guidelines* advocate the use of 'Universal Design', whereby a development is accessible and usable by as many people as possible, regardless of abilities or age. Chapter 3 of the *Guidelines* discusses the role of design and the strands of place-making, environmental responsibility, social equity and economic viability that are necessary when creating places of high quality and distinct identity.

The *Guidelines* reinforce the need to adopt a sequential approach to the development of land and note in Section 2.3 and "*the sequential approach as set out in the Departments Development Plan Guidelines (DoEHLG, 2007) specifies that zoning shall extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference, encouraging infill opportunities*"¹⁰.

With regard to this, the subject is located adjacent to the town centre and is zoned *Regeneration* with the objective to facilitate enterprise and/or residential led regeneration in the *South Dublin County Development Plan 2016 – 2022*.

Section 4.4 of the *Guidelines* relates to the provision of school spaces with regard to large scale residential developments. It is respectfully submitted that there is a very good provision of school places in this area of the County. A *School Capacity Assessment* has been provided by Future Analytics Consulting and accompanies this planning application. The Assessment finds that there are 108 education and training facilities within the local area including 55 pre-schools, 28 primary schools, 7 secondary schools, 1 third level institution, 55 crèche / Montessori facilities and 2 training / enterprise facilities. It is concluded that the local area has sufficient capacity to cater for additional school and education demand arising from the proposed development.

The subject lands would be considered to be lands adjacent to 'Public Transport Corridors' in the context of the densities required under the *Guidelines for Planning Authorities* on

¹⁰ Sustainable Residential Development in Urban Areas, 2009, p. 9

Sustainable Residential Development in Urban Areas (2009), as the lands are located within c. 420m and c.300m of 2 no. LUAS stops.

There are 7 no. Dublin Bus routes serving stops on Belgard Square North, directly adjacent to the development site with numerous more operating within a short walking distance of the development site. The new *BusConnects* plan will also serve the site.

Section 5.8 of the Guidelines recommends that *‘in general, minimum net densities of 50 dwellings per hectare, subject to appropriate design and amenity standards, should be applied within public transport corridors, with the highest densities being located at rail stations / bus stops, and decreasing with distance away from such nodes¹¹’*.

The proposal for the subject site will provide a net density of c. 146 units per hectare. Thus, the proposed development of the subject lands would be consistent with the *Guidelines* in respect to residential density and sustainable use of land.

The *Guidelines* also provide guidance on the core principles of urban design when creating places of high quality and distinct identity. The *Guidelines* are accompanied by a Design Manual which demonstrates how design principles can be applied in the design and layout of new residential developments, at a variety of scales of development and in various settings.

The *Guidelines* note the usefulness of *Architectural Design Statements* which allow an Applicant to explain the design rationale for a scheme in more detail. This has been prepared by O’Mahony Pike Architects in respect of the proposed scheme and accompanies this planning application. The Design Statement should be read in conjunction with this *Statement of Consistency* and the *Planning Report* and with the plans and particulars accompanying this planning application.

¹¹ Sustainable Residential Development in Urban Areas, 2009, p. 43

5.11 *Urban Design Manual: A Best Practice Guide (2009)*

This urban design guide compresses the various design features integral to good residential development into 12 no. criteria:



Fig. 5: 12 Design Criteria (Source: *Urban Design Manual, 2009; p. 9*)

These 12 criteria have been informing elements at all stages of the subject proposal, from original design concept through design iteration and consultation to the subject final proposal. The approach to the site layout and landscape masterplan prioritises a clear hierarchy of streets and spaces with high quality landscaping and a range of civic spaces.

In short, the proposal's response to the various criteria set out by the Guidelines may be summarised as follows:

Context: How does the development respond to its surroundings?

Response: As part of the preparation for the design for this project, careful analysis was carried out to identify the important urban characteristics of the area. The proposal aims to provide a new urban quarter that creates a sustainable, liveable community within a quality landscaped environment that will also be an attractive addition and useful to the local area.



