

Planning
Application to
An Bord
Pleanála

Planning
Report &
Statement of
Consistency

Proposed Strategic
Housing Development

Proposed Residential
and Commercial
Development at 42A
Parkgate Street,
Dublin 8.

For Ruirside
Developments Limited

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1 EXECUTIVE SUMMARY

1.1 Introduction

This proposed Strategic Housing Development (SHD) application is for a mixed-use (residential and commercial) scheme, at 42A Parkgate Street, Dublin 8.

Ruirside Developments Limited (the Applicant) is making an application to An Bord Pleanála under Section 4 of the Planning & Development (Housing) and Residential Tenancies Act 2016 for development generally comprising:

481no. 'Build to Rent' apartment units and 4,356 sq m of employment uses, accommodated in buildings ranging in height from 8 to 29 storeys, incorporating an undercroft/ basement carparking level, and all associated and ancillary site development, landscaping and boundary works.

The application site area measures circa. 0.82 Ha, and is located at a site known as the Former Hickey's site at Parkgate Street, Dublin 8.

The proposed residential development is of a scale that constitutes a 'Strategic Housing Development' as defined by Section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 (i.e. greater than 100no. dwellings) and is situated on land zoned for residential use or for a mixture of residential and other uses.

For clarity, this executive summary is provided for ease of reference, but should not be taken as a complete synopsis of this report. The main body of the report should be referred to for a detailed assessment of planning matters relating to the proposed development.

1.2 Application Site

The application site forms the eastern section of the former industrial site between Parkgate Street and the River Liffey. The site is generally bounded by Parkgate Street to the north, the River Liffey to the south, the junction of Sean Heuston Bridge and Parkgate Street to the east, and the Parkgate Place office and residential development to the west.

The application site is located within the Heuston and Environs Strategic Development and Regeneration Area (SDRA), at the western gateway to the city centre. This area has been identified as a suitable area for mid rise and tall buildings (over 50m high), as a counterpoint to the eastern Dublin Docklands regeneration area. The site is brownfield and zoned for mixed use, including residential development, and open space amenity.

The site lies c. 200m north of Heuston Railway Station, which provides regional rail connections to the west and south. The area to the front of Heuston Station acts as a transport hub, with a Red Line Luas station, a number of local and regional bus route stops and a Dublin Bikes stand all located in this area, and serve the site. The nearest bus stop(s) (Bus Stop No. 7078 and No. 1474) is located directly to the front of the application site at Parkgate Street.

The application site is located within a designated 'Conservation Area' and includes listed protected structures.

1.3 Proposed Development

The proposed development comprises a mixed use (residential, commercial, local services and amenities) scheme. This includes 481 no. 'Build to Rent' residential units (66no. Studios, 298no. 1-Bed and 117no. 2-Bed apartments) and non-residential employment uses (c. 4,356 sq. m), accommodated in 6no. Blocks (Blocks A, B1, B2, C1, C2 and C3) ranging in height from 8 to 29 storeys (including mezzanine level), over basement and undercroft levels. A new public square and public riverside amenity walkway are included in the proposed layout.

The block summary description is as follows:-

- **Block A** (c. 12,207 sq. m gross floor area): 29-storeys with setback at 25th floor, accommodating: 1no. café/restaurant (c. 208 sqm); residents' amenity areas; and, 160no. apartments. Residents' roof gardens at 9th and 25th floors. Ancillary plant / storage at ground floor level.
- **Block B1** (c. 10,520 sq. m): 10 to 13-storeys with setback at 7th floor, accommodating: 1no. café/restaurant (c. 236 sqm); residents' amenity areas, including co-working spaces made available to the residential community within the proposed development, and one of which (c. 119sqm) to be made available also to the public for hire for cultural uses/ events; and, 141no. apartments. Residents' roof gardens at 9th floor. Ancillary plant / storage at basement and ground floor level.
- **Block B2** (c. 3,698 sq. m): 8-storeys with setback at 6th floor, including 6 storeys of commercial office floorspace (c. 3,698 sqm) over entrance foyer and site entrance. Residents' garden on the roof. Ancillary plant / storage at basement level.
- **Block C1** (c. 4,207 sq. m): 9-storeys, accommodating 58no. apartments. Ancillary plant / storage at undercroft and ground floor level. Link with 'River Building' at undercroft level.
- **Block C2** (c. 2,520 sq. m): 9-storeys, accommodating residents' amenity areas and 40no. apartments. Residents' roof garden at 8th floor.
- **Block C3** (c. 6,274 sq. m): 11-storey building over basement with setback at 7th floor, accommodating: 1no. retail unit (c. 80 sq. m); residents' amenity areas; and, 82no. apartments. Residents' roof garden at 7th floor. Ancillary plant / storage at ground floor level.

Associated and ancillary conservation and site development works, including: conservation, repair and adaptation, with some partial demolition of protected and other heritage structures; demolition of other existing structures; provision of public and private communal amenity open space; car and bicycle parking; storage, plant; transportation and environmental infrastructure; and, landscaping enhancement works in the public road.

1.4 Amendment to Proposed Scheme following An Bord Pleanála Pre-Application Consultation

The applicant carefully considered the 'without prejudice' feedback of both the Board and the Planning Authority provided at, and following, the pre-application tripartite consultation held on 18 September 2019.

The development proposal has had regard to this consultation. The Applicant's response to the Board's pre-application consultation Opinion is set out in detail in the main body of this planning report, and in the Design Statement prepared by Reddy Architecture and Urbanism.

