



**THORNTON O'CONNOR**  
TOWN PLANNING



**Response to the Opinion**

**Planning Application**

**In respect of a Build-to-Rent Residential Development**

**at**

**The former Aldi Site, Carmenhall Road, Sandyford Industrial Estate, Dublin 18**

**Submitted on Behalf of Sandyford GP Limited (acting in its capacity as general partner for the Sandyford Central Partnership)**

November 2019



## TABLE OF CONTENTS

- 1.0 INTRODUCTION**
  
- 2.0 RESPONSE TO KEY POINTS RAISED BY AN BORD PLEANÁLA**
  - 2.1 Building Height**
  - 2.2 Quantum of Development**
  - 2.3 Development Strategy**
  
- 3.0 STATUTORY CONSULTEES**
  
- 4.0 SPECIFIC INFORMATION REQUIREMENTS**
  - 4.1 Item No. 1**
  - 4.2 Item No. 2**
  - 4.3 Item No. 3**
  - 4.4 Item No. 4**
  - 4.5 Item No. 5**
  - 4.6 Item No. 6**
  - 4.7 Item No. 7**
  - 4.8 Item No. 8**
  - 4.9 Item No. 9**
  - 4.10 Item No. 10**
  
- 5.0 CONCLUSION**



## 1.0 INTRODUCTION

The purpose of this document is to respond to the issues raised by An Bord Pleanála in their Notice of Pre-Application Consultation Opinion, dated 20<sup>th</sup> September 2019 in relation to a proposed development at a site at the Former Aldi Site, Carmanhall Road, Sandyford Industrial Estate, Dublin 18.

The Opinion states that it is the Board's determination that the documents submitted with the pre-application consultation request require further consideration and amendment to constitute a reasonable basis for lodging an application for a strategic housing development (SHD). An Bord Pleanála considers that 3 No. issues need to be addressed in the documents submitted (response outlined in Section 2.0 below). An Bord Pleanála has also requested that 7 No. Statutory Consultees should be notified in the event of making an application (outlined in Section 3.0) and that specific information should be submitted with any application for permission (response outlined in Section 4.0).

## 2.0 RESPONSE TO KEY POINTS RAISED BY AN BORD PLEANÁLA

### 2.1 Item No. 1 of the Opinion – Building Height

An Bord Pleanála stated the following:

*'Further justification of the documents as they relate to building height. This justification should have regard to, inter alia, the building height parameters of the Dun Laoghaire Rathdown County Development Plan 2016–2022 (inc. Appendix 15 Sandyford Urban Framework Plan) and national guidance set out in the 'Urban Development and Building Height Guidelines for Planning Authorities' (December 2018), with particular regard to the development management and urban design criteria set in section 3.2 of the guidelines.*

#### **Applicant Response:**

For the full response to this item please refer to the Material Contravention Statement prepared by Thornton O'Connor Town Planning which provides a detailed rationale for the height of Block D with references to the *Sandyford Urban Framework Plan 2016*, which is included as Appendix D to the *Dun Laoghaire Rathdown County Development Plan 2016-2022* and the national guidance provided by *Urban Development and Building Heights Guidelines for Planning Authorities, 2018*.

The *Urban Development and Building Heights Guidelines for Planning Authorities, 2018* [para 1.20] set out that a key objective of the National Planning Framework is to provide increased levels of residential development in our urban centres and seek that significant increases in building heights and overall density of development is not only facilitated but actively sought out and brought forward by our planning processes.

The changes to the heights from the extant permission are clearly demonstrated in Figure 2.1 below which was prepared by Henry J Lyons Architects and is abstracted from their Design Statement.

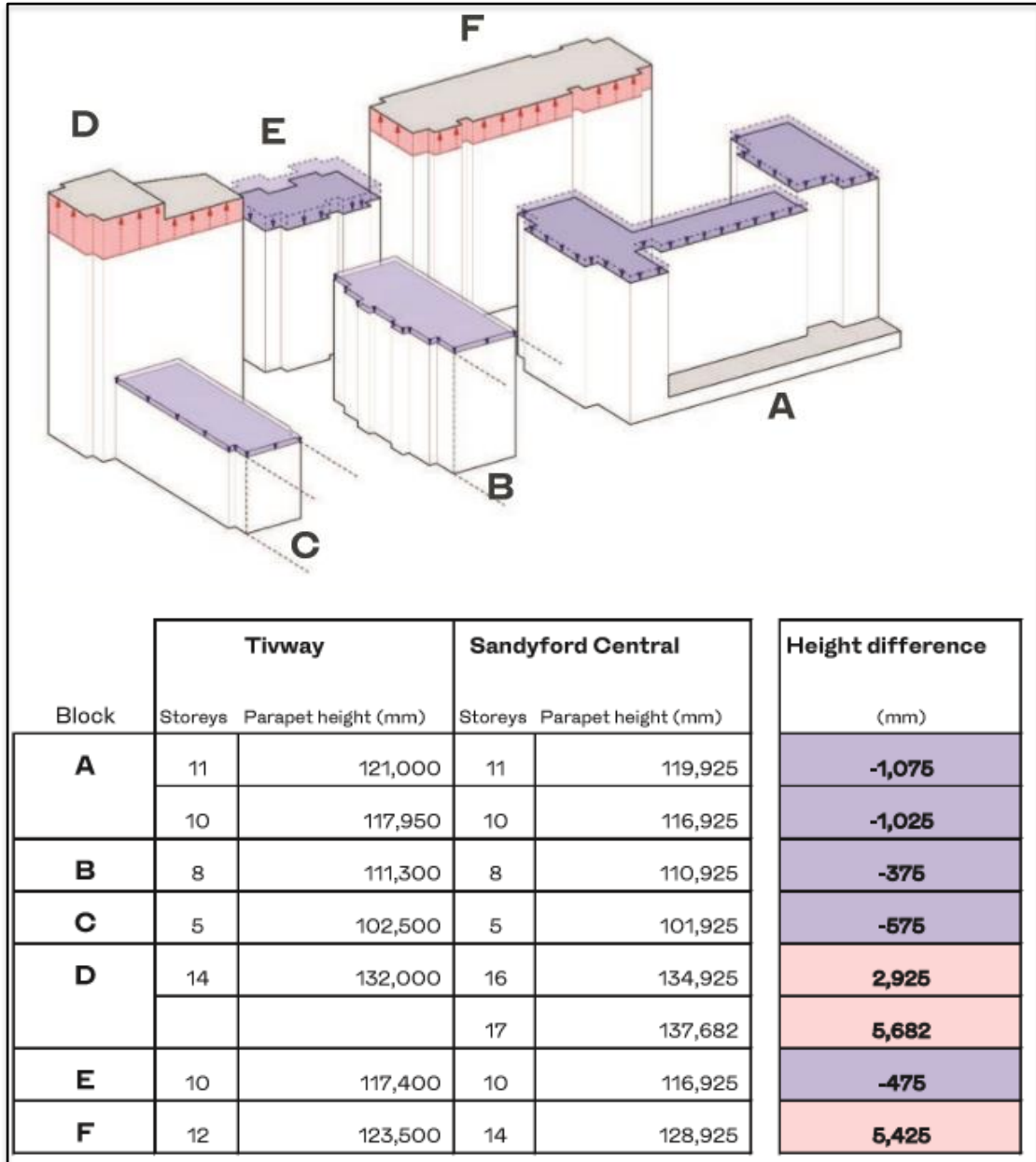


Figure 2.1: Details on Changes to Heights from the Previous Extant Permission

(Source: Architectural Design Statement prepared by Henry J Lyons Architects)

The key tenet of the discussion on the height in the Section 247 meetings with Dun Laoghaire Rathdown County Council and subsequent Section 5 meeting with Dun Laoghaire Rathdown County Council and An Bord Pleanala related to Block D. As highlighted in the table above, the part 16 storey structure at Block D is 2.9 metres higher than the 14 storey building permitted at Block D and the part 17 storey 'pop up' element is 5.6 metres higher than the permitted structure. Therefore, the reduction of floor to ceiling heights throughout the building has sought to reduce the impact of additional height now proposed.

The proposed Block D is part 16 to part 17 No. storeys in height and is the sole component of the proposed development that exceeds the height prescribed within the *Sandyford Urban Framework Plan 2016* which provides for a maximum of 14 No. storeys (regardless of floor to ceiling heights proposed). Block D is located to the north east corner of the subject site

fronting Blackthorn Drive and is a key element of the urban design and wayfinding of the proposed scheme. This section of the development is located in close proximity to the green LUAS line., the Stillorgan LUAS Station and multiple bus routes along Blackthorn Drive. The verticality proposed at this location is intended to be a physical marker of the location of the entrance to the Boulevard (which provides pedestrian permeability and connectivity to adjacent blocks including the commercial core at The Beacon South Quarter) as viewed from the transport interchange (Stillorgan Luas station). The height at Block D is proposed following detailed urban design studies which have sought to counterbalance the height of 'The Sentinel building' at the most appropriate location with the position of Block D benefitting from physical visual relief afforded the wide carriageway to the front of the building and the reservoir beyond. Block D, as viewed from the south of the site will present a strong termination of the vista with its height and slender profile intended to introduce architectural interest to the urban quarter. As evidenced in Figure 2.2 below, the use of light colour materials at Block D in contrast to the adjacent low level dark coloured block (Block C) will aid in the perception of slender verticality.

In discussions with Dún Laoghaire Rathdown County Council regarding the rationale underpinning the detailed urban design guidance included in the *Sandyford Urban Framework Plan 2016* we have been advised that '*land uses in the Plan [SUFP] have been allocated based on a logic and rationale that examines the quantum of development which can realistically be carried on the Plan lands*'<sup>1</sup>. We have examined the *Sandyford Urban Framework Plan Transportation Strategy 2011* which was furnished to us by Dun Laoghaire Rathdown County Council as the only background issues paper available relating to the preparation of the *Sandyford Urban Framework Plan* and note that there is no rationale in that document for the need to curtail heights at specific sites.

The Planning Authority has also conveyed their concern that the proposed height of Block D in the subject scheme may compete with the existing part-built Sentinel Building at Sandyford. In our review of the background papers we cannot find any rationale underpinning the Planning Authorities Opinion that the Sentinel should be the only high building in the urban quarter. We further note in this regard that the proposed Block D at the subject site is considerably closer to the Luas station than the Sentinel building and therefore is best placed to provide a visual marker of the infrastructural node and a marking of the entrance to the Sandyford Business District from the Luas station (with the subject site providing the associated pedestrian pathways to allow the public to traverse the subject lands to access blocks to the rear within the district).

We refer to the response document prepared by Henry J Lyons Architects entitled '*Response to An Bord Pleanála's Inspector's Report*' which provides further justification and architectural rationale for the increased height at Block D.

Most notably, Henry J Lyons Architects highlight that:

- *Located opposite the Stillorgan Green LUAS Stop, Block D assists with a wayfinding strategy as a singular, memorable building of architectural interest;*
- *Located at the end of Raphaela's Road, Block D marks the gateway entrance to the Sandyford Business District approach from the Stillorgan village;*

---

<sup>1</sup> Report by Dun Laoghaire Rathdown County Council to An Bord Pleanála pursuant to S. 5, dated 16<sup>th</sup> August 2019, Appendix A Pre Planning Meeting Minutes

- *Block D provides a bookend to the monotonous 5 and 6 No. storey building heights along Blackthorn Drive; and*
- *Seen from Corrig Road, it provides a focal point at the axis of the pedestrian link, complementing the objective for a future park at the corner of Carmanhall Road and assisting with wayfinding towards the Luas.*



**Figure 2.2: Comparison of Proposed Block D (Left Image) with Same Block as Permitted on Extant Permission (Right Image)**

**(Source: Image Comparison abstracted from Architectural Design Statement prepared by Henry J Lyons Architects)**

In our opinion the heights provided in the subject development are appropriate having regard to the express requirement in National level policy to achieve compact growth and the eminently suitable location of the subject location for high density development having regard to its location in close proximity to the green luas line and numerous substantial employers located within easy walking and cycling distance from the site. We consider that the design now presented for Block D provides a more appropriate and striking architectural solution to the entry to the site.

Furthermore, the Landscape and Visual Impact Assessment, Wind Assessment and Daylight/Sunlight Assessment have informed the design of the proposed development and are included within the application demonstrating that the height proposed at Block D (part 17 No. storeys) will not result in any adverse impacts to the amenity of adjacent properties.

Alternative Design Approaches are detailed within Chapter 4 of the accompanying Environmental Impact Assessment Report and further support the reasoning for the urban design rationale of increasing the height at Block D (by 5.6 metres at its highest point from the extant permission).

It is our professional planning opinion that the design response to Block D, including the increase in height proposed, provides achieves an appropriate response to its context by seeking to maximise residential density at a strategically located site, provide an exciting



entry point to the Boulevard as viewed from the LUAS and terminating a key vista when viewed from the Carmanhall Road to the South.



## 2.2 Item No. 2 of the Opinion – Quantum of Development

An Bord Pleanála stated the following:

*'Further consideration of the documents as they relate to the quantum of development or number of units proposed. This justification should have regard to, inter alia, the cap on residential development in the 'mixed use inner core' set by objective MC<sub>4</sub> of the Sandyford Urban Framework Plan and the Core Strategy of the Dun Laoghaire Rathdown County Development Plan 2016 – 2022.*

### **Applicant Response:**

Objective MC<sub>4</sub> of the *Sandyford Urban Framework Plan 2016* states that:

*'it is an objective of the Council to limit the number of additional residential units within Zone 1 (MIC) and Zone 2 (MOC) to **circa** 1,300 residential units. Of these 1,300 residential units, 835 have planning permission as of October 2014. This scale of residential development accords with the SUFP 2011.'* **[Our Emphasis].**

The proposed scheme if granted will result in a total of 1,356 No. residential units within Zone 1 and Zone 2 of the current SUFP (calculation provided below). We highlight that the policy objective clearly states 'circa' 1,300 residential units and therefore is non exact in its quantitative guidance.

In our opinion the provision of a total of 1,356 No. residential units within Zones 1 and 2 of the SUFP complies with the policy set out above by reference to the inclusion of word '**circa**' in the policy which clearly demonstrates that it was not intended to be an exact limitation. In this regard we note that 'circa' is defined in the Cambridge dictionary as 'approximately.' As such the 56 No. units above this figure represents a negligible 4.3% excess. It is our professional planning opinion that 1,356 No. units is circa 1,300 No. units.

The calculation for the 1,356 No. units is provided below and has been prepared and agreed in conjunction with Dún Laoghaire Rathdown County Council. Furthermore, An Bord Pleanála have verified our calculations of unit numbers in the Inspector's Report for the Rockbrook Phase II development (Ref.: ABP-304405-19). The Inspector in their report states:

*'The PA opinion concludes that there is capacity for c.413 units remaining within the 'Mixed Use Core Area' and that while the proposed development would exceed the cap by 15 units, this is an approximate cap and the proposed development represents a minor increase on the cap.'*

The Inspector recognised the mis-calculation of 413 No. units and continues on in their report to rectify the anomalies between the Boards calculations and the Local Planning Authority. The revised calculations have been taken into account by Thornton O'Connor Town Planning below:

Under the revised *Sandyford Urban Framework Plan 2016*, it was stated that as of October 2014, 835 No. units have planning permission leaving a shortfall of 465 No. units. We have liaised with Dun Laoghaire Rathdown County Council and are advised that in July 2016 a

further permission (Do5A/1159E) withered thus releasing an additional 480 No. units into future capacity. Account is also taken to the extant permission pertaining to the subject site for 459 No. units. Also, permission has recently been granted permission for 84 No. apartment units in the Beacon South Quarter area (B4) within the MIC zoning (Reg. Ref. D18A/0785). The Planning Authority have acknowledged that there was previously proposed 64 units on this B4 site (Do4A/0618) which was included in the original calculations and therefore the actual 'new' units over and above is 20 No. only (assuming it is constructed). An SHD has granted by An Bord Pleanála (Reg. Ref.: ABP-304405-19) at Rockbrook Phase II for 428 No. units which brings the number up to 1,251 No. units. Therefore, there is remaining capacity for 49 No. units.

October 2014	835 No. units permitted leaving shortfall of 465 No. units (+465)	465
July 2016	Reg. Ref. Do5A/1159E withered releasing an additional 480 No. units (+491)	956
July 2018	SHD ABP Ref. PLo6D.301428 granted permission for 459 No. units at subject site (extant permission) (-459)	497
June 2019	Reg. Ref. D18A/0785, ABP Ref. PLo6D.303738 granted permission for 84 No. units which is 20 No. new units as 64 No. previously permitted at site were included in calculations (-20)	477
	SHD ABP Ref. PLo6D.304405 granted permission for 428 No. units at Rockbrook Phase II (-428)	49
<b>Therefore, 49 No. units in addition to the 459 No. units (total of 508 No. units) already permitted at subject lands can be accommodated without exceeding 1,300 No. units within Zones 1 and 2 of the SUFP.</b>		

As demonstrated in the table above, a quantitative analysis demonstrates that a total of 508 No. units may be accommodated at the subject site (previously permitted 459 No. in addition to 49 No. surplus units available) without exceeding 1,300 No. units. Thus, the proposed development of 564 No. units will result in an excess of 56 No. units beyond the indicative 1,300 No. unit target. Therefore, we calculate that the proposed development subject to this application will result in the development of 1,356 No. units within Zone 1 and Zone 2.

Please refer to the correspondence with Dún Laoghaire – Rathdown County Council contained with Appendix A of this document confirming their agreement our calculations.

Since the Section 5 tripartite meeting the design has been subject to a number of design amendments resulting in the reduction of units from 575 No. to 564 No. which is reflected in the unit figure calculations agreed with Dún Laoghaire Rathdown County Council.

It is our professional planning opinion that the excess of 56 No. units is marginal, and the policy is non exact by reference to 'circa', as such a material contravention statement is not required in this instance. We further note that the *Sandyford Urban Framework Plan 2016* would have been drafted in circa 2015, significantly in advance of the publication of current national planning policy which seeks densification and increased height on the appropriate sites, such as the subject site.

Finally, we also note that the Local Authority advised during pre-planning discussions that a review of the *Dun Laoghaire Rathdown County Development Plan 2016-2022* (incorporating its Appendices) is due to be undertaken in the coming months. Thus, in our professional planning opinion it is likely that this indicative cap will be amended to reflect current national policy direction to increase heights particularly at sites that benefit from high quality public infrastructure.

### 2.3 Item No. 3 – Residential Amenity

An Bord Pleanála stated the following:

*'Further consideration/ clarification of the documents as they relate to: housing mix and the proportion of 3 – bed and larger units within the scheme; the quantum and quality of open space and amenities; the quantum and quality of communal facilities and residential support facilities and details in relation to the management of same; childcare provision in the context of the demands of the scheme and existing childcare capacity in the area; and the levels of car parking provision having regard to the demands of the scheme and the management of car parking.'*

#### Applicant’s Response

##### Housing Mix and Proportion of 3 No. Bed and Larger Units within the Scheme

The proposed housing mix has been revised since the Section 5 meeting with An Bord Pleanála and Dún Laoghaire Rathdown County Council as set out below:

Previously Proposed Scheme as Discussed at the Section 5 Meeting			Scheme as Amended Following Receipt of An Bord Pleanala Opinion	
Type	No.	%	No.	%
Studio	62	10.78	46	8.2
1 Bed	195	33.91	205	36.3
2 Bed	316	54.96	295	52.3
3 Bed	2	0.35	18	3.2
<b>Total</b>	<b>575</b>	<b>100</b>	<b>564</b>	<b>100</b>

Therefore, the number of three bed units has been increased from the previously proposed 2 No. to 18 No. to provide a greater range in accommodation options.

We have also reviewed the unit mix across the entire block incorporating Rockbrook Phase I (constructed), the permitted Rockbrook Phase II (Ref.: ABP-304405-19) and the proposed Sandyford Central (subject) scheme and note that a complementary mix of units will be provided throughout the block comprising build to sell and build to rent units. Whilst three bedroom units will represent 3.2% of the subject scheme, this unit typology will represent 5.2% of the urban block.

Unit Mix of the Urban Quarter						
	Studio	1 No. bed	2 No. bed	3 No. bed	4 No. bed	Total
<b>Rockbrook Phase I Parent (D05A/1159)</b>	0	142	621	76	8	847
Amendment No. 1 (D07A/0822) 238 No. to 323 No.	0	-19	+92	+14	-2	
Amendment No. 2 (D07A/1106) 229 No. to 168 No.	0	+20	-65	-13	-3	
Permitted	0	143	648	77	3	871
Withered Block E	0	-21	-256	-46		-491
Withered Block F	0	-54	-114			
<b>Completed Rockbrook Phase I Units</b>	0	68	278	31	3	380
	0%	18%	73%	8.2%	0.8%	100%
<b>Rockbrook Phase II Parent Permission</b>	32	122	251	23	0	428
	7%	29%	59%	5%	0%	100%
<b>Sandyford Central</b>	46	205	295	18	0	564
	8%	36%	52%	3%	0%	100%
<b>Total No. of Units</b>	<b>78</b>	<b>395</b>	<b>824</b>	<b>72</b>	<b>3</b>	<b>1,372</b>
	<b>5.7</b>	<b>28.8</b>	<b>60.1</b>	<b>5.2</b>	<b>0.2</b>	<b>100%</b>

Given the changing population demographics and the astronomical prices of renting in Dublin, the proposed provision of studio apartments will address the demand for suitable accommodation that is not typically catered for in traditional Build-to-Sell models. The provision of a greater number of studio apartments will contribute to alleviating the acute housing shortage prevailing and the significant demand that exists in the Sandyford area. The proposed 'Build-to-Rent' model will meet the housing needs of a greater number of persons, in particular young workers in Sandyford.

#### Quantum and Quality of Open Space and Amenities

The proposed scheme provides for 4,761 sq m of communal amenity open space provided at Levels 1, 2 and 17. In addition, 4,117 sq m of public open space is also provided at Level 1 as illustrated below.



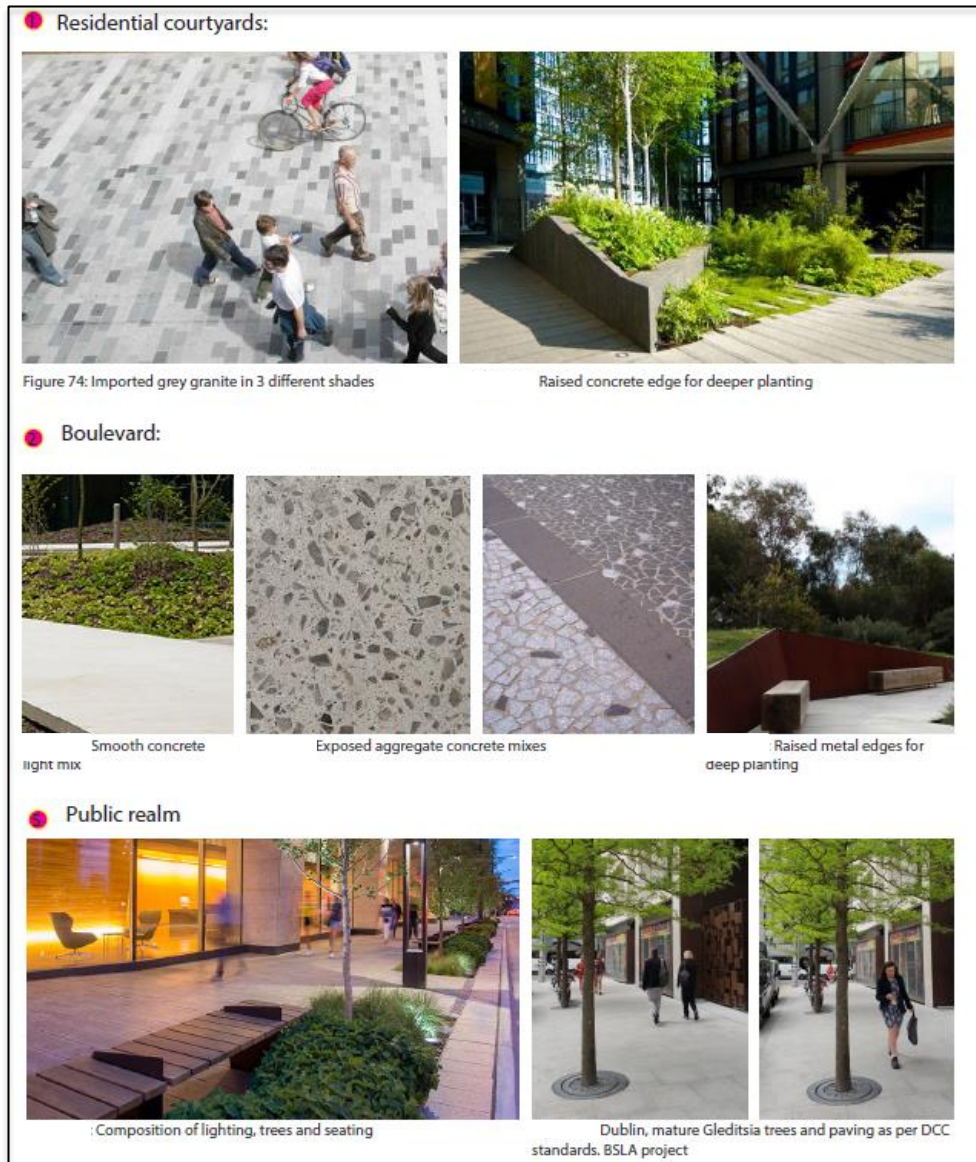
**Figure 2.3: Types of Opens Spaces Provided at Levels 1 and 2.**

**Source:** as abstracted from Dwg. No. SFC-HJL-XX-XX-SC-A-1950 entitled 'Open Space Schedule' prepared by Henry J Lyons Architects, 2019.

The Landscape Report prepared by Bernard Seymour Landscape Architects demonstrates the high quality design proposed at the subject site. The key tenet of the landscaping proposal is to create a functional and enjoyable area for the residents of the scheme and the general public that will traverse through the site. Following discussions at the Section 5 Tripartite meeting a variety of play equipment appealing to a variety of ages and abilities has been introduced into the landscaping. For instance, suitable child friendly play equipment is provided within the landscaped pocket park at Blackthorn Drive, in addition to outdoor gym equipment. The variety of equipment caters for residents and visitors of different ages and abilities.

The distinction between public, communal and private spaces at ground level has been achieved through level changes and landscaping, the hierarchy of footpaths and proposed materials.





**Figure 2.4: Proposed Landscaping Materials for Various Areas.**

**Source :** Bernard Seymour Landscape Architects, 2019.

Please refer to the Landscape Presentation prepared by Bernard Seymour Landscape Architects for further details on the proposed high quality material proposed.

Quantum and Quality of Communal Facilities and Residential Support Facilities

Some 1,095 sq m of communal facilities are provided including concierge, gymnasiums, working from home areas, lounges, games room and a panoramic function room. The high quality communal facilities are provided within Blocks A, C and D ensuring they are easily accessible to residents of all Blocks.

Following the Section 5 tripartite meeting additional residential support facilities were introduced at Level 0 of Block D including Administration Space, Post Room and Maintenance Space.

Subsequent to the Section 5 meeting, an Operational Management Plan has been prepared by Hooke and McDonald and is enclosed with this application which outlines that the communal resident amenity spaces *'provide spaces for residents to relax outside of their apartments. They have been designed to promote social engagement and a sense of community for residents.*

The extensive list of communal resident facilities is provided within the Planning Report prepared by Thornton O'Connor Town Planning and detailed with the Design Statement prepared by Henry J Lyons. The management of the communal resident amenities is discussed below.

### Management of Communal Facilities and Residential Support Facilities

As previously mentioned, an Operational Management Plan has been prepared by Hooke and McDonald. An example of the management measures outlined in the Operational Plan are as follows:

- Communal areas are accessed through key fobs;
- Cleaning and facilities management of all equipment will be arranged through the Property Manager;
- Access to basement and level 1 car parking areas will be via motorised vehicle gates located off Carmanhall Road. Residents will lease spaces directly with the landlord. access for this area will be through a phone/ GMS system or via remote control; and
- It is expected that the bicycle storage areas will be inspected daily to ensure the area is secure and free from hazards.

In addition to a Resident Management Team that will support the day-to day requirement of the residents, it is intended to have an on-site caretaker who will be responsible for minor repairs and maintenance.

Please refer to the Operation Plan for the extensive list of management measures.

### Childcare Provision

The scheme provides for a 354 sq m creche and associated external play area. The size of the creche has been significantly increased from 215 sq proposed at the Section 5 pre-planning stage following concerns raised by the Local Authority and the subsequent Opinion of An Bord Pleanála to provide further consideration in respect of this issue.

The creche can be accessed directly from the podium level or via the lift provided at lower ground floor fronting Carmanhall Road. Although it is anticipated that the creche will primarily serve the needs of the residents who will drop their children off by foot, a designated lay-by area is provided on Carmanhall Road for short term use.

The creche includes 5 No. classrooms and an enclosed external play area.

A 'Creche and Schools Demand Assessment' has been prepared by Future Analytics and is enclosed with this application. The Assessment concludes that:

*'a final total of 57 No. children is deemed to be the most reasonable estimate arrived at subsequent to analysis. As demonstrated, this is in excess of the number of children likely to reside within the scheme, bases on the typical characteristics of renters in the area and the existing household composition of the area.*

*As per the 2001 'Guidelines for Childcare Facilities', which stipulates an average of approximately 2.94 sq m of floorspace per child in a childcare facility, it is proposed that a childcare facility of approximately 167.58 sq m be provided as part of the scheme.*

*It is therefore considered that the proposed 354 sq m creche facility would comfortably meet the requirements of government guidelines and easily support the needs of the inhabitant of the proposed development'.*

Please refer to the 'Creche and Schools Demand Assessment' for further details on the existing provisions of educational facilities within the surrounding context of the subject site.

#### Car Parking Provision and Management of Car Park Parking

The scheme provides 285 No. car parking spaces (254 No. at Level 0 and 31 No. at Level 1) which are accessed off Carmanhall Road. The level of car-parking has been increased since the Section 5 Tripartite meeting from 272 No. previously proposed to 285 No. now proposed which incorporates 6 No. stackers. The provision of 0.5 car parking spaces per Build-to-Rent unit at this location is considered acceptable having regard to the proximity of the subject site to the Green LUAS line and the guidance set out with the *Sustainable Urban Housing: Design Standards for New Apartment, 2018*. In regard to 'Central and/or Accessible Urban Locations' such as the subject site the Guidelines states that:

*'the default policy for car parking provision to be minimised, substantially reduced or wholly eliminated in certain circumstances'*

We refer to a recent decision by An Bord Pleanála to grant permission for a Strategic Housing Development for a mixed use development at Belgard Gardens (Ref.: ABP-303306-18) which is located c. 500 m from the Red LUAS Line. The Inspector in their assessment stated:

*'car ownership does not necessarily equate to frequent car use and noted that the majority of residents commuting in the local area do so by means other than the private car resulting in the majority of cars remaining at home and used only for more infrequent trips'.*

*'I would suggest to the Board that the subject site comprises an appropriate location where such car parking provision would be appropriate with the provision in the proposed scheme substantially reduced comprising 0.24 spaces per unit. I consider that if a substantially reduced provision of parking is not appropriate on a site like this then it is unclear where it would be appropriate.'*



A review of recent SHD decisions has illustrated that the Board have granted permission for reduced car parking, for example:

Reference No.	Name of Scheme	No. of Units/ No. of Car Parking Spaces	Car-Parking Ratio	Build-to-Rent (BTR) or Build-to-Sell( BTS)
ABP-304068-19	Roselawn, Stillorgan Road, Foxrock, Dublin 18	142/91	0.64	BTR
ABP-303306-18	Belgard Gardens, Tallaght, Dublin 24	438/129	0.25	BTS
ABP-303358-18	Swiss Cottage, Santry, Dublin 9	112/34	0.3	BTR
ABP-303435-19	Dulux Factory Site, Davitt Road, Dublin 12	265/109	0.4	BTR
ABP-303803-19	Cookstown Second Avenue, Cookstown Industrial Estate, Tallaght, Dublin 24	196/67	0.3	BTR

It is our opinion that an adequate provision of car parking is provided at the subject site. In addition, 10 No. Go Car parking spaces have been provided for use by residents, a letter of support by Go Car is provided at Appendix B. A Mobility Management Plan has been prepared by O'Connor Sutton Cronin Consulting Engineers and is submitted with the application detailing the management and allocation of car parking spaces to future residents of the scheme.

### 3.0 STATUTORY CONSULTEES

As requested, the Applicant has issued a copy of the application documentation to the following Statutory Consultees:

1. Irish Water
2. Irish Aviation Authority
3. National Transport Authority
4. Transport Infrastructure Ireland
5. Coras Iompair Eireann
6. Commission for Railway Regulation
7. Health Service Executive

We have contacted all of the Statutory Consultees and have been advised that they only require a soft copy of the application.

#### 4.0 SPECIFIC INFORMATION REQUIRED

An Bord Pleanála stated the following:

*Furthermore, pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the perspective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:*

##### 4.1 Item No. 1

Details of the management provisions for the build to rent scheme to include details of a covenant or legal agreement as required under Section 5.10 Specific Planning Policy Requirement 7 of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities;

##### **Applicant's Response**

An Operational Management Plan has been prepared by Hooke McDonald and is enclosed as a standalone document. In addition, a Legal Covenant has been provided by Sandyford GP Limited (acting in its capacity as general partner for the Sandyford Central Partnership).

##### 4.2 Item No. 2

Details of Part V provision clearly indicating the proposed for compliance with Part V.

##### **Applicant's Response**

Some 56 No. social housing units are provided as units on site. Henry J Lyons have indicated the location of the 56 No. social housing units on Drawing SFC-HJL-00-XX-DR-A-9001.

##### 4.3 Item No. 3

Detailed calculations for surface and foul water drainage.

##### **Applicant's Response**

O'Connor Sutton Cronin have provided detailed calculations for surface and foul water drainage within the enclosed Infrastructure Engineering Report.

##### 4.4 Item No. 4

Details of all materials proposed for buildings, open spaces, paved areas, boundary and retaining walls.

### Applicant's Response

The Architect's Design Statement and Landscape Report prepared by Henry J Lyons and Bernard Seymour Landscape Architects respectively provide details of the proposed materials for buildings and landscaping.

#### 4.5 Item No. 5

A site layout plan showing existing and permitted residential blocks and the proposed residential blocks that detail the separation distances between the blocks and between opposing windows and balconies.

### Applicant's Response

Henry J Lyons have provided a detailed Site Plan (Dwg. No. SFC-HJL-00-XX-DR-A-1000) which illustrates the existing and permitted residential blocks on adjacent sites relative to development now proposed. The separation distances between the blocks and between opposing windows and balconies are provided on each floor plan. Henry J Lyons Architects have prepared a separate response to this item entitled '*Response to An Bord Pleanála's Inspector's Report*'.

#### 4.6 Item No. 6

A plan and schedule of the proposed open spaces within the site clearly delineating public, semi-private and private spaces.

### Applicant's Response

Henry J Lyons Architects have provided a plan and associated schedule entitled 'Open Space Schedule' in Dwg. No. SFC-HJL-00-00-DR-A-1950 which delineates the areas of public and communal open spaces. Some 4,761 sq m of public open space and 4,117 sq m of communal open space is provided. Each apartment benefits from private open space as detailed within the Housing Quality Assessment prepared by Henry J Lyons Architects, which is enclosed within the Architect's Design Statement.

#### 4.7 Item No. 7

A detailed phasing plan for the proposed development.

### Applicant's Response

Henry J Lyons Architects have prepared a detailed phasing plan (Dwg. No. SFC-HJL-00-XX-Dr-A-9100) for the proposed development which outlines 5 No. key stages that are to be completed in 2 No. phases over 36 No. months. The construction phase of the development is based on the typical construction timeframes for similar projects.

#### 4.8 Item No. 8

A site layout plan clearly indicating what areas are to be taken in charge by the Local Authority.

##### **Applicant's Response**

Please refer to Drawing No. SFC-OCSC-00-00-DR-0004 prepared by OCSC Consulting Engineer entitled 'Taking in Charge Area' for the areas proposed to be taken in charge by the Local Authority.

#### 4.9 Item No. 9

Details of public lighting.

##### **Applicant's Response**

The lighting proposed within the subject scheme including that of public and communal areas is provided within the Site Lighting Report prepared by O'Connor Sutton Cronin Engineers.

#### 4.10 Item No. 10

Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective (s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)9b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format.

##### **Applicant's Response**

A comprehensive Material Contravention Statement (relating to the proposed height of Block D) has been prepared by Thornton O'Connor Town Planning detailing why permission should be granted for the development having regard to in section 37(2)9b) of the *Planning and Development Act 2000*. Henry J Lyons Architects have also contributed to the Material Contravention Statement with the architectural rational for the additional verticality proposed at Block D which materially contravenes the heights set out within the *Sandyford Urban Framework Plan 2016*.



## 5.0 CONCLUSION

It is our professional planning opinion that the aforementioned responses with the supporting technical reports address the items raised in An Bord Pleanála's Opinion. We submit that the proposed residential development at a site at the Former Aldi Site, Carmanhall Road, Sandyford Industrial Estate, Dublin 18 represents the Proper Planning and Sustainable Development of the currently underutilised site.



Appendix A:

Correspondence with Dún Laoghaire – Rathdown County Council Relating to the Unit Cap Provided in the *Sandyford Urban Framework Plan 2016*

## Sadhbh O'Connor

---

**From:** Sadhbh O'Connor  
**Sent:** Tuesday 10 September 2019 20:35  
**To:** Fleming Naoimh  
**Subject:** RE: Sandyford Central - DLRCC Report to ABP - SUFP Unit Nos.

Naoimh,

Thank you very much for confirming that – it is helpful that we are all in agreement with the number going into the meeting.

See you tomorrow.

Kind Regards

Sadhbh

---

**From:** Fleming Naoimh <nflaming@DLRCOCO.IE>  
**Sent:** Tuesday 10 September 2019 18:23  
**To:** Sadhbh O'Connor <Sadhbh@toctownplanning.ie>  
**Subject:** RE: Sandyford Central - DLRCC Report to ABP - SUFP Unit Nos.

Sadhbh,  
Prior to tomorrow's meeting with An Bord Pleanála I have gone through your figures and I can confirm that the proposed development for 575 residential units site exceeds the cap by 67 no units.  
See you tomorrow.  
Regards  
Naoimh Fleming

*Naoimh Fleming*

*A/ Senior Executive Planner  
Planning and Human Resources  
An Rannóg um Pleanáil agus Acmhainní Daonna  
Dun Laoghaire-Rathdown County Council  
Marine Road, Dun Laoghaire, Co Dublin  
01 2054700 Ext 4533 [nflaming@dlrcoco.ie](mailto:nflaming@dlrcoco.ie)*

---

**From:** Sadhbh O'Connor <[Sadhbh@toctownplanning.ie](mailto:Sadhbh@toctownplanning.ie)>  
**Sent:** 20 August 2019 14:23  
**To:** Cahill Marguerite <[mcahill@DLRCOCO.IE](mailto:mcahill@DLRCOCO.IE)>  
**Cc:** [gryan@dlrcoco.ie](mailto:gryan@dlrcoco.ie); Fleming Naoimh <[nflaming@DLRCOCO.IE](mailto:nflaming@DLRCOCO.IE)>; Ciara Cosgrave <[ciara@toctownplanning.ie](mailto:ciara@toctownplanning.ie)>  
**Subject:** Sandyford Central - DLRCC Report to ABP - SUFP Unit Nos.

Hi Marguerite,

I hope you are well.

We have received your report in respect of the SHD application for Sandyford Central – thank you for your comprehensive assessment.



We both seem to have very different figures regarding the number of permitted in Zones 1 and 2 so I have set out the below to try and clarify this quantitative matter before the ABP meeting.

TOC Interpretation (based on stats provided by email from Naoimh Fleming below)		DLRCC Interpretation as per Details Provided on Page 21 of Report Issued to ABP	
October 2014: 835 No. units permitted leaving shortfall of 465 No. units	<b>(+465)</b>	October 2014: 835 No. units permitted leaving shortfall of 465 No. units	<b>(+465)</b>
July 2016: Reg. Ref. D05A/1159E withered releasing an additional 480 No. units	<b>(+480)</b>	July 2016: Reg. Ref. D05A/1159E withered releasing an additional 491 No. units	<b>(+491)</b>
July 2018: SHD ABP Ref. PL06D.301428 granted permission for 459 No. units at subject site (extant permission)	<b>(-459)</b>	July 2018: SHD ABP Ref. PL06D.301428 granted permission for 459 No. units at subject site (extant permission)	<b>(-459)</b>
June 2019: Reg. Ref. D18A/0785, ABP Ref. PL06D.303738 granted permission for 84 No. units which is 20 No. new units as 64 No. previously permitted at site were included in calculations as confirmed by email from Naoimh Fleming below)	<b>(-20)</b>	June 2019: Reg. Ref. D18A/0785, ABP Ref. PL06D.303738 granted permission for 84 No. units	<b>(-84)</b>
SHD ABP Ref. PL06D.304405 currently under consideration for 428 No. units at Rockbrook Phase II	<b>(-428)</b>	SHD ABP Ref. PL06D.304405 currently under consideration for 428 No. units at Rockbrook Phase II	<b>(-428)</b>
	<b>+38 No. units</b>  TOC calculations provide that the total number of units permitted in Zones 1 and 2 assuming Rockbrook Phase II is granted is <b><u>1,262</u></b> and therefore there is capacity for an		<b>-15</b>  DLRCC calculations provide that the total number of units permitted in Zones 1 and 2 assuming Rockbrook Phase II is granted is <b><u>1,315 No.</u></b>

	additional 38 No. units without exceeding 1,300 No.		
--	---	--	--

The difference between the TOC and DLRCC totals in the table above principally relate to Reg. Ref. D18A/0785, ABP Ref. PLo6D.303738 which was recently granted permission for 84 No. units. However, as per the email from Naoimh Fleming below:

*'The Planning Authority have acknowledged that there was previously proposed 64 units on this B4 site (Do4A/0618) and was included in the original calculations and the actual 'new' units over and above is 20 only.'*

Therefore, the entire 84 No. units should not have been included in the calculation and appears to represent double counting.

The only other difference in the assessments as per the table above, relates to Reg. Ref. Do5A/1159E which withered in July 2018. TOC has allowed for the release of 480 No. units (as per the email below from Naoimh Fleming) but DLRCC has allowed for the release of 491 No. units.

We further refer to the Page 22 of the Report furnished by Dun Laoghaire Rathdown County Council which provide conclusions based on the figures above and states:

*'Should the current application at Rockbrook ABP-304405-19, be approved, for 428 units, this would amount to 1315 units in this area, 15 units above the cap of 1,300'.*

**TOC Comment: This Statement accords with the DLRCC Calculations as per the Table above which appears to include double counting of 64 No. units at the Beacon (Reg. Refs. D04A/0618 and D18A/0785).**

*'The proposed development is for 575 units, this would increase the residential units in this area to 1,431 (131 above the 1,300 cap) should Rockbrook not be permitted, or 1,890 (590 above the cap) should Rockbrook be permitted.'*

**TOC Comment: It appears that the figure of 1,890 was derived by taking the original DLRCC figure of 1,315 and adding the additional 116 No. units proposed at the subject lands and 459 No. units for Rockbrook Phase II (1,315 + 116 + 459 = 1,890). Firstly, Rockbrook Phase II relates to 428 No. units and therefore 459 No. appears to be a typo in this instance. Most importantly however, this Statement appears to be erroneous as it allows for double counting of Rockbrook Phase II. The DLRCC Calculations as set out in the Table above assumes that Rockbrook Phase II will be permitted and therefore the 428 No. units at Rockbrook Phase II are already included within the Planning Authority's total of 1,315 No. and should not be recounted as an addition to the 1,315 No. units.**

It is important for us and our Client that we resolve this quantitative issue as soon as possible and ensure that we all present the Board with the correct information for their due consideration. I would be very grateful if you can review the above and revert. As set out in our Planning Application documentation in our opinion the proposed development of 575 No. units will result in an excess of 78 No. units beyond the indicative 1,300 No. unit target (1,262 No. units as per the TOC calculations in the table above in addition to the 'extra' 116 No. units at the subject lands). Therefore, we calculate that the proposed development subject to this application will result in the development of 1,378 No. units within Zone 1 and Zone 2.

I look forward to hearing from you as soon as possible with regard to this matter.

Kind Regards

Sadhbh

**From:** Fleming Naoimh <[nfleming@DLRCOCO.IE](mailto:nfleming@DLRCOCO.IE)>  
**Sent:** Tuesday 5 February 2019 10:49  
**To:** Sadhbh O'Connor <[Sadbh@toctownplanning.ie](mailto:Sadbh@toctownplanning.ie)>  
**Subject:** RE: Residential Capacity of MIC Zones 1 and 2 - SUFP

Hi Sadhbh

Objective MC4 of the SUFP limits the number of additional residential units within Zone 1 (MIC) and Zone 2 (MOC) to circa 1,300 residential units.

Under the Revised SUFP (adopted in March 2016), as part of the County Development Plan, it was stated that as of October 2014, 835 units have planning permission leaving a shortfall of 465 units. In July 2016 a further permission (D05A/1159E) withered thus releasing an additional 480 units into future capacity. Account is taken to the recent Strategic Housing Development (ABP 301428-18) which was granted in the Former Aldi Site, also known as Tivway, for 459 units.

Also permission has recently been granted permission for 84 apartment units in the Beacon South Quarter area (B4) within the MIC zoning (Reg. Ref. D18A/0785) The Planning Authority have acknowledged that there was previously proposed 64 units on this B4 site (D04A/0618) and was included in the original calculations and the actual 'new' units over and above is 20 only.

Therefore with the recent grant of planning permission (17<sup>th</sup> July 2018) on the adjoining site Tivway, (ABP30142818 : Strategic Housing Development Application to An Bord Pleanála for the construction of a residential development) for 460 units and the recent grant of permission (D18A/0785) at Beacon South Quarter for an additional 20 units this brings the number up to 480 .

There is currently a pre-planning SHD in with An Bord Pleanala at Rockbrok for 428 units which brings the number up to 908 units.

Regards  
Naoimh

Site Known as	Ref. No	Residential Units	Status	Notes
Tivway	ABP 0 301428-18	460	Granted July 2018	Strategic Housing Development
Tivway	D07A/0619	-471	Expired	Granted July 2007
Rockbrook	(D16A/0697 PL06D.248397)	-492	REFUSED	
Beacon South Quarter	D04A/0618	+64		

**From:** Sadhbh O'Connor [<mailto:Sadbh@toctownplanning.ie>]  
**Sent:** 30 January 2019 12:37  
**To:** Fleming Naoimh <[nfleming@DLRCOCO.IE](mailto:nfleming@DLRCOCO.IE)>  
**Subject:** Residential Capacity of MIC Zones 1 and 2 - SUFP

Dear Naoimh,

Thornton O'Connor Town Planning have been retained to prepare an application in respect of the site known as "The Former Aldi Site, Carmanhall Road, Sandyford Business District, Dublin 18". We are aware of a previous

permission for a Strategic Housing Development (SHD) at this subject site which was permitted last year (*ABP Reg. Ref. 301428-18*) in respect of 460 No. apartments.

We are in the early stages of the preparation of a new SHD application to provide a Build to Rent development at the site which will seek to increase residential density through the provision of more units principally within the permitted urban form. The increased density will primarily be facilitated through the provision of smaller build-to-rent units that optimise the design to our client's stated aims.

For the purposes of the continued design development, we seek to ascertain what remaining capacity there may be within the Sandyford Urban Framework Plan for lands zoned Mixed Use Inner Core Area (MIC) which have a total allocation of 1,300 No. units. I would be very grateful if you can confirm if Dun Laoghaire Rathdown County Council have a record of the number of residential units that are currently extant in respect of the MIC Zones.

Kind Regards

Sadhbh

**Sadhbh O'Connor**  
Director



**THORNTON O'CONNOR**  
TOWN PLANNING

**No. 1 Kilmacud Road Upper, Dundrum, Dublin 14**

**T. +353 01 2051490**

**M. +353 087 6287431**

**W. [www.toctownplanning.ie](http://www.toctownplanning.ie)**

Registered in Ireland No: 583144

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of Thornton O'Connor Town Planning. Finally, the recipient should check this email and any attachments for the presence of viruses. Thornton O'Connor Town Planning accept no liability for any damage caused by any virus transmitted by this email.



Appendix B:

Go Car Letter of Support



The Sandyford Central Partnership,  
Sandyford GP Limited  
Embassy House,  
Ballsbridge,  
Dublin 4

To Whom It May Concern,

This is a letter to confirm that GoCar intends to provide a 10-vehicle shared car club service in the proposed Sandyford Central residential development opposite the Stillorgan Green Luas station in Sandyford. GoCar representatives have discussed the project with representatives of the partnership responsible for this proposed development and are excited to provide a car club at this location.

It is understood that the vehicles situated at this development will be used exclusively by the residents living therein. GoCar will work with the eventual management company to work out how best to sign residents up to the service as the development comes online.

GoCar is Ireland's leading car sharing service with over 50,000 members and over 700 cars and vans on fleet. Each GoCar which is placed in a community has the potential to replace the journeys of up to 15 private cars. The Department of Housing's Design Standards for New Apartments - Guidelines for Planning Authorities 2018 outline: "For all types of location, where it is sought to eliminate or reduce car parking provision, it is necessary to ensure... provision is also to be made for alternative mobility solutions including facilities for car sharing club vehicles."

Carsharing is a sustainable service. By allowing multiple people to use the same vehicle at different times, car sharing reduces car ownership, car dependency, congestion, noise and air pollution. It frees up land which would otherwise be used for additional parking spaces. Most GoCar users only use a car when necessary, and walk and use public transport more often than car owners.

By having GoCar vehicles in a residential development such as this, residents will have access to pay-as-you-go driving, in close proximity to their homes, which will increase usership of the service.

I trust that this information is satisfactory. For any queries, please do not hesitate to contact me.

A handwritten signature in black ink, appearing to read 'Rob Kearns'.

Regards,

Rob Kearns  
Head of Growth  
GoCar Carsharing Limited  
M: 083 822 3924  
E: rob.kearns@gocar.ie