Fig. 6: Strategic context of subject site

Belgard Gardens will be a mixed use residential development located in the centre of Tallaght, which will support a socially mixed community fostered by a sense of place and belonging, and driven by excellent urban design. This development is the creation of a new area to merge with the existing neighbourhood to enhance opportunities through the construction of new homes, workplaces and retail businesses. The proposed development will support the growth of ITT, the efficient functioning of Tallaght University Hospital and the area as a whole.

The site is located adjacent to Tallaght Town Centre, approximately 300m north of the Square Shopping Centre. This area, known as the Cookstown Industrial Estate is envisioned to undergo an exciting transformation from industrial uses to a mixed use neighbourhood, which positively contributes to Tallaght. The proposed development will replace the current vacant industrial sites and provide a high quality public realm which can be enjoyed for years to come.

The layout of the development has been led by the strategic Roads Objective as provided by the County Development Plan which provides for a North South road bisecting the site and connecting to the future Airton Road Extension to the north of the site (in Third Party Ownership). A hierarchy of streets and public and semi-private open space will connect to these roads and to the existing roads in the surrounding area.

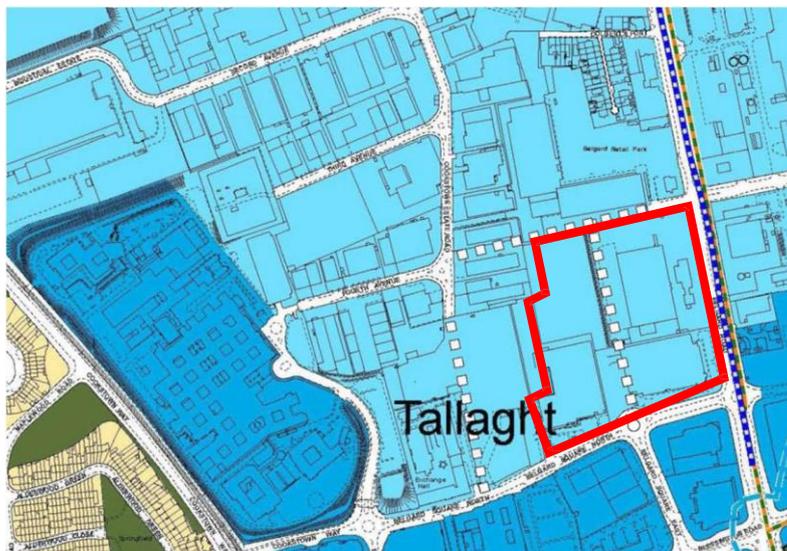


Fig. 7: Zoning Context of Subject Site

Connections: How well is the new neighbourhood / site connected?

Response: The proposal adds to existing context by;

- Creating a new vehicular, pedestrian and cycle link between Belgard Square North and Belgard Square East northwards through the site and connecting westwards towards Cookstown Way and the Cookstown Way extension as recently approved by South Dublin County Council under Part 8;
- The north south road will later integrate with the Airton Road Extension to the north of the site;
- A pedestrian route eastwards towards Belgard Road with a new toucan pedestrian crossing will improve permeability and access to ITT;
- A new signalised junction at the entrance to the site will replace the existing roundabout and improve the quality of the public realm;
- The proposed scheme provides vehicular and cycle routes that are DMURS compliant to provide access for all;
- Provision has also been made as part of the development design for a dedicated bus lane along Belgard Square North;
- Creating a new public square of c.2,366 sqm suitable for a range of uses to facilitate community interaction for new and existing residents;
- Providing a range of apartment types to allow for a diverse community with high quality open spaces for residents to meet and linger.

Inclusivity: How easily can people use and access the development?

Response: The proposed scheme has been designed in collaboration with O’Herlihy Access Consultants in order to ensure that the proposal is fully compliant with Part M of the Building Regulations (see enclosed Document from with O’Herlihy Access Consultants).

The Design Team notes that TGD M 2010 is the minimum guidance to show compliance with the requirements of the Part M of the Building Regulations.

The Design Team is also firmly committed to achieving universal access in the building and are committed to ensuring that all people, regardless of ability, can approach and gain independent easy access to all areas within the proposed development.

Variety: How does the development promote a good mix of activities?

Response: The subject development proposes a mix of residential unit types to include:

- 158 no. 1 beds (26%)
- 230 no. 2 beds (59%)
- 50 no. 3 beds (15%)

The proposed development gives variety to the greater context of the site by providing a higher density in an existing area that is predominately made up of family houses with rear gardens. Please see enclosed *Socio-Economic Assessment* as prepared by Future Analytics Consulting for further information regarding how the scheme will contribute to the mix and availability of residential dwellings in the area.

This development fills the gap by providing a large range of unit types aimed at smaller households for which there is a great demand due to the changes in the demographics of the area.

Variety is provided within the development in terms of architecture through a mix of unit types, ranging from ground floor apartments with garden terraces to penthouse apartment with generous balconies providing views towards the Dublin Mountains. The mix of unit types and sizes apartment ranging in size from 46 sqm to 113 sqm caters for a variety of household sizes.

The proposed scheme also provides 8 no. live / work units, which will provide a unique living and working environments particularly suited to start-up businesses, artists and service providers.

A childcare facility will cater for the expected population of children within the scheme and will be located proximate to the new pocket park, which is expected to be delivered on the SDCC site to the west.

Commercial units suitable for a range of uses will be accommodated within the ground floor of Block B1 and will provide 6 no. retail / commercial units (c.632 sqm) in total. It is considered that this quantum of commercial uses is appropriate in order to avoid competing with the proximate Square Shopping Centre which is the retail hub for the area.

It is considered that the proposed development provides for the necessary ancillary land uses required for this large scale residential development, whilst having regard to the significant range of community, commercial and social infrastructure in the immediately surrounding area.

Efficiency: How does the development make appropriate use of resources, including land?

Response: The development aims to maximise the potential of the site by providing a high density development which is matched by the provision of exceptional landscaping and public realm. The subject site benefits from excellent public transport links and is within walking distance of a range of employment and leisure facilities. It is submitted that the site represents one of the most appropriate locations within the County for the provision of a high-density scheme.

The layout is designed to maximise natural sunlight, views and air through the provision of four storey blocks to the front rising to seven storeys. This allows for views outwards to the mountains and facilitate excellent lighting of the courtyards and private balconies.

A combined heating and power plant located within Block A3 has been designed to integrate with the HeatNet system which harness the energy created by a local datacentre for use within the scheme. Energy profiles as outlined make local district heating networks more economically viable and can result in reduced heat losses. They can also assist in reducing the carbon footprint and in meeting the requirements of Part I of the Building Regulations.

Distinctiveness: How do the proposals create a sense of place?

Response: There is a variety and mix of unit types, heights and design, with a mix of façade treatments proposed throughout the scheme, thereby providing a good sense of place on site. The Student Accommodation Scheme is visually distinct from the apartment blocks whilst the 10 storey element of Block A3 provides a landmark for the area and promotes way finding.

The proposed development will provide for a series of open space and landscaped areas. These areas act as soft boundary treatments between different areas of development creating smaller more localised communities within the larger residential scheme.

The proposed landscaping and drainage scheme utilise innovative SuDS proposals which not only create a distinctive and aesthetically pleasing environment but will also assist in supporting improved green corridors on what is currently a vacant brownfield site with little or no ecological value.

Layout: How does the proposal create people-friendly streets and spaces?

Response: The layout allows for pedestrian and bicycle connections onto public areas to facilitate for a larger pedestrian and bicycle network within the county thereby promoting sustainable transport. A central spine road traverses the site and will connect with existing and planned road infrastructure.

The layout allows for pedestrian and bicycle connections onto public areas to facilitate for a larger pedestrian and bicycle network within the county thereby promoting sustainable transport.

Further measures are also proposed to improve pedestrian accessibility as follows:

- Dedicated pedestrian crossing facilities at the upgraded Belgard Square North/Belgard Square East/Belgard Gardens signalised junction;
- A new signalised crossing facility on the northern arm of the Belgard Road/Belgard Square North roundabout.

A *Traffic Impact Assessment* and *Mobility Management Plan* have been prepared by O'Connor Sutton Cronin Consulting Engineers and both provide additional information regarding the nature and design of the proposed streets.

Public Realm: How safe, secure and enjoyable are the public areas?

Response: The public realm is expressed through a hierarchy of spaces layered from public to semi-private to private. The first realm includes the new streets and in particular, the new frontage onto Belgard Square North and the new entrance to the scheme comprising the North South spine road.

The second realm is made up of the new public plaza and interlinking open spaces within the blocks. The public plaza will be suitable for a range of uses and activities and forms a new heart for the scheme. The semi-private courtyards are enclosed within the residential blocks but will be visible at certain points allowing glimpses to the landscaping and activity within.

The layout and design of the proposed development has been heavily influenced by the level of security and is designed to provide a high level of passive surveillance of areas of open space.

An *Estate Management Strategy and Building Life-Cycle Report* has been prepared by Aramark and accompanies this planning application. This Plan provides additional information and considerations as to how the scheme will be managed and maintained.

Adaptability: How will the buildings cope with change?

Response: Each of the proposed apartment units meets or exceeds the minimum standards for residential unit size. The development provides a mix of 1, 2 and 3 bedroom units that can be easily reconfigured to adapt to the changing life cycles and personal needs of each resident. An *Energy Efficiency and Climate Adaptation Report* as prepared by JV Tierney accompanies this planning application.

Amenity: How do the buildings provide a high quality amenity?

Response: Each apartment is provided with an area of useable private open space which meets or exceeds the Development Plan standards. All of the dwellings meet or exceed the Section 28 Guidelines unit size requirements. The design of dwellings has also had due regard to the siting and orientation of the development in order to maximise the solar gain and natural light aspect of each dwelling. Some 37% of the proposed units are dual aspect with exceeds the 33% minimum for units within a central or accessible area.

The development provides for adequate separate distances between building blocks in order to prevent overlooking. This maintains a high level of privacy and amenity obtained by residents, and reduces overshadowing.

Each residential courtyard provides an outdoor play area for children living in the apartments. In addition, the public plaza can accommodate a range of uses including ball play, an outdoor cinema and public performances. A community centre is proposed at the northern end of the plaza as part of the Phase II scheme.

Parking: How will the parking be secure and attractive?

Response: In response to the central location of the site and range of public transport options available, it is proposed to provide minimal parking on the site. Parking comprising 107 no. spaces will be provided as part of this Phase I development and will be located below podium beneath Blocks B1 and B2. The parking will be accessed by barrier rail for those residents who have opted to purchase or rent a space. A car sharing scheme will also be located here in order to ensure that a car is available to residents should they need to use one on occasion.

A temporary car park providing 108 no. spaces will be provided to the north of Blocks A1, A2 and A3 in order to providing parking for residents of these blocks in the event that they are occupied in advance of the construction of the podium within Blocks B1 and B2.

A further 22 no. on street parking spaces are proposed to be located throughout the scheme. These will serve short stay users and will be managed by the onsite management company.

Detailed Design: How well thought through is the building and landscape design?

Response: The proposed design of the development has been subject to 2 no. formal pre-application consultations between the design team and the Planning Authority. In addition, a number of informal meetings with the Local Authority have been held regarding detailed proposals such as drainage, public lighting etc. In addition, the Applicant has consulted with local stakeholders including Tallaght University Hospital and ITT in order to better understand the housing requirements of their staff, students and service users. The design was further informed by a tripartite meeting between the Applicant, SDCC and An Bord Pleanála in July 2018.

The design rationale from an urban design and architectural perspective is explained in the *Design Statement* prepared by O'Mahony Pike Architecture. The landscape design rationale is set out in the *Landscape Design Rationale Report* prepared by Brady Shipman Martin, Landscape Architects.

5.12 **Childcare Facilities – Guidelines for Planning Authorities (2001)**

The *Guidelines* recommend that one childcare facility (catering for some c.20 no child places) be provided in residential developments of over 75 no. dwelling units. The threshold for provision should be established having regard to existing location of facilities and the emerging demography of the area where new housing is proposed.

It is noted the above prescriptive approach is being waived in favour of an evidence based approach as to the requirement or not of a childcare facility. However, given the significant quantum of housing to be provided on the site across the entire masterplan area (approximately 1,500 units), it is considered that a childcare facility will be required.

The location of the crèche has been identified due to its location away from busier traffic interchanges and with regard to its proximity to the potential new park to be provided by SDCC on their adjacent land.

The childcare facility is generously sized at c.380 sqm and will cater for approximately 73 children. In line with the requirement of the *Childcare Facility Guidelines*, a dedicated area of open space (c.242 sqm) for the use of the facility is provided.

5.13 *Birds and Habitats Directive – Appropriate Assessment*

Under Article 6 (3) of the *EU Habitat Directive and Regulation 30 of SI no. 94/1997 “European Communities (Natural Habitats) Regulations (1997)”* any plan or project which has the potential to significantly impact on the integrity of a Natura 200 site (i.e. SAC or SPA) must be subject to an *Appropriate Assessment*. This requirement is also detailed under in the *Planning and Development Acts (2000 – 2010)*.

An *Appropriate Assessment Screening Report*, prepared by Altemar, is submitted with this planning application. The report establishes that none of the habitats and species listed as ‘qualifying features’ in the Natura 2000 site designations in proximity to the subject lands will be affected by the proposed development and it has been assessed that the development of the project will ‘not result in any likely significant effects’ on Natura 2000 sites. The Report concludes that there will be no risk of significant negative effects on any Natura 2000 site, as a result of the proposed development, either alone or in combination with other plans or projects, and therefore, Stage 2 of the Appropriate Assessment Process – a *Natura Impact Statement* – is not required.

5.14 *Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities (2009)*

This guidance, prepared jointly by the NPWS and Planning Divisions of DECLG, with input from local authorities, sets out the different steps and stages that are needed in establishing whether a plan or project can be implemented without damaging a Natura 2000 site. It indicates the role to be played by professional ecologists and other professionals in identifying and assessing potential impacts. It is intended that planning authorities should follow this guidance. It addresses issues of mitigation and avoidance of impacts, and also the Article 6.4 derogation provisions in circumstances in which there are no alternatives and there are imperative reasons of overriding public interest requiring a plan or project to proceed.

An *Appropriate Assessment Screening Report*, prepared by Altemar, is submitted with this planning application. As previously stated, the report concludes that there will be no risk of significant negative effects on any Natura 2000 site, and therefore, Stage 2 of the Appropriate Assessment Process – a *Natura Impact Statement* – is not required.

5.15 Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (2018).

The purpose of the guidelines is to provide practical guidance to planning authorities and An Bord Pleanála and result in greater consistency in the methodology adopted by consent authorities. The subject development does not fall within development classes set out in Part 1 of Schedule 5 of the *Planning and Development Act 2000 (as amended)*.

A mandatory EIAR is required for proposals of more than 500 dwellings, Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

The subject development does not fall within development classes set out in Part 1 of Schedule 5.

It does however fall within development classes set out in Part 2 of Schedule 5 and the applicable categories are;

10b)

(i) *Construction of more than 500 dwellings*

The proposed development incorporates 438No. residential units, and 65 No. student cluster units containing 403No. student bed spaces i.e. a total of 503 No. dwellings.

(iv) *Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. (In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.)*

The application area is an existing vacant industrial site. It is zoned 'REGEN' in the *South Dublin County Council Development Plan 2016-2022* and the objective is to support and facilitate the regeneration of underutilised industrial lands for more intensive enterprise and residential led development. Accordingly, neither the existing land use nor the zoning satisfy the definition of a business district.

However, the proposal is urban development and noting the site's location within the town of Tallaght it is considered prudent to apply the precautionary principle and consider it to be a 'business district'.

The application area is c.7.2 hectares and so exceeds the 2 ha. threshold. It is thus considered that EIA is mandatory.

14) Works of Demolition carried out in order to facilitate a project listed in Part 1 or Part 2 of this Schedule where such works would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.

This application seeks permission for the demolition of existing vacant units and associated hardstanding areas. The purpose of the works is to facilitate the development of the site for a project listed in Part 2 of Schedule 5. Again, applying the precautionary principle, it was concluded that the proposed demolition works may be likely to have significant effects on the environment and to definitely discount this, an EIAR would be required.

The EIAR has been coordinated by McCutcheon Halley Planning Consultant and is submitted with this planning application.

6.0 CONCLUSION

The statement set out herein demonstrates the full compliance of the proposed development with the relevant national, regional and local planning policy context. The proposed development is consistent with national policy and is generally consistent with County Development Plan Policy. The proposed development will result in a very attractive place to live on zoned serviced lands in close proximity to public transport and local services.

Compliance is also demonstrated with the policies and provisions of the *South Dublin County Development Plan 2016-2022*, which is the key planning policy document at a local level.

At a national and regional level, this statement has demonstrated the compliance of the development with the following:

- *Project Ireland 2040 - National Planning Framework (2018)*
- *Urban Development and Building Heights: Guidelines for Planning Authorities (December 2018)*
- *Sustainable Urban Housing: Design Standards for New Apartments (2018)*
- *Part V of the Planning and Development Act 2000: Guidelines (2017)*
- *Rebuilding Ireland: Action Plan for Housing and Homelessness (2016)*
- *Greater Dublin Area Transport Strategy 2016-2035*
- *Design Manual for Urban Roads and Streets (DMURS) (2013)*
- *The Planning System and Flood Risk Management (2009)*
- *Sustainable Residential Development in Urban Areas (2009)*
- *Urban Design Manual: A Best Practice Guide (2009)*
- *Childcare Facilities – Guidelines for Planning Authorities (2001)*
- *Birds and Habitats Directive – Appropriate Assessment*
- *Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities (2009)*
- *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (2018).*

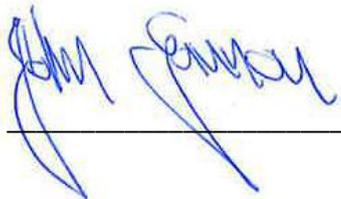
It is submitted that the proposed development will provide an appropriate form of high quality residential development for this substantial residential zoned site providing for an efficient use of lands which are highly accessible and well served by public transport.

The design and layout of the proposed development has been prepared following 2 no. pre-application consultations with the Planning Authority under Section 247 and a tripartite meeting between the Applicant, South Dublin County Council and An Bord Pleanála and the Planning Authority under Section 6 of the *Planning and Development (Housing) and Residential Tenancies Act 2016*.

In addition, separate informal consultations were undertaken with relevant personnel in the Planning Authority to ensure all relevant matters have been addressed as part of the pre-application process. The design and layout have been amended to respond to the issues raised in pre-application consultations and the responses to the *An Bord Pleanála Opinion* are specifically set out within the accompanying Response to Opinion document.

In conclusion, it is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area, and with all relevant national, regional and local planning policies and guidelines.

Yours faithfully,



John Gannon
Director
Tom Phillips + Associates

Encl.