In summary, the key amendments made on foot of the pre-application consultation with An Bord Pleanála include:

- Omission of the 'shared living' units proposed at pre-application stage. All proposed apartments and now standard 'built to rent' apartments. No 'shared living' units are proposed.
- An increase in the quantum of commercial office floorspace, delivering a greater mix of uses within the site.
- Allocation of internal space, to be made available for public hire, for cultural and community uses.
- Greater detailing and evolution of the architectural expression and slenderness of the tower building.
- Modulation in heights and further architectural detailing of Blocks B and C, to improve the relationship of the proposed development/block design with its surroundings and between the proposed blocks. In particular attention has been paid to the relationship of the proposed development to the immediately neighbouring development (Parkgate Place) to the west and in views across the river from Heuston Station.

- Greater detailing of the architectural composition and streetscape on Parkgate Street, in particular relating to streetscape and human scale.
- Further clarity on the alternative options considered and the preferred proposal in respect of works affecting protected structures and other buildings/structures of heritage interest on site.
- Further clarity on the proposed works within the public road, to include new loading area and surface water drainage works.

1.5 National & Regional Planning Policy Context

1.2.1 National Planning Framework

- The National Planning Framework (NPF) seeks that 40% of all new homes be located within the existing footprints of our urban settlements. In Dublin, development should be focused within the M50 and canal rings in order to consolidate the urban area. Development on infill and brownfield sites is seen as a key way to deliver this vision, particularly where such sites are centrally located and/or served by high capacity public transport.
- The subject site is exceptionally well placed to achieve this NPF vision. It delivers a high quality, mixed use regeneration development on a brownfield site at one of the city's key public transportation hubs. The following are other NPF Policy Objectives which support the principle of the proposed development:
- **National Policy Objective 3b** seeks to deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.
- **National Policy Objective 11** states a presumption in favour of development that encourages more people and generates more jobs and activity within existing cities, towns and villages, subject to appropriate planning standards being met and targeted growth achieved.
- **National Policy Objective 13** recommends that *"in urban areas, planning and related standards, including in particular height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth"*, subject to a range of environmental and residential amenity tolerances.
- **National Policy Objective 27** seeks to *"ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages."*
- **National Policy Objective 33** seeks to *"prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location."*
- **National Policy Objective 35** seeks to *"increase residential density in settlements, through a range of measures including restrictions in vacancy, re-use of existing buildings, infill development scheme, area or site-based regeneration and increased building heights."*
- **National Policy Objective 36** seeks to put in place Section 28 Ministerial Guidelines to improve the evidence base, effectiveness and consistency of the planning process for housing provision to meet varying housing needs at regional, metropolitan and local authority levels. For example, in reconciling future housing requirements effectively it is identified that in Dublin city, while one, two and three person households comprise 80% of all households, the housing stock is largely comprised of 3 and 4-bedroom houses.

The proposed development is consistent with the **NPF** in the promotion of more compact mixed use urban regeneration that delivers increased residential density and employment activity, of high quality urban design and architecture, at an underutilised, brownfield site on the edge of the city centre, served by high frequency public transport connecting it with Dublin City Centre and other strategic settlements and employment zones within the Dublin Metropolitan Area. It addresses the dearth of housing that

accommodates smaller household sizes, through the provision of good quality 1 and 2-bed dwellings for 1-4 person households.

The proposed development is strategically located within the built footprint of Dublin's Metropolitan Area, within the city centre. The proposed development will deliver a new residential-led mixed-use development at Parkgate Street, on land zoned for a mix of uses (including residential) appropriate to maintaining the life and vitality of the city centre. The site benefits from excellent access to numerous forms of public transport, cycle and pedestrian facilities in the area.

The proposed development provides a significant quantum of employment generating floorspace, supporting the NPF vision to generate more jobs and activity within existing cities.

The future planned provision of Bus Connects Route Corridor 6 (R148/St. John's Road West) and the Liffey Cycle Way (City Quays/Parkgate Street) will support a greater modal shift toward the use of public transport in the immediate vicinity of the application site, consistent with the aspirations of the NPF

The proposed scheme provides compact development delivering a good apartment mix in buildings of appropriate and landmark height, supported by ancillary facilities, at this prominent, underutilised brownfield site at the western gateway to the city centre.

It is submitted to the Board that the proposed development is compliant with the policies of the National Planning Framework.

The above provides an executive summary only. We refer the Board to the main body of this Planning Report for the complete assessment of the proposed development in the context of the NPF.

1.5.1 Eastern & Midlands Regional Spatial and Economic Strategy

- The RSES came into effect on 28 June 2019. This identifies the strategic regional outcomes aligned with the NPF, and which set the strategic framework for City and County Development Plans.
- The Dublin Metropolitan Area includes the continuous built up Dublin city area and highly urbanised settlements, that form the main gateway and largest economic contributor in the State.
- The RSES identifies that 50% of all new homes are to be delivered within the existing built up area of Dublin City & Suburbs in tandem with the delivery of key infrastructure, to achieve the NPF growth targets.
- **Regional Policy Objective (RPO) 4.3** promotes the consolidation and re-intensification of development at infill, brownfield and underutilised lands, to provide high density and people intensive uses within the existing built up area of 'Dublin city and suburbs' that is integrated with key existing and planned environmental and transport infrastructure.
- The **Dublin Metropolitan Area Strategic Plan (DMASP)**, as part of the RSES, seeks to focus development on large scale strategic sites and on the redevelopment of underutilised lands, based on key transport corridors, that will deliver significant development in an integrated and sustainable manner. The subject lands are located within the *strategic development area* of 'City Centre within the M50'.

The subject site is well connected within the strategic settlement of Dublin City where further consolidation of residential and infrastructure development is promoted. The proposed development is consistent with the RSES and DMASP promotion of intensive brownfield regeneration and high density residential development, at this strategic site located at Parkgate Street, Dublin 8 located in the '**City Centre within the M50**' Strategic Development Area, is well served by public transport with high capacity, frequent services available by rail and Luas at the adjacent strategic transport hub of Heuston station, as well as numerous frequent bus services connecting to other strategic settlements and employment, health and education centres within the Dublin Metropolitan Area.

The above provides an executive summary only. We refer the Board to the main body of this Planning Report for the complete assessment of the proposed development in the context of the RSES and DMASP.

1.6 Smarter Travel – A Sustainable Transport Future, A New Transport Policy for Ireland 2009 – 2020

This document represents the transport policy for Ireland for the period from 2009 – 2020. Overall the transport policy document has the following aims:

- To reduce overall travel demand.
- To maximise the efficiency of the transport network.
- To reduce reliance on fossil fuels.
- To reduce transport emissions.

To improve accessibility to transport, the Policy recognises progress made under the National Spatial Strategy (now superseded by the National Planning Framework) and the Regional Planning Guidelines (now superseded by the Regional Spatial and Economic Strategies) in promoting integrated transport and spatial planning. These strategies recognise the need for more compact, walkable urban areas that support investment in good quality public transport under Transport 21.

The proposed development will contribute to reducing travel demand by locating new residential-led mixed use development at an underutilised brownfield site, within a well connected regeneration gateway to the city centre. In addition, the site's proximity to high quality public transport services assists in maximising the efficiency of the existing transport network and reducing reliance on fossil fuels and transport emissions. The future provision of Bus Connects Route Corridor 6 along the R148/St. John's Road West (to the south of the site) and the Liffey Cycle Way will further support greater modal shift toward the use of public transport.

The above provides an executive summary only. We refer the Board to the main body of this Planning Report for the complete assessment of the proposed development in the context of the Smarter Travel policy.

1.7 Section 28 Ministerial Guidelines

The proposed development is consistent with all of the **Ministerial Guidelines** that promote increased residential density, for sustainable use of finite land resources and investment in strategic infrastructure, through various mechanisms including development location, unit mix (particularly addressing needs of smaller 1-3 person households), apartment design and building height, transportation and flood risk.

Architectural design studies demonstrate compliance with the relevant criteria for 'build to rent' apartment development and building height.

Environmental and design studies demonstrate that residential, visual, built and natural amenity, sustainable transportation and flood risk management, are suitably respected and protected.

An executive summary of the key issues is provided below. We refer the Board to the main body of this Planning Report for the complete assessment of the proposed development in the context of the SPPRs of the Ministerial Guidelines.

1.7.1 'Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities, 2009'

- Section 16.4 of the City Development Plan sets out that Dublin City Council will promote sustainable residential densities in accordance with the standards and guidance set out in the DEHGL Guidelines on Sustainable Residential Development in Urban Areas (2009).
- Section 5.8 of the Guidelines on Sustainable Residential Development in Urban Areas (2009) sets out that sites within 500m walking distance of a bus stop are expected to achieve minimum net residential density of 50 units per hectare, with the highest densities being located at rail

stations/bus stops and decreasing away from such nodes. This subject site is located at the western edge of the city centre, immediately adjacent to Heuston Station (c. 200 m), Heuston Station LUAS stop (c. 180m) and Museum LUAS stop (c. 250m), and fronting Parkgate Street served by high frequency inbound and outbound city centre bus services.

1.7.2 Guidelines for Sustainable Residential Development, Urban Design Manual

- Section 9.2.2 of the report below sets out how the proposed development complies with the 12 criteria for good urban design as set out in the Urban Design Manual - the companion document to the Guidelines on Sustainable Residential Development in Urban Areas (2009). Please refer also to Architectural Design Statement (Section 4), prepared by Reddy Architecture and Urbanism.

1.7.3 Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (March 2018)

- The Apartment Guidelines recognise that the population and housing targets set out by the NPF will necessitate *“a significant and sustained increase in housing output and apartment type development in particular”*.
- Sites at **Central and/or Accessible Urban Locations**, within within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m) to/from high capacity urban public transport stops (such as DART or Luas) are suitable for small to **large scale** and **high-density development**, that may wholly comprise apartments.
- The Guidelines address the requirement identified in the NPF to put in place Section 28 Ministerial Guidelines to improve the evidence base planning guidance for housing provision that meets local housing need. The need to accommodate one, two and three person households in urban locations is identified in the Apartment Guidelines as well as the NPF. **The Guidelines discard the minimum requirement for apartments of three or more bedrooms and introduce greater flexibility to deliver up to 50% one-bed units and 20-25% studio units (superceding the City Development Plan standards)**, so as to better meet the statistically proven shift towards lower average household sizes.
- The enclosed architectural plans and schedules prepared by Reddy Architecture and Urbanism demonstrate that the proposed scheme can meet the Guidelines’ standards for unit mix, size, dimensions, dual aspect ratio, floor to ceiling height, units per core, storage space, private and communal amenity open space, bicycle and car parking.
- A response to the specific Special Planning Policy Recommendations (SPPRs) for ‘build to rent’ apartment development standards are set out under Section 9.2.3 of this Planning Application Report.

1.7.4 Urban Development and Building Heights, Guidelines for Planning Authorities, December 2018

- The Building Height Guidelines express a **presumption in favour of buildings of increased height** in urban locations with good public transport accessibility, which secure NPF objectives to deliver compact growth of new homes, economic growth and regeneration.
- It further states that taller buildings can serve to bring much needed additional **housing** and **economic development** to well-located urban areas, and to assist in contributing to and reinforcing a **sense of place** within a city.
- The tallest element of the proposed development will be the 29 storey residential tower, which is located at the eastern apex of the site beside Sean Heuston Bridge. The tower will be generally triangular, slender and elegant in form, to suit the site characteristics and compliment surrounding development. The other buildings are of mid-rise height.

- The Architectural Design Statement identifies how the urban and architectural design and layout of the proposed development responds favourably to site topography, landscape/visual amenity, placemaking and streetscape / public realm and city legibility.
- Environmental studies demonstrate that the scheme does not unduly interrupt city views or vistas of significance, can deliver good access to sunlight/daylight, avoid significant negative impact on micro-climate, built and natural environment and air navigation.
- The main body of this report contains a detailed assessment of the proposed development against the Section 3.2 assessment criteria of these Guidelines.
-

1.7.5 The Planning System and Flood Risk Management – Guidelines for Local Authorities, 2009

- A Flood Risk Assessment and Statement of Consistency accompanies this application to An Bord Pleanála, prepared in accordance with the Flood Risk Management Guidelines.
- The Flood Risk Assessment concludes that flood risk to the site is low. Finished floor levels will be raised to allow for climate change plus freeboard. Access and egress to and from the site will not be compromised during a flood event and the development will not impact on flood plain storage or conveyance.

1.7.6 Design Manual for Urban Roads and Streets (2013 - updated in 2015 and 2019)

- The Statement of Consistency, prepared by Arup Consulting Engineers, confirms that the development proposals align with the principles set out in DMURS, including promotion of:
 - High levels of permeability and legibility for all users, and use of sustainable transport.
 - Plan-led, multi-disciplinary design approach.

1.7.7 Guidelines for Childcare Facilities, 2001

- The Guidelines for Childcare Facilities 2001 requires the provision of 1no. childcare facility (or 20no. childcare spaces) for new housing development of 75no. houses or more, unless there are significant reasons to the contrary, or where there are adequate childcare facilities in adjoining developments.
- Further clarity on childcare requirements for apartment developments is provided in the Apartment Design Guidelines (2018), which allows flexibility on the relevant childcare provision threshold in respect of 1 and 2-bed apartment units.
- The proposed development includes 481no. 'build to rent' apartments, comprising 66no. 1-bed studio apartments, 298no. 1-bed apartments and 117no. 2-Bed apartments.
- A Childcare Needs Assessment has been prepared in respect of the proposed development. This indicates a theoretical demand for 31 no. childcare spaces arising from the proposed development of 117no. 2-bed apartments.
- The Childcare Needs Assessment finds that there is sufficient capacity in the existing and permitted childcare facilities within 1km of the application site to absorb the childcare needs of the proposed development.

1.8 Dublin City Development Plan 2016 - 2022

1.8.1 Land-Use Zoning and Development Policies & Objectives

- The Core Strategy states that Dublin City is the 'gateway core' for high-intensity clusters, brownfield development, urban renewal and regeneration.

- **Core Strategy** Principles include:
 - Economic: Developing the city as a national gateway and focus for employment and creativity.
 - Social/Residential: Developing a network of compact sustainable urban neighbourhoods, offering a range of facilities and house types.
 - Cultural/Built Heritage: making provision for cultural facilities, raising awareness of cultural heritage and promoting safe and active streets through design of buildings and public realm, as part of the city's build and natural heritage and unique identity.
 - Urban Form: Creating a connected and legible city based on active streets and quality public spaces, with a distinct sense of place (particularly important for SDRAs).
 - Movement: Supporting modal shift to more sustainable transport modes of walking, cycling and use of public transport.
- The delivery of quality housing in Dublin city is a key issue for its citizens and competitiveness. The central principles of the Core Strategy for residential development remain broadly consistent with current strategic national and regional policy in seeking, inter alia, to: -
 - *[support] the regional settlement strategy which seeks to re-balance future growth in the region and consolidate development in the metropolitan area,*
 - *[provide] for an appropriate quantity and quality of residential accommodation incorporating sustainable densities and designs,*
 - *[provide] the right quantity of appropriate housing in the right locations that is accessible and affordable for all residents of the city through the implementation of the housing strategy,*
- The majority of the site is zoned **Z5 – City Centre**, as are most of the lands in the immediate vicinity of the site. The strip of land along the southern part of the site which bounds the River Liffey is zoned **Z9 – Amenity/Open Space Lands/ Green Network'**, and a small parcel of land at the eastern site apex is zoned **Z6 – Employment/Enterprise**. A proposed Variation to the Development Plan has been published seeking to change the Z6 zoning at this location to Z5.
- The site lies within an area identified for 'residential' and 'mixed use' as part of the wider designated 'Heuston & Environs Strategic Development Regeneration Area' (SRDA 7) in the City Development Plan. The guiding principles for **SDRA 7** include:
 1. To develop a new urban gateway character area focused on the transport node of Heuston Station, and including world class public transport interchange facilities, vibrant economic activities, high quality residential accommodation and recreational facilities, excellent public realm and architecture, and connections with major historic, cultural and recreational attractions.
 2. To incorporate sustainable densities, with architecture and urban form forging dynamic relationships with national cultural institutions.
 3. To implement best practice urban design principles to: achieve a coherent, legible urban structure within major development sites; prioritise the provision of public space; achieve successful interconnection between the development site and adjacent urban structure.
 4. To protect the fabric and setting of protected structures and national monuments.
 5. To incorporate mixed use in appropriate ratios in order to generate urban intensity and animation. Major uses of residential and office to be complemented by components of culture, retail and service elements.
 6. To improve pedestrian and cycle linkages, through key sites.
 7. As a western counterpoint to the Docklands, to consider mid-rise or taller buildings (above 50m / 16-storeys), subject to maintaining a coherent skyline and protecting key views and vistas. Two particular sites are identified for tall buildings, but consideration is not limited to these specific sites.

8. Visual impact analysis to demonstrate that proposed new development will not adversely affect or undermine the view within the 'Cone of Vision' designated between Royal Hospital Kilmainham and Phoenix Park.
 9. Other important visual connections to be respected include Chesterfield Avenue to Guinness Lands and from key parts of the City Quays to the Phoenix Park (Wellington Monument).
- Other relevant Development Plan policies include the promotion of :-
 - *...sustainable development of vacant or under-utilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and the character of the character of the area. (QH8)*
 - *... transformation of the key regeneration areas into successful socially integrated neighbourhoods including those on the Main Inner City Regeneration Areas Map and promote area regeneration in parts of the city which require physical improvement and enhancement in terms of quality of life, housing and employment opportunities, including the Docklands. It is recognised that the nature of some housing regeneration initiatives may warrant the demolition of existing dwellings before proposals for new or replacement dwellings are agreed. (QH26)*
 - *...residential development addressing any shortfall in housing provision through active land management and a coordinated planned approach to developing appropriately zoned lands at key locations including regeneration areas, vacant sites and under-utilised sites. (QH5)*
 - *... the provision of high quality apartments within sustainable neighbourhoods by achieving suitable levels of amenity within individual apartments, and within each apartment development, and ensuring that suitable social infrastructure and other support facilities are available in the neighbourhood, in accordance with the standards for residential accommodation. (QH18)*
 - *... the optimum quality and supply of apartments for a range of needs and aspirations, including households with children, in attractive, sustainable, mixed-income, mixed-use neighbourhoods supported by appropriate social and other infrastructure. (QH19)*
 - It is a policy to promote residential use on upper floors of existing and new buildings to support a 'living city' **(SC30)**
 - It is a policy of the Plan to protect the special interest, character and setting of 'Conservation Areas', whereby proposed development must contribute positively to same wherever possible, and protect from harm protected structures and other buildings or features of heritage interest in Conservation Areas. **(CHC4)**
 - Protected structures, specifically listed on the Record of Protected Structures, include the following structures only: (a) riverside stone wall, (b) turret at eastern end of site, (c) square tower on the riverfront and (d) entrance stone arch on the Parkgate Street frontage.
 - It is a policy of the Plan to promote and facilitate the supply of commercial space, e.g. retail and office space, including larger floorplates and quanta suitable for indigenous and FDI HQ-type uses. **(CEE11)**
 - The Council will resist the total or substantial loss of protected structures in all but exceptional circumstances, requiring strongest justification with specialist professional input should this arise. **(CHC5)**
 - Under the Development Plan, proposals for taller buildings must have regard to the assessment criteria for high buildings (generally buildings greater than 50m high), being: -
 - Relationship to context, including topography, built form, and skyline having regard to the need to protect important views, landmarks, prospects and vistas.
 - Effect on the historic environment at a city-wide and local level.
 - Relationship to transport infrastructure, particularly public transport provision.

- Architectural excellence of a building which is slender proportions, whereby a slenderness ratio of 3:1 or more should be aimed for.
- Contribution to public spaces and facilities, including the mix of uses.

The proposed development is consistent with all of the relevant policies and objectives of the statutory Dublin City Development Plan 2016-2022.

The site is currently in use by Hickey's Wholesale Fabrics (since the 1970s). The property had undergone many changes of use prior to that.

Some of the existing structures on site are in a dilapidated condition. Others would appear to be in better order. The full extent of their existing condition would require opening up investigations by a qualified conservation expert.

The proposed development is consistent with the core strategy, Z5, Z9 and Z6 land use zoning, mixed use and residential development policies and objectives of the current Dublin City Development Plan.

The scheme is representative of plan-led, high-quality urban and architectural design, which seeks to achieve the sustainable regeneration of an underutilised brownfield site. It delivers an appropriate mix of employment use, with a 6-storey office building complemented by street activating commercial and cultural/community uses at lower levels, and a significant quantum of residential development at upper levels, to deliver sustainable development as a component of the regeneration of a 'living city' at the Heuston Gateway, in accordance with the guiding principles of SDRA 7. The residential to employment ratio is approximately 8.5:1.

The proposed development delivers 4,356 sq m of commercial, employment generating floorspace, including 3,698 sq m of commercial office floorspace, which supports the Plan policy to facilitate the supply of commercial floorspace suitable for indigenous and FDI HQ type uses.

The proposed residential density is appropriate to this highly accessible, brownfield site. The scheme has been carefully designed and oriented to protect and enhance existing and prospective residential amenity, and avoid undue overlooking, overshadowing and or lack of amenity open space. A mix of good quality 'built to rent' residential apartments are proposed, which meet the relevant residential and apartment design standards for development of this nature.

Significant new public and private amenity open space is delivered within the site area, not typical of city centre site regeneration. Public amenities include a new public plaza, connecting Parkgate Street (physically and visually) to the proposed new river side walk (Z6 & Z9 zones), and providing views across the River to Heuston Station, contributing to unique identity, legibility and placemaking at this strategic regeneration gateway, in the interest of the common good (i.e. the resident, working and visiting communities).

The historic setting of the site, and requirement to conserve and protect structures and buildings of significant heritage value on site has been carefully considered as part of the proposed development, and in assessing the visual impact of the proposed development in significant views identified in the Development Plan.

The listed protected structures are to be conserved, restored and in adapted (including some partial demolition) as an integrated part of the proposed scheme. Other non-protected structures that contribute to the site heritage and character are also being retained. Overall, this represents a conservation gain and positive contribution to the cultural identity of this historic part of the city.

Some loss of historic fabric arises with the creation of new opes in the riverside stone wall to enhance its integration as part of the proposed river walk and enable visual connection to the river and Heuston Station from Parkgate Street through the proposed public plaza (see Section 6.2.5.6 of the main report for exceptional strategic planning considerations).

Non-protected structures to be removed to facilitate the sustainable redevelopment of the site include: the large warehouse building, with curved wall to Parkgate Street and all of the warehouse internal walls

and partitions, including the southern brick wall running parallel to the interior of the riverside stone wall; the former 2-storey house; and, building beside the existing stone arch gateway.

Building height, including mid rise buildings (8-13 storeys) and a tall building (29 storeys), are supported by the building height strategy of the Development Plan and SDRA 7 guiding principles. The proposal has been subject of a myriad of placemaking, visual, environmental, heritage and housing quality assessments, that accompany the application and are generally supportive of the proposed building height and form.

All of the relevant supporting studies and assessments accompany this SHD planning application indicate that the proposed nature, mix, form and design of development is appropriate to this site at this location, to meet the criteria for higher buildings.

The above provides an executive summary only. We refer the Board to the main body of this Planning Report for the complete assessment of the proposed development in the context of the policies and objectives of the Dublin City Development Plan 2016-2022.

1.8.2 Development Plan Design Standards (Not covered by Ministerial Guidelines)

1.8.2.1 Public Open Space

- City Development Plan requires the provision of **10% of the site area for public open space**. Provision of urban/public realm is accepted as open space in that context.
- The proposed development provides public open space (amounting to c.22% of the site area) within the Z5, Z6 and Z9 zoned areas of the site.
- A landscaped public plaza between Block A and Block B provides a public connection from Parkgate Street to the proposed public plaza and new river walk along the southern edge of the subject site. These spaces generally enhance the connectivity of the site to Parkgate Street (and Phoenix Park) and the River Liffey, and visual connections to other cultural institutions such as Heuston Station. The spaces can be used in a casual, social and incidental way, but also have potential to facilitated programmed cultural activities/uses such as markets, cinema screening etc, subject to separate consent or licensing as necessary.
- Access points to the open space from Parkgate Street are provided via (1) the gallery under the proposed office element and (2) an existing area of open space controlled by Dublin City Council at the eastern corner of the site. These amenities will be accessible to the general public during normal public park operating hours. Access outside these hours will be controlled by a Management Company for the scheme.
- The proposed 'river walk' delivered within the Z9 area has potential to deliver enhanced connectivity along the River Liffey. It facilitates a potential future link to the existing boardwalk at the neighbouring private development (Parkgate Place) to the west. However, it is currently beyond the control of the applicant to remove the boundary wall to deliver such a link. This would require the agreement of the relevant landowner .
- The plan orientates the primary communal private open space between Blocks B and C on a north-south axis centred on the protected 'Gateway' arch off Parkgate Street with a scale, quality and sense of place providing a high quality urban space. Additional communal open space is provided at roof gardens/terraces, in addition to internal residential amenities. (Refer to RAU Architects Schedule of Accommodation.)
- An area of proposed residential co-working space (c.119 sq m) is identified as being available for public hire for cultural or social networking events, such as exhibitions, public speaking events, food and wine tasting, etc.

The above provides an executive summary only. We refer the Board to the main body of this Planning Report for the complete assessment of the proposed development in the context of the policies and objectives of the Dublin City Development Plan 2016-2022.

1.8.2.2 Transport and Mobility

Bicycle Parking

- Table 16.2 of the Development Plan sets out the minimum bicycle parking standards for all development in the city.
- 551no. bicycle parking spaces are proposed. Cycle parking is proposed via safe dedicated stairwell with dedicated storage for bicycles at ground level, basement and in the gateway entrance spaces. As required by the Dublin City Development Plan and in accordance with the sustainability objectives of the proposed development, bicycle parking spaces for the office accommodation with appropriate changing shower and drying room facilities are also provided in the basement.

Car Parking

- Table 16.1 of the Development Plan sets out the Maximum Parking standards for residential, commercial and other development.
- The proposed development provides for 26no. car parking spaces in a mix of dedicated spaces at surface and basement level. 11no. spaces, including 1no. disabled space, will be provided in the basement, which will be accessed using a double car lift. 9no. car spaces at basement level will be designated for the commercial floorspace. A further 15no. car spaces, including 2no. disabled spaces, are to be provided at ground level and will be allocated to a bespoke car club for the purpose of non-commuting trips for the residents of the apartments. This will be managed centrally by the management company and residents will be able to book the use of a car. Electrical power points are also provided on certain parking spaces. Parking will be served by lift and stair access.
- The proposed development provides car parking below the maximum applicable standard for the residential and office elements of the proposed scheme. There is no minimum car parking standard applicable to development of the nature proposed at this location in the development plan. The reduced parking provision is proposed due to the 'built to rent' nature of the proposed apartments and to the site's accessible location beside the Heuston station interchange (rail, LUAS, Dublin Bus, Dublin Bikes, taxi) and pedestrian, cycle and bus facilities along Parkgate Street connecting the site to the city centre and suburbs. (Refer to the 'Transport Assessment', prepared by Arup Consulting Engineers, for further details in this regard).

The above provides an executive summary only. We refer the Board to the main body of this Planning Report for the complete assessment of the proposed development in the context of the policies and objectives of the Dublin City Development Plan 2016-2022.

1.9 Other Aspects

1.9.1 Part V

There has been dialogue between the applicant and Dublin City Council Housing Department with regard Part V provision, prior to making this application. A proposal was presented, without prejudice, to the Housing Department of Dublin City Council. Further details are provided in the main body of this Planning Report below.

Drawing no. PGATE-RAU-ZZ-ZZ-DR-A-GAP-31140, prepared by Reddy Architecture + Urbanism, illustrates the location of the 48no. units identified to meet the Applicant's Part V obligations.

A Part V validation letter from Dublin City Council, dated 5 December 2019, is enclosed with the application.

A separate table outlining the calculation of costs for the Part V units is also enclosed with the application.

1.9.2 Irish Water

A Certificate of Feasibility, enclosed herewith, has been provided by Irish Water to show that the proposed connection to the Irish Water can be facilitated. This letter is dated 4 July 2019.

A Statement of Design Acceptance has also been obtained from Irish Water and accompanies the proposed application. This letter is dated 13 December 2019.

1.9.3 Environmental Impact Assessment Report (EIAR)

Section 172 of Part X of the Planning and Development Act, 2000, as amended in Section 17 of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) sets out the requirement for an EIA as follows:

“172 (1) An environmental impact assessment shall be carried out by the planning authority or the Board, as the case may be, in respect of an application for consent for proposed development where either—

(a) the proposed development would be of a class specified in—

(i) Part 1 of Schedule 5 of the Planning and Development Regulations 2001, and either—

(I) such development would equal or exceed, as the case may be any relevant quantity, area or other limit specified in that Part, or

(II) no quantity, area or other limit is specified in that Part in respect of the development concerned, or

(ii) Part 2 of Schedule 5 of the Planning and Development Regulations 2001 and either—

(I) such development would equal or exceed, as the case may be any relevant quantity, area or other limit specified in that Part, or

(II) no quantity, area or other limit is specified in that Part in respect of the development concerned, or

(b)(i) the proposed development would be of a class specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001 but does not equal or exceed, as the case may be, the relevant quantity, area or other limit specified in that Part, and

(ii) the planning authority or the Board, as the case may be, determines that the proposed development would be likely to have significant effects on the environment.”

The Fifth Schedule of the Planning and Development Regulations lists classes of development where an EIA is mandatory under Part 1 and where an EIA may be required under Part 2. Where a project falls within a criterion for a type of development and/or exceeds a threshold as listed in Part 1 or Part 2, then it must be subjected to EIA.

The draft scheme submitted to An Bord Pleanála consisted of 567no. residential units, so fell under Classes 10(b)(i) of Part 2 of the Fifth Schedule of the Regulations, namely: *“Construction of more than 500 dwelling units.”*. Therefore, preparation of an EIAR was progressed.

The revised scheme, taking on board comments from Dublin City Council and An Bord Pleanála at pre-planning consultation stage, now provides for 481no. residential units. While the revised development proposal falls below the mandatory thresholds for ‘infrastructure projects’, the number of units is very close to the threshold of 500 dwelling units, the proposed scheme includes buildings of significant scale, and the site is located within an historically sensitive area within the city centre and immediately beside the River Liffey.

As such, an Environmental Impact Assessment Report is submitted to An Bord Pleanála (the competent authority) with this SHD Planning Application.

We refer the Board to the Environmental Impact Assessment Report, prepared and co-ordinated by Arup Consulting Engineers, that accompanies this SHD Planning Application.

1.9.4 Appropriate Assessment

This SHD Planning Application is accompanied by information for Screening for Appropriate Assessment prepared by Moore Group Environmental Services which concludes that Stage 2 Appropriate Assessment is required in respect of the four European site referred to, i.e.

- North Dublin Bay SAC 000206
- South Dublin Bay SAC 000210
- North Bull Island SPA 004006
- South Dublin Bay and River Tolka Estuary SPA 004024

In light of the above, a Natura Impact Statement is submitted with this application, which contains information to assist the competent authority in carrying out an Appropriate Assessment (Stage 2) on the effects of this development proposal. This concludes:

'...on the basis of the best scientific knowledge available, and subject to the implementation of the mitigation measures set out under Section 3.6, that the possibility of any adverse effects on the integrity of the European Sites considered in this NIS, or on the integrity of any other European Site (having regard to their conservation objectives,) arising from the proposed development, either alone or in combination with other plans or projects, can be excluded beyond a reasonable scientific doubt.'

1.9.5 Material Contravention

We refer the Board to the accompanying *'Material Contravention Statement'*, prepared by Stephen Little & Associates which identifies particular residential development standards of the current Dublin City Development Plan, which have since been superseded by alternative Ministerial Guidelines.

- The proposed mix of residential apartment units is consistent with the policy objectives of the National Planning Framework and the strategic recommendations of *'Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities'* (March 2018). The Dublin City Development Plan standard relating to unit mix is at variance with these Guidelines.
- The proposed apartment floor area measurements are consistent with the recommendations of the *'Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities'* (March 2018). The Dublin City Development Plan standard relating to unit mix is at variance with these Guidelines.

The role of the competent authority (An Bord Pleanála) is recognised in determining whether or not the proposed development constitutes a material contravention of the objectives of the Development Plan in this case.

We respectfully submit that, should the Board consider the proposed development to constitute a material contravention of the residential design standards of the Dublin City Development Plan, relating to dwelling mix and apartment size, appropriate justification, having regard to the relevant Section 37(2)(b) criteria of the Planning Act, is set out in the Material Contravention Statement that accompanies this SHD planning application.

It is our professional opinion that the proposed development is consistent with strategic national planning policy and Ministerial Guidelines relating to sustainable urban housing (apartment design), which allow further flexibility in respect of the apartment mix and size for 'build to rent' apartment schemes, in the interests of achieving sustainable regeneration at brownfield, city centre sites that are highly accessible to quality public transport.

1.9.6 Additional Technical Reports and Supporting Information

This planning application contains a number of technical reports and other supporting information in addition to the EIAR. For a full list, please refer to section 16 (Enclosures). These reports and information are referred to within the main body of the report.

Section 1.0 above provides an executive summary only. We refer the Board to the main body of this Planning Report for the more complete assessment of the proposed development in the context of the policies and objectives of the Dublin City Development Plan 2016-2022 and the Special Planning Policy Recommendations (SPPRs) of the Ministerial Guidelines, and other relevant material planning considerations.

PLANNING REPORT & STATEMENT OF CONSISTENCY

2 INTRODUCTION

2.1 Strategic Housing Development Application

Stephen Little & Associates, Chartered Town Planners & Development Consultants, 26 / 27 Upper Pembroke Street, Dublin 2, are instructed by our Client (the Applicant), Ruirside Developments Limited, Usher House, Dundrum, Dublin 14, to prepare this Strategic Housing Development (SHD) Planning Application Report.

This planning report accompanies an SHD Planning Application to An Bord Pleanála, made under Section 4 of the Planning & Development (Housing) and Residential Tenancies Act 2016, as amended (hereafter referred to as “the SHD Act”).

In summary, the proposed (Strategic Housing) development at the former Hickey’s site, at 42A Parkgate Street, Dublin 8, broadly comprises:

Mixed use redevelopment of a brownfield inner city site (c. 0.82 Ha), in 6no. blocks ranging in height from 8 to 29 storeys, including: 481no. ‘build to rent’ residential apartments and ancillary amenities; cultural / community use (c. 119 sq m); commercial office, retail and café/restaurant uses (4,356 sq m); and all associated and ancillary conservation and site development works.

The SHD Planning Application is made following consultation with An Bord Pleanála, undertaken in accordance with the provisions of Sections 5 and 6 of “the SHD Act”, and having regard to the Board’s written ‘Pre-Application Consultation Opinion’ dated 2nd October 2019.

This planning report addresses the requirements of ‘the SHD Act’ and associated Planning & Development Regulations 2001 (as amended), to include a written statement to the effect that, in the Applicant’s opinion, the proposed development:

- Is consistent with the relevant objectives of the Development Plan.
- Is consistent with the relevant Special Planning Policy Recommendations of the relevant Section 28 Ministerial Guidelines.

The report addresses the issues that required further consideration and amendment, and the specific information requested, as set out in the Board’s Opinion dated 2nd October 2019. It also addresses the following planning policy:

- National Planning Framework, Ireland 2040 (NPF).
- Eastern & Midlands Regional Spatial & Economic Strategy (RSES) and Dublin Metropolitan Area Spatial Plan (DMASP).
- Smarter Travel – A Sustainable Transport Future, A New Transport Policy for Ireland 2009-2020.
- Dublin City Development Plan 2016 – 2022.

We have also considered the provisions of other strategy documents relevant to the consolidation of development and regeneration in Dublin city, as may be noted in the table of contents of this planning report.

This Planning Report & Statement of Consistency should be read in conjunction with the planning application plans and particulars submitted with this application. (See Section 16 ‘Enclosures’ of this planning report and the individual plan schedules provided by the other design team consultant).

Section 7.6.2 of this report sets out the applicant’s Part V Proposals, along with the enclosed ‘Part V Proposal Methodology of Calculation of Costs, prepared by Stephen Little & Associates. The proposed units are identified on drawing no. PGATE-RAU-ZZ-ZZ-DR-A-GAP-31140 within the Architectural drawings prepared by Reddy Architecture + Urbanism. This identifies how the Applicant proposes to comply with Section 96 of the Planning Act 2000 (as amended), as agreed in principle with Dublin City

Council. A validation letter from Dublin City Council Housing and Community Services, dated 5 December 2019 is enclosed. See Section 7.6.2 below for Part V consultation details.

Two letters of consent from Dublin City Council (DCC) accompany the planning application. The proposed development includes works on lands currently within the control of the Council. One of these letters relates to a portion of landscaped area east of the existing ESB substation on Parkgate Street. The second relates to an area of pavement along Parkgate Street. The lands controlled by DCC Parks and DCC Transportation divisions are delineated on a map attached to the letters of consent. A further letter of consent from the owner of the former Hickeys site itself is also enclosed within the planning application.

The likely significant effects of the proposed development on the environment have been examined in the preparation of the Environmental Impact Assessment Report (EIAR), Appropriate Assessment screening and the Natura Impact Statement, which accompany the SHD Planning Application.

In accordance with the statutory regulations, we confirm that the sum of €80,000.00 (max. fee) is the appropriate application fee in this case. A cheque for this amount is enclosed with the SHD Planning Application.

A complete list of application enclosures can be found at Section 16 of this Planning Report. We refer the Board also to the individual plan schedules that accompany consultants plans and particulars

2.2 Definition of Strategic Housing Development

We consider the proposed development to be Strategic Housing Development as defined by the Section 3 of the Planning & Development (Housing) and Residential Tenancies Act 2016, as amended.

Section 3 of the Act states, *inter alia*, that: -

“ ‘strategic housing development’ means—

(a) the development of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses,

... which may include other uses on the land, the zoning of which facilitates such use, but only if —

i) **the cumulative gross floor area of the houses..., comprises not less than 85 per cent, or such other percentage as may be prescribed, of the gross floor space of the proposed development ..., and**

ii) **the other uses cumulatively do not exceed —**

l) **15 square metres gross floor space for each house ..., in the proposed development ..., subject to a maximum of 4,500 square metres gross floor space for such other uses in any development, or**

ll) **such other area as may be prescribed, by reference to the number of houses or bed spaces in student accommodation within the proposed development or to which the proposