

Statement of Consistency

In respect of

Spencer Place North, City Block. 2, Spencer Dock, Dublin 1

Prepared by

John Spain Associates

On behalf of

Spencer Place Development Company Limited

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1.0 INTRODUCTION

- 1.1 On behalf of the applicant, Spencer Place Development Company, Treasury Building, Grand Canal Street, Dublin 2, we hereby submit this Statement of Consistency with Planning Policy to accompany this strategic housing planning application to An Bord Pleanála under Section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016 in relation to a proposed development on lands at Spencer Dock, Block 2, Dublin 1.
- 1.2 Planning permission was recently granted on the site for amendments to Reg. Ref. DSDZ2896/18 as amended by DSDZ4279/18 which permitted 349 no. residential units and an aparthotel comprising of 100 no. rooms (240 no. bed spaces). The proposed development seeks further alterations to the permitted scheme to provide for an additional 115 no. units increasing the overall total to 464 no. residential units and a change of use of the aparthotel to provide for 120 no. shared accommodation bedrooms (200 no. bed spaces).
- 1.3 The proposed alterations are sought under Section 3(d) of the Planning and Development and Residential Tenancies Act 2016 as amended by the 2018 Act which states:
- “the alteration of an existing planning permission granted under section 34 (other than under subsection (3A)) where the proposed alteration relates to development specified in paragraph (a), (b), (ba) or (c)”.*
- 1.4 Paragraph (a) refers to the development of 100 houses or more on lands, the zoning of which allows for residential development. Paragraph (b) refers to student accommodation in excess of 200 bed spaces on lands the zoning facilitates such accommodation. Paragraph (c) refers to where both types of development are being applied for. In addition, the 2018 Act included the following Section 3(ba) in relation to “shared accommodation”:
- “(ba) Development –*
(i) consisting of shared accommodation units that, when combined, contain 200 or more bed spaces, and
(ii) on land that zoning of which facilitated the provision of shared accommodation or a mixture of shared accommodation thereon and its application for other uses”.
- 1.5 The 2018 Planning and Development Act amends Section 3 of the 2016 Act to include a definition of shared accommodation which is set out as follows:
- “Shared accommodation” means a building or part thereof used for the provision of residential accommodation consisting of –*
(a) communal living and kitchen facilities and amenities shared by the residents, and
(b) bedrooms rented by the residents,
But does not include student accommodation or a building, or part thereof, used for the provision of accommodation to tourists or visitors”.
- 1.6 It is respectfully submitted that the proposed alteration to the permitted development comprises of development which falls within both 3(a) (residential accommodation) and 3(ba) (shared accommodation) of the statutory definition as set out in the Planning and Development and Residential Tenancies Act 2016. It is therefore considered that the proposed alteration relates entirely to development specified in paragraph (a),(b),(ba), or (c) within the category of Strategic Housing Development and can be made directly

to An Bord Pleanála under Section 3(d) of the Planning and Development and Residential Tenancies Act 2016.

- 1.7 The proposed alteration seeks to provide for additional floors onto the previously permitted development on site will significantly enhance the residential provision in the Docklands area and will increase the capacity of the site by c. 35% more units. The additional units will significantly improve the overall provision of residential development in the Docklands and will further enhance and bring forward much needed residential development in the city centre in a location served by exceptional quality public transport including the Luas at Spencer Dock, the Docklands mainline rail and the proposed Dart underground station. The proposed development will also include a range of further alterations including changes to elevations, materials, landscaping and the internal layout of the permitted scheme to accommodate the proposed additional floors and the additional units on the site.
- 1.8 The proposed development provides for additional storeys above the specified height thresholds within the SDZ Planning Scheme. However, it is clear that there is an intention in the Planning Scheme to provide for higher building at Station Square and at the Spencer Dock Hub. The scheme states on page 173 that:

“Station Square: up to 12 storeys commercial, to provide critical mass while not compromising views from the Georgian mile”.
- 1.9 In respect of Spencer Dock Hub, the scheme states on page 127 that:

“It is suggested that a range of 10-12 storeys at the upper end of Spencer Dock is appropriate”.
- 1.10 The proposed is therefore consistent with the overall concept for Block 2 as set out in the Planning Scheme.
- 1.11 In addition, since the adoption of the planning scheme, new Section 28 guidelines have been issued, the “Urban Development and Building Height Guidelines” December 2018, a clear drive towards greater heights and densities is being promoted. Therefore, in accordance with National Planning Framework and the Urban Development and Building Height Guidelines, it is respectfully submitted that the proposed additional storeys can be accommodated on the site and can be granted permission notwithstanding the provisions of the Planning Scheme in accordance with Section 28(1)(C) of the Planning and Development Act 2000 as amended.
- 1.12 The Urban Development and Building Height Guidelines were adopted on 7th December 2018 under Section 28 of the Planning and Development Act 2000. The

Guidelines set out 4 no. specific planning policy requirements (SPPR) objectives for the assessment of building height.

1.13 Section 28 (1) of the Planning and Development Act states that:

“The Minister may, at any time, issue guidelines to planning authorities regarding any of their functions under this Act and planning authorities shall have regard to those guidelines in the performance of their functions”.

1.14 It is therefore the duty of the planning authority to have regard to the Section 28 Ministerial Guidelines in applying their functions under legislation. The guidelines contain a number of SPPRs. Section 28(1)(C) of the 2018 Act states that:

“Without prejudice to the generality of subsection (1), guidelines under that subsection may contain specific planning policy requirements with which planning authorities, regional assemblies and the Board shall, in the performance of their functions, comply”.

1.15 In this case, the Section 28 Guidelines specifically promote the increase in building heights in appropriate urban locations and as such the policies set out in the Guidelines should be applied to the SDZ Planning Scheme area in this regard. Section 1.14 of the Guidelines clarifies this position further stating:

“Accordingly, where SPPRs are stated in this document, they take precedence over any conflicting policy and objectives of development plans, local area plans and strategic development zone planning schemes”.

1.16 In addition, Section 169 (9) of the Planning and Development Act 2000 (as amended) states that:

“A planning scheme made under this section shall be deemed to form part of any development plan in force in the area of the scheme until the scheme is revoked, and any contrary provisions of the development plan shall be superseded”.

1.17 Notwithstanding the above, it should be noted that the Board are not bound by the same provisions in terms of compliance with the Planning Scheme as the City Council in making a decision on an Section 34 application. In addition, the proposed Strategic Housing Development alteration application is not a Section 34 planning application therefore is not bound by the same provisions.

1.18 The Planning authority, under Section 170 (1) and (2) of the Planning and Development Act 2000, as amended which state:

“(1)Where an application is made to a planning authority under Section 34 for a development in a strategic development zone, that section and any permission regulations shall apply, subject to the other provisions of this section.

(2) Subject to the provision of Part X or Part XAB, or both of those Parts as appropriate, a planning authority shall grant permission in respect of an application for a development in a strategic development zone where it is satisfied that the development, where carried out in accordance with the application or subject to any conditions which the planning authority may attach to a permission, would be consistent with any planning scheme in force for the land in question, and no

permission shall be granted for any development which would not be consistent with such as planning scheme”.

- 1.19 The Board however is not bound by this provision in considering this application as the application is not being made as a Section 34 application and instead is made under the Planning and Development (Housing) and Residential Tenancies Act 2016 and therefore as per the An Bord Pleanála response document is only required to have regard to the policies and objectives of Section 28 Guidelines and any other statutory plans. Section 143 (1) of the Planning and Development Act states that:

*“The Board shall, in performing its function, have regard to –
(a) the policies and objectives for the time being of the Government, a State Authority, the Minister, Planning Authorities, and any other body which is a public authority whose functions have, or may have, a bearing on the proper planning and sustainable development of cities, towns, or other areas, whether urban or rural”.*

- 1.20 Under the Strategic Housing Development Process, the Board can grant permission for development where such development materially contravenes the development plan other than zoning under Section 5(6) of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 1.21 Therefore, it is considered that the Board can grant permission for the proposed alteration notwithstanding the provisions of the SDZ planning scheme. This part is further set out in the enclosed legal opinion by Eamon Galligan SC.
- 1.22 The subject site is currently under construction and the provision of the extra floors proposed creates a significant opportunity to enhance the overall density of the site, promote urban consolidation and increase the building heights in an appropriate location well served by frequent public transport achieving the aims and objectives clearly set out in the National Planning Framework and to significantly enhance the overall provision of residential development in the Docklands.
- 1.23 The proposed amendments are in accordance within the policies and objectives of the National Planning Framework, Regional Planning Guidelines for the Greater Dublin Area and Dublin City Development Plan. Furthermore, the development has been assessed in relation to the specific policies and objectives set out in the North Lott's and Grand Canal Dock Planning Scheme 2014 and the provisions of the Urban Development and Building Height Guidelines and the criteria set out for assessing building height.
- 1.24 The restrictive nature of the SDZ Planning Scheme which currently allows for 6-7 no. storeys on the subject site predates and is not compliant with National Planning Policy guidance which seeks to promote development in key urban sites, adjacent to high quality public transport networks. The restrictive height is also inconsistent with key objectives of the Planning Scheme itself (i.e the objectives in relation to the Spencer Dock Hub, 12 no. storeys fronting Station Square, the need to provide for appropriate densities etc. as explained further below). and is also inconsistent with the building height strategy of the Dublin City Development Plan 2016 which seeks to provide for high buildings of 50 metres plus in the docklands area.
- 1.25 It is noted that Dublin City Council and the Development Agency have submitted to An Bord Pleanála proposed amendments to the Planning Scheme in May 2019. The proposed amendments seek to revise the planning scheme in response to the National Planning Framework, the height guidelines, the context set out in the Dublin City Development Plan and the Planning Scheme as set out as referenced above. The

proposed amendments increase the height of part of the site up to 12 no. storeys in the north west and north east corners of the development. This increase in height is welcomed, however it is considered that the proposed amendments are modest in nature and do not fully respond to the new National Planning Framework on building heights and density and do not cater to the potential of the site to provide for higher density development in a core area, exceptionally well served by high quality public transport. In this regard the proposed development provides proposed a greater modulation and variation in the building heights on the site.

- 1.26 The guidelines in effect put in place a presumption in favour of higher buildings at public transport nodes. The guidelines state that it is Government policy to promote increased building height in locations with good public transport services especially in city centre locations.
- 1.27 Therefore, the opportunity to apply the national planning policies initiatives to the site by increasing heights and densities is essential to the overall sustainable development of the City and significantly contributing to the residential provision in the area. As such it is critical that the opportunity to act now on implementing these objectives is not lost and the provisions of the Urban Development and Building Height Guidelines be implemented to grant permission for increased development on the subject site.
- 1.28 The site is located in Dublin Docklands which the City Development Plan identifies as a suitable location for high buildings of 50 metres plus (the proposed development will be a maximum of 47m) and is fully in accordance with the new Guidelines. However, the opportunity to develop a building of greater height in this location which fully responds to the situation of the site on a city centre public transport interchange and the new government policy on height and density has unfortunately now passed due the need to comply with the Planning Scheme requirements to date and the fact that the site is under construction.
- 1.29 However, the opportunity still exists to provide for a higher density development as proposed as part of this application on this strategic site within the Docklands area within the existing construction timeframe on the site. It is therefore important that the proposed development is granted planning permission in order to utilise the full potential of this strategic site.
- 1.30 Dublin City Council in their report at pre application stage identifies the subject site as one which may be appropriate location for increased heights and densities stating:

“the planning authority accepts that the subject site may be capable of accommodating additional height, however it is considered that the proposed design approach, which seeks to add further height without the reassessment of the scale and massing of the development, is not considered an acceptable design response”.

“The site is situated adjacent to good quality public transport links including Luas (Spencer Dock) and mainline rail (Docklands Station). The site is also within walking distance of Connolly Station, which is a major transportation interchange served by mainline rail, DART and Luas and adjacent to local and national bus transport, and is also within walking distance of the city centre. The site is therefore suitable for a high density development in accordance with the principles established in the National Planning Framework.”

- 1.31 In this regard it is considered that the Planning Authority recognise the potential for increased heights and densities within the subject site, however, are bound by the height limits as set out in the Planning Scheme in assessing Section 34 applications.

The same restriction is not applicable to An Bord Pleanála under the SHD provision which states that the Board shall have regard to national planning policies, Section 28 Guidelines, the relevant development plan, and the planning scheme but are not bound by specific policies in the SDZ in assessing an application.

- 1.32 Therefore, it is considered that in the context of national planning policy, the acceptance of the planning authority of the potential for greater heights and densities on the subject site and the overall context of the building scale and mass in the immediate vicinity of the site, the proposed development at 12/ 13 storeys is appropriate.
- 1.33 It should also be noted that the site is owned by CIE, a state owned company and will significantly contribute to the provision of residential units in the area and will increase the number of Part V Social Housing units in the area which in turn give back to the local community on state owned land.
- 1.34 The subject site which is located within the Docklands area designated as a primary economic hub in the city and adjacent to high quality transport links is therefore an appropriate opportunity to deliver these much needed units in the short term. Construction has commenced on the site therefore it is essential that the additional residential units be taken account of now and to not delay the delivery and complete the development by 2020.
- 1.35 This Statement of Consistency with Planning Policy has been prepared to specifically address the requirements of the Regulations and the Guidelines issued by An Bord Pleanála. The proposed residential development has been prepared in accordance with the Ministerial Guidelines, and the requirements of the Dublin City Development Plan 2016-2022 and the requirements of the North Lott's and Grand Canal Dock Planning Scheme 2014.
- 1.36 The site location and context, a description of the proposed development and the planning history of the site are also outlined in order to provide a context for the proposed development.
- 1.37 This planning application is accompanied by a comprehensive range of documents including a series of technical reports and an Architectural and Urban Design Statement (prepared by Henry J Lyons) which are enclosed separately with the planning application and which should be referred to when assessing the proposed scheme. This report should also be read in conjunction with the submitted SDZ Compliance Statement.
- 1.38 Pre application meetings were held with Dublin City Council, Planning Department and a An Bord Pleanála. It should also be noted that the design team members also met the relevant Departments of DCC and Statutory Bodies where required and discussed the emerging proposals of the development.
- 1.39 This standalone planning policy consistency statement, prepared by John Spain Associates, demonstrates that the proposed development is consistent with the relevant national planning policy, guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended), and with local planning policy including the Development Plan. It should be read in conjunction with the accompanying detailed documentation as follows:

Strategic Housing Development Application Form;
Fee cheque €80,000;
Digital copy – CD;
Part V Proposal;
Architectural Drawings and Design Statement prepared by Henry J Lyons Architects;
Housing Quality Assessment and Schedule of Areas prepared by Henry J Lyons Architects;
Landscape Report and drawings prepared by NMP Landscape Architects;
Statement of Consistency prepared by John Spain Associates;
Joint City Block Roll Out Agreement Prepared by John Spain Associates;
Compliance Statement prepared by John Spain Associates;
Compliance Statement prepared by John Spain Associates;
Engineering Services Report prepared by CS Consulting Engineers;
Site Specific Flood Risk Assessment prepared by CS Consulting Engineers;
Mobility Management Plan Framework prepared by CS Consulting Engineers;
Waste Management Statement prepared by CS Consulting Engineers;
DMRUS Statement prepared by CS Consulting Engineers;
Sunlight Analysis prepared by IES Consulting;
Wind Assessment prepared by IES Consulting;
AA Screening prepared by Altamer Marine and Environmental Consultants;
Energy and Carbon Emission Report prepared by Axiseng Consulting Engineers;
Sustainability Report prepared by Axiseng Consulting Engineers;
Archaeological Desktop Survey prepared by Courtney Deery Archaeology and Cultural Heritage
Generic Quantitative Risk Assessment prepared by RSK;
Construction Management Plan prepared by Hegarty's;
Construction and Demolition Waste Management Plan prepared by Hegarty's;
Determination of Odour Emissions to Atmosphere prepared by AWN;
Sound Insulation Technical Note prepared by AWN;
Operational Waste Management Plan prepared by AWN;
CGI's prepared by Visual Lab;
Visual Impact Assessment prepared by Chris Kennett Consulting;
Residential Life Cycle Report prepared by HJL Lyons Architects;
Residential Operational Management Plan prepared by LIV Consultants;

- 1.40 For details of compliance with the quantitative standards for residential units as set down in the Apartment Guidelines 2018, the Quality Housing for Sustainable Communities and the 2016-2022 Development Plan please refer to the Schedules Document brochure prepared by HJL Architects.
- 1.41 The purpose of this report is to provide an assessment of the subject site having regard to current development trends and taking cognisance of the current planning policy framework. In particular, this report reviews the subject lands in the context of relevant national, regional and local policy and the planning history of the area. The report evaluates the potential of the lands in planning terms.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The application site forms part of a larger city block identified as Block 2 in the North Lott's and Grand Canal Dock Planning Scheme 2014. The site is strategically located immediately east of the International Financial Services Centre (IFSC), approximately 1km from Dublin City Centre. The Luas line connecting Connolly to the Point runs to the south of the site along Mayor Street. The site is also within a short walking distance of the Docklands Station on Sheriff Street, Connolly Station and Busaras.
- 2.2 The subject site is bound by Sheriff Street Upper to the north, Mayor Street to the south, New Wapping Street to the east and a development site to the west which also forms part of City Block 2.
- 2.3 The south of the site is adjoined by a terrace of 6 no. 2 no. storey residential units fronting onto Mayor Street Upper. These existing residential dwellings are outside the application site and are not subject to development as part of this application. The existing southern boundary wall will be retained, with new landscaping works improving the relationship between the development site and the existing residential dwellings as permitted under Reg. Ref. DSDZ 2896/18. The design proposed development has been informed by the presence of these residential dwellings.
- 2.4 To the west, City Block 1 has been developed for mixed use residential and commercial development accommodating high density apartment blocks. Block 1 is laid out in 2 individual envelopes, one to the north and one to the south.
- 2.5 To the east, a terrace of 2 no. storey to 3 no. red brick houses are located which face the subject site. Planning permission was recently granted to the eastern part of City Block 3 for a predominantly residential scheme comprising of 360 no. units, crèche, café and public park. This development is to be laid out in two building envelopes to the north and a terrace of townhouses and two apartment blocks to the south.
- 2.6 To the south of Mayor Street, City Block 7 accommodates three protected structures to the south of the block along the Liffey Quays. The three protected structures are the North Wall Road Station – 73 North Wall Quay (RPS 5840), the Woolstore (RPS 5837) and the former North Western Hotel. Central Square Park is located to the north western quadrant of Block 7. The remainder of City Block 7 is to be developed for a commercial use and has been subject to recent planning permission.
- 2.7 To the north, on the corner of Sherriff Street Upper and East Road is an apartment block ranging in height from 4 no. storeys to 12 no. storeys accommodating 62 no. residential units and a retail unit to the ground floor. To the west along Sherriff Street Upper, this adjoins a 7 no. storey building and a 7 no. storey Saudi Arabian Cultural

Bureau both due west on Sherriff Street. Further to the east and north on Sherriff Street are CIE lands, accessed from Abercorn Street.

- 2.8 Block 6 is located to the south west of subject Block 2. Block 6 accommodates the Convention Centre to the Liffey Quays and the 9 no. storey PWC building.
- 2.9 The extended IFSC is located further to the west and accommodates a significant quantity of mixed use contemporary development including office, hotel, residential, retail and a third level education institute.

Site Description

- 2.10 The subject site comprises of brownfield lands and the North Lott's Pumping Station. The pumping station will be retained and protected as part of the works. The proposed site and building layout has also been informed by the presence of the pumping station.
- 2.11 The subject site comprises of Block 2B and 2D as set out in the SDZ Planning Scheme.
- 2.12 Planning permission has been approved on the site under Reg. Red. DSDZ2896/18 and as amended by DSDZ4279/18 for 349 no. residential units and a 100 no. bedroom aparthotel development.
- 2.13 The western part of Block 2 which is outside the application boundary comprises of lands owned by CIE.
- 2.14 Figure 1, 2 and 3 are aerial and bird's eye views of the site. Photographs 1 to 6 depict the site and development and ongoing development in the immediate vicinity.



Figure 1: Aerial view of the subject site with the approximate site area outlined in red



Figures 2 & 3: Bird's eye views of City Block 2 with approximate site area outlined in red



Photo 1: View along New Wapping Street (site to LHS)



Photo 2: View of existing residential dwellings on New Wapping Street



Photo 3: View of existing residential dwellings to the front of site along Mayor Street Upper



Photo 4: View of subject site along Mayor Street Upper (further west)



Photo 6: View of site from Sherriff Street Upper



Photo 6: View of Sherriff Street Upper heading Eastbound (site to RHS)

Construction Development

- 2.15 The subject site is currently under construction as permitted under DSDZ 2896/18 as amended by DSDZ4279/18 for 349 no. units and an aparthotel of 102 no. units. The development on the site is currently progressing at a fast pace with the core constructed up to 3rd floor level and the overall floor plates up to 1st floor level. By the end of the year the development structure will be up to the 6th floor level on the site.
- 2.16 The extent of construction works on the site emphasises the fact that the applicant is willing and currently moving with delivering over 300 homes to the City Centre. This application seeks to increase the number of units to 464 no. and 200 no. shared accommodation bed spaces and it is considered unsustainable to restrict the development of these much needed homes to the city centre, 10% of which, or 46, will be available to DCC as social and affordable housing. It is respectfully requested that An Bord Pleanála acknowledge the overall importance of delivering this much needed housing stock and consider the current construction progress on site in their assessment.



Photo 8: Construction Progress on site



Photo 9: Construction Progress on site

3.0 DESCRIPTION OF THE PROPOSED DEVELOPMENT

- 3.1 The proposed development seeks amendments to the previously permitted development permitted under Reg. Ref. DSDZ2896/18 and as amended by Reg. Ref. DSDZ4279/18 which is currently under construction. The proposed development comprises of the reconfiguration of the permitted residential scheme to provide for an additional 115 no. units increasing the total number of residential units from 349 to 464 no. The total breakdown of units will comprise of 229 no. 1 bed and 235 no. 2 bed units (18 two bed three person and 217 two bed 4 person) with ancillary residential amenity spaces and support facilities. The proposed residential accommodation will also include the provision of 2 no. courtyard areas and roof terraces to serve the future residents. The proposed development will also provide for internal communal space.
- 3.2 The proposed development also includes the change of use of the permitted aparthotel to shared accommodation including associated design changes to facilitate this change of use. The proposed shared accommodation will provide for 120 no. bedrooms comprising of 2 no. studios (single occupancy), 46 no. studio units (double occupancy), and 36 no. 2 bedroom units comprising of 200 no. bed spaces. The proposed shared accommodation development also includes kitchen and living areas per floor and the provision of ancillary communal space to serve the residents and a café unit at ground floor level and a roof terrace. It is proposed to manage the shared accommodation development separate to the residential accommodation on the site. The proposed shared accommodation scheme will contain its own communal space and roof terrace to serve the residential units.
- 3.3 The residential development also will provide for an increase in the residential amenity space and communal space associated with the development, an increase in the cycle parking numbers. The proposed development also includes the provision of a link bridge to connect Block 1 and 2 at 6th floor level.
- 3.4 The proposed development is an amendment to an existing residential and aparthotel scheme currently under construction on the site and will provide for an increase in the number of much needed residential accommodation within a highly accessible location adjacent to the city centre.
- 3.5 A mix of 1 no. bedroom (229 no.) and 2 no. bedroom (235 no.) apartments will be provided in two blocks ranging in height from 3 no. storeys to 13 no. storeys. The proposed unit mix will reflect the nature of the surrounding demographics and demand for these types of units. The unit mix is also reflective of the recently updated Sustainable Urban Housing, Design Standards for new Apartments, Guidelines for Planning Authorities 2018 which enables a greater proportion of 1 bed units in line with the emerging trends for household sizes.
- 3.6 The residential units have been designed to accord with the guidelines set out in Sustainable Urban Housing, Design Standards for new Apartments and Guidelines for Planning Authorities 2018 in terms of unit mix, size, private open space, room sizes etc.
- 3.7 The proposed residential units will provide for a range of ancillary facilities such as communal open space, internal communal spaces capable of facilitating a range of activities such as gym, cinema rooms, meeting rooms, function rooms etc. It should be

noted that the communal internal room located in Block 2 will be available for the wider community on a rental basis if required.

- 3.8 The proposed change of use from aparthotel to shared accommodation scheme has also been designed in accordance with the Apartment Guidelines 2018. The proposed shared accommodation development will provide for more affordable accommodation to the young workforce in the area. The shared accommodation scheme will provide for an alternative type of living that will bridge the gap for the young workforce between student life and private rental apartments, providing for an interactive and integrated approach to rental accommodation.
- 3.9 The provision of this shared accommodation scheme within 1km from the city centre, within walking distance of transport hubs and a host of business destinations is considered to significantly enhance the overall level of residential accommodation within the city. The location adjacent to major new businesses such as Salesforce in the adjoining City Block and major firms such as Goggle and Facebook within the Grand Canal area, will provide for easy accessible accommodation to cater for this workforce through a variety of lease terms.
- 3.10 The proposed development also includes a range ancillary items such as landscaping and engineering works which are detailed within this section of the report.

Concept and Design

- 3.11 The proposal seeks to enhance the urban quality and sustainability of the docklands area , by providing for an increased height and density of a permitted, high quality residential and shared accommodation development on the eastern portion of City Block 2. The development has been designed having regard to its exiting context and setting of the area. The architecture throughout is contemporary and of high quality with the objective of creating a coherent and high quality urban environment.
- 3.12 The proposed amendments to Block 1 and Block 2 to the north and south of City Block 2 have been designed to provide for an increase in height and density at this location, creating variation in the city skyline and achieving the objectives of the National Planning Framework to provide for more compact urban form in this city centre area.
- 3.13 The building heights along the key elevations fronting the surrounding streets have been designed to ensure variety and interest to the streetscape. The heights of the blocks increase and decrease to create visual interest in the city skyline in the Docklands area. The proposed variation in height enables movement and animation onto the street frontages.
- 3.14 Both blocks will align with the existing street levels along all boundaries and the permitted block layout on the site. The proposed landscaping and treatment to the public realm areas will be slightly revised as part of this application to accommodate the change in the building footprint of Block 1 to which the southern elevation has been removed over the pumping station. The landscaping has also been revised in line with the Dublin City Council report submitted at pre application stage.
- 3.15 Careful consideration has been had to the relationship of the proposed Block 2 with the existing 6 no. residential units in considering the additional height on the site. The proposed development will retain the immediate relationship as permitted with the existing residential units stepping the height of Block 2 from the 2 no. storey existing residential units to 3 no. storeys to the north and to 5 no. storeys to the east. The

existing relationship between the height of the existing residential units and the proposed development has been considered acceptable to the City Council. The treatment of height then increases in steps to 7 no. storeys to the north and to 10 no. storeys to the east.

- 3.16 Henry J Lyons design statement refers to the rationale and justification of the proposed height at this location. The design statement states:
- 3.17 “Having considered the potential for additional heights HJL have proposed to add additional levels strategically across the site to maintain the originally desired modulation of build heights on the site while also adding to the urban context by creating greater variation in the building massing. ”
- 3.18 The CGI images prepared by Visual Lab demonstrate that the proposed transition is in keeping with the overall development of the area and does not present any significant additional overlooking or overbearing impacts on the existing houses as per the permitted scheme.
- 3.19 The revised design of the proposed development to increase the height and density of the residential scheme has been assessed against the characteristics of the surrounding emerging development in the area, in the context of the Urban Development and Building Height Guidelines while at the same time having regard to the existing context of the residential dwellings surrounding the site. A Visual Impact Assessment and daylight / sunlight analysis has been carried out to assess the impact of the proposed development on the surrounding properties. Full details are set out in the accompanying reports.
- 3.20 The proposed design of the development has been carefully modulated throughout the block elevations as to ensure a monolithic approach to the building design and urban form was avoided. The variation in height proposed as part of this application break up the form and massing of the development and create focal points at the appropriate junctions by increasing the height and creating feature elements within the scheme.
- 3.21 The proposed elevations have also been revised to create more detail and interest in the visual appearance of the blocks and to reduce any potential perceived overbearing and mass of development. It is considered that the inclusion of set back levels and changes in the material creates a visually attractive high quality residential scheme in accordance with the Urban Development and Building Height Guidelines and the objectives of the NPF.

Materials and Finishes

- 3.22 The proposed development will provide for a robust pallet of materials comprising of 3 facing bricks and a dark metal panel as the primary wall materials. Vertical glazed balconies are provided to lighten the façade and improve daylight quality within the units.
- 3.23 A combination of warm buff bricks has been chosen for the residential facades. A light grey brick will be used for the shared accommodation to give the building a distinct

identity and to mark the south east corner of the site. Coal yards and industry have informed the landscape design and the light grey brick will complement this.

- 3.24 Full details of the materials and finishes are set out in the Architectural Design Statement submitted as part of this application.

Landscaping

- 3.25 A detailed landscape plan and strategy prepared by John Montgomery and Partners and is submitted with the application. The streetscape has been designed to ensure maximum integration with the surrounding context and existing public realm. Coordination between tree planting, utilities, light columns and street furniture has been considered throughout the design proposal.
- 3.26 The permitted courtyard spaces have been designed to be intimate, encourage social integration, mitigate against shade and planned to capture as much sunlight as possible. The spaces are designed to be viewed from above as well as at eye level. These areas will include informal children's play spaces, informal seating areas, planting and both paved and grassed areas. The communal spaces are flexible spaces, and designed to be elegant with a degree of simplicity.
- 3.27 The east west pedestrian street is a transitional space which is inviting for pedestrians passing through or accessing apartments. Provision is also made to screen the pumping station to the north of the street as well as provide maintenance vehicle access. Small pods of tree planting with integrated seating have also been provided whilst the 2m level difference has been addressed through the use of a disabled access ramp and steps.
- 3.28 The proposed landscaping plan also includes upgrading and enhancement of the existing public realm providing for high quality footpaths and new roadways within the development. The proposed development also includes the provision of a landscaped defensible space at ground floor level on all elevations to protect the privacy of the ground floor residential units and to provide for a quality landscaped streetscape along all elevations.
- 3.29 The courtyards spaces and the landscaping to the public realm will be revised slightly as part of this application. The proposed amendments can be summarised as follows:
- Revised ramp design to the corner entrance of Block 1
 - Integrated planter and escape hatch from Irish water pumping station
 - Additional bike parking in courtyard areas
 - Increased courtyard ground floor terraces, incorporation of vent locations in the Block 1 courtyards
 - Revised own door apartment layout to New Wapping Street
 - Provision of roof terrace areas
 - Removal of private amenity space on street between Block 1 and 2
- 3.30 A full landscape strategy is set out in the accompanying landscape design report and drawings submitted with this application.
- 3.31 The LVIA prepared by Chris Kennett states in relation to the landscaping:

"The proposed development provides an important step towards delivering much more interesting, engaging and lively streets in conjunction with its neighbouring City Blocks.

The proposed development will give the streets height and volume, spaces within which street trees can grow, provide shelter and visual interest, and provide visual and physical interaction between buildings, terrace/ balcony and street. Hard and soft landscaping define private realm and a transition to street level, raised levels and hedges giving privacy to residents while still providing outlook onto the street”.

New Streets

- 3.32 The permitted development will contribute to delivering a new north south street (New Street) connecting Sherriff Street to Mayor Street and will provide an east west connection from New Wapping Street to New Street. These new routes will connect into the remaining portions of Block 2 as they emerge for development, further enhancing permeability, connectivity and visual interest in the Block and to the wider surrounding area.
- 3.33 These routes will be landscaped to a high quality and will provide for areas of passive recreation for future residents. There is no change to the layout of the public street proposed as part of this application.

Parking and Bicycle Parking

- 3.34 The proposed development provides for 2 no. under croft levels to facilitate bicycle and car parking in addition to plant, storage, back of house areas, and refuse.
- 3.35 The proposed development provides for a combined total of 78 no. car parking spaces in the 2 no. under croft levels. This includes the provision of 22 no. Go Car spaces and disabled spaces. The proposed car parking will be managed by the management company for the development.. Full details of the car parking management strategy is set out in the Mobility Management Plan prepared by CS Consulting.
- 3.36 The proposed development also provides for a combined total of 726 no. bicycle parking spaces within the 2 no. under croft levels to serve both the residential and shared accommodation. The proposed number of bicycle parking spaces results in 526 no. spaces to serve the residential units and 200 no. spaces to serve the shared

accommodation units with 102 no. additional spaces to serve visitors to the development at surface level.

- 3.37 Provision is also made for motorbike car parking spaces.

Site Services

- 3.38 Site services in connection with the proposed development are set out in the Engineering Services Report prepared by CS Consulting submitted with the application.

Sustainability Statement

- 3.39 This application is accompanied by a Sustainability/BER Statement prepared by Axis Engineering, which sets out all the aspects of sustainable design which can be incorporated into the design of the proposed development.

Waste Management

- 3.40 A detailed construction waste management plan prepared by CS Consulting is submitted with the application. In addition, an operational waste management Plan has been prepared by AWN Consulting and is submitted with the application.
- 3.41 The report outlines the principles of how the waste generated during the construction phase and operations phase will be managed and disposed of in a way that ensures the provision of the Waste Management Acts 1996-2013 and associated Regulations and the Waste Management Plan for the Dublin Region 2005-2010 are complied with. It will also ensure that optimum levels of waste reduction, re-use and recycling are achieved.

Quantitative Standards

- 3.42 The application is accompanied by a Housing Quality Assessment which fully assesses the proposed development in the context of all relevant standards.
- 3.43 The proposed development meet or exceed the relevant standards for apartments as set out in the Apartment Guidelines 2018. In addition, the requirement for shared accommodation schemes are also set out in accordance with SPPR7 and SPPR9 of the Apartment Guidelines 2018.

Daylight / Sunlight

- 3.44 A detailed daylight / sunlight analysis prepared by IES Consulting is submitted as part of this application. The daylight / sunlight reports assess the impact of the proposed development on the surrounding properties, communal residential amenity areas and the internal conditions of the proposed apartments.
- 3.45 The report concludes that the proposed development will not significantly impact on the surrounding residential properties compared to the permitted development on the site. The proposed communal open space to the south of the site will receive high levels of sunlight on March 21st and all of the tested units meet or exceed the BRE Guidelines for internal daylight standards.
- 3.46 The report also concluded that all of the sample rooms tested within the proposed development meet the recommendations for ADF. The proposed development is

therefore 100% compliant with the recommendation. Full details of the daylight / sunlight analysis are set out in the IES report submitted as part of this application.

Visual Impact

3.47 A Landscape and Visual Impact Assessment has been prepared by Chris Kennett Consulting to assess the visual impact of the development in the surrounding area. The LVIA is based on the CGI images prepared by Visual Lab from a number of key locations within the Docklands Area.

3.48 The LVIA concludes:

“The proposed development has succeeded in reworking the permitted development in light of new planning policy and guidelines on building height to deliver a significant improvement to its architectural expression and contribution to the urban landscape of Spencer Dock while also optimising use of the land resources at a prime location with the central city.

3.49 In reworking the design of the permitted development, the proposed development has delivered significant enhancements that include the following:

- Recognising the city’s diverse urban landscape
- Responding successfully to the character of adjacent buildings, spaces and the local area
- Protecting and enhancing the city skyline
- Clustering taller buildings at the heart of a major city hub
- Contributing positively to the city’s architectural heritage
- Providing a new local landmark and high quality public & communal spaces
- Delivering imaginative contemporary architecture in an appropriate context
- Reinforcing place-making and local identity
- Achieving high quality, inclusive, sustainable urban design
- Demonstrating excellence in the ordinary
- Animating streets with activity
- Providing character, legibility, variety and visual interest at street level
- Protecting and enhancing key views and prospects within the wider city
- Respecting the setting and visual qualities of the former railway buildings at North Wall Quay
- Protecting views south from the Spencer Dock area to landmark buildings at Grand Canal Dock - Bolands Mill and the Alto Vetro tower.
- Protecting views east along Mayor Street Upper to Point Square
- Avoiding/minimising harm to quality of existing views generally
- Avoiding poor visual amenity in the new public realm

3.50 As a result of these, the impacts of the proposed development upon the landscape character are likely to be highly positive. Visual impacts will vary from neutral to high positive, often in the short -term until neighbouring development substantially obscures the proposed development from view”.

Noise

3.51 A noise report prepared by AWN is submitted with this application. The noise report examines the impact of the pumping station on the site and the impact of the communal

spaces within the development on the adjoining residential units. The noise impact has also been examined as part of the EIAR.

AA Screening

- 3.52 A AA Screening Report prepared by Altamar has been submitted as part of this application. As per the parent planning application, significant effects are not likely to arise, either alone or in combination with other plans or projects that will result in significant effects to the integrity of the Natura 2000 network.

Resident Amenities

- 3.53 The proposed development provides for high quality residential amenity facilities throughout the development including open space and internal communal facilities.
- 3.54 The internal communal areas proposed within the residential scheme comprise of 1,230 sq.m. of internal communal spaces and 1,860 sq.m. of external amenity spaces comprising of a total of 3,090 sq.m. of communal space. The minimum requirement for communal amenity space as set out in the Apartment Guidelines amounts to 2,772 sq.m.. The proposed provision of amenity space is therefore in excess of the standards for communal space as set out in the Apartment Guidelines.
- 3.55 The internal communal space will be located at ground floor, 6th floor, 8th floor, 9th floor and 10th floor. At ground level the internal amenity space will provide for a 24 hour reception area and associated services such as mail rooms, management spaces and staff areas. The reception area comprises of 268 sq.m. and can be used to facilitate a variety of uses from the wider community as well as the future residents such as an exhibition space or informal meeting space.
- 3.56 At 6th floor level, a communal space is provided in Block 2 and is linked to Block 1 through a link bridge at this level. the link bridge will enable all residents in Block 1 and 2 to access all of the communal spaces internally within the buildings.
- 3.57 A gym will be provided at 8th floor level and a residents lounge will be provided at 9th floor level. This resident lounge is intended to be a bookable space for the residents to hold functions or events within the development.
- 3.58 The residential lounge at 10th floor also is connected to the outdoor terrace which enables residents to make use of the full extent of these high quality spaces enjoying impressive views across the city.
- 3.59 The external amenity spaces comprise of 2 no. external courtyard areas between the two Blocks and a series of roof terraces at 7th floor level in Block 1 and 9th floor level in Block 2. The courtyards areas have been slightly revised as per the previous permissions on the site to increase the number of surface level bike parking and to accommodate various design development requirements such as vent locations. The courtyard to Block 1 has also been opened up as a result of the removal of the southern

elevation over the pumping station increasing the accessibility and openness to the courtyard.

- 3.60 The roof terrace areas have been designed to specifically address the needs of the future residents providing for high quality social spaces with a range of seating, passive recreational areas and outdoor dining facilities.
- 3.61 The use and quantum of spaces proposed has been carefully informed by the future residential requirements. As part of this process LIV Consultants were appointed to set out, in their experience the type and use of communal facilities required for residential developments. An operational management plan is submitted as part of this application to set out how the communal spaces can be managed within the proposed residential development. It should be noted that the proposed development is not a “build to rent” development.
- 3.62 With regard to the shared accommodation scheme, a total of 802 sq.m. of communal amenity space is provided within the development comprising of 557 sq.m. at ground floor level, 145 sq.m. at the mezzanine level and a roof terrace of 100 sq.m. These communal spaces will serve the entire shared accommodation development and will comprise of a range of uses such as gym, meeting room, co-working spaces, residents lounges and concierge areas.
- 3.63 In addition shared living and dining spaces will be provided on each floor of the development to provide for a minimum of 6 sq.m. per person of shared kitchen / living / dining facilities. Based on the studio units proposed a total of 564 sq.m. of shared living / dining/ kitchen spaces are required based on 6 sq.m. per person. The proposed development provide in excess of this requirement including a total of 713 sq.m. to serve the studio units throughout the residential floors. Based on the 2 bed cluster units a total of 848 sq.m. of shared living / dining/ kitchen facilities are required. The proposed development again provides in excess of this requirement with 917 sq.m. being allocated to the 2 bed cluster units, approximately 8 sq.m. per bed space.
- 3.64 The proposed communal space is set out to provide for a range of services and s such as bike store, linen store, laundry facilities and management services.

Height

- 3.65 The proposed development seeks permission for the provision of additional floors onto the permitted residential scheme to increase the height of the development from 6/ 7. storeys to a maximum height of 11 / 13 no. storeys.
- 3.66 The proposed height of Block 1 ranges in height from 11 no. storeys on the south west corner and the south east corner of the development. To the east, Block 1 provides for 8 no. storeys with 2 no. set back levels providing for a maximum height of 11 no. storeys along this elevation fronting New Wapping Street stepping back up to 11 no. storeys at the junction of New Wapping Street and Sheriff Street in the north east corner of the site.
- 3.67 The western boundary of Block 1 is 9 no. storeys with 2 no. set back levels. As previously mentioned the north west elevation rises to a maximum of 13 no. storeys and the south west elevation rises to 11 no. storeys in height.
- 3.68 To the north fronting Sheriff Street, the proposed development will range in height from 11 no. storeys on the north east corner, stepping down to 9 no. storeys along the Sheriff

Street elevation and increasing to 13 no. storeys at the north western corner of the site at the junction of the new street and Sheriff Street.

- 3.69 The proposed height of Block 2 ranges from 3 no. storeys to the south to the rear of the residential units along Mayor Street increasing to 7 no. storeys set back from the existing residential units, and reaching a height of 8 no. storeys along the eastern boundary fronting New Wapping Street in the form of a set back level and reaching 9 no. storeys to the north east corner of Block 2.
- 3.70 To the south, Block 2 ranges in height from 5 no. storeys adjoining the existing residential units to the west, increasing to 10 no. storeys at the junction of Mayor Street and the new street.
- 3.71 To the north the height of Block 2 is 7 no. storeys, stepping up to 11 no. storeys on the north eastern corner and 10 no. storeys on the north western corner. The western boundary of Block 1 ranges in height from 11 no. storeys at the north western corner to 10 no. storeys at the south western corner. The remainder of the western elevation is 8 no. storeys with a set back 9th storey.

4.0 PLANNING HISTORY

- 4.1 The application site has been subject to a number of planning applications in relation to the development of City Block 2. There is one planning application of relevance as detailed below.

Application Reference DSDZ2241/19

- 4.2 Planning permission was lodged on the 11th February 2019 for amendments to the permitted development Reg. Ref/ DSDZ2896/18 as amended by Reg. Ref. DSDZ4279/18 as follows:

“Permission for amendments to previously permitted development Reg. Ref. DSDZ2896/18 and as amended by DSDZ4279/18 at a site of 1.26 hectares located at City Block 2, Spencer Dock, Dublin 1. The site is bound by Sheriff Street Upper to the north, Mayor Street Upper to the south, New Wapping Street to the east and a development site to the west (also part of Block 2). The subject site also includes the existing operational North Lotts Pumping Station and its associated infrastructure - the proposed development involves building adjacent to and over the Pumping Station. The application relates to a proposed development within a Strategic Development Zone Planning Scheme area. The proposed development comprises of amendments to previously permitted development Reg. Ref. DSDZ2896/18 and as amended by Reg. Ref. DSDZ4279/18 comprising of: - Provision of additional storeys on Block 1 (to the north) and Block 2 (to the south) increasing the maximum height of Block 1 from 7 no. storeys (27.5m) to a maximum height of 13 no. storeys (46.8m) and increasing the maximum height of Block 2 (27.5m) to 11 no. storeys (40.5m); - Internal re-configuration of the previously permitted Block 1 and Block 2 to provide for an additional 122 no. residential units increasing the permitted total from 349 no. to 471 no. units (233 no. 1 beds and 238 no. 2 beds); - Block 1 will comprise of 307 no. residential units (146 no. 1 beds and 161 no. 2 beds); - Block 2 will comprise of 164 no. residential units (87 no. 1 beds and 77 no. 2 beds) and an aparthotel comprising of an additional 27 no. units increasing the permitted total from 100 no. units to 127 no. units (50 no. studio units, 66 no. 1 bed units and 11 no. 3 bed units in the aparthotel); - The proposed amendments will result in revisions to all elevations including revised location and provision of private balconies / terraces and the provision of setback levels; - Provision of link bridge at 7th storey (6th floor) connecting Block 1 and Block

2; - Revised location and increase in internal residential amenity space associated with the development and the provision of external communal roof terraces; - Revised undercroft layout and increase in area to include 78 no. car parking spaces and 726 no. cycle parking spaces and an increase in plant area; - Revised landscaping throughout the scheme and revised boundary treatments along the street frontage; - Provision of surface level visitor bicycle parking spaces; - Revisions to plant at roof level; - The development also includes SUDs drainage, the provision of a green roof on both blocks, consequential minor amendments and all associated site development works necessary to facilitate the development”

- 4.3 Planning permission was refused by Dublin City Council on 31st May 2019 the basis on non compliance with the North Lotts and Grand Canal Dock Planning Scheme. The refusal stated the following:

“Having regard to the nature and extent of development permitted on City Block 2 by the North Lotts and Grand Canal Dock SDZ Planning Scheme including Sections 5.4.5 and 5.5.2, it is considered that the proposed additional floors above the permitted maximum heights would not be consistent with the provisions of the Planning Scheme. Furthermore, having regard to the design of the additional floors, the failure to articulate individual elements and to the overall scale, bulk and massing of the structures, it is considered that the proposed development would present an unduly monolithic building façade to the adjoining streets and be seriously injurious to the visual amenities in the area. Hence, the proposed development would be contrary to Sections 5.4.4, 5.4.8 and 5.5.2 of the Planning Scheme. Therefore, the proposed development would not be consistent with the provision of the Planning Scheme and would be contrary to the proper planning and sustainable development of the area”.

- 4.4 In response to the refusal reasons the design of the proposed development has been revised to provide a greater level of articulation of the individual elements to reduce the overall massing and scale of the development. The revised elevational design has been prepared to overcome the issues raised by the Planning Authority and provide for greater visual interest and modulation in the building form.
- 4.5 The revised design is considered to reduce the bulk scale and mass of the development and proposed for an appropriate form of development in this urban area.

Application Reference: DSDZ4279/18

- 4.6 Planning permission was granted on 18th December 2018 for amendments to the parent permission Reg. Ref. DSDZ2896/18 as follows:

Planning Permission for amendments to previously permitted development, Reg. Ref. DSDZ2896/18 at a site of 1.26 hectares located at City Block 2, Spencer Dock, Dublin 1. The site is bound by Sheriff Street Upper to the north, Mayor Street Upper to the south, New Wapping Street to the east and a development site to the west (also part of Block 2). The development site also includes the existing operational North Lott's Pumping Station and its associated infrastructure - the proposed development involved building adjacent to, and over, the Pumping Station. The application relates to a proposed development within a Strategic Development Zone Planning Scheme area. The proposed development comprises of amendments to previously permitted development DSDZ2896/18 comprising of: - Internal re-configuration of the previously permitted Block 1 and Block 2 to provide for 349 no. residential units (174 no. 1 beds and 175 no. 2 beds) increasing the permitted total from 322 no. 349 no. units; - Block 1 will comprise of 222 no. units (105 no. 1 beds and 117 no. 2 beds); - Block 2 will comprise of 127 no. units (69 no. 1 beds 58 no. 2 beds); - The revised block layout will

result in amendments to all elevations including revised location and provision of private balconies/ terraces and revised resident amenity facilities; - Revised undercroft layout and increase in area to include an increase in car parking spaces from 77 no. car parking spaces to 80 no. car parking and increase in bicycle parking from 462 no. spaces to 524 no. spaces and an increase in plant area; - Revised aparthotel layout to provide for 100 no. units (240 no. bed spaces); - Provision of mezzanine level between ground and first floor level to include an extension to the cafe space permitted at ground floor level and ancillary office area to serve the shared accommodation development; - Provision of mezzanine level to 8 no. ground floor aparthotel units; - Revised landscaping and boundary treatment; - Revision to plant at roof level; - The proposed amendments will not result in an increase in the permitted maximum building height; - The development also includes, SUDS drainage, the provision of a green roof on both blocks and all associated site development work necessary to facilitate the development.

- 4.7 This application seeks further amendments to this permission increasing the number of units and height of the development.

Application Reference DSDZ2896/18

- 4.8 Planning permission was granted on 5th August 2018 for the following:

“Spencer Place Development Company Limited intend to apply for planning permission for development at a site of 1.26 hectares located at City Block 2, Spence Dock, Dublin 1. The site is bound by Sheriff Street Upper to the north, Mayor Street Upper to the south, New Wapping Street to the east and a development site to the west (also part of Block 2). The development site also includes the existing operational North Lott's Pumping Station and its associated infrastructure - the proposed development involves building adjacent to, and over, the Pumping Station. The application relates to a proposed development within a Strategic Development Zone Planning Scheme Area. The development consists of the following: - Construction of 325 no. residential units and aparthotel in 2 no. blocks; - Block 1 to the north of the site will be 7 no. storeys in height (max 31.5m) and will comprise of 211 no. units in total (73 no. 1 bed and 138 no. 2 bed) all with associated private terraces/balconies to all elevations; - Block 1 will also include the provision of a communal open space courtyard, reception/concierge, back of house area and internal communal space associated with the residential development at ground floor level, and communal amenity space at 6th floor level; - Block 2 to the south of the site will be part 6 no. (28.050m)/part 7 no. storeys (31.5m) and will comprise of 114 no. units in total (47 no. 1 beds and 67 no. 2 bed units) all with associated private terraces/balconies to all elevations and an aparthotel to the western portion of the block comprising of 102 no. units (216 no. bed spaces); - Block 2 will also include provision of reception area associated with the aparthotel, cafe, internal residential communal space and communal open space courtyard at ground floor level, and a communal residential area at 5th floor level. - Provision of 2 no. undercroft levels of car parking and cycle parking to serve each block to facilitate a total of 77 no. car parking spaces and 462 no. bicycle parking spaces in addition to plant, refuse areas, back of house area to serve the aparthotel and storage facilities and 2 no. new vehicular access points onto New Wapping Street; - Provision of new north/south vehicular and pedestrian street including new road way, pedestrian footpath, on street car parking with access from Mayor Street Upper and access/egress from Sheriff Street Upper; - Provision of a new landscaped pedestrian street running in an east/west direction through the site; - Provision of 2 no. substations fronting New Wapping Street to serve each building and 1 no. substation to serve the aparthotel on the new internal north/south street to the west of the site; - Provision of plant at roof level on the aparthotel element of Block 2; - Pedestrian connection from internal

courtyard of Block 2 to Mayor Street Upper along the western boundary of the existing residential units; - Screening and appropriate landscaping of existing North Lott's Pumping Station; - Landscaping plan including new pedestrian and disabled access from New Wapping Street to the proposed new landscaped east/west pedestrian street; pedestrian access and maintenance vehicular access from the proposed new north/south street to the landscaped east/west pedestrian street, provision of public artwork, revised boundary treatment to all boundaries; provision of informal children's play areas and seating areas throughout the site, provision of surface level bicycle stands, and defensible landscaped strip at ground floor level on all boundaries; - Improvements to the public realm including tree planting, and the provision of new footpath areas along all site boundaries; - The development also includes, SUDs drainage, the provision of a green roof on both blocks and all associated site development works necessary to facilitate the development."

- 4.9 This application seeks amendments to this permitted development.

Application Reference DSDZ3367/15

- 4.10 On 4th of December 2015, Dublin City Council granted planning permission for a development comprising the following:

"David Hughes and Luke Charleton of Ernst & Young Joint Receivers acting for Spencer Dock Development Company Ltd. (in Receivership and Liquidation) and Querida Environmental Ltd. (in Receivership), intend to apply for permission for development at a Site of 0.75 hectares located at the junction of, Sheriff Street Upper, and New Wapping Street, Spencer Dock, Dublin 1. The site is bound to the north by Sheriff Street Upper, to the east by New Wapping Street and to the south and west by undeveloped land. The development consists of the following: - The construction of a 7 storey over basement residential development with a gross floor area of circa 20,619 sq. metres accommodating 165 no. units comprising of 23 no. 1 bed units, 117 no. 2 bed units and 25 no. 3 bed units. - Balconies are provided on the south, east and west elevations. Garden areas are provided at ground floor level on the western elevations. Penthouse terraces are provided at 7th floor, with accessible roof terraces. A green privacy screen is provided on the north elevation on ground and upper floors. - The development provides a total of 90 no. car parking spaces, comprising of 78 no. at basement level and 12 no. at ground floor level, and a total of 186 no. bicycle parking spaces, comprising of 74 no. spaces at basement level and 112 no. at ground floor level, including 20 no. visitor spaces. Access to the basement is from New Wapping Street. - The development includes the construction of two new internal routes including a north south route connecting to Sheriff Street Upper to north and an east west street connecting New Wapping Street to the west. - All hard and soft landscaping works including new internal courtyard area. Public realm upgrade works along Sheriff Street Upper and New Wapping Street. - The existing pumping station on the site will be incorporated into the development and located along the southern elevation. - Development to include all site development and ancillary works. The application relates to a proposed development within a strategic development zone planning scheme area".

5.0 NATIONAL AND REGIONAL PLANNING CONTEXT

5.1 The key provisions of national (including relevant Section 28 guidelines) and regional planning policy as it relates to the proposed development is set out in the following sections. The key policy and guidance documents of relevance to the proposed development are as follows:

- National Planning Framework 2040;
- Rebuilding Ireland – Action Plan for Housing and Homelessness;
- Sustainable Urban Housing: Design Standards for New Apartments; Guidelines for Planning Authorities 2018;
- Draft Urban Development and Building Height Guidelines 2018;
- Eastern and Midlands Regional Assembly; Draft Regional Spatial and Economic Strategy 2019- 2031;
- Regional Planning Guidelines for the Greater Dublin Area (2010 – 2022);
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), and the accompanying Urban Design Manual;
- Delivering Homes, Sustaining Communities (2008) and the accompanying Best Practice Guidelines- Quality Housing for Sustainable Communities;
- Quality Housing for Sustainable Communities (2007);
- Design Standards for New Apartments (2017);
- Design Manual for Urban Roads and Streets (2013);
- Guidelines for Planning Authorities on Childcare Facilities (2001);
- Smarter Travel – A New Transport Policy for Ireland (2009-2020);
- The Planning System and Flood Risk Management (2009);

National Planning Framework (NPF) 2040

5.2 The National Planning Framework is the Government’s plan to cater for the extra one million people that will be living in Ireland, the additional two thirds of a million people working in Ireland and the half a million extra homes needed in Ireland by 2040.

5.3 As a strategic development framework, Ireland 2040 sets the long-term context for our country’s physical development and associated progress in economic, social and environmental terms and in an island, European and global context.

National Policy Objective (NPO) 2(a) relating to growth in our cities;

- NPO 3(a)/(b)/(c) relating to brownfield redevelopment targets;
- NPO 4 relating to attractive, well designed liveable neighbourhoods;
- NPO 5 relating to sufficient scale and quality of urban development; and
- NPO 6 relating to increased residential population and employment in urban areas.

5.4 And in particular, NPO 13 which states that:

“In urban area, planning and related standards, including 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”.

- 5.5 It is therefore considered that in order to comply with the objectives of the NPF that increased building heights should be provided in appropriate locations subject to meeting the assessment criteria for increased heights as set out in the Urban Development and Building Height Guidelines.
- 5.6 The National Planning Framework 2040 seeks to increase densities and building heights in appropriate urban locations to consolidate urban sprawl and increase the sustainability of public transport networks. The NPF states that:
- “In particular, general restriction on building height or universal standards for car parking or garden size may not be applicable in all circumstances in urban areas and should be replaced by performance based criteria appropriate to general locations e.g. city/ town centre, public transport hub, inner suburban, public transport corridor, outer suburban, town, village etc”.*
- 5.7 The proposed development is located within the Dublin Docklands which forms part of the city centre and is a major employment hub. The subject development is also located in an area that has the potential to accommodate significant mixed use development which would be appropriate for increased building heights adjacent to high quality public transport and major employment centres. It is therefore considered that the subject site is an appropriate location for increased building heights and increased densities to support the objectives of the NPF.
- 5.8 National investment planning, the sectoral investment and policy frameworks of departments, agencies and the local government process will be guided by these strategic outcomes in relation to the practical implementation of Ireland 2040. The NPF sets out the importance of development within existing urban areas by “making better use of under-utilised land including ‘infill’ and ‘brownfield’ and publicly owned sites together with higher housing and job densities, better services by existing facilities and public transport”.
- 5.9 Objective 4 states *“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”.* The proposed development seeks amendment to a permitted high quality residential and shared accommodation scheme in accordance with the North Lott’s SDZ Planning Scheme.
- 5.10 The permitted development provides for a high quality shared accommodation and residential scheme within the city which will create an attractive, liveable and well designed urban place capable of creating a diverse and integrated community within the existing residential and commercial area.
- 5.11 The NPF targets a significant proportion of future urban development on infill/ brownfield development sites within the built footprint of existing urban areas. Objective 11 of the NPF states:
- 5.12 *“In meeting urban development requirements, there will 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”.*
- 5.13 The subject development provides for a residential and shared accommodation development. The proposed development will provide for a mix of uses, jobs and

activity within the area thus creating the need for increased heights and densities at this location to meet targeted growth rates.

- 5.14 The proposed development seeks to respond appropriately to the city centre location in order to promote increased densities and population growth in existing urban areas adjacent to high quality public transport. The proposed density at c. 368 no. units per hectare and maximum height of the development at 47 m is therefore considered to be consistent with the objectives of the NPF by utilising this strategically located land to provide for the critical mass to support the surrounding services, commercial centres, employment nodes and the high quality public transport infrastructure.
- 5.15 The proposed development seeks amendments to a high quality residential scheme which will provide for a significant number of residential units and an shared accommodation in an existing mixed use urban environment adjacent to a significant office scheme facilitating up to 4,500 employees and a mixed use residential / commercial scheme to the east for a further 370 no. units and a significant office scheme.
- 5.16 The proposed development will also enhance the permitted residential development which will encourage more people, jobs and activity within existing urban area and will incorporate into the various other permitted and emerging developments in the area to create for a significant residential , office, hotel , shared accommodation and retail / restaurant/ cafes uses in this well served location adjacent to public transport.
- 5.17 The NPF continues to state that:
- “Although sometimes necessary to safeguard against poor quality design, planning standards should be flexibly applied in response to well designed development proposals that can achieve urban infill and brownfield development objectives in settlements of all sizes.*
- 5.18 This is in recognition of the fact that many current urban planning standards were devised for application to greenfield development sites and struggle to take account of evolved layers of complexity in existing built-up areas.
- 5.19 In particular, general restriction on building height or universal standards for car parking or garden size may not be applicable in all circumstances in urban areas and should be replaced by performance based criteria appropriate to general locations e.g. city/ town centre, public transport hub, inner suburban, public transport corridor, outer suburban, town, village etc”.
- 5.20 National Policy Objective 13 states:
- “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”.*
- 5.21 The subject site is well served by the public transport, such as the Luas, Suburban Rail, and Dublin Bus. The existing permission on the site is considered appropriate for the location of the site and the availability of public transport facilities. The proposed amendments further enhance the development providing for a better utilisation of the

site increasing densities in accordance with best urban design principles. The proposed development is therefore in accordance with the objectives of the NPF in this regard.

- 5.22 The NPF also states that that “to avoid urban sprawl and the pressure that it puts on both the environment and infrastructure demands, increased residential densities are required in our urban areas”. Objective 35 states that it is an objective to

“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”.

- 5.23 It is clear that there is a strong emphasis towards increased building heights in appropriate locations within existing urban centres and along public transport corridors in order to provide for the critical mass needed to make the public transport services viable. As such it is respectfully submitted that the proposed building height at 47m is in line with government guidance and emerging trends for sustainable residential developments.

Urban Development and Building Heights (2018)

- 5.24 The Urban Development and Building Height Guidelines are intended to set out national planning policy guidelines on building heights in urban areas in response to specific policy objectives set out in the National Planning Framework and Project Ireland 2040.

- 5.25 The guidelines in effect put in place a presumption in favour of high buildings at public transport nodes. The guidelines state that it is Government policy to promote increased building height in locations with high quality public transport services.

- 5.26 The Guidelines emphasise the policies of the NPF to greatly increase levels of residential development in urban centres and significantly increase building heights and overall density and to ensure that the transition towards increased heights and densities are not only facilitated but actively sought out and brought forward by the planning process and particularly at Local Authority level and An Bord Pleanála level.

- 5.27 Under Section 28 (1C) of the Planning and Development Act 2000 (as amended), Authorities and An Bord Pleanála will be required to have regard to the guidelines and apply any specific planning policy requirements (SPPR's) of the guidelines in carrying out their function.

- 5.28 Section 28 (1C) states

“Guidelines to which subsection (1) relates may contain specific planning policy requirements that, notwithstanding subsection (1), are required to be applied by planning authorities and the Board in the performance of their functions”.

- 5.29 SPPRs as stated in the Guidelines, take precedence over any conflicting, policies and objectives of development plans, local areas plans and strategic development zone planning schemes as noted in Section 1.14 of the guidelines which states:

“Accordingly where SPPRs are stated in this documents, they take precedence over any conflicting policies and objectives of development plans, local areas plans and strategic development zone planning schemes. Where such conflicts arise, such plans/

schemes need to be amended by the relevant planning authority to reflect the content and requirements of these guidelines and properly inform the public of the relevant SPPR requirements”.

- 5.30 It is noted that the requirement to amend plans applies equally to development plans, local area plans and planning schemes and the guidelines do not distinguish between SDZ planning schemes and the development plan in this respect.
- 5.31 SPPR1 states:
- “In accordance with Government policy to support increased building height and density in locations with good public transport accessibility, particularly town. City cores, planning authorities shall explicitly identify, through their statutory plans, areas where increased building height will be actively pursued for both redevelopment, regeneration and infill development to secure the National Planning Framework and Regional Spatial and Economic Strategies and shall not provide for blanket numerical limitations on building height”.*
- 5.32 Dublin City Council in their development plan identified the Docklands are as a location for building heights of 50+m, as such in order to comply with SPPR1, increased heights at these locations should be actively pursued in accordance with SPPR1.
- 5.33 SPPR2 states
- “In driving general increases in building height, planning authorities shall also ensure appropriate mixtures of uses, such as housing and commercial or employment development, are provided for in statutory plan policy. Mechanisms such as block delivery sequencing in statutory plans could be utilised to link the provision of new office, commercial, appropriate retail provision and residential accommodation therefore enabling urban redevelopment to proceed in a way that comprehensively meets contemporary economic and social needs such as for housing, offices, social and community infrastructure, including leisure facilities”.*
- 5.34 The development of Block 2 and Block 7 of the SDZ area is specifically tied to a Joint City Block Roll Out Agreement (JCBRA) with the City Council for the delivery of appropriate uses in this area. The subject development of Block 2 complies with the land use mix of the planning scheme and therefore complies with SPPR2.
- 5.35 The guidelines also state that the implementation of the National Planning Framework requires increased density, scale and height of development in town and city cores with an appropriate mix of uses.
- 5.36 In relation redevelopment and enhancement of the city core, the guidelines state that *“to meet the needs of a growing population without growing out urban areas outwards requires more focus in planning policy and implementation terms on reusing previously developed “brownfield” land, building up urban infill sites (which may not have been built on before) and either reusing or redeveloping existing sites and buildings that may not be in the optimal usage or format taking into account contemporary and future requirements”.*
- 5.37 The guidelines also place significant emphasis on promoting development within the existing urban footprint utilising the existing sustainable mobility corridors and networks.

“In order to optimise the effectiveness of this investment in terms of improved and more sustainable mobility choices and enhanced opportunities and choices in access to housing, jobs, community and social infrastructure, development plans must actively plan for and bring about increased density and height of development within the footprint of our developing sustainable mobility corridors”.

- 5.38 The Guidelines also state that “the preparation of development plans, local areas plans, and Strategic Development Zone Planning Schemes and their implementation in the city, metropolitan and wider urban areas must therefore become more proactive and more flexible in securing compact urban growth through a combination of both facilitating increased densities and building heights”.
- 5.39 In relation to development management principles, the guidelines state that “planning authorities must apply the following broad principles in considering development proposals for buildings taller than prevailing building heights in urban areas in pursuit of these guidelines”:

Does the proposal positively assist in securing National Planning Framework objectives of focusing development in key urban centres and in particular, effectively supporting the National Strategic Objectives to deliver compact growth in our urban areas?

- 5.40 The proposed development provides for urban consolidation of a significant site in the city centre promoting higher densities and greater building heights in a strategically designated development zone. The proposed development will provide for 464 no. residential units and an shared accommodation of 120 no. bedrooms (200 bedspaces). The delivery of this significant quantum of residential development with almost a 35% uplift on the permitted residential scheme. As such the proposed development significantly supports the delivery of compact growth in the urban area.

Is the proposal in line with the requirements of the development plan in force and which plan has taken clear account of the requirements set out in Chapter 2 of these guidelines?

- 5.41 The Dublin City Development Plan 2016-2022 identifies a number of locations for tall, medium and low rise buildings. The docklands area is identified as a location capable of facilitating high building in excess of 50m +. The proposed development at 46m is therefore is compliant with the development plan objectives to provide for a high building at this location. However, both the City Development Plan and the North Lott's and Grand Canal Dock Planning Scheme (which forms part of the development plan) predates the publication of the Urban Development and Building Height Guidelines and they have not been updated to take account of the requirements of Chapter 2 of the Guidelines.

Where the relevant development plan or local area plan predate these guidelines, can it be demonstrated that implementation of the pre existing policies and objectives of the relevant plan or planning scheme does not align with and support the objectives and policies of the National Planning Framework?

- 5.42 The relevant statutory plans for the subject site are the Dublin City Development Plan which was adopted in 2016 which incorporates the North Lotts and Grand Canal Dock SDZ Planning Scheme which was adopted in 2014. Both of the relevant plans for the subject location pre-date the Guidelines and the National Planning Framework.

5.43 The building height criteria as stated in the development plan and the SDZ Planning Scheme are not in line with the Urban Development and Building Height Guidelines and the NPF. This is particularly the case of the planning scheme which imposes relatively low height limits across much of the planning scheme area, including Block 2, which do not meet the requirements of chapter 2 of the guidelines. In this regard it is considered that the location of the proposed development is a highly appropriate location to implement the objectives of the guidelines and the NPF increasing the height and densities in line with the overall objective to promote urban consolidation and urban development in association with high quality public transport routes.

5.44 The guidelines set out the criteria for developments at the scale of the relevant city / town as follows:

The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.

5.45 The subject site is located adjacent to the Luas along Mayor Street and adjacent to Docklands suburban rail station. The subject site is also in proximity, due to its city centre location to a number of quality Dublin Bus routes, the Dart, the proposed MetroLink Connolly Station and Docklands Station. The subject site is also located adjacent to a proposed Dart Underground Station at Station Square.

Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views. Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.

5.46 The proposed development site does not include any architecturally sensitive areas. A number of two storey residential units are location to the south and the east of the site. A Visual Impact Assessment is included with the planning application to assess the impact of the proposed development on the surrounding properties and overall landscape character of the area.

5.47 The LVIA prepared by Chris Kennett concludes that *“the proposed development has a high degree of physical separation from sensitive areas of conservation and built heritage and will have no direct impact upon these. The high standards of design quality and materials will make a positive contribution to the character of the site and its setting, with the intention that where there may be a visual relationship between Conservation Areas / Protected Structures and the proposed development, there will be no adverse impacts upon those areas”*.

5.48 The LVIA assesses the impact of the development on a number of key views throughout the city including those indicated in the Views and Prospects Analysis undertaken in 2013 by the Planning Authority which informed the preparation of the planning scheme. This analysis set out a number of key views in which it should be demonstrated that any proposal for development would not adversely impact on the skyspace.

5.49 The LVIA submitted with this application identifies four key views relevant to the proposed development, view 3 of the North Wall Quay Station complex from the south of the Eastlink Bridge; view 11 extending along Fitzwilliam Street from Leeson Street, “Georgian Mile”; view 12 to Bolands Mills along New Wapping Street and view 13 east

along Mayor Street Upper from the Royal Canal Bridge. The Photomontages submitted with the application address each of these views and the visual impact of the proposed development in respect of each view is addressed in the LVIA prepared by Chris Kennett. In detail, View 3 as identified in the views and Prospects Analysis 2013 is listed as view 6 in the photomontages submitted with the application, view 11 is listed as view 21, view 13 is listed as view 7 and view 12 is listed as view 9.

5.50 In respect of view 11 of the Planning Scheme on Fitzwilliam Street/ Fitzwilliam Place, view 21 of the submitted assessment with this application. The LVIA submitted as part of the application concluded that the impact of this view will be *“imperceptible and neutral”* and that *“the Georgian Mile will not experience any perceptible or adverse visual impact as a result of the development”*.

5.51 For full details please see attached LVIA submitted with this application.

On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape.

5.52 The proposed development will provide for a high quality architectural development that will incorporate into the existing, and established streetscape of the area. The permitted development provides for a new east west street through the site which will facilitate public movements through the overall development. There will be a café, shared accommodation reception area and a resident concierge accessible off this space. The provision of active uses at ground floor level creates a sense of place and contributes to the public spaces in the area.

5.53 The proposed massing and height of the development will enable densities of up to 373 no. units per hectare. The proposed density creates a high density residential scheme that achieves an appropriate scale, mass and height for this well served city centre location. The scale and density of the development also responds to the significant high density developments in the area including the proposed Salesforce Tower on City Block 7 and the adjoining residential development in City Block 1.

5.54 The provision of the additional floors will also create variation in the massing by increasing the heights relative to the overall design. The proposed development does not provide for a uniform height throughout the site but instead responds to the characteristics of each building and its immediate and wider setting and applies an appropriate height and density for the building as it sits in this context. The LVIA states:

“Alongside the positive changes to the roofscape, a reworking of the building elevations and detailing has further enhanced the character of the building, including lightweight treatment to the balcony/ terrace balustrades, which are now glazed, and amended window detailing and brick relief panels which add greater variety and visual interest in the material finishes. A carefully considered approach to design throughout the scheme will deliver a development that complements its neighbours while establishing its own character, contributes to sense of place and local identity, and encourages safe and active streets with accessible building frontages, passive surveillance and beautifully landscaped streets and spaces”.

5.55 The variation of height on the site will therefore create visual interest in the streetscape as opposed to a uniform building height suggested by the SDZ Planning Scheme block

layout plan. It is considered that this design approach not only responds to the National Planning Framework by increasing densities and consolidation development in appropriate transportation hubs but also provides for good urban design principles and architectural quality presented by the opportunity to create an interesting skyline at this location. The urban design statement prepared by Henry J Lyons submitted with this application sets out in detail the proposed development in the context of the surrounding development in urban design terms.

- 5.56 The guidelines set out the relevant criteria for district/ neighbourhood / street context as follows:

The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape;

- 5.57 The proposed development has been considered in the context of the surrounding building and the overall vision for the Docklands Area. The proposed development is of a high architectural quality and site comfortably within the existing streetscape and urban design context. The surrounding developments at City Block 1 and to the north along Sheriff Street provide for existing building heights in the range of 12 no. storeys. The proposed development at City Block 7 to the south also provides for increased building height of c. 47m (11 no. storeys commercial). The overall context of the area is therefore changing and adopting to the policies to promote increased height and densities in the area.
- 5.58 The variation in the height and the architectural quality of the development proposed makes a contribution to the overall built environment in the area and creates an interesting urban streetscape at this key urban location.
- 5.59 The proposed development in its local context has had regard to the immediate context of the buildings surrounding the site in terms of setting an appropriate scale and mass of the building. In the context of the surrounding properties the proposed development provides for an appropriate transition in height and scale relative to the adjacent buildings.
- 5.60 Block 2 keeps the permitted arrangement of the relationship with the existing housing along Mayor Street stepping down to 3 no storeys to the south end of the block along the northern boundary of the houses and stepping down to 5 no. storeys to the west. This stepped arrangement has been retained in this planning application as to ensure the overlooking or overbearing impact is not increased.
- 5.61 The proposed development also contains a number of set back levels to break up the elevation and massing of the building. The set back levels reduce the perceived visual impact of the development and create a more appropriate scaled and proportioned urban design in the area.
- 5.62 The Design statement states:

“Careful consideration has been given to the recessed brick panels which will feature English bonded brickwork with either projecting or recessed headers. This provides texture to the elevations and is used as a method to emphasise verticality and horizontality where required. This treatment combined with the staggered balconies creates variety across the apartments and therefore helps to create a sense of identity within the development”.

- 5.63 The overall development provides for variety in the streetscape and urban design form of the area through the provision of alternating heights thus making a positive contribution to the built urban form of the area. In the context of the natural environment, the proposed development is adjacent to an area of open space and other taller buildings in Block 1, to the north of the site along Sheriff Street and proposed in Block 7. The overall context of taller building at this location is therefore established and is an emerging positive contribution to the skyline of the area.

The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered;

- 5.64 The proposed development is consistent with the block layout as set out in the SDZ planning scheme. The proposed development has been carefully designed with regard to the surrounding patterns and materials in the area. The proposed development provides for high quality finishes appropriate to this regeneration area and seeks an architectural finish that responds to the character of the area. The proposed development also contains a series of set back and alternating levels which create a significant level of visual interest to the development and avoid monolithic designs. The LVIA states:

“The modifications to the permitted scheme have enabled the proposed development to express itself in a much more dynamic form. Additional floors, a range of storey heights, set backs and contrasting façade material deliver a much more varied and visually rich roofscape that is more in keeping with existing and proposed neighbouring developments”.

- 5.65 The proposed materials will be consistent with that already permitted on the site. The proposed development for the additional storeys will blend into the existing elevations and material finish as permitted on the site. Full details of the palette of materials and finishes are set out in the Design Statement Prepared by HJL Architects.
- 5.66 The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway / marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of the “the Planning System and Flood Risk Management Guidelines for Planning Authorities 2009;
- 5.67 The permitted development provides for an east west street creating a new civic space and amenities such as café, shared accommodation and resident services at ground floor level. The provision of the additional floors onto the permitted development will increase the critical mass of the area providing for a significant increase in office floor space and a substantial hotel development. The level of activity and vibrancy created through the proposed development will provide for a significant enhancement of the civic spaces and thoroughfares providing within the development.
- 5.68 The proposed development is also slightly set back from a significant waterway/ marine frontage, the River Liffey. The increase in height proposed as part of this application thereby provides for the appropriate setting to favourably considered in terms of enhancing a sense of scale and enclosure of the area and specifically the subject site.
- 5.69 The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrated in a cohesive manner.

- 5.70 The subject development will provide for linkages through the site and will provide for clear legible pedestrian movements through the site. The proposed development will therefore create connections to the wider environment linking the wider Docklands and emerging development at Block 3 to Station Square, the existing Luas station and the future Dart Underground with the wider docklands area.

The proposal positively contributes to the mix of uses and / or building / dwelling typologies in the neighbourhood:

- 5.71 The mix of land uses for the subject site is set out in the SDZ Planning Scheme for Block 2. The land use mix agreed as part of the joint city block roll out agreement for City blocks 2 and 7 as 35% residential and 65% commercial. The land use mix agreed in the joint city block roll out agreement is not proposed to be revised as part of this application.
- 5.72 Notwithstanding the land use mix ratios as set out in the planning scheme, the proposed development will provide for a mix of land uses within the development including, residential , shared accommodation, cafe and residential amenity uses. The variety of land uses at this location will provide for vitality and vibrancy to the area creating a range of uses for day and night time activities.
- 5.73 There is a wide range of building / dwelling typologies in the area. The site immediately adjoins new development to the south (residential development), east (Central Bank) and west (PWC Building and the Convention Centre), and 2 no. storey local residential dwellings to the south and south east. The proposed development also provide for a mix of residential typologies including 229 no. 1 bed units and 235 no. 2 bed units and an shared accommodation development.
- 5.74 The range of building typologies and forms provide for a varied urban landscape thus enabling the proposed development to be considered in the overall mixed context of the area. The proposed development is respectful of the surrounding properties keeping in line with the scale of the surrounding new building and having regard to the character of the existing low scale residential buildings.
- 5.75 The impact of the proposed development has been assessed in terms of daylight/ sunlight, visual impact and urban design and is submitted as part of this application. Please see IES report on daylight / sunlight, Chris Kennett report on Landscape and Visual Impact and Urban Design Statement prepared by HJL Architects for further details.
- 5.76 The guidelines also set out the following criteria for developments at the scale of the site / building:

The form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light.

- 5.77 A daylight/ sunlight assessment has been prepared by IES and is submitted with this application. The report concludes that the proposed additional storeys will provide for similar results on the surrounding properties to those achieved under the permitted scheme on the site. The proposed daylight / sunlight analysis has carefully considered that impact of the proposed development on the surrounding properties. The results

set out in the daylight / sunlight assessment clearly demonstrate that the proposed development will not create significant negative impacts on the surrounding properties.

5.78 The IES report states the following in relation to the shadow analysis:

“In terms of shading on surrounding properties, the impact of the proposed development is broadly in line with that of the permitted scheme and SDZ scheme with respect to potential over-shadowing a show by the images in Section 4 and quantified in the Daylight Analysis of Existing Buildings section of the report”

5.79 In terms of sunlight to the proposed amenity spaces, the IES report states that:

“the sunlight availability in the amenity area to both the northern and southern blocks in the proposed development matches that of the both the permitted scheme and the SDZ scheme”.

5.80 And in terms of the Average Daylight Factor the IES report states:

“100% of the sample rooms tested in the proposed development have average daylight factor (ADF) above the minimum recommended Average Daylight Factors (ADF) in line with the BRE Guidelines.

The results demonstrate the proposed development should achieve good levels of daylight in line with BRE recommendations. Given that tested rooms were on the first floor, results would be expected to improve at upper levels”.

5.81 In relation to the Daylight the IES report concludes:

“In summary, 64% (65 out of 101) of the points tested have a vertical sky component value of at least 27% or no less than 0.8 that of the value for the SDZ scheme in line with the BRE recommendations. As such, the impact of the proposed development can be classified under the BRE as ‘minor adverse impact’.

This performance is expected on the existing residential dwellings located in typical urban area. In general, good levels of light were received for a city centre location”.

5.82 As such it is demonstrated that the proposed development would not result in any significant impact on the existing residential dwellings to the north of the site and that the levels of daylight / sunlight received would be imperceptible compared to the SDZ Block Layout expected results and the permitted development on the site.

5.83 A Landscape, Visual Impact Assessment has also been prepared and is submitted as part of this application. The LVIA demonstrates that the proposed development will not impact on the key views in the area and will merge into the existing streetscape enhancing the visual interest within the Docklands area.

5.84 As such it is respectfully submitted that the proposed development has been carefully designed as to maximise access to natural daylight, ventilation and views and to minimise overshadowing and loss of light having regard to the additional floors proposed.

Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlines in guides like the Building Research Establishment's "Site Layout Planning for Daylight and Sunlight" (2nd edition) or BS 8206-2;2008 – "lighting for Buildings – Part 2; Code of Practice for Daylighting".

- 5.85 As mentioned above, a daylight / sunlight analysis has been prepared and is submitted with this application. The design, form and layout have been informed by the objective to achieve the appropriate results for daylight/ sunlight within the development and to minimise the impact on the surrounding properties.

Where a proposal may not be able to fully meet all the requirements of the daylight provisions above this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and to an effective urban design and streetscape solution.

- 5.86 In some instances, at ground floor level, certain points surrounding the site are slightly impacted upon in comparison to the permitted development on the site. However, as noted in the Daylight / Sunlight assessment the variation between the permitted and proposed would not result in a significant impact in terms of daylight / sunlight.

- 5.87 Specific assessment as set out in the Guidelines also include the following:

Specific Impact assessment of the microclimatic effects such as down draft. Such assessments shall include measures to avoid/ mitigate such microclimatic effects and where appropriate shall include an assessment of the cumulative micro-climatic effects where taller buildings are clustered.

- 5.88 The proposed development is not considered a tall building as to fall under the category that may give rise to any significant concerns in terms of microclimatic effects. The Planning Scheme sets out the provision for 12 no. storeys fronting station square within the western portion of the subject Block 2 at Station Square. The proposed development also varies in height within only once corner of the development rising to 13 no. storeys. As the proposed is not for a tall building an assessment of microclimatic effects is therefore not considered necessary in this instance, however, a wind study has been carried out on the development. Details of the wind study are submitted as part of the Environmental Report.

In development locations in proximity to sensitive bird and / or bat areas, proposed developments need to consider the potential interaction of the building location, building materials and artificial lighting to impact flight line and / or collision.

- 5.89 An AA screening statement has been carried out and is submitted as part of this location. It is not considered that the subject site is located in an area that will impact upon sensitive bird and / or bat locations.

An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links.

- 5.90 The proposed development does impact on telecommunication channels or microwave links. It is noted that it is not a tall building where these issues may arise. A report has

been prepared by ISM Independent Site Management which conclude that the additional height being sought does not impact on current microwave or telecommunication channels.

An assessment that the proposed maintains safe air navigation:

- 5.91 The development plan states that the Irish Aviation Authority should be notified in respect of buildings in excess of 45 m. A letter has been issued to the IAA in this regard notifying them of the proposed height of the building. Please see attached enclosed.
- 5.92 The SDZ sets out a permitted height of 12 no. storeys fronting Station Square at Spencer Place. The proposed height provides for a maximum of 11 no. storeys to 13 no. storeys which is considered to be consistent with the surrounding existing permitted heights and therefore is not likely to give rise to any aviation concerns.

An urban design statement including, as appropriate, impact on the historic built environment:

- 5.93 An urban design statement has been prepared by Henry J Lyons which sets out the proposed development in urban design terms. A Landscape and Visual Impact assessment has also been prepared by Chris Kennett which assesses the impact of the proposed development of the surrounding built environment and urban landscape.

Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment as appropriate.

- 5.94 The proposed development has been screened for AA by Altemar Ecological Consultants, the result of which are submitted with this application. The proposed development is below any relevant threshold for EIA. The proposed development is not a tall building and it is considered that the proposed development is not likely that the additional floors will give rise to any additional environmental impacts of significance in the context of environmental impact regulations. Nonetheless an EIAR has been submitted as part of this application.
- 5.95 The application is accompanied by an Landscape Visual Impact Assessment. SEA relates to plan making as opposed to development management applications, therefore the preparation of an SEA in this regard is not relevant in this case. Potential environmental impact has been updated in the submitted EIAR.
- 5.96 The proposed development has had regard to the planning policy framework as set out in the building height guidelines, the apartment guidelines and National Planning Framework. The proposed development complies with such objectives therefore is considered to be in accordance with the provisions of national policy guidelines.
- 5.97 As set out below in more detail, a review of the SDZ Planning Scheme has now been undertaken by the Development Agency and has been submitted by City Council planning authority to An Bórd Pleanála. This provides for an element of increased heights in key City Blocks, including City Block 2.
- 5.98 It is respectfully submitted that there is a very clear planning policy framework as set out above in the National Planning Framework and the general policies and objectives of the Urban Development and Building Height guidelines, which provide a very clear

basis and rationale for granting permission for the proposed development, notwithstanding provisions of SPPR3, which is not relied on in this application.

- 5.99 In this regard we have regard to the position of City Council and also the decision of the High Court in the case of Simons, J in Spencer Place Development Company Limited,, as referenced in the Opinion of Eamon Galligan, Senior Counsel, enclosed with this application.
- 5.100 Clearly, the Board can and should consider the application in the context of government policy on urban development as set out in the National Planning Framework in particular, and also in the context of the relevant policies of the City Development Plan and the Planning Scheme itself, which support the principle of the development of the density and scale proposed in this application, notwithstanding the specific height limits in the Planning Scheme, which are considered inconsistent with the City Development Plan building height strategy and other objectives of the Planning Scheme.

Rebuilding Ireland – Action Plan for Housing and Homelessness

- 5.101 Rebuilding Ireland was launched in 2016 with the objective to double the annual level of residential construction to 25,000 homes and deliver 47,000 units of social housing in the period to 2021, while at the same time making the best use of the existing stock and laying the foundation for a more vibrant and responsive private rented sector.

- 5.102 Rebuilding Ireland is set around 5 no. pillars of proposed actions summarised as follows:

Pillar 1 – Address Homelessness: Provide early solutions to address the unacceptable level of families in emergency accommodation; deliver inter-agency supports for people who are currently homeless, with a particular emphasis on minimising the incidence of rough sleeping, and enhance State supports to keep people in their own homes.

Pillar 2 – Accelerate Social Housing: Increase the level and speed of delivery of social housing and other State – supported housing

Pillar 3 – Build More Homes: Increase the output of private housing to meet demand at affordable prices.

Pillar 4 – Improve the Rental Sector: Address the obstacles to greater private rented sector delivery, to improve the supply of units at affordable rents.

Pillar 5 – Utilise Existing Housing: Ensure that existing housing stock is used to the maximum degree possible – focusing on measures to use vacant stock to renew urban and rural areas.

- 5.103 The proposed development is consistent with Pillar 4 to improve the rental sector. The proposed development provides for 464 no. new apartment units and 200 no. shared accommodation bed spaces. The provision of the 464 no. residential units and 200 bedspaces will substantially add to the residential accommodation availability of the area and cater to the increasing housing demand.

Sustainable Urban Housing: Design Standards for New Apartments; Guidelines for Planning Authorities 2018;

- 5.104 The Sustainable Urban Housing Design Standards for New Apartment were published in March 2018. The guidelines provide for updated guidance on apartment developments in response to the National Planning Framework and Rebuilding Ireland.
- 5.105 A key inclusion in the guidelines is the acknowledgement of the importance of strategic sites in existing urban areas in close proximity to existing public transport facilities. The guidelines identify locations in cities and towns that may be suitable for apartment development as follows:

- Central and/or Accessible Urban Locations
- Intermediate Urban Locations
- Peripheral and/ or Less Accessible Urban Locations

- 5.106 The subject site is located within a central and/or accessible urban location. The Apartment Guidelines note that these locations are generally suitable for large scale apartment development and higher density developments. These locations are categorised as including the following:

Sites within walking distances (i.e. up to 15 minutes or 1,000-1500m), of principle city centres or significant employment locations, that may include hospitals and third level institutions;

Sites within reasonable walking distance (i.e. up to 15 minutes or 1,000-1,500m) 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) of reasonably frequent (min 10 minute peak hour frequency) urban bus services.

- 5.107 The Guidelines also note that the scale and extent of the development should increase where the site is strategically located near quality public transport hubs, services and urban amenities.

“The scale and extent of apartment development should increase in the relation to proximity to core urban centres and other relevant factors. Existing public transport nodes or locations where high frequency public transport can be provided, that are close to locations of employment and a range of urban amenities including parks/waterfronts, shopping and other services also particularly suited to apartments.”

- 5.108 By virtue of its location, in the Docklands quarter of the City Core, to the Luas line and the Docklands rail station, it is considered that the subject site is a ‘Central’ location. It is noted that such locations are ‘generally suitable for small to large scale (will vary subject to location) and higher density development’.

- 5.109 The site is also located close to a number of Dublin Bus stops which provide frequent bus services into the city centre and surrounding areas, hence this affirms the site’s ability to provide for higher levels of density.

- 5.110 The appropriate density for ‘Central and/or Accessible Urban Locations’ is considered to be site specific dependant on its location in respect of the city centre and/or transport

hubs. The proposed density would be 368 dwellings per hectare, thereby maximising the residential potential of the site, thus providing an efficient use of land.

- 5.111 The proposed development has been designed in accordance with the apartment guidelines as detailed in the enclosed Housing Quality Assessment.

Housing Mix

- 5.112 The Apartment Guidelines set out that apartment developments may include up to 50% one-bedroom or studio type units, whilst setting no minimum requirement for three (or more) bedroom apartments.

- 5.113 The unit mix for the proposed development provides for 229 no. 1 beds (49%) and 235 no. 2 beds (51%) which is in accordance with the Apartment Guidelines 2018. It should also be noted that no more than 10% of the units can be 2 bed three-person units within a development. The proposed development provides for 18 no. 2 bed three person rooms which amounts to 4% of the overall units.

Apartment Sizes

- 5.114 The apartment guidelines set out the minimum floor areas for apartment units as follows:

Apartment Type	Minimum Size
Studio	37 sq.m.
1 bedroom	45 sq.m.
2 bedroom (3 person)	63 sq.m.
2 bedroom	73 sq.m.
3 bedroom	90 sq.m.

- 5.115 All of the proposed units within the residential portion of the development meet or exceed the relevant standards as set out in the Apartment Guidelines. Provision has also been made for the requirement that the majority of units must be at least 10% larger than the minimum areas.

- 5.116 A HQA has been prepared by HJL Architects and accompanies this pre-application request to demonstrates compliance with the relevant standards.

Aspect Ratios

- 5.117 The development plan states that a minimum of 50% dual aspect apartments should be provided in any development. It is also noted that in certain circumstances, usually on inner urban sites, this may be reduced to an absolute minimum of 33%.

- 5.118 The apartment guidelines state that a minimum of 33% dual aspect units should be provided in central and accessible urban location, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage.

- 5.119 In suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect units.

- 5.120 The subject development is located in a central and accessible urban location as defined under the apartment guidelines as being near to city or town centres, close to high quality public transport or in SDZ areas.
- 5.121 The proposed development provides for an overall of 44% dual aspect units in accordance with the apartment guidelines. The percentage of dual aspect units has increased from the permitted scheme as part of this development.

Open Space

- 5.122 The apartment guidelines states that all apartments should include private and communal open space. Each of the proposed units will contain private open space in excess of the requirements. The quantum of private open space is set out in the Housing Quality Assessment prepared by HJL.
- 5.123 Communal Open Space is calculated as 5 sq. m for a 1 bed unit, 7 sq.m for a 2-bed unit and 9 sq.m for a 3 bed unit.
- 5.124 The proposed development results in a requirement for 2,790 sq.m. of communal space. The proposed development will provide for a total of 3,090 sq.m. communal open space which is in excess of the requirements. Full details of the communal space are set out in the Design statement prepared by HJL Architects.

Density

- 5.125 The proposed density on site is 368 no. units per hectare. It is considered that the proposed density is consistent with recent developments in the Docklands area and is appropriate given the National Policy objective to increase residential density in highly accessible central urban locations. It should be noted that the density is only applied to the standard residential portion of the site as there is no relevant standard to determine a density of the shared accommodation units.

Shared Accommodation

- 5.126 The proposed development will comprise of 120 no. shared accommodation bedrooms. These units will comprise of a range of studio and 2 bed units that will cater for single and double occupancies. The proposed breakdown of units comprises of 2 no. single occupancy studio units, 46 no. double occupancy studio units, 36 no. 2 bed units. The total number of units will amount to 200 no. bed spaces within the shared accommodation scheme.
- 5.127 SPPR 9 of the Apartment Guidelines 2018 state the following with regard to shared accommodation developments:

“Shared Accommodation may be provided and shall be subject to the requirements of SPPR 7 (as per BTR). In addition,

(i) No restriction on dwelling mix shall apply;

- 5.128 The proposed development as detailed above will provide for 2 no. single occupancy studio units, 46 no. double occupancy studio units, and 36 no. 2 bed units. The total

number of units will amount to 200 no. bed spaces within the shared accommodation scheme.

(ii) The overall unit, floor area and bedroom floorspace requirement of Appendix 1 of these Guidelines shall not apply and are replaced by Tables 5(a) and 5(b);

5.129 Tables 5(a) and 5(b) of the guidelines state the following:

Table 5a: Shared Accommodation – minimum bedroom size

Single*	12 m2
Double/twin*	18 m2

*Including ensuite

Table 5b: Shared Accommodation – minimum common living and kitchen facilities floor area

Bedrooms 1-3	8m2 per person
Bedrooms 4-6	Additional 4m2 per person

Overall, Shared Accommodation units would have a maximum occupancy of 8 persons calculated on the single or double occupancy of the bedrooms provided (eg. 2 x double bedrooms [4 persons] + 4 x single bedrooms [4 persons] = 8 person total occupancy).

Figure 2: Extract from Table 5(a) and 5(b) of the Apartment Guidelines.

- 5.130 The proposed shared accommodation model is different to the “cluster” arrangement comprising of a shared common living / kitchen area and a number of en-suite bedrooms accessible from the communal space. Typically as set out above a single bedroom unit would consist of 12 sq.m. and a double bedroom unit would be 18 sq.m. with either 8 sq.m. per person or 4 sq.m. attributed as common living and kitchen facilities outside the unit within the communal space.
- 5.131 Paragraph 5.15 of the guidelines describes this type of format as follows: “One format of shared accommodation which is proposed by these guidelines is a residential unit comprising of 2-6 bedrooms, of single and / or double occupancy with a common shared area within the residential unit for living and kitchen facilities”. This arrangement would be laid out a number of bedrooms with a shared communal living / dining space per floor.
- 5.132 This “cluster” arrangement provides for shared living / kitchen areas to be provided per every 2-6 bedrooms. The size of the shared living / kitchen space is based on a standard of 8 sq.m. per person for the first 1-3 bedrooms and an additional 4 sq.m. per person based on the remainder 4-6. This works out as an average of 6 sq.m. per person.
- 5.133 The proposed development provides for a range of 2 bed clusters and studio units. The proposed 2 bed type unit comprises of 2 no. separate bedrooms and a shared

living / kitchen space. The two bed clusters have been designed to accommodate both single and double occupancy ranging from 2 to 4 no. bed spaces in total as follows:

1. 2 bedroom cluster, 2 no. single bedrooms (2 bedspaces)
2. 2 bedroom cluster, 1 no. double bedroom and 1 no. single bedroom (3 bedspaces)
3. 2 bedroom cluster, 2 no. double bedrooms (4 bedspaces)

5.134 The two bedroom clusters (2 single bedrooms) comprise of c. 14.sq.m. for bedroom / ensuite with 18 sq.m. attributed to communal / living space (8 sq.m. per bed space).

5.135 The 2 bedroom clusters comprising of 1 no. double and 1 no. single (3 bed spaces) consist of 1 no. double room of 18 sq.m. and one single of 14 sq.m. with a shared common living / kitchen area of 24 sq.m. (8 sq.m. per person)

5.136 The 2 bedroom clusters comprising 2 double bedrooms, (4 bed spaces) consist of 2 double rooms of 18-20 sq.m. with a shared living / kitchen area of 37 sq.m. (8 sq.m. per bed space).

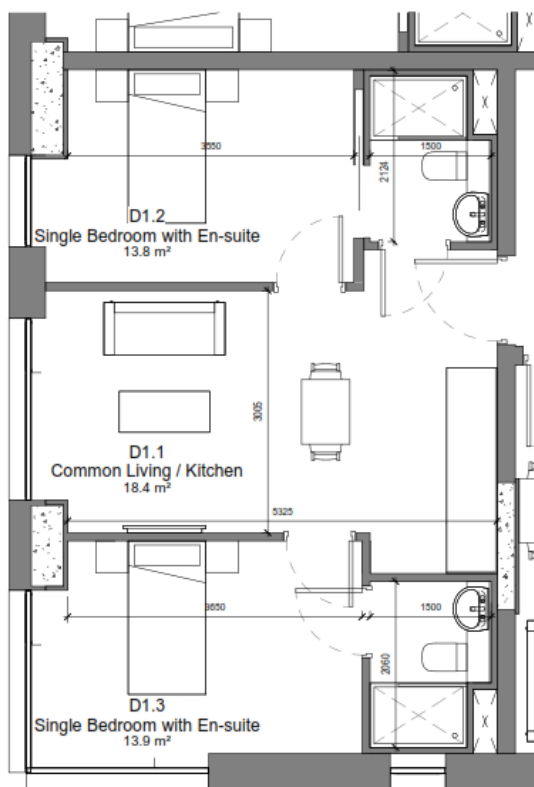


Figure 3: 2 bedroom cluster (single rooms – 2 bedspaces)

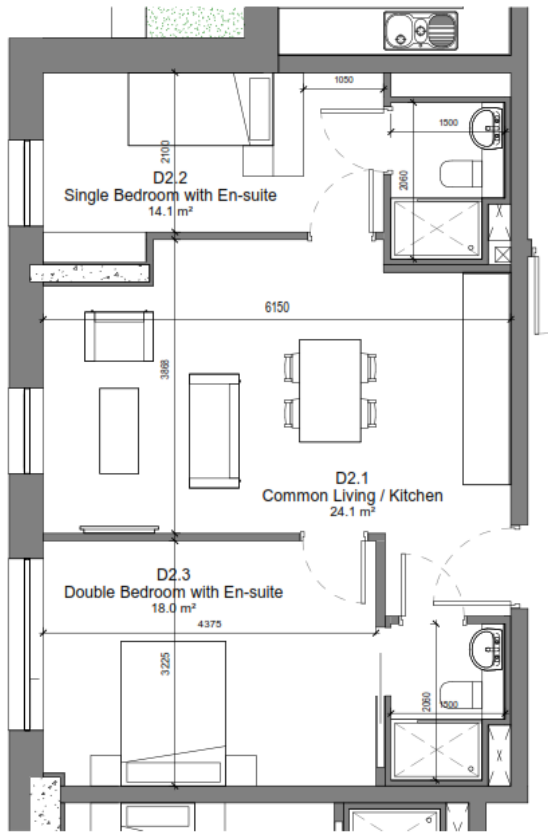


Figure 4: 2 bedroom cluster (3 bed spaces) Single and double room

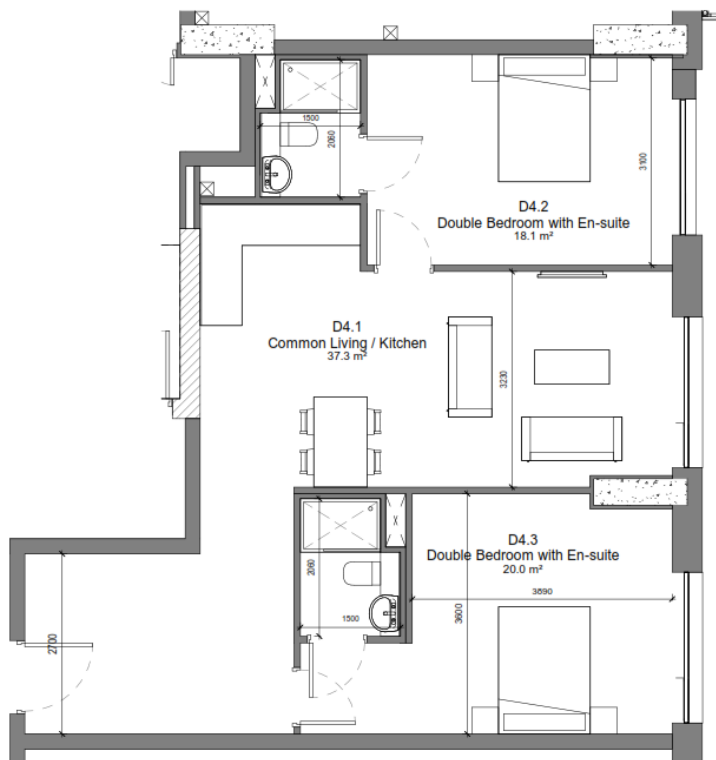


Figure 5: 2 bedroom cluster (double room 4 bed spaces)

- 5.137 A detailed floor area schedule of each unit is set out in the HQA submitted with the application. These 2 bed units comply with the areas set out in Table 5(a) and 5(b) of the Guidelines. It is considered that the proposed 2 bed cluster units therefore comply with the format describes in paragraph 5.15 of the apartment guidelines.

Unit Type	Unit Quantum	Unit Size	Bedroom Size Required	Bedroom Size Proposed	Kitchen / Living size Required	Kitchen / Living size Proposed
2 Bed Cluster (2 bed spaces)	9	47 sq.m.	12 sq.m. (single occupancy)	14 sq.m. each	16 sq.m. (8 sq.m. per person)	18 sq.m. (8 sq.m. per person)
2 Bed Cluster (3 bed spaces)	20	57 sq.m.	12 sq.m. (single occupancy) 18 sq.m. (double occupancy)	14-18 sq.m.	24 sq.m. (8 sq.m. per person)	24 sq.m. (8 sq.m. per person)
2 Bed Cluster (4 bed spaces)	7	77 sq.m.	18 sq.m. (double occupancy)	18 – 20 sq.m.	32 sq.m. (8 sq.m. per person)	37 sq.m. (8 sq.m. per person)

Figure 6: Schedule of Areas 2 bed cluster

- 5.138 However, it is noted in the apartment guidelines that “shared accommodation formats may be proposed other than the format outlined in paragraph 5.15 above. For example, such proposals may be related to the accommodation needs of significant concentrations of employment in city centres and core urban locations such as major national level health campuses or similar facilities”.
- 5.139 In addition to the 2 bed cluster units, the proposed shared accommodation scheme also provides for a number of studio units. The range of single occupancy, double occupancy units provides for an alternative model considered to be more appropriate for the profile this development is aimed at.
- 5.140 The proposed studio units provide for bedroom space, living space and ensuite bathroom attributed to each unit. The proposed studio unit for single and double occupancy and range in size from 29 sq.m. (single occupancy), 34 sq.m. (double occupancy). Each unit contains a bedroom and ensuite area. In addition, 6 sq.m. of communal space is provided bed space as shared / common facilities per floor to serve the studio units. As such it is considered that the proposed unit sizes are well in excess of minimum sizes and provides for a high quality residential and amenity space.

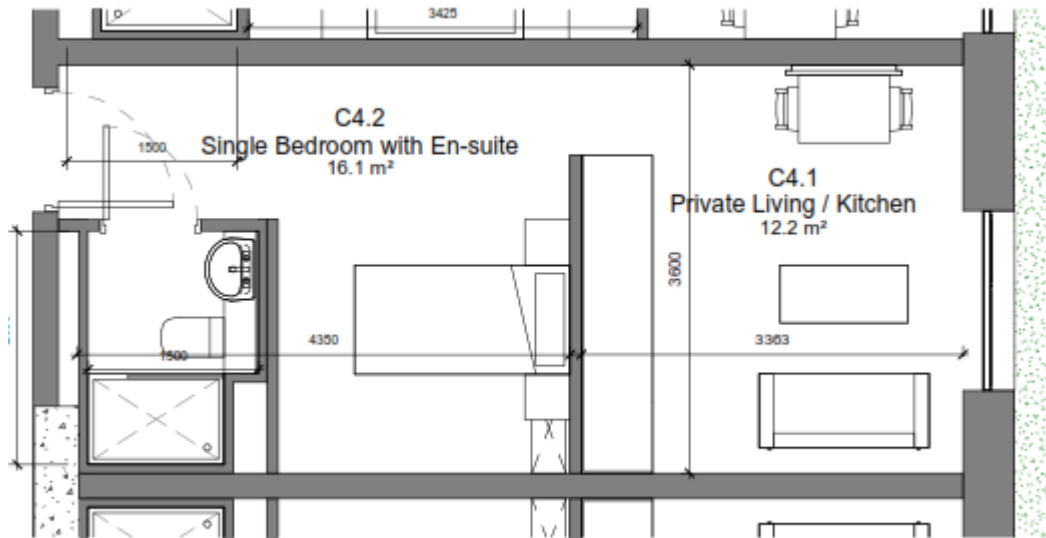


Figure 7: Single Occupancy Studio Unit

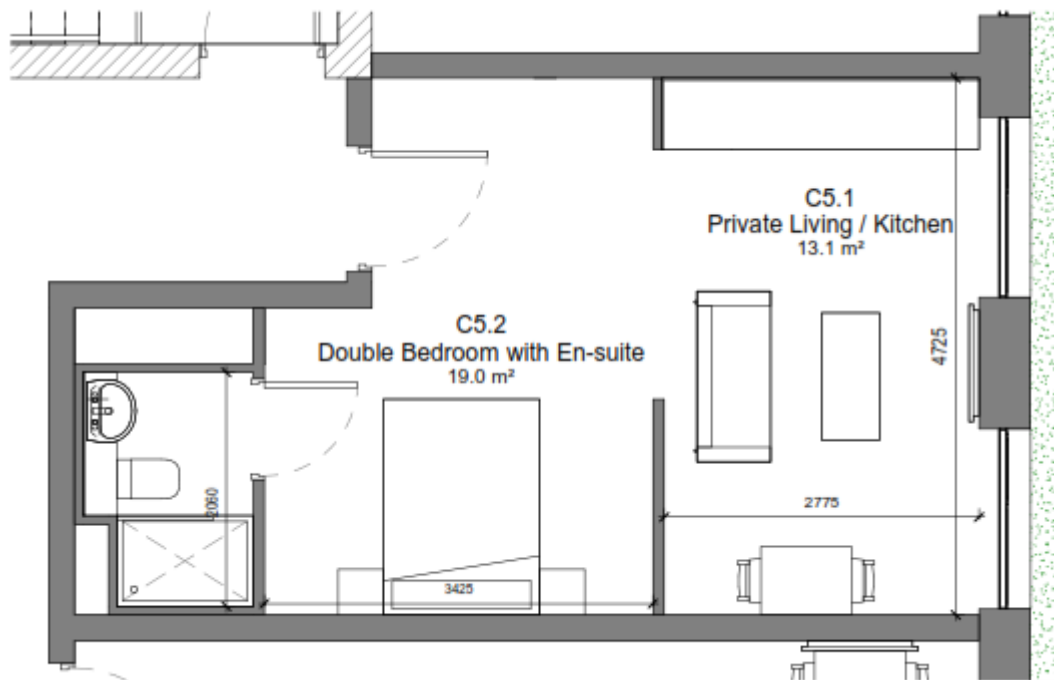


Figure 8: Double occupancy studio unit

5.141 The target tenant for this type of shared accommodation is the young corporate workforce. The location of the site within the Docklands area is adjacent to a number of significant employment generating businesses that attract a large quantum of single, highly educated personal. These businesses generate the need for easily accessible and convenient residential accommodation close to the workplace to accommodate their highly skilled workforce.

5.142 The inspectors report for a recent example of shared accommodation that was granted in Dun Loaghaire accepted that *“this location is very suitable for shared*

accommodation. I also consider that the provision of a new type of accommodation at this location would be in accordance with the development plan Policy RES7”.

- 5.143 The proposed development is located in the Docklands adjacent to the city centre in an area where this type of residential accommodation has not yet been provided. It is therefore considered that the proposed location of the site is appropriate for this type of residential accommodation.
- 5.144 The proposed shared accommodation model caters for this demand generated in the area and provides for a type of unit structure that provides for both the communal shared living / kitchen areas as per the “cluster” type model and a private bedroom space with ancillary shared communal kitchen/ living / dining facilities on the basis of 6 sq.m. per bedspace. The proposed hybrid model has been widely tested in well established shared accommodation developments internationally as set out in the design statement prepared by HJL Architects.
- 5.145 As per other international examples for shared living, the proposed arrangement to provide for shared common kitchen/ living spaces to serve to a variety of individual studio type units that contain a private bedroom, bathroom and living space is an internationally accepted approach. It is considered that this form of shared accommodation provides the future resident with the opportunity to be self sufficient within their own unit and to also have the option to utilise the wider common spaces when required.
- 5.146 It is considered that this approach best serves the needs and requirements for the target population in terms of creating a balance between both private and communal living. In this regard, a shared living / kitchen / dining space has been included per floor to serve the proposed units. These areas are sized based on 6 sq.m. per person (studios only). The use of these spaces will enhance the shared aspect of the development and enable residents to have both private space within their own individual units and access to common areas on each floor of the development. This will engage the social aspect of the shared living concept within the scheme.
- 5.147 The apartment guidelines also note that *“the granting of planning permission for other shared accommodation formats from those outlined in paragraph 5.15 above will be at the discretion of the planning authority. In assessing such proposal, planning authorities should ensure that sufficient communal amenities be provided in accordance with the specified standards in table 5(b) above and that the scale of the development is appropriate to the location / buildings involved and to the specific role that the development of the shared accommodation sector should play in the wider urban apartment market”.*
- 5.148 The size of the units complies with and exceeds in most cases the minimum requirements as set out in table 5(a) in terms of bedroom sizes. The quantum of common living and kitchen space as set out in table 5(b) is also allocated to each unit on the basis of 6 sq.m. per person average in accordance with the guidelines.
- 5.149 The stated 6 sq.m. per person (studio units), as mentioned above is attributed to shared living/ dining / living spaced per floor. In addition, further communal space is also provided at ground floor level and at roof level to serve the wider share accommodation scheme. These spaces include a variety of shared spaces such as multimedia rooms, lounge areas, shared kitchens, gym, café, co-working space, etc.

5.150 The breakdown of a typical unit is set out below and is described in detail in the design statement and HQA prepared by HJL Architects submitted with the application.

Unit Type	No. of Bed spaces	Unit Quantum	Unit Size Required	Unit Size	Communal Kitchen / Living size Required	Communal Kitchen / Living size Provided
Studio (single)	1	2	12 sq.m.	29 sq.m.	6 sq.m.	6 sq.m. per floor per person
Studio (double)	2	46	18 sq.m.	34 sq.m.	12 sq.m.	12 sq.m. per floor per person

Figure 9: Proposed breakdown of studio units.

5.151 As set out above, the proposed studio units are sufficiently sized in terms of compliance with the minimum bedroom sizes. In addition, the quantum of kitchen / living space allocated per person is in compliance with the requirements set out in table 5(b).

5.152 In relation to the communal living / dining space, the proposed development will provide a shared living / kitchen area on each floor of the shared accommodation scheme. This area will be sufficiently sized by on 6 sq.m. per bed space for the studio units (the 2 bed clusters contain their own shared communal space within their units).

5.153 A precedent for 6 sq.m. per bedspace attributed to shared common dining / living areas per floor has been set in the recent granted example for shared accommodation in Dun Laoghaire, Reg. Ref. ABP304249-19. The inspector’s report noted in this regard that

“The resultant provision of kitchen / dining space on each floor would still be less than the 6 sq.m. aggregate figure required to comply with Table 5b, but it is acceptable that the lower communal kitchen / dining provision is particularly offset by the provision of a kettle, toaster, microwave and fridge in individual rooms”.

5.154 In this regard the proposed development provides for 6 sq.m. per bed space to serve the studio units in a shared communal kitchen / Living / Dining area per floor. In addition, each of the proposed bedrooms provide for a private living / dining within each bedroom. In this regard it is considered that the proposed development sufficiently caters for the shared accommodation services. This arrangement is more focused on the young work force in the city centre as oppose to “student” type living to which the Guidelines are based. It is considered that the studio style format is more attractive to occupants as the quantum of space provided allows the resident to have a reasonably sized private unit with the necessary facilities in addition to having the ability to utilise the communal areas provided throughout the development for socialising.

5.155 As such it is clearly demonstrated that the proposed type of unit enables a high quality of amenity to be provided both privately and communally throughout the development.

(iii) Flexibility shall be applied in relation to the provision of all storage and amenity space as set out in Appendix 1, on the basis of the provision of alternative, compensatory communal support facilities and amenities. The obligation will be on the

project proposer to demonstrate the overall quality of the facilities provided and that residents will enjoy an enhanced overall standard of amenity;

- 5.156 The proposed units will cater for the storage of smaller items. Larger items such as bicycle will be catered for within the basement in designated spaces. Communal facilities are applied at the rate of 6 sq.m. per person within the development. The communal facilities include a range of uses such as café, media rooms, gym, and rooms that can be booked for private occasions such as dining.

(iv) A default policy of minimal car parking provision shall apply on the basis of shared accommodation development being more suitable for central locations and / or proximity to public transport services. The requirements for shared accommodation to have a strong central management regime is intended to contribute to the capacity to establish and operate shared mobility measures”.

- 5.157 There is no car parking proposed within the development designated to the shared accommodation. It is considered that due to the location of the development adjacent to the Luas line and the close proximity to the city centre, that there will be no requirement for car parking. The level of bicycle parking however has been considered to provide for 828 no. bicycle spaces in total, 464 to serve the residential units, 200 to serve the shared accommodation units and a surplus of 102 located at ground level.

- 5.158 With regard to reference to SPPR 7, the guidelines state the following

- 5.159 SPPR 7 states the following:

BTR Development must be:

Described in the public notices associated with a planning application specifically as a “Build to Rent” housing development that unambiguously categorises the project (or part of thereof) as a long term rental housing scheme, to be accompanied by a proposed covenant or legal agreement further to which appropriate planning conditions may be attached to any grant of permission to ensure that the development remains as such. Such conditions include a requirement that the development remains owned and operated by an institutional entity and that this status will continue to apply for a minimum period of not less than 15 years and that similarly no individual residential units are sold or rented separately for that period.

- 5.160 Ownership and management of shared accommodation developments is usually carried out by a single entity that invests in the project as a long term commercial rental undertaking. Therefore, individual residential units within the development are not sold off for private ownership or sub letting individually. The operator is therefore required to ensure that the proposed development remains owned and operated by an institutional entity, the status of which shall continue to apply for a minimum period of not less than 15 years and that similarly no individual residential units are sold or rented separately for that period.

- 5.161 This application is willing to enter into a covenant for shared accommodation. A draft covenant is submitted with the application. The operation of shared accommodation schemes is similar to the management structure of Student Accommodation which are not restricted to a 15 year covenant. In this regard it is not considered that a covenant has any material relevance to such a format. Nonetheless if it is considered to be required under SPPR9 and SPPR7 then it can be provided.

(b) Accompanied by detailed proposals for supporting communal and recreational amenities to be provided as part of the BTR development. These facilities to be categorised as:

- 5.162 Residential Support Facilities: comprising of facilities related to the operation of the development for residents such as laundry facilities, concierge and management facilities, maintenance/ repair services, waste management facilities etc.
- 5.163 The proposed development will provide for a concierge and central management office for the residents. The proposed development will also provide for central waste management facilities to serve the development, bicycle store, linen store and staff/ management facilities. Laundry facilities are provided in each individual apartment.
- 5.164 Resident Services and Amenities: comprising of facilities for communal recreational and other activities by residents including sports facilities, shared TV/ lounge areas, work/ study spaces, function rooms for use as private dining and kitchen facilities.
- 5.165 The proposed development will provide for a range of communal spaces within the development including external and internal amenity spaces. The external spaces are provided at roof level and will provide outdoor living and dining facilities. In addition, internal communal space will be provided at roof level to serve the future residents of the development.
- 5.166 The internal spaces will comprise of a concierge space, games room, co-working space, and a multifunctional space that can accommodate, exercise classes, meeting rooms, co- working, functions or larger spaces for entertaining, and cinema rooms. These spaces will be available to all residents through a booking system or will be managed by the operator to facilitate movie nights / social gatherings for the residents.
- 5.167 The proposed development will provide for 802 sq.m. of communal amenity space for all shared accommodation residents at ground floor and roof level. This amenity space is provided as additional communal facilities and services.
- 5.168 In addition, based on a requirement for 6 sq.m. of shared kitchen / dining / living areas, a total of 715 sq.m. will be provided per bedspace per floor for the studio units. For the 2 bed cluster units a total of 8 sq.m. per bedspace of shared kitchen / living / dining area will be provided within each cluster amounting to a total of 917 sq.m.
- 5.169 The proposed level of communal amenity space provided in addition to the 6-8 sq.m. of shared kitchen / living / dining areas per floor is considered to adequately provide the level of shared accommodation facilities within the development.

Operational Management of Shared Accommodation Development

- 5.170 The management of shared accommodation schemes is a relatively new process to the Irish Market. This type of management has been successful internationally in residential schemes and a similar model will be applied in this instance.
- 5.171 Staff and maintenance staff will be employed directly and managed by the operator of the development. The general management of the scheme will be broken into 3 no. phases, move in process, operational process and move out process. Each of the following are detailed below. Full details of the management strategy will be provided with the full planning application. An outline operational plan is provided by LIV

Consultants is submitted with this pre application consultation request which outlines the general management arrangement for residential rentals.

Move In Process

- 5.172 Every resident will be required to complete an online application form in which the applicant will confirm a number of criterion based on previous occupancies, proof of ID, and employment confirmation. All of the data gathered during this process and during the tenancy will remain strictly confidential.
- 5.173 Following the application process, successful candidates will be invited to a viewing of the property. Following the viewing a move in date will be agreed. The move in date will correspond with the rental payments due each month.
- 5.174 On move in date, all residents will be greeted by the management team and shown around the unit and the ancillary resident services in the development.

Operational Process

- 5.175 The management team on site will be available to the residents between standard working hours of 9am to 5:30pm. The management team will be contactable through the concierge. Outside of these hours a security team will manage the concierge.
- 5.176 Access to the building, all communal areas will be controlled by a key fob or similar system. Key fobs will be assigned to registered residents and in the situation that a key fob is lost, it will be immediately deactivated and a replacement issued to the resident.
- 5.177 Maintenance will be monitored at regular intervals throughout the occupant's lease. All necessary repairs and maintenance will be carried out by the management team. Residents can also notify the management team if additional repairs are required.
- 5.178 Maintenance of the communal areas will also be carried out on a regular basis by the management team. Cleaning services will also be provided in the common areas.
- 5.179 Landscaping and external maintenance of the building will also be carried out by the management team.

Move Out Process

- 5.180 Tenancies will generally be managed on a yearly basis. Residents who wish to extend their lease for an additional year must submit all relevant details similar to the move in process to confirm ongoing up to date information is provided.
- 5.181 Residents will be required to notify management team of their scheduled departure date one month in advance. The management team will carry out unit inspection at the time of departure to ensure the unit is left in satisfactory order.
- 5.182 Further details of the management structure is submitted as part of the LIV Consultant Operational Management Plan and detailed within the design statement.

Regional Planning Guidelines for the Greater Dublin Area (2010 – 2022)

- 5.183 The Regional Planning Guidelines (RPG) provide for the implementation of the National Spatial Strategy at a Regional level in the Greater Dublin Area (GDA). The Guidelines provide an overall strategic context for the Development Plans of each local authority in the Greater Dublin Area (GDA).
- 5.184 The subject lands are located in the Metropolitan Area of the GDA. The Dublin Metropolitan Area is targeted for increased development, particularly those lands that are readily acceptable by public transport and roads infrastructure. The Guidelines states that 'development within the existing urban footprint of the Metropolitan Area will be consolidated to achieve a more compact urban form, allowing for the accommodation of a greater population than at present, with much-enhanced public transport system, with the expansion of the built up areas providing for well-designed urban environments linked to high quality public transport networks, enhancing the quality of life for residents and workers alike.' The proposed development provides a sustainable high quality apartment units on a strategically located site within an established urban area, along a Luas line and a number of Dublin Bus routes.
- 5.185 With regard to the Dublin City area, "a core element of the RPG's is the importance of integration of land use, employment and transport. Within the City, as the national hub of employment and transport, it is critical that the policy of encouraging high quality new housing within the core of the gateway continues. The City, with a large young population inflated by students, migration and a young mobile workforce, has lower occupancy rates, particularly in the inner City; which drives higher housing demand per head of new population. The importance of the detailed urban plans and guidelines in setting clearly the template for successful infill and regeneration development needs to continue, taking the long term perspective. New transport hubs at metro stations and along the interconnector route line give these locations high accessibility and mobility and this needs to be capitalised on where possible".
- 5.186 The proposed development will provide high quality residential development close to the city centre and within proximity to a range of employment and educational centre which attract the young mobile workforce. The subject site presents an opportunity to provide for infill residential development in an existing urban area which will increase the density of these key strategic lands in accordance with the Regional Planning Guidelines policy objectives for the area.
- 5.187 The subject lands occupy a key location on a Luas Line and adjacent to a number of Dublin Bus routes. The proposed development is consistent with the policy objectives of the Regional Planning Guidelines and in particular its emphasis on the consolidation of the urban area and the promotion of residential development close to existing services and transport links.
- 5.188 It is noted that under the Local Government Reform Act 2014 that the Regional Planning Framework was altered. The Act resulted in the eight Regional Authorities and the two Assemblies being replaced by three Regional Assemblies. The Regional Authorities for the Greater Dublin Area – The Dublin Region and the Mid-East Region have been replaced by the Eastern and Midland Regional Assembly. One of the main functions of these new Assemblies will include the formulation of Regional Spatial and Economic Strategies, which will replace the RPG's for 2010-2022. However, the current Guidelines will continue to have effect until a regional spatial and economic strategy is prepared and adopted by the regional assembly.

Eastern and Midlands Regional Assembly; Draft Regional Spatial and Economic Strategy 2019- 2031

- 5.189 The draft Regional Spatial and Economic Strategy is a strategic plan and investment framework to shape the future development of the eastern regional to 2031 and beyond. The Eastern and Midland Regional assembly (EMRA) was established in 2015 as part of the regional tier of governance in Ireland. The region covers nine counties, Longford, Westmeath, Offaly, Laois, Louth, Meath, Kildare, Wicklow, and Dublin. The principle function of the assembly is the delivery of a Regional Spatial and Economic Strategy (RSES), a new concept in Irish planning where not only the spatial but also the economic factors that go into the future of the region are brought together into one all encompassing strategy.
- 5.190 The principle status of the RSES is to support the implementation of Project Ireland 2040 – the National Planning Framework (NPF) and National Development Plan (NDP) and the economic policies and objectives of the Government by providing a long term strategic planning and economic framework for the development of the region.
- 5.191 The RSES is required under the Planning and Development Act 2000 (as amended) to address employment, retail, housing, transport, water services, energy and communications, waste management, education, health, sports and community facilities, environment and heritage, landscape, sustainable development and climate change.
- 5.192 The vision for the RSES is to create a sustainable and competitive region that supports the health and wellbeing of our people and places, from urban to rural, with access to quality housing, travel and employment opportunities for all.
- 5.193 The RSES supports the consolidation and re-intensification of infill, brownfield sites to provide high density and people intensive uses within the existing built up area of Dublin city and suburbs and ensure that the development of future development areas is co-ordinated with the delivery of key water infrastructure and public transport projects.
- 5.194 The subject development seeks to provides for residential development on a key urban infill site to increase densities, heights and urban consolidation in this inner suburban location. The proposed development therefore is compliant with the overall policies and objectives of the RSES in this regard.
- 5.195 The Metropolitan Area Strategic Plan (MASP) identifies the Naas Road as a significant landbank with long term potential to become a major district centre which would require significant investment and site assembly efforts to enable their activation. The proposed development by regenerating the site will provide for a significant amount of residential units and will also provide for a range of mixed use activities. The proposed development is therefore consistent with the objectives of the RSES and the MASP.

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)

- 5.196 The role of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas is to ensure the sustainable delivery of new development throughout the country. The Guidelines focus on the provision of sustainable residential development, including the promotion of layouts that:
- Prioritise walking, cycling and public transport, and minimise the need to use cars;
 - Are easy to access for all users and to find one's way around;
 - Promote the efficient use of land and of energy, and minimise greenhouse gas emissions;
 - Provide a mix of land uses to minimise transport demand.
- 5.197 The Guidelines also provide guidance on the core principles of urban design when creating places of high quality and distinct identity. The Guidelines recommend that planning authorities should promote high quality design in their policy documents and in their development management process. In this regard, the Guidelines are accompanied by a Design Manual discussed below 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.
- 5.198 These Guidelines support a plan-led approach to development as provided for in the Planning and Development Act 2000. Section 2.1 of the Guidelines note that 'the scale, location and nature of major new residential development will be determined by the development plan, including both the settlement strategy and the housing strategy'.
- 5.199 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...'
- 5.200 Having regard to the above, the subject site is zoned Z14. The proposed development is therefore making the most efficient use of the subject land increasing residential development in an existing urban area and providing for high density residential development in key location well served by existing public transport and local services. The proposed development is therefore compliant with the guidelines in terms of the sequential development approach.
- 5.201 The subject lands are located adjacent to 'Public Transport Corridors' in the context of the densities required under the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009).
- 5.202 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 nodes'. The proposed development provides for a density of 368 no. units per hectare. It is considered that given the location of the site in close proximity to a number of surrounding services, including public transport link, existing local facilities and

education and employment centres that the proposed density on site is appropriate in this instance.

5.203 In addition to recommending appropriate densities, the Guidelines focus on the provision of sustainable residential development, including the promotion of layouts that:

- prioritise walking, cycling and public transport, and minimise car use;
- are easy to access for all users and to find one's way around;
- promote the efficient use of land and of energy, and minimise greenhouse gas emissions; and
- provide a mix of land uses to minimise transport demand.
- Reduce traffic speeds in housing developments

5.204 The layout is highly accessible for future occupants as well as the existing community with a permeable layout both internally and externally as new linkages are provided to surrounding land uses.

5.205 The Guidelines also provide advice 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.

5.206 The proposed development also has regard to the advice set down in the 'In Practice' section of the Urban Design Manual (2009), which recommends the following approach:

Development Brief: An analysis of the site has been carried out which includes reviewing the surrounding context of the development and identifying the requirement for a mix of uses on this site. The proposed scheme aims to deliver a significant proportion of residential development with additional shared accommodation facilities and high proportions of communal resident space.

Site Analysis: The characteristics of the subject lands and surrounding context has been established and potential linkages and vistas to adjoining lands has been analysed.

Concept Proposals: This pre application consultation request is accompanied by a Design Statement which outlines the concept design proposal. The Design Statement outlines the progression of the scheme design in terms of land use and density range, boundary conditions and connections which is discussed in greater detail below.

Pre-planning: Pre – Planning discussions were held with Dublin City Council. Details of these meetings are detailed in appendix 2 of this Statement of Consistency.

5.207 The Design Manual sets out a series of 12 criteria which it recommends should be used in the assessment of planning applications and appeals. The 12 criteria are discussed in detail below.

5.208 This planning application is accompanied by a Design Statement, prepared by HJL Architects which demonstrates how the proposed development has regard to and has been developed in accordance with best practice in respect to urban design. The

Design Statement should be read in conjunction with this Statement of Consistency and with the plans and particulars accompanying this submission.

Urban Design Manual – A Best Practice Guide (2009)

- 5.209 The Design Manual sets out a series of 12 criteria which it recommends should be used in the assessment of planning applications and appeals. The 12 no. criteria are assessed as follows:

Context: How does the development respond to its surroundings?

- 5.210 **Response:** The proposed development significantly improves the overall quality of the surrounding area. The proposed development has been designed to address the Naas Road to provide for an urban context and streetscape at this location. The proposed development has been designed to create a strong urban edge to Sheriff Street, New Wapping Street and Major Street fronting Station Square and sets a high quality precedent for future development in the area.

- 5.211 To the south of the site the proposed development has been designed to integrate with the surrounding land uses particularly the permitted Block 7 development to the south and the residential and commercial development in Block 3 to the east. The proposed development will provide for pedestrian links through the site connecting into the wider area.

- 5.212 It is considered that the proposed development responds appropriately to the surrounding context of the development in particular the existing building heights of up to 12 no. storeys in City Block 1 and adjacent the proposed development along Sheriff Street.

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

- 5.213 **Response:** The proposed development located in the Docklands area which is well served by quality public transport services. The proposed development also includes a new east west street and north south street which link the proposed development to the wider area. Please see Henry J Lyons Design Statement for full details.

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

- 5.214 **Response:** The proposed development will provide for a mix of residential accommodation types to serve a range of life cycles and demands.

- 5.215 The residential proportion of the development will be accessed mainly from Mayor Street and Sheriff Street. Secondary access points will be available to each block from New Wapping Street and the new north south street. The access points to the development will provide safe and secure access to all.

- 5.216 Vehicular access is also provided to the site with access from New Wapping Street. The proposed basement car park will be for resident use only. Additional car parking facilities are provided on street. These spaces can be utilised as accessible spaces or car club spaces if required.

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

5.217 **Response:** The proposed development will provide for a mix of both residential and shared accommodation uses on the site. The proposed development will also provide for a café unit fronting Mayor Street that will be set out as shared space between the future residents and the public.

5.218 The proposed development will also provide for a range of supporting residential amenities such as games room, concierge, meeting rooms, shared works spaces, communal roof terraces, cinema rooms, multi-function spaces, exercise spaces etc. The proposed uses on the site will cater to the demand of both the existing residential and shared accommodation developments and the proposed future residents on the site.

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

5.219 **Response:** The proposed development is located on a brownfield site in an existing urban area. The proposed density makes efficient use of these valuable mixed use residential zoned lands in the centre of the Docklands and well served by various public transport services.

5.220 The layout and orientation of the scheme has been designed to have regard to aspect and views and ensure dwellings and areas of open space achieve light throughout the day.

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

5.221 **Response:** The proposed development has been designed with a distinctive character to create a strong urban edge to the existing and new street proposed within the development. The proposed development will also create more personal communal spaces within the courtyard area to create a residential and community feel to the development.

5.222 The proposed development forms a strong presence within the docklands area and establishes itself as a major residential development in the area. The proposed development directly adjoining the Luas and major commercial developments sets a strong sense of identity in terms of arriving at a new residential hub.

5.223 The high quality materials proposed also enhance the overall quality of the area, which softens the environment and creates a more residential sense of place to the area.

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

5.224 **Response:** The proposed development provides for significant improvements to the public realm and pedestrian accessibility to the site, therefore create a people friendly environment of streets and spaces. The proposed development will also provide for a new east west street which will enhance pedestrian movements and permeability within the area, creating propel friendly streets and spaces and upgrades to the public footpath surrounding the site.

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

5.225 **Response:** The proposed development has been designed to provide for a significant improvement to the public realm of the area. The permitted development provides for a new east west street which will significantly enhance the connectivity and

permeability of the area. The new street will also be landscaped to a high standard as to provide for an attractive area for people to linger and relax.

- 5.226 It is also proposed to provide for a high quality landscaped treatment along all site boundaries to create an enjoyable public experience throughout the development.
- 5.227 The provision of communal areas surrounding the courtyard areas will ensure a safe and secure environment is maintained within the outdoor space. The communal external spaces will provide for landscaped green areas for the enjoyment of the residents through passive recreation and small scale sporting activities.
- 5.228 It is therefore considered that the proposed design and layout of the overall development provides for a high quality safe and enjoyable area to reside.

Adaptability: How will the buildings cope with change?

- 5.229 **Response:** The proposed residential units meet or exceed the minimum standards for residential unit size. The development provides a mix of 1 and 2 no. bed units that can be easily reconfigured to adapt to the changing life cycles and personal needs of each resident.
- 5.230 A life cycle report is submitted with the application which demonstrates how the proposed development will adopt to changes life cycles and tenures.

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

- 5.231 **Response:** The proposed development provides for a significant level of amenity within the development. The proposed development will provide for a new public civic space, external communal space and internal communal space. In addition, communal space will be provided to serve the shared accommodation through a series of internal and external spaces.
- 5.232 The residential units themselves will be of a high quality design and contain a range of different unit types. The units are all of an adequate size with some units being provided with additional features such as bay windows, increased glazing and larger balconies to enhance the overall amenity obtained throughout the development. Please see Henry J Lyons Housing Quality Assessment for more details.

Parking: How will the parking be secure and attractive?

- 5.233 **Response:** A total of 78 no. car parking spaces will be provided at basement level to serve the proposed development. The proposed car parking will be secure as to ensure a safe and accessible basement car park is achieved. Car club spaces are also provided within the development.
- 5.234 828 no. bicycle parking spaces will also be provided to cater for the development. The bike storage spaces will be sheltered and secured for the future residents.

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

- 5.235 **Response:** The design, form and massing of the building has been carefully considered in response to the location of the site in the Docklands area. The subject site is bound by a variety of building forms and heights which have informed the design

of the development. To the south and east, the site is bound by a number of 2 no. storey dwellings. The proposed height and massing of the development along these boundaries has therefore been informed by the character of these existing buildings and the potential impact of the development on these properties. The height and massing of the development steps down at these locations to respond to the existing building form.

- 5.236 The landscaping design of the development has evolved with the overall layout of the scheme and has successfully responded to the strong urban environment providing for new streets and spaces within the urban context of the site creating an environment that is much more responsive to pedestrians thereby creating an attractive location for future residential uses and pedestrians to frequent.

Delivering Homes, Sustaining Communities (2008)

- 5.237 The Department's policy statement Delivering Homes, Sustaining Communities, Guidance provides the overarching policy framework for an integrated approach to housing and planning. The statement notes that demographic factors will continue to underpin strong demand for housing, which in turn will present considerable challenges for the physical planning of new housing and the provision of associated services. The quality of the housing environment is stated as being central to creating a sustainable community.
- 5.238 Sustainable neighbourhoods are areas where an efficient use of land, high quality design, and effective integration in the provision of physical and social infrastructure combine to create places people want to live in.
- 5.239 The Delivering Homes, Sustaining Communities policy statement is accompanied by Best Practice Guidelines entitled 'Quality Housing for Sustainable Communities'. The purpose of these Guidelines is to promote high standards in the design and construction and in the provision of residential and services in new housing schemes. The guidelines encourage best use of building land and optimal utilisation of services and infrastructure in the provision of new housing; point the way to cost effective options for housing design that go beyond minimum codes and standards; promote higher standards of environmental performance and durability in housing construction; seek to ensure that residents of new housing scheme enjoy the benefits of first-rate living conditions in a healthy, accessible and visually attractive environment; and provide homes and communities that may be easily managed and maintained.
- 5.240 This pre planning application is accompanied by a Housing Quality Assessment document prepared by HJL Architects which demonstrates the consistency of the proposed development with the relevant standards in the Quality Housing for Sustainable Communities document and the City Development Plan where relevant.

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

- 5.241 The Design Manual for Urban Roads and Streets (DMURS), 2013, sets out design guidance and standards for constructing new and reconfiguring existing urban roads and streets in Ireland. It also outlines practical design measures to encourage more sustainable travel patterns in urban areas. The Engineering Services Report and Traffic Impact Assessment, prepared by CS Consulting Engineers provides further

detail in respect of the compliance of the proposed development with DMURS, which is discussed below also.

- 5.242 DMURS aims to end the practice of designing streets as traffic corridors, and instead focus on the needs of pedestrians, cyclists, and public transport users. The Manual sets out design guidance and standards for constructing new and reconfiguring existing urban roads and streets in Ireland. Incorporating good planning and design practice and focus on the public realm, it also outlines practical design measures to encourage more sustainable travel patterns in urban areas. The principle design guidance of DMURS has been considered in the design of this development. As demonstrated in the accompanying DMURS statement accompanying this planning report (Appendix 2), the proposed development seeks to prioritise pedestrian and cyclists throughout and around the site in accordance with the policies set out in DMURS.

Guidelines for Planning Authorities on Childcare Facilities (2001)

- 5.243 Guidelines for Planning Authorities on Childcare Facilities (2001) indicate that Development Plans should facilitate the provision of childcare facilities in appropriate locations. These include larger new housing estates where planning authorities should require the provision of a minimum of one childcare facility with 20 places for each 75 dwellings. 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. The Guidelines advise that sites should be identified for such facilities as an integral part of the pre-planning discussions.

- 5.244 The following definition of Childcare is included in the Guidelines:

“In these Guidelines, “childcare” is taken to mean full day-care and sessional facilities and services for pre-school children and school-going children out of school hours. It includes services involving care, education and socialisation opportunities for children. Thus services such as pre-schools, naíonraí (Irish language playgroups), day-care services, crèches, playgroups, and after-school groups are encompassed by these Guidelines. Conversely childminding, schools, (primary, secondary and special) and residential centres for children are not covered by these Guidelines.”

- 5.245 The Section 28 Sustainable Urban Housing; Design Standards for New Apartments; Guidelines for Planning Authorities 2018 states that:

“Notwithstanding the Department’s Planning Guidelines for Childcare Facilities, which are currently subject to review and recommend the provision of one childcare facility (equivalent to a minimum of 20 child places) for every 75 dwelling units, the threshold for provision in apartment scheme should be established having regard to the scale and unit mix of the proposed development and the existing geographical distribution of childcare facilities and the emerging demographic profile for the area”.

- 5.246 The Sustainable Urban Housing; Design Standards for New Apartments; Guidelines for Planning Authorities 2018 states that “One bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms”.

- 5.247 It is noted that there are no dedicated family sized units of 3 bedrooms or more, again owing to current demand and the nature of the area as one which is envisaged to

accommodate young professionals looking to locate close to their place of work (potentially in the IFSC and the city centre) and nearby transport links.

- 5.248 The proposed development contains 233 no. 1 bed units and 238 no. 2 bed units and is not proposing to provide for a childcare facility. The proposed development due to its location and nature of development is marketed toward young professions who do not require the provision of childcare facilities, as such the a creche is not proposed within this application.
- 5.249 It should also be noted that a creche facility has been provided within Block 3 and Block 9 which are located adjacent to the site. Block 3 provides for a creche of 300 sq.m. Based on a standard calculation of between 3-5 sq.m. per child the subject creche would cater for between 60 – 100 no. childcare spaces.
- 5.250 The permitted Block 3 provides for 108 no. 1 bed units, 198 no. 2 bed units and 47 no. 3 bed units. Discounting the 1 bed units in accordance with the Apartment Guidelines and taking a rate of 50% of the 2 bed units plus the 3 bed units, the permitted development at Block 3 will result in a requirement for 39 no. childcare spaces.
- 5.251 Block 9 provides for a creche of 282 sq.m. which provides between 57 and 94 no childcare spaces. The subject development at Block 9 consists of 420 no. units, 113 no. 1 beds, 242 no. 2 beds and 65 no. 3 bed units. Discounting the 1 beds and assuming 50% 2 bed and all of the three bed units will require a childcare space, the total requirement of 50 no. childcare spaces.
- 5.252 The overall demand between Blocks 2, 3 and 9 (the main residential blocks of North Lotts) would therefore result in a total of 116 no. childcare spaces. The overall provision between the 2 no. permitted creche facilities ranges between 117 and 194 no. childcare spaces, therefore it is considered that the overall demand generated from the permitted and proposed development at Block 2 would be sufficiently catered for within the permitted creche facilities in the surrounding area.
- 5.253 In addition, a crèche facility provided as part of planning application DD167 in Block 1 is located approximately 100-200m from the site. This facility currently lies vacant has never been occupied since the completion of construction in 2008. It is considered that due to the provision of existing facilities within the immediate vicinity of the site and the available floor space to provide such facilities that the provision of an additional creche within the proposed scheme is not required.
- 5.254 In addition, based on the audit of the existing creche facilities prepared within ‘Draft Dublin Docklands Social Infrastructure Audit 2015’ the following capacity and vacancies within the surrounding area are indicated. .

Facility Name	Capacity	Vacancies
Daisy Days	60	3
Giraffe Childcare IFSC	92	22
Giraffe Childcare NCI	69	3
Island Key Child and Family Centre	40	5
Kids Inc Liberty Park Creche	34	5
Little Treasures Community Centre	87	10

Nurture Mount Street Lower Mount street	30	2
Nurture Childcare Marlborough Street	40	0
Ringsend Creche Ltd.	60	3
St. Mary's Pre School	55	8
St. Andrews Childcare Centre	46	0
St. Louise's Early Childhood Service	56	0
Little Treasures Community Creche	87	10
The Anchorage Playgroup	33	0
LYCS Lourdes Youth and Community Service	80	0
Smallies	60	0
Tir Na nOg Ringsend	20	0
Tots and Co Montessori Creche	70	0
Trinity Day Nursery	52	0

Figure 10: Childcare facilities in vicinity

- 5.255 As such, based on the capacity generated by the permitted creches in Blocks 3 and 9, the vacant creche in Block 1 and the overall capacity figures sated in the 'Draft Dublin Docklands Social Infrastructure Audit 2015' , it is considered that the subject area is sufficiently served by childcare facilities and therefore an additional facility is not required in the subject development at Block 2.
- 5.256 In addition, in terms of future growth of pre-school age population, the audit states that '3.7% of the current SDZ population is between the ages of 0-4 years'. The audit estimates that there will be 'a marginal increase in this figure over the next 10 years, but it is unlikely to exceed 4-5% of the total resident population'. When this is considered against the fact that 6.97% of the population at state level is aged 0-4, both the current and future percentages are quite low.
- 5.257 The Audit acknowledges that some additional growth will be 'addressed by way of existing vacancy' and also states that 'some local providers have suggested they may consider expansion plans to address additional needs'.
- 5.258 In this case where the proposed development constitutes only one and two bedroom properties which are being specifically marketed towards young professionals rather than families, it is envisaged that prospective childcare needs will be 'addressed by way of existing vacancy' .
- 5.259 It is also worth noting that the childcare provision for employees of larger multi-national firms many of which are located in the Grand Canal Dock and North Lotts area is changing. The Audit acknowledges anecdotal evidence and trends within larger multinational companies. The Audit states that 'anecdotally, there are indications that employees in large multinational companies may favour a more flexible approach to

addressing childcare needs which extends to the use of childminders rather than formal crèche facilities’.

- 5.260 This approach to provide for onsite childcare facilities within the larger multinational companies is becoming more popular in the city with the major companies such as Google providing for on site staff childcare. As a result, this would reduce the overall need for childcare facilities within residential developments, particularly those within the city centre and aimed towards young working single professionals.
- 5.261 As such it is considered that the provision of an additional creche facility at this location is not viable given the nature of the development for rental purposes and the overall demographics and trends in the area.

Transport Strategy for the Greater Dublin Area 2016 – 2035

- 5.262 This strategy has been prepared by the National Transport Authority. The Vision of this strategy is for Dublin to be a competitive, sustainable city-region with a good quality of life for all by 2030.
- 5.263 The Strategy includes five overarching objectives to achieve the vision which are as follows:
- Build and strengthen communities
 - Improve economic competitiveness
 - Improve the built environment
 - Respect and sustain the natural environment
 - Reduce personal stress
- 5.264 The Strategy sets out measures to achieve the vision and objectives for the GDA. These include better integration of land use planning and transportation, consolidating growth in identified centres, providing more intensive development in designated town and district centres and control parking supply.
- 5.265 The Strategy builds on previous strategies and investment programmes, and for this reason several major infrastructure schemes that are included in the government’s Transport 21 investment framework are included in all of the strategy options.
- 5.266 The proposed residential development, which provides for a density in excess of 55 units per hectare, adjacent to existing good quality public transport, in particular the Dublin Bus is considered to be consistent with the vision and objectives of the Transport Strategy for the GDA.

Guidelines for Planning Authorities on ‘The Planning System and Flood Risk Management (November 2009)’

- 5.267 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 Planning system and flood risk management guidelines require the planning system at all levels to avoid development in areas at risk of flooding, particularly floodplains, unless there are proven wider sustainability grounds that justify appropriate development and where the flood risk can be reduced or managed to an acceptable level without increasing flood risk elsewhere; adopt a sequential approach to flood risk management when

assessing the location for new development based on avoidance, reduction and mitigation of flood risk; and incorporate flood risk assessment into the process of making decisions on planning applications and planning appeals.

- 5.268 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”. In order to comply with these Guidelines a Flood Risk Assessment and a Site Specific Flood Risk Assessment has been prepared by CS Consulting Engineers.
- 5.269 In line with the Planning Guidelines the detailed FRA has applied and passed the Justification Test. As a result, it is concluded that the site is in compliance with the core principles of the Planning System and Flood Risk Management Guidelines and has been subject to a commensurate assessment of risk.

Birds and Habitats Directive – Appropriate Assessment

- 5.270 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).
- 5.271 An Appropriate Assessment Screening Report, prepared by Altermar Ecological Consultants, is submitted with this pre-application consultation request to the Board. The report establishes that none of the habitats and species listed as ‘qualifying features’ in the Natura 2000 site designations 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:

“This report presents a Stage 1 Appropriate Assessment Screening for the Proposed Development, outlining the information required for the competent authority to screen for appropriate assessment and to determine whether or not the Proposed Development, either alone or in combination with other plans and projects, in view of best scientific knowledge, is likely to have a significant effect on any European or Natura 2000 site.

On the basis of the content of this report, the competent authority is enabled to conduct a Stage 1 Screening for Appropriate Assessment and consider whether, in view of best scientific knowledge and in view of the conservation objectives of the relevant European sites, the Proposed Development, individually or in combination with other plans or projects is likely to have a significant effect on any European site”

- 5.272 In addition, an Environmental Report has been prepared to accompany this planning application which sets out the basis for the EIAR which will be submitted as part of the final planning application.

6.0 LOCAL PLANNING POLICY

Dublin City Development Plan 2016-2022

- 6.1 The subject site is located within the administrative area of Dublin City Council therefore all relevant policies and objectives as set out in the plan are relevant to the proposed development.
- 6.2 It should be noted that under Section 169(9) of the Planning and development Act 2000 (as amended) that SDZ Planning Schemes also forms part of the City Development Plan, and any contrary provision of the development plan shall be superseded. Therefore, the City Development Plan must be read in conjunction with the SDZ planning Scheme for this area of the city.

Land Use Zoning

- 6.3 The subject site is zoned Z14 in the Dublin City Development Plan. The objective of this zoned is “to seek the social, economic and physical development and/or rejuvenation of an area with mixed use of which residential and “Z6” would be the predominant uses”.

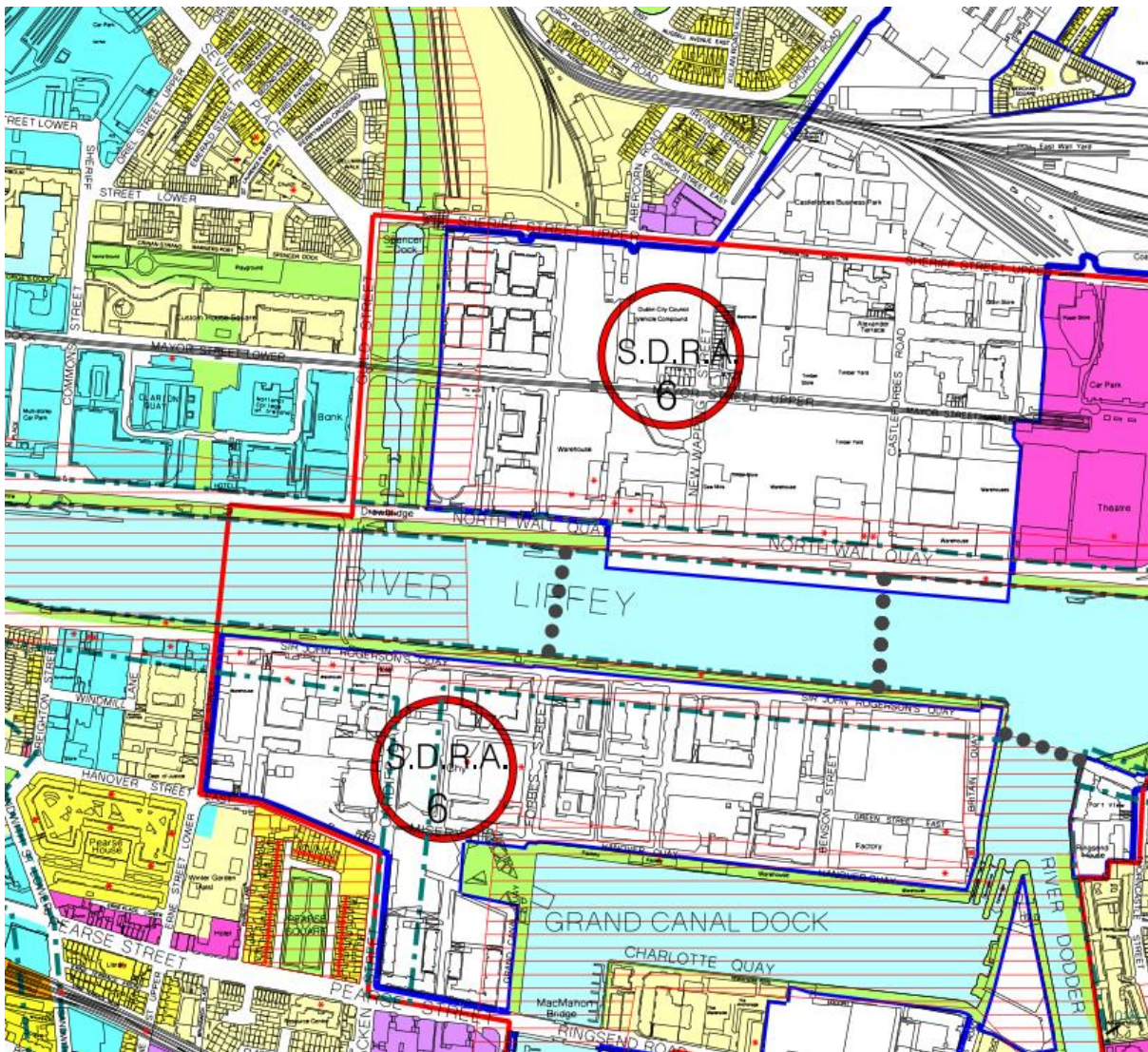


Figure 11: Extract from the Dublin City Council zoning map E

- 6.4 The subject site is also located with Strategic Development Regeneration Area 6, SDRA6, as designated within the development.

Building Height

- 6.5 The Dublin City Development Plan identifies a number of locations in the city capable of facilitating high rise buildings of 50+ metres. The Docklands area including the subject site is identified as one of these locations for “High Rise” with 50 metre plus considered appropriate. The Development Plan states that:

“Planning applications will be assessed against the building height and development principles established in a relevant LAP/SDZ/SDRA. Proposals for height buildings should be in accordance with the provisions of the relevant LAP/SDZ/SDRA in addition to the assessment criteria for high buildings and development plan standards. Chapter 15 provides guiding principles for the design of potential high buildings in SDRAs, where appropriate”.

- 6.6 All areas outlined in the table below are considered to be in the low-rise category unless the provisions of a LAP/ SDZ/ SDRA indicate otherwise.

Building Height in Dublin:

Category	Area	Height (m)
Low-rise (relates to the prevailing local height and context)	Inner City	Up to 28 (commercial) Up to 24m (residential)
	Rail hubs (See 3)	Up to 24m (commercial and residential)
	Outer City	Up to 16 m (commercial and residential)
Mid-rise	Digital Hub	Up to 50 m
	St Teresa's Gardens	
	North Fringe	
	Clonshaugh Industrial Estate	
	Ballymun	
	Pelletstown	
	Park West/Cherry Orchard	
	Naas Road	
	Oscar Traynor Road	
	National Concert Hall Quarter	
	High-rise	
Connolly		
Heuston		
George's Quay		

Figure 12: Extract from Dublin City Development Plan 2016 – 2022.

Relevant Design Standards

- 6.7 Section 16.2 of the Development Plan sets out the design standards and principles for new development within the city. It is stated that:

“All development will be expected to incorporate exemplary standards of high quality sustainable and inclusive urban design and architecture benefiting the city’s environment and heritage and its diverse range of locally distinctive neighbourhoods”.

- 6.8 In addition, through its design, use of materials and finishes, new developments should make a positive contribution to the townscape and urban realm, and to its environmental performance. All development proposals should contribute to the

creation of attractive, active, functional and publicly accessible streets and spaces promoting connectivity, walking and cycling.

- 6.9 A detailed Architectural and Urban Design Statement prepared by Henry J Lyons accompanies the application. This sets out in detail the architectural rationale for the development. The scheme will be designed to the highest standards in accordance with the above objectives.

Sustainable Building Design

- 6.10 Section 16.2.1.2 of the Development Plan promotes the sustainable design of new buildings. The plan states that design features such as density, building orientation, height, form and materials must be considered from the outset in order to minimise resource consumption, reducing waste, water and energy use.
- 6.11 A detailed sustainability report has been prepared by Axis Engineering and accompanies the application. This sets out all the aspects of sustainable design which can be incorporated into the design of the proposed development.

Landscaping

- 6.12 The development plan promotes the importance of landscaping within the city, by enhancing the quality of life as well as providing an attractive visual context, contributing to a sense of place, and improving the sustainability and resilience of the city.
- 6.13 The Development Plan states that a landscape design and maintenance plan are regarded as an “integral part of all development applications”. Accordingly, a detailed landscape plan and report prepared by John Montgomery and Partners Landscape Architects is submitted with the application setting out the design rationale for the public open spaces.

Public Realm, Urban Form and Architecture

Public Spaces

- 6.14 The Plan calls for the upgrading of the public realm and the need for the creation of high-quality public spaces. Policy SC18 is notable:

SC18: To promote the development of high-quality streets and public spaces which are accessible and inclusive, and which deliver vibrant, attractive, accessible and safe places and meet the needs of the city's diverse communities.

- 6.15 The Development Plan also requires that 10% of the site area be attributed to public open space. The permitted development includes the provision of new public spaces and streets which will be designed to a high quality and will enhance the public realm of the area. The new east west street will act as a public amenity area, contributing towards the 10% open space requirement. Details of the public realm improvements are set out in the accompanying landscaping report prepared by John Montgomery and Partners Landscape Architects.

- 6.16 The landscaping proposal for the site is being slightly revised to incorporate a greater area of communal space at roof level and at street level taking account of the increase in the unit number on the site.

Architecture

- 6.17 Policy SC24 of the Development Plan is: “To promote and facilitate innovation in architectural design to produce contemporary buildings which contribute to the city’s acknowledged culture of enterprise and innovation, and which mitigates and is resilient to, the impacts of climate change.”
- 6.18 The proposed development is designed to a high architectural and environmental standard and encompasses many sustainable technologies.

Connections

- 6.19 The development plan renews objectives and policies for permeability in new developments through the introduction of new routes and linkages. The proposed development will improve both the permeability and the legibility of both the area and the site itself and improve the connections to the Luas on Mayor Street from the north. It will also enhance connections to the DART Underground to the west when constructed.

Sustainable Site and Building Design

- 6.20 Policy CC4 in the Plan is: “To encourage building layout and design which maximises daylight, natural ventilation, active transport and public transport use.”
- 6.21 A detailed sustainability report has been prepared by Axis Consulting Engineers and accompanies the application. The scheme has been designed with the principles of sustainability at its core.

Economic Development

- 6.22 It is a core objective of the Development Plan to promote Dublin City as the national gateway at the heart of the Dublin region and the engine of the Irish economy, with a network of thriving spatial and sectoral clusters that are a focus for employment and creativity. The development plan states:
- 6.23 “The speedy re-development of extensive vacant/underutilised sites especially in the city centre zoned area is critical to sustainable development. Putting in place a critical mass of investment and development in the short-term is essential to break the negative cycle of under-development and to overcome the barriers to progress that have existed”
- 6.24 Sustainable economic development and enterprise and employment generation is one of the three elements of the core strategy and a successful city economy both relies on and contributes to the other two core elements, i.e. a compact, quality, green, connected city, and sustainable neighbourhoods and communities.

- 6.25 The Development Plan also recognises that “it is a priority to ensure that the high-quality re-development of the Regeneration areas is significantly advanced in this cycle of economic growth”.
- 6.26 The Development Plan states that in responding to the challenges facing the economy of the city and its role as the national and regional economic engine, and the competition from other cities internationally, the City Council will pursue the following approach:
- Development enterprise, particularly the services sector, which is the critical sector for the city;
 - Development Dublin as an ‘Innovation City’, a world-leading city in promoting creativity, productivity, competition, density, entrepreneurial activity and clustering;
 - Development economic, cultural and institutional clusters within the city centre to optimise its economic potential;
 - Development academic medical centres providing excellence in research, care and teaching in the medical and health sectors;
 - Improving the general attractiveness of a city for people and investors as a key part of maintaining competitiveness and creating a vibrant place that attracts and retains creative people within the city;
 - Continuing and enhancing regeneration, particularly in the city centre zoned area, as the next big move for major improvements in Dublin’s competitiveness;
 - Promoting tourism as a key driver for the city’s economy, particularly through making the city attractive for visitors, international education, business tourism and conventions;
 - Enhancing the role of Dublin as an Education City and a destination of choice for International Students.
- 6.27 The proposed development will directly contribute to the above objectives through the delivery of much needed high-quality residential accommodation to support the surrounding economic and employment areas and will provide for shared accommodation on the subject which will provide for employment opportunities. It will provide for the redevelopment of a strategically located brownfield site for new residential and shared accommodation on a key city centre site well served by public transport.

Residential Quality Standards

- 6.28 The proposed development will comprise of apartment units, therefore will be compliant with the relevant standards as set out in the Apartment Guidelines 2018. A Housing Quality Assessment prepared by Henry J Lyons is submitted as part of this application which outlines compliance with the relevant design standards, such as unit mix, aspect, unit size, communal open space and private open space.

Safety and Security

- 6.29 The development plan states that design for safety works by optimising passive surveillance, clearly defining what is private, semi private (communal) and public space, controlling access and minimising the number of households which share a common entrance, effectively managing space and using appropriate boundary treatments and lighting.
- 6.30 The proposed development has been designed to ensure a high level of passive surveillance is provided to all common areas within the scheme. In addition, to ensure

privacy a defensible strip is provided at ground floor on all boundaries to differentiate between the communal, private and public areas and to ensure adequate levels of privacy and safety are provided within the ground floor units.

- 6.31 The landscape scheme also includes lighting proposals which will provide for a more welcoming public realm area.

Acoustic Privacy

- 6.32 The following principles are recommended for minimising disruption from noise in dwellings:
- 6.33 Utilise the site and building layout to maximise acoustic privacy by providing good building separation within the development and from neighbouring building and noise source
- 6.34 Arrange units within the development and internal layout to minimise noise transmission by locating busy, noisy area next to each other and quieter areas next to quiet areas.
- 6.35 Keep stairs, lifts and services and circulation area away from noise sensitive rooms like bedrooms. Particular attention should be paid to the siting and acoustic isolation of the lift monitor room.
- 6.36 The proposed development has been designed in accordance with the above guidance. In addition, a noise report prepared by AWN Consulting is submitted as part of this application which sets out the mitigation measures which should be provided to the communal areas to ensure the surrounding residential units are not affected.

Car Parking

- 6.37 The development plan sets out a maximum standard of 1 no. car parking space per residential unit and 1 no. car parking space per 4 rooms for a hotel development (shared accommodating is not listed and is not required in accordance with the Apartment Guidelines).
- 6.38 The proposed development provides for a total of 78 no. car parking spaces to serve both the residential units. There are no car parking spaces provided to serve the shared accommodation development.
- 6.39 In accordance with the Apartment Guidelines and the National Policy Guidelines, such as the NPF, which promotes reduced car parking standard in highly accessible locations it is considered that the proposed quantum of car parking is appropriate for the subject development. A full detailed analysis for the justification of car parking is set out in the CS Consulting Traffic Impact Assessment and Mobility Management Plan submitted as part of this application.

Cycle Parking

- 6.40 The Development Plan sets out a requirement for 1 no. cycle parking space to be provided per residential unit. The proposed development provides for 828 no. cycle

parking spaces to serve the entire development which is in excess of the development plan requirements.

- 6.41 It is noted that the Apartment Guidelines require 1 no. cycle space to be provide per bedroom, and 1 no. space per 2 no units which would result in the provision of 957 no. cycle spaces to serve the residential units. It is considered that given the location of the site adjacent to quality public transport routes and the additional provision of surface level bike spaces the proposed quantum of 828 no. is sufficient in this instance.
- 6.42 Full details of the cycle parking are provided in the CS Consulting Traffic Impact Assessment and Mobility Management Plan submitted as part of this application

Unit Mix

- 6.43 The Dublin City Development Plan 2016-2022 sets out standards for unit mix for apartment developments. A maximum of 25-30% of 1 bed units and a minimum of 15% 3 or more bed units should be provided.
- 6.44 The Apartment Guidelines set out that apartment developments may include up to 50% one-bedroom or studio type units, whilst setting no minimum requirement for three (or more) bedroom apartments.
- 6.45 The unit mix for the proposed development provides for 229 no. 1 beds (49%) and 235 no. 2 beds (51%) which is in accordance with the Apartment Guidelines 2018. It should also be noted that no more than 10% of the units can be 2 bed three-person units within a development. The proposed development provides for 18 no. 2 bed three person rooms which amounts to 4% of the overall units.

Aspect Ratios

- 6.46 The development plan states that a minimum of 50% dual aspect apartments should be provided in any development. It is also noted that in certain circumstances, usually on inner urban sites, this may be reduced to an absolute minimum of 33%.
- 6.47 The apartment guidelines state that a minimum of 33% dual aspect units should be provided in central and accessible urban location, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage.
- 6.48 In suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect units.
- 6.49 The subject development is located in a central and accessible urban location as defined under the apartment guidelines as being near to city or town centres, close to high quality public transport or in SDZ areas.
- 6.50 The proposed development provides for an overall of 44% dual aspect units in accordance with the apartment guidelines. The percentage of dual aspect units has increased from the permitted scheme as part of this development.

Open Space

- 6.51 The apartment guidelines states that all apartments should include private and communal open space. Each of the proposed units will contain private open space in excess of the requirements. The quantum of private open space is set out in the Housing Quality Assessment prepared by HJL.
- 6.52 Communal Open Space is calculated as 5 sq. m for a 1 bed unit, 7 sq.m for a 2-bed unit and 9 sq.m for a 3 bed unit.
- 6.53 The proposed development results in a requirement for 2,772 sq.m. of communal space. The proposed development will provide for a total of 3,090 sq.m. communal open space which is in excess of the requirements. Full details of the communal space are set out in the Design statement prepared by HJL Architects.

Density

- 6.54 The proposed density on site is 368 no. units per hectare. It is considered that the proposed density is consistent with recent developments in the Docklands area and is appropriate given the National Policy objective to increase residential density in highly accessible central urban locations.

SDRA 6

- 6.55 Map K of the Dublin City Development Plan 2016-2022 sets out the locations of designated SDRAs under the Development Plan.

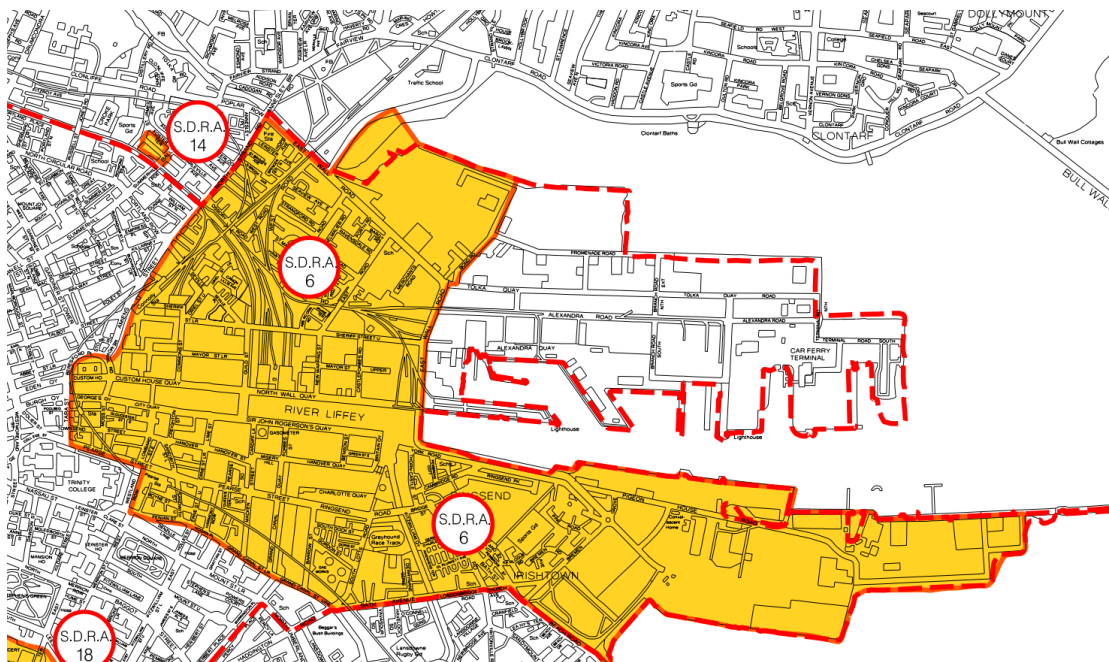


Figure 13: Extract of Map K of the Dublin City Development Plan 2016-2022

- 6.56 An opening statement to Section 15.1.1.7 sets out what may be considered a vision for the Docklands SDR6 area; it states:

“Social sustainability is central to the regeneration strategy for Docklands. The regeneration of Docklands is about people, it is not just physical and economic aspects.

Dublin City Council will actively pursue a community and social development agenda, re-integrating and connecting the Docklands communities to its range of services and expertise across all sectors. Docklands presents an opportunity to create an exemplary model of good neighbourhoods and successful place-making”.

- 6.57 Section 15.1.1.7 continues to provide guidance under a number of headings, a summary of each which follows:

Housing

- 6.58 The Dublin City Development Plan sets out a number of points in relation to housing, a selection of which follows:

“to ensure a holistic approach to housing that will achieve successful integration of residents, neighbours and wider community’

‘to promote the expansion of the Dockland Residential population, cater for life-cycle requirements of the existing population and provide recreational facilities for children across a range of ages’

‘to achieve successful interaction between the SDZ scheme and surrounding streets and public realm to retain and foster a strong sense of neighbourhood within communities’

‘to ensure that residential developments optimise the unique Docklands character in terms of visual context, maritime location, heritage assets and community identity’

‘to provide physical, social and amenity infrastructure in tandem with new housing’

‘to safeguard residential amenity and to ensure appropriate transition in scale, the design of new development shall have regard to the context, setting and amenity of existing housing within the SDZ and wider Docklands area’

- 6.59 As is evident in the above points, there is a clear objective of the Council to ensure that there is residential development in the Docklands area, that is integrated into the design, creates a sense of community and that all amenity, community and social infrastructure is provided ‘in tandem’ with development.

- 6.60 The proposed development provides for 464 no. residential units and 200 no. student bedspaces in tandem with a variety of social infrastructure, amenity, and community facilities. The proposed development will include a range of public spaces for passive recreation along the new proposed east / west pedestrian street and will provide for a café to serve the proposed and wider community

- 6.61 The proposed residential development also includes communal internal and external space for the new residential community. There will also be the option for existing local residents to utilise parts of these spaces for local community events.

Employment

- 6.62 In terms of employment, it is set out in the SDRA 6 guidance that the Council will work with the relevant stakeholders and seek and promote employment opportunities.

Reference is also made to exploring options for local employment within the construction sector during the development of the Docklands.

- 6.63 The proposed development will provide for employment opportunities during the construction phase of the development. Employment opportunities are also provided in the operation of the shared accommodation scheme and the management of the residential units.

Social

- 6.64 In terms of social considerations, the guidance sets out how it is important to have stakeholder engagement and to provide sufficient community services for all ages within the Docklands.

- 6.65 In particular, one of the points in the guidance states that:

“That all new developments in the Docklands area, North Lotts and Grand Canal Dock and Poolbeg West will provide for a minimum of 5% allocation of space in the development to be used for social, cultural, creative and artistic purposes.”

- 6.66 As previously mentioned, the proposed development will provide for a communal space which will be made available for the local residents to rent for various community activities. As such it is considered that the proposed development therefore meets with this requirement.

Economic

- 6.67 The guidance sets out the importance of the Docklands is in terms of Dublin's contribution to the national economy and describes how the Docklands has the potential to fulfil a strategic role as a global economic hub.

- 6.68 The proposed development by provide for 464 no. residential units and 200 no. shared accommodation bedspaces development will enhance the economic activity of the area and will support the wider employment opportunities.

Environment

- 6.69 In terms of the environment, the SDRA 6 guidance sets out the importance of issues such as movement, land-use, urban design and flood risk management and how a balanced, sustainable approach to development is required.

- 6.70 The proposed development has been designed to incorporate a variety of land uses including residential, shared accommodation and café to provide for a well-designed urban area including high quality architectural design, pedestrian connectivity, enhancement of the public realm in accordance with the proper planning and sustainable development of the area.

Movement/Transport

- 6.71 The SDRA 6 guidance sets out that the Council will support sustainable transport initiatives to promote easy movement to and through the Docklands, to develop a

transport strategy, to support public transport expansion and cycle and pedestrian infrastructure.

- 6.72 The proposed development will provide for 2 no. new connections within the area, the north / south vehicular and pedestrian access road linking Sherriff Street upper and Mayor Street Upper and will provide for a pedestrian street in an east west direction providing for new pedestrian connectivity within Block 2.
- 6.73 The proposed development is also located adjacent to the Luas line and will provide for pedestrian connections to access this high-quality public transport facility.

Land-Use/Urban Design

- 6.74 The Council intends to 'continue to secure the distribution of residential use throughout the Docklands area by requiring an appropriate residential/commercial land-use mix on key development sites'.
- 6.75 The SDRA 6 also sets out the importance of the public realm, permeability and creating a sense of place for the Docklands.
- 6.76 The proposed development provides for a mix of commercial and residential development in accordance with the land use ratios as set out in the SDZ Planning Scheme.

Flood Risk

- 6.77 It is the intention of the Council to support initiatives that address flood risk and to maintain and improve infrastructure to reduce and manage the risk of flooding in the entire Docklands area.
- 6.78 The proposed development has been designed in accordance with the relevant flood risk mitigation measures. Full details are set out in the CS Consulting Flood Risk Assessment which accompanies this application.

NORTH LOTTS AND GRAND CANAL DOCK PLANNING SCHEME 2014.

Introduction

- 6.79 The key statutory policy document in relation to the subject site is the North Lott's and Grand Canal Dock Planning Scheme 2014. The subject site is located within the administrative area of the Scheme. The Scheme was approved by Dublin City Council on the 5th November 2013. This approval was confirmed with modifications by An Bord Pleanála on the 16th May 2014. Fig. 6 indicates the extent of the Scheme area.

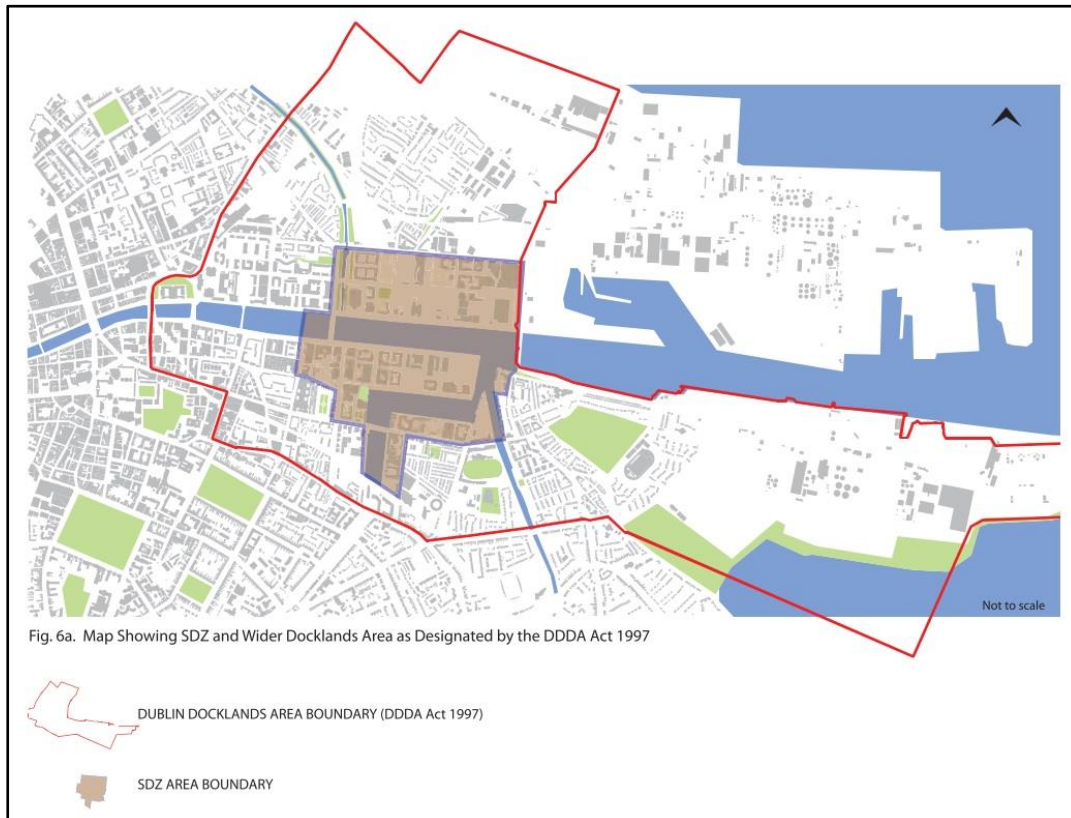


Figure 14: Extent of Scheme Area

- 6.80 The Docklands area was designated a Strategic Development Zone in 2012 with the objective to provide for a continued fast-track planning mechanism so as to maintain the focus on the social and economic regeneration of the area. The key reasons for the designation were:
- 6.81 The potential and need for comprehensive planning and development of the site due to its economic and social importance to the State;
- 6.82 The efficient use of public investment in infrastructural facilities; and
- 6.83 The giving of effect to the policies contained in the development plan made by Dublin City Council in accordance with Section 9 of the Act of 2000.
- 6.84 On foot of the designation, the Planning Scheme was prepared. The Scheme sets out a detailed planning framework for the future development of the area. Planning permission shall be granted where a development, if carried out in accordance with the

application or subject to any conditions which the planning authority may attach to permission, is consistent with the Planning Scheme.

6.85 The vision of the Scheme is:

6.86 “That the Docklands SDZ will become a world class maritime quarter with a distinctive Dublin character. It will be a model of sustainable inner city regeneration incorporating socially inclusive urban neighbourhoods, a diverse, green innovation based economy contributing to the prosperity of the locality, the city and the country, all supported by exemplary social and physical infrastructure and a quality public realm integrated with the wider city.”

High Level Themes

6.87 The Scheme sets out a series of high level themes. These include:

- Sustainability
- Economic Renewal and Employment
- Quality of Living
- Identity
- Infrastructure
- Movement and Connectivity

6.88 It is stated that all future proposals under the scheme will be tested in accordance with these principles.

6.89 An assessment of the compliance of the proposed development with these key themes is provided in the Compliance Statement submitted with the planning application.

Economic Renewal and Employment

6.90 The proposed development will result in the creation of new residential accommodation and shared accommodation development within a new urban quarter of Docklands generating a critical mass and strengthening the economic and social fabric of this part of the North Lott’s Area. It will secure the development of a key regeneration site by providing much needed housing and shared accommodation units to meet the need of the employment in the area . The development will have significant economic renewal and spin off generating benefits. It will enhance social and physical infrastructure and promote movement and connectivity through the creation of new through routes (east west pedestrian street and north south new street). The high quality residential units, associated landscaping and public realm will contribute towards the creation of a high quality living environment which will generate positive associated effects for nearby commercial and retail developments in the North Lott’s and Docklands.

Retail

6.91 It is stated in the Scheme that the retail component of the hubs should comprise primarily of small scale retail units or retail services to achieve a fine grain attractive streetscape. It notes that the combination of retail and retail services, including cafes and restaurants has the potential to create a distinct character and identity for each of the hubs. The site has limited frontage to Mayor Street, however, the application provides for one café unit fronting onto Mayor Street to the west of the site. It is

considered that this café unit will assist to animate the Mayor Street frontage and also assist to provide the wider development with a sense of identity.

Residential Neighbourhoods

6.92 It is an objective of the Scheme for the Dublin Docklands to become one of the great living urban environments of Europe, providing a unique and enriching life choice and experience for residents. Attracting people to live in the area is core to the overall aims of successful regeneration.

6.93 The Scheme notes that it will be important that residential development delivers:

- High quality spacious residential units with good levels of amenity in terms of green open space, daylight and sunlight;
- Adaptable and flexible units that readily provide for changing needs over time including the needs of families with children;
- High quality well designed communal areas;
- Good property management;
- Sustainable building designs which are energy efficient and utilize renewable energy sources.

6.94 The Scheme includes a number of objectives regarding residential development including:

“RN1: To promote the expansion of the residential population in the SDZ and retain the existing population base as their lifecycle requirements change by providing high quality adaptable homes and quality residential choices for a range of household types inclusive of single occupants, students, young couples, families, the elderly and those with special needs

RN2: To promote sustainable higher densities and quality innovative designs achieving generous standards of residential amenity for residents including spacious and adaptable interiors, high quality natural lighting, good storage facilities, private open space amenity and car parking storage.

RN6: To promote socially balanced communities through the implementation of Part V under the Dublin City Development Plan Housing Strategy which will be successfully integrated within schemes throughout the SDZ and implemented through a variety of measures, including long term social leasing and expansion of the Residential Accommodation Schemes (RAS), in accordance with national housing policy.”

6.95 The SDZ Scheme details a mix of 60% Commercial: 40% Residential for Block 2.

6.96 The proposed development will provide for 464 no. new residential units and an shared accommodation development and cafe fronting Mayor Street. The proposed mix of uses provides for a ratio in line with the planning scheme as detailed in the Joint City Block Roll Out Agreement submitted with this planning application. Dublin City Council accepted the revised JCBRA at pre application stage with An Bord Pleanála.

6.97 All new residential units will be designed to the highest standards and will be fully in accordance with the residential standards set out in the Sustainable Urban Housing, Design Standards for new Apartments, Guidelines for Planning Authorities 2018.

- 6.98 The application is accompanied by a series of CGI's and a Landscape Visual Impact Statement prepared by Chris Kennett which illustrates that the proposed development is of a high quality design standard and in keeping with the streetscape and surrounding area. Further detail is also provided in the attached Architectural Report by Henry J Lyons.
- 6.99 The development is considered to be of an appropriate density having regard to the strategic city centre location of the site, its proximity to employment centres and public transport hubs. The range of apartment types and sizes proposed are representative of the subject site's location and surrounding context. The development will provide for 229 no. 1 bed units and 235 no. 2 bed units. The units will have high levels of amenity affording to their generous proportions, aspect and design.

Density

- 6.100 The proposed density on site is 364 no. residential units per hectare. It is submitted that the proposed density is consistent with the national policy objectives to increase residential density in highly accessible urban location. The proposed density is also in line with stated densities for residential development in the SDZ such as 247 no. units per hectare in the Docklands Masterplan, 388 no. units per hectare in Charlotte Quay, 440 no. units per hectare in the Millennium tower and 223 no. units per hectare in Gallery Quay.

Part V

- 6.101 Under policy objective RN6, the Scheme promotes socially balanced communities through the implementation of Part V under the Dublin City Development Plan Housing Strategy.
- 6.102 The applicants have consulted with the Housing Department of Dublin City Council and have received a validation letter which is submitted as part of this application. An appropriate condition will apply should a grant of permission be received.

Community Development

- 6.103 The SDZ Scheme states that community infrastructure and gain will continue to be promoted as part of development proposals within each city block and will include inter alia:
- New high quality housing options to expand the population base and vitality of the area.
 - New employment opportunities within commercial and mixed use developments including requirement for business start-up and smaller enterprise space.
 - New permeable routes and street connections that facilitate ease of local movement and neighbourhood integration.
 - A high quality public realm and provision of public open space for recreation and socialising.
 - A vibrant mix of commercial uses that include local shopping, cafes, restaurants and leisure uses to benefit the population.
- 6.104 Provision of new social facilities as part of development proposals.

- 6.105 The proposed development will provide for community infrastructure in a number of ways. The development will incorporate 464 no. new residential dwellings which will help expand the population base of the area and enhance its social fabric and its vitality. The development also provides for an shared accommodation scheme which will provide a vibrant use thereby continuing the economic and social rejuvenation of the area. New streets, routes, strategic connections and high quality public open space and public plazas will also be provided as part of the proposed development. The new routes and spaces will be designed to the highest of standards and will be animated appropriately, hence will help to create a character and identity for the site thereby assisting its integration into the local area and its communities.
- 6.106 It is envisaged that the next phase of development to the west of the block, will accommodate further commercial and residential development which will further improve the overall mix of uses within the block and enhance connectivity in accordance with the SDZ Scheme.
- 6.107 As previously noted it is also the intention to provide for a communal room which can be used by member of the local community to rent for various community events.

Transport

Residential Car and Cycle Parking

- 6.108 Objective MV1 promotes the increase use of more sustainable forms of transport such as cycling, walking and public transport whilst MV8 advocates the provision of 'appropriate levels of car parking'.
- 6.109 The recently adopted Apartment Guidelines accords with the SDZ Planning Scheme in pursuing a reduced car parking standard for sites in existing urban area and in close proximity to quality public transport services. The Guidelines state:
- 6.110 'In large scale and higher density developments, comprising wholly of apartments in more central locations well served by public transport, the default policy is for car parking provision to be wholly eliminated or substantially reduced. This may apply in very accessible areas such as in or adjoining city cores (central business districts) or at a confluence of public transport systems. These locations are most likely to be in cities, especially in or adjacent to (i.e. within 15 minutes walking distance of) city centres or centrally located employment locations. This includes 10 minutes walking distance of DART or Luas stops or within 5 minutes walking distance of high frequency (min 10 minute peak hour frequency) bus services'.
- 6.111 The level of car parking proposed to serve the overall development is 78 no. spaces at under croft basement level.
- 6.112 It is considered that in the context of the subject site considering it's city centre site location(1km from city centre), it's close proximity to excellent public transport connections (adjacent to the LUAS on Mayor Street and 400m from Docklands rail station) and its composition of mainly 1 no. bed and 2 no. bed apartments and shared accommodation, that the quantum of car parking prosed is in accordance with the relevant national policies which encourages reduced car parking in highly accessible locations.
- 6.113 It is envisaged that residents will avail of sustainable transport due to the site location. In addition to car sharing facilities such as GoCar which will be made available. Such

a provision is in line with trends in other major European cities where off street parking is restricted in order to reduce the use of the private car. A further assessment and justification of the proposed parking arrangements is provided in the enclosed CS Consulting Report.

- 6.114 MV15 sets out that the standards for cycle parking should comply with Dublin City Development Plan Standards. As noted above the proposed development is in excess of the Development Plan requirements.
- 6.115 Full details of the cycle parking are provided in the CS Consulting Traffic Impact Assessment and Mobility Management Plan submitted as part of this application.
- 6.116 The SDZ Planning Scheme promotes sustainable transport and the priority of pedestrians and cyclists along key desire lines.
- 6.117 Objective MV1 sets out to 'continue to promote the modal shift from private car use towards increased use of more sustainable forms of transport such as cycling, walking and public transport and to implement the initiatives contained in the Government's 'Smarter Travel, A Sustainable Transport Future 2009-2020' while Objective MV4 promotes the creation and support of 'a well-designed network of pedestrian infrastructure to promote and facilitate walking and cycling; provide priority for pedestrians and cyclists along key desire lines, developing routes within the Docklands and linking with the surrounding walking and cycling networks in Dublin City'
- 6.118 As aforementioned, sustainable transport and a modal shift from private car usage has been promoted by virtue of the limited levels of car parking and the ample levels of cycle parking proposed.
- 6.119 The development is also located in close proximity to the Red Line LUAS, the Docklands Railway Station, the DART and Mainline Stations at Tara St. and Connolly and Busaras which promotes the use of sustainable modes of transport.
- 6.120 New Street running on a north south axis linking Sherriff Street and Mayor Street, by virtue of its design layout is inclusive and adequately supports cyclists and pedestrians.
- 6.121 The public plaza between both buildings running on an east west axis and linking New Wapping Street to New Street is pedestrian only and ensures safe and easy access for pedestrians and cyclists, hence complies with the objectives of MV4

Sustainable Infrastructure

- 6.122 The Scheme sets out that in order to achieve the vision of the SDZ Planning Scheme and the key principles, that the delivery of infrastructural services is essential. It notes that this will be achieved through a strategy of:

- Investment in physical infrastructure which is required to ensure that there is adequate capacity to accommodate the quantum of development envisaged in the SDZ Planning Scheme.
- The delivery of the required infrastructure will require a variety of different funding mechanisms and sources.
- The securing of corridors for utility infrastructure to match the spatial pattern of development.
- Using flood risk assessment techniques and the identification and management of these risks lying in place through flood resilient urban and building design and construction.
- Promote the area as an exemplar of environmental sustainable design and building solutions with regard to energy efficiency, CCHP Systems and Sustainable Urban Drainage schemes.

6.123 The proposed development will incur Section 48 development levies which will enable further investment in the physical infrastructure required to serve the area. In addition, all of the requisite infrastructure required to serve the development within the site will be provided. A detailed Flood Risk Assessment accompanies the application which details appropriate mitigation measures to prevent any flood risk to the subject site. In this context, the development is fully compliant with objectives SI6, SI7 and SI8. The sustainability report accompanying the application details how the development will comply with the sustainable design standards. The engineering report details SUDS measures to be incorporated which ensure sustainable development measures are provided.

Air and Noise

6.124 Objectives Nos SI 12, SI 13 address the maintenance of good air quality and minimisation of adverse impacts from noise. The potential noise and air quality impacts of the proposed development and associated mitigation measures are addressed in construction and demolition management plan prepared by Hegarty's which is submitted with the application.

Dublin District Heating System

6.125 The Scheme notes that district heating will become available in the Docklands before 2020. The proposed development is designed to ensure district heating can be readily enabled once available.

Waste Management and Construction Management

6.126 A Construction and Operational Waste Plan prepared by CS Consulting and AWN is submitted with the application. Section 4.5.4.11 requires that each planning application is accompanied by a Construction Management Plan. Such a document accompanies the planning application.

Urban Structure & Design, Density, Height

Plot Ratio

6.127 The SDZ Scheme confirms that density and plot ratio are not stand alone objectives; they are mechanisms to help achieve a high quality urban environment. As a general indicator an indicative plot ratio of 3:0 is provided for over each block. However, this

must be considered by reference to related SDZ objectives on matters such as building height, public realm etc.

- 6.128 In addition, a higher plot ratio may be considered, i.e. adjacent major public transport facilities, to facilitate urban renewal, and to maintain an existing streetscape profile. The Scheme notes that plot ratio “is not intended to be a prescriptive tool to guide development, and flexibility will be permitted, in order to ensure that an appropriate quantum and height of development is achieved”.
- 6.129 The proposed development has a plot ratio of 4.1 which is above the guidance set out in the Scheme. Notwithstanding the site is nevertheless within walking distance of the Spencer Dock Luas Stop (c.300m), Docklands Station (c.350m), the city centre (1km) and numerous employment locations hence the plot ratio is considered appropriate in the context of the site’s strategic location.

Green Infrastructure

- 6.130 It is a key objective of the Scheme to require the provision of public and communal open space within the designated area to provide for a resident and employment populations. It is stated:

“The design of all public realm and green infrastructure must be of high quality, creating flexible, multifunctional places which protect and enhance local character and incorporate retained features and important vistas. All open spaces must be inviting places for people to use for informal recreation. They must be well overlooked with clear delineation of the boundaries and transitions between private space, communal space and public space.”

- 6.131 As detailed above and in the enclosed landscape plan and report by John Montgomery and Partners, the development will include high quality communal open space and public realm to both building envelopes and the public plaza in-between. The Courtyard, roof terraces and public realm spaces will be clearly defined to cater for the residential and other uses within the development.
- 6.132 Communal open space to the both north and south building envelopes will predominantly comprise of grassed and planted areas with footpaths and seating areas running throughout. All of the spaces will be overlooked from openings to the interior of the building envelope thereby ensuring a satisfactory degree of passive surveillance and will include SUDs drainage measures.
- 6.133 In addition, a green roof is provided to each block to ensure appropriate green infrastructure is provided.

Public Realm

- 6.134 It is a key objective of the Scheme to require the provision of high quality public realm. It is stated that;
- 6.135 ‘Public space is there primarily to facilitate a rich public life and to provide opportunities for citizens and visitors to enjoy the city in a multitude of ways’

- 6.136 As detailed above and in the enclosed landscape plan and report by John Montgomery and Partners , the development will include high quality communal open space and public realm to both building envelopes and the public plaza in-between.
- 6.137 Courtyard spaces will be clearly defined and designed to cater for different uses and functions within the development. Both courtyard spaces will create animation and interest and form an integral aspect of this part of the development.
- 6.138 The public plaza situated between both building envelopes to the north and the south will be clearly defined to ensure a visual separation occurs between both buildings to either side in addition to providing a break out space for which residents and workers can avail of.

Building Quality and Sustainable Design

- 6.139 The Scheme sets out guidance regarding architectural design and states that design quality needs to consider both the design response to the broader urban context of the site and also the design of the buildings individually and collectively. The scheme sets out a number of criteria to form the basis of such an assessment. A detailed Architectural and Urban Design statement prepared by Henry J Lyons accompanies the application and these criteria are considered in detail in this report.
- 6.140 A detailed sustainability report has been prepared by Axis Engineers and accompanies the application.

Nature and Extent of Proposed Development

- 6.141 The Planning Scheme sets out a development code and a number of fixed and flexible elements considered critical to the delivery of a successful sustainable docklands. These include development quantum, overall use ratio, public realm, building line, and height. A statement of the development's compliance with these codes is set out in detail in the enclosed Compliance Statement prepared by John Spain Associates submitted with the application.

City Block 2

- 6.142 The Scheme sets out a development code for each City Block. The subject site is identified as Block 2. The Scheme notes that it is "Largely undeveloped City Block with a small terrace of 2-storey houses on Mayor Street frontage" Fig. 7 outlines the Development Code for each block.

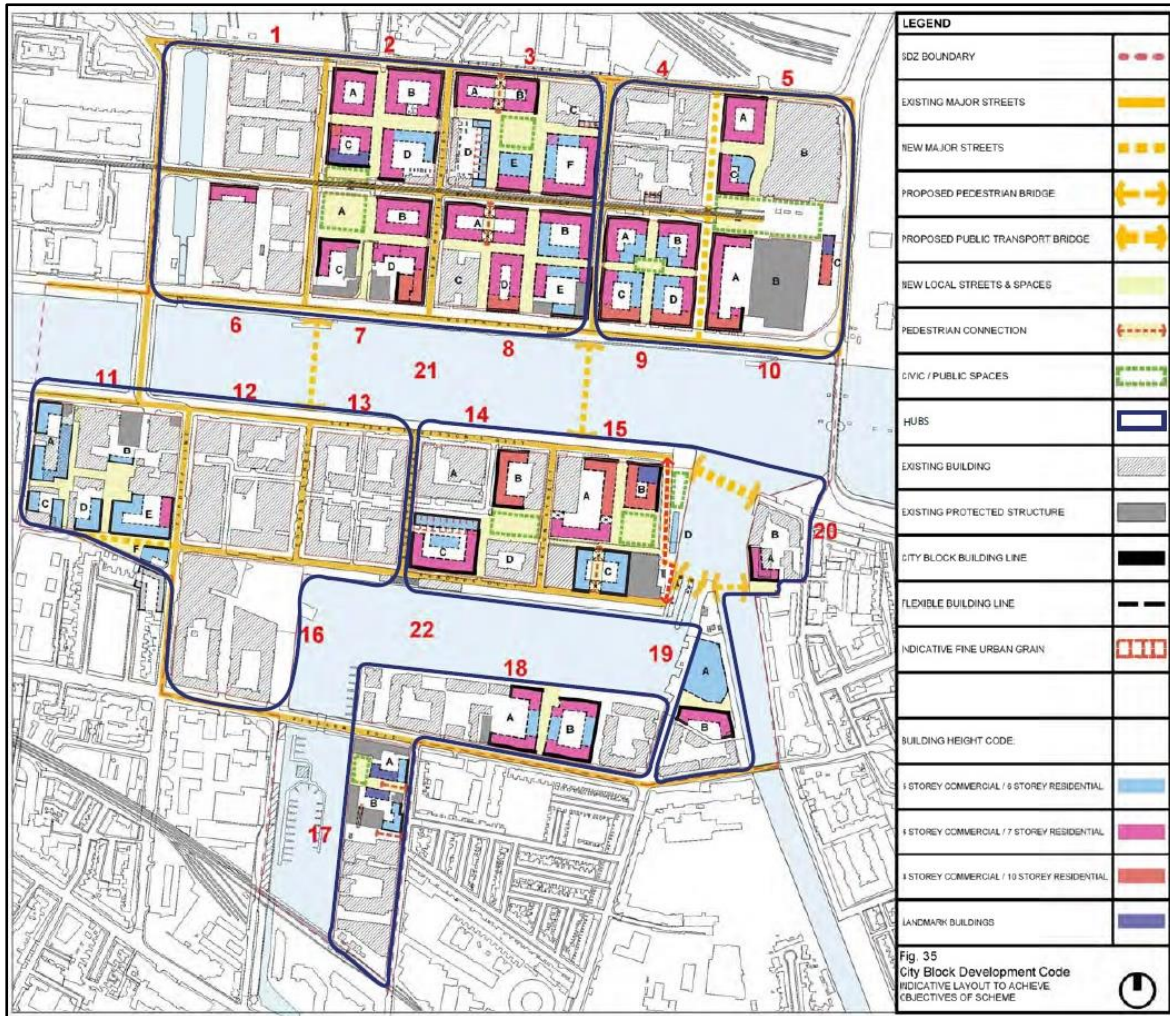


Figure 15: City Block Development Code

6.143 The Scheme sets out a number of key objectives for the site including:

- Use mix
- Urban form/height
- Public realm
- Infrastructure provision

6.144 A detailed assessment of how the development complies with these block specific objectives is set out in the Compliance Statement which accompanies the planning application. A joint City Block Roll Out Agreement has been set out and agreed with the City Council for Blocks 2 and 7. It is proposed to revise the allocation of the residential commercial uses within the Blocks to accommodate the proposed development. There is no change however to the overall ratio of the land use mix.

6.145 Proposed amendments to the planning scheme were submitted to An Bord Pleanála by Dublin City Council and the Development Agency in May 2019 has increased the building height permissible within Block 2 which enables greater heights on the subject site compared to the current SDZ planning scheme. The proposed amendments seek

to provide building heights of up to 12 no. storeys in the north west and north east corners, with 6/ 7 no. storeys for the remainder of the subject site.

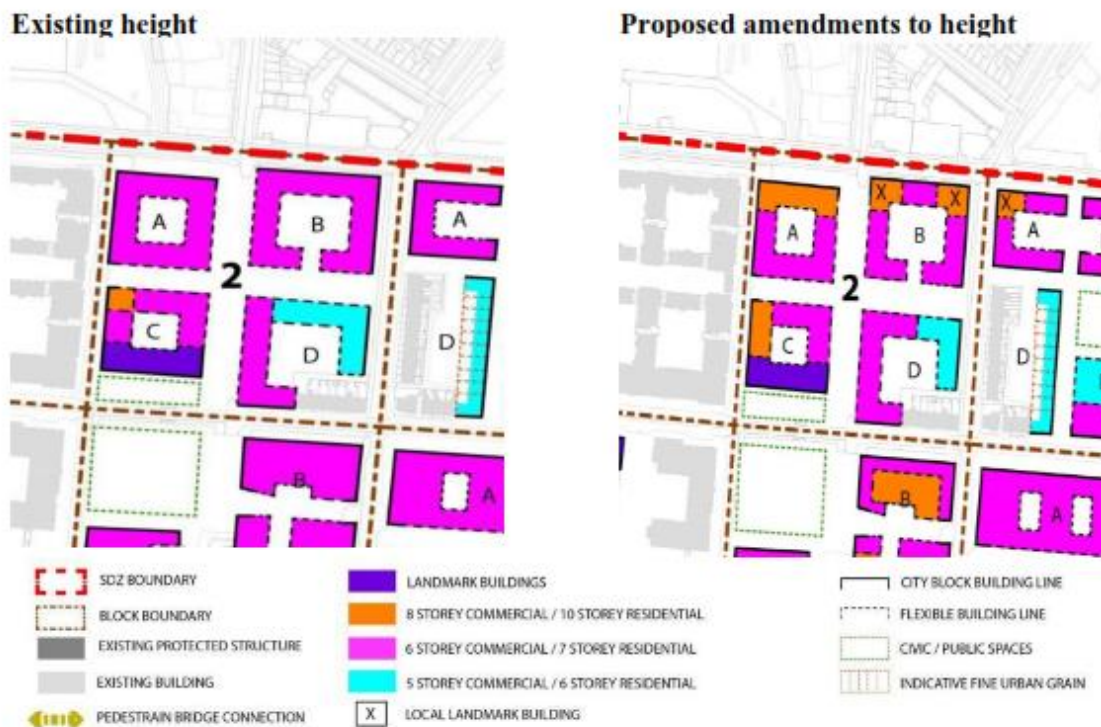


Figure 16: Existing and proposed building heights in City Block 2

6.146 The revised SDZ states the following in relation to Urban Form/ Height Range as follows:

- *Block 2A to be 8 storey commercial / 10 storey residential fronting onto Sheriff Street Upper*

6.147 The subject application does not relate to Block 2A.

- *12 storey residential local landmarks at NE and NW corners of block 2B, to extend along no more than one third of the sub-block frontages.*

6.148 The proposed development will provide for 13 no. and 11 no. storeys to the north west and north east corners respectively. The proposed development is therefore considered to be largely in line with the proposed SDZ amendments. The remainder of the north elevation of Block 1 fronting Sheriff Street is 9 no. storeys.

- *Block 2C to be 12 storeys (maximum) commercial (minimum 10 storeys) fronting Station Square to achieve balance between hub quantum and view lines from Georgian mile. Landscaped plaza south of block. Western side of 2C to be 8 storeys commercial / 10 storey residential.*

6.149 The subject application does not relate to Block 2C

- *Remaining blocks to range between 5 storey commercial / 6 storey residential and 6 storey commercial/ 7 storey residential, stepping down to 3 residential immediately north and west of the Mayor Street Terrace.*

6.150 The remainder of Block 2B and 2D comprise of a range of 7 to 8 no. storeys in height with additional set back floors. Section 5.4.5 of the SDZ is also amended to include the potential of a set back floor on top of the height stated per block. The proposed development is therefore largely compliant with this aspect of the planning scheme. At the corners of Block 1, the height will increase to 10 / 11 no. storeys to create articulation and variations in the building massing and architectural design.

Urban blocks to Sheriff Street to remake and contain the street.

6.151 The proposed block layout seeks to address Sherriff Street and the level change along this elevation.

- *The 7 storey residential frontage to New Wapping Street responds to the 2/3 storeys terrace opposite, more favourably than the 9 storey scheme previously certified.*

6.152 The proposed development seeks to provide for 7 no. storeys with a set back 8th storey to New Wapping Street in Block 2 and 8 no. storeys with a 2 no. storey set back to Block 1.

6.153 The proposed development is largely compliant with the building height proposed as part of the SDZ review. The proposed development is therefore considered to be an appropriate response to the amendments proposed to the SDZ planning scheme.

7.0 COMPLIANCE WITH PART V OF THE PLANNING AND DEVELOPMENT ACT REGARDING SOCIAL HOUSING

- 7.1 The applicant has entered into initial discussions with the Housing Department of Dublin City Council in respect to Part V. The applicant agrees to accept a condition on a grant of planning permission, if the Planning Authority is minded to approve the proposed development, which requires the applicant to enter into a Part V agreement with Dublin City Council as per their requirements prior to the commencement of development. A validation letter from Dublin City Council is submitted as part of this application.
- 7.2 The applicant's Part V proposals are described and mapped in the design brochure accompanying this planning application. The proposal is to provide 46 no. of the residential apartments i.e. 10% of the total 464 no. units proposed.
- 7.3 The 46 no. units are provided as 1 bed units, distributed throughout the ground floor of the scheme. Please refer to the accompanying drawings, schedule of accommodation and costings for full details.
- 7.4 As set out in the Apartment Guidelines, the shared accommodation units are not subject to Part V provision.

8.0 ASSESSMENT OF THE PROPOSED DEVELOPMENT IN PLANNING TERMS

- 8.1 The subject site is a significant re-development site in the North Docks area. It is the second phase in the delivery of a new world class urban quarter that will contribute significantly to the continuing social and economic regeneration of the Docklands area specifically Blocks 2 and 7.
- 8.2 The proposed development to increase height and provide for additional 115 no. residential units and 120 no. shared accommodation bedroom, 200 no bedspaces on the site will contribute significantly to providing a residential population base in the area continuing the wider area's ongoing economic renewal thus enhancing the North Lott's as an attractive place to live and work.
- 8.3 The proposed development will create a significant quantum of residential accommodation totalling 464 no. residential units and a new shared accommodation scheme totalling 120 no. bedrooms (200 bed spaces) creating an uplift of c. 35% on the site, thereby further establishing a new city residential quarter in the Docklands area. The proposed development will provide significant planning, economic and social benefits not only for North Lott's but for the entire Docklands and the wider City through the provision of a significant number of residential units and contributing to the social housing provision in the area.
- 8.4 The development also provides for significant enhancements to the quality of life in the area and the residential amenity provision in the development by increasing the level of communal space within the development and refining the proposed uses and function of these spaces. It is considered that the proposed development will provide for significant enhancements to the residential quality not only privately within each unit due to the range of unit sizes provided but also through the provision of high quality residential amenity space provided in addition to the private residential units as an added benefit to the development.

- 8.5 The landscaping and boundary treatment of the development has also been revised as part of this application to further respond to the needs of the proposed development and through the design development of this residential scheme. The proposed landscaping treatment will provide for an appropriate urban landscaping treatment providing access to all and creating a high level of privacy and residential amenity to all future residents.
- 8.6 It is envisaged that, as per the land use mix requirements of the City Block and the JCBRA, further applications for residential and commercial development within Block 2 will be progressed. Future residential and commercial accommodation will further enhance the population base and improve vitality and viability of the area
- 8.7 In urban design and architectural terms, the proposed amendments to the development in particular the urban design of the building elevations and the material treatment to the overall development is a further enhancement of the permitted scheme on the site. The proposed materials and architectural finish of the development will provide for a high quality urban streetscape and will provides for variation and modulation in the city skyline. The proposed level changes, set back floors, and use of alternating materials and finishes provides for visual interest in the development and creates an appropriate building form capable of adapting to future needs and changes in the urban landscape.
- 8.8 In planning terms, the proposed development will further build on the enhancement and rejuvenation of this significant brownfield site in close proximity to the city centre, public transport connections and within a new and emerging high quality urban quarter. Thereby achieving the policies and objectives of the National Policy Guidelines such as the NPF and the Urban Development and Building Height Guidelines by increasing the residential provision on the site by 35% and by delivering high quality residential and commercial development in the short term.
- 8.9 The construction on site has commenced and it is critical that the proposed amendments and increase in densities, heights and overall quality of the development are granted planning permission in line with the overarching national planning objectives of the NPF and the Urban Development and Building Height Guidelines to increase urban development, promote urban consolidation and provides for increased residential units to target the housing need in the city centre. The proposed development therefore goes a long way in achieving the national planning objectives for the city.
- 8.10 The Compliance Statement submitted with the application provides an assessment of all of the key objectives of the Planning Scheme and sets out how the proposed development complies with the requirements of the SDZ.
- 8.11 The development will deliver all of the core objectives of the Scheme and will ensure that an appropriate and integrated development is proposed. An appropriate intensity of activity will be delivered in tandem with high quality architecture, through the provision of new urban spaces and streets, pedestrian links, café units and residential development and shared accommodation units.
- 8.12 The visual appearance of the development will be in keeping with the surrounding building forms and styles while at the same time will create a specific character to the subject application site to create an identifiable space within the SDZ area. The visual appearance of the development has had significant regard to the surrounding developments in the area in particular the residential development within Block 1 and

the proposed development in Block 7 to set the emerging scale and form of development and building design in the immediate vicinity.

- 8.13 The proposed development will result in the creation of a significant quantum of residential and shared accommodation within a new urban quarter of Docklands. It will secure the development of a key regeneration site in the north docklands and create a sustainable, viable and vibrant scheme.
- 8.14 The development will have significant economic renewal and spin off generating benefits due to the provision of a significant number of residential units and co-living on site. It will enhance social and physical infrastructure of the area and promote movement and connectivity through the creation of new pedestrian routes and new street.
- 8.15 The significant quantum of residential accommodation proposed will expand the established residential base of the area and enhance the overall vitality of the area. This will be achieved through high quality architecture, communal open spaces and a public plaza, landscaping and other works, creating a high quality living environment with a unique sense of place and identity.
- 8.16 In this context the proposed development is consistent with the objectives of the North Lott's and Grand Canal Dock Planning Scheme and is in accordance with the proper planning and sustainable development of the area.

9.0 CONCLUSION

- 9.1 This planning application seeks amendments to a permitted residential and shared accommodation development on the site to provide for an additional 115 no. units and 120 no. shared accommodation bedrooms(200 bed spaces) to increase the total number of residential units on the site from 349 no. to 464 no. and the shared accommodation scheme of 120 no.bedrooms. The proposed development seeks a 35% uplift in the total number of units provided on this high quality urban site thereby promoting urban consolidation, increased densities and building heights in appropriate urban locations adjacent to public transport corridors in accordance with national planning policy such as the NPF and the Urban Development and Building Height Guidelines 2018.
- 9.2 The subject site is currently under construction and the provision of the extra floors proposed creates a significant opportunity to enhance the overall density of the site, promote urban consolidation and increase the building heights in an appropriate location well served by frequent public transport achieving the aims and objectives clearly set out in the National Planning Framework and to significantly enhance the overall provision of residential development in the Docklands.
- 9.3 The proposed amendments are in accordance within the policies and objectives of the National Planning Framework, Regional Planning Guidelines for the Greater Dublin Area and Dublin City Development Plan. Furthermore, the development has been assessed in relation to the specific policies and objectives set out in the North Lott's and Grand Canal Dock Planning Scheme 2014 and the provisions of the Urban Development and Building Height Guidelines having particular regard to SPPR3 and the criteria set out for assessing building height.
- 9.4 The restrictive nature of the SDZ Planning Scheme which currently allows for 6-7 no. storeys on the subject site is a direct contradiction to National Planning Policy guidance

which seeks to promote development in key urban sites, adjacent to high quality public transport networks.

- 9.5 The guidelines in effect put in place a presumption in favour of higher buildings at public transport nodes. The guidelines state that it is Government policy to promote increased building height in locations with good public transport services especially in city centre locations.
- 9.6 Therefore, the opportunity to apply the national planning policies initiatives to the site by increasing heights and densities is essential to the overall sustainable development of the area and significantly contributing to the residential provision in the area. As such it is critical that the opportunity to act now on implementing these objectives is not lost and the provisions of the Urban Development and Building Height Guidelines be implemented to grant permission for increased development on the subject site.
- 9.7 This application that provides only for an appropriate increase in height is a practical response to the new policy framework. It should also be noted that the site is owned by CIE, a state owned company. Nonetheless, it is important that the limited remaining opportunities for additional height in key city centre locations, served by exceptional high quality public transport, are realised to the extent that is now feasible.
- 9.8 The statement set out herein demonstrates that the proposed development is consistent with the relevant national, regional and local planning policy context.
- 9.9 At a national and regional level, this statement has demonstrated consistency with the following:
- National Planning Framework 2040;
 - Rebuilding Ireland – Action Plan for Housing and Homelessness;
 - Sustainable Urban Housing: Design Standards for New Apartments; Guidelines for Planning Authorities 2018;
 - Draft Urban Development and Building Height Guidelines 2018;
 - Eastern and Midlands Regional Assembly; Draft Regional Spatial and Economic Strategy 2019- 2031;
 - Regional Planning Guidelines for the Greater Dublin Area (2010 – 2022);
 - Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), and the accompanying Urban Design Manual;
 - Delivering Homes, Sustaining Communities (2008) and the accompanying Best Practice Guidelines- Quality Housing for Sustainable Communities;
 - Quality Housing for Sustainable Communities (2007);
 - Design Standards for New Apartments (2017);
 - Design Manual for Urban Roads and Streets (2013);
 - Guidelines for Planning Authorities on Childcare Facilities (2001);
 - Smarter Travel – A New Transport Policy for Ireland (2009-2020);
 - The Planning System and Flood Risk Management (2009);
 - Birds and Habitats Directive – Appropriate Assessment;
- 9.10 Consistency is also demonstrated with the policies and provisions of the Dublin City Development Plan 2016-2022.
- 9.11 It is respectfully submitted that the proposed development will provide an appropriate form of high quality residential development for this site. This consistency statement accompanying this planning application demonstrates that the proposed development

is consistent with the national, regional and local planning policy framework and that the proposal will provide for an effective and efficient use of this under-utilised site which is highly accessible and well served by public transport where local planning policy is not fully consistent with national planning policy, for example building height, this is addressed in detail.

- 9.12 The proposed development and accompanying documentation and reports have been prepared following pre-planning consultation with Dublin City Council.
- 9.13 In conclusion, it is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area, and is consistent with all relevant national, regional and local planning policies and guidelines and that the proposal as presented is considered to be a reasonable basis for making an application.

APPENDIX 1 - PRE-PLANNING APPLICATION DISCUSSIONS

Pre Application Meeting with Dublin City Council

A total of 1 no. pre application meetings were held with Dublin City Council to discuss the proposed development. A summary of the meetings are set out as follows:

11th March 2019 – Meeting No. 1

The proposed development was presented to DCC Planners. The main points to note were as follows:

Quantum of communal space provided – Proposal is to consider additional communal space on the site

Rational to the proposed shared accommodation arrangement required

Justification of the proposed height required

2nd April 2019 – Meeting No 2

The main points arising from this meeting related to the following:

Quantum and layout of the communal space provided

High quality and size of the units compared to other shared accommodation scheme

Presentation of shared accommodation facilities to be considered further.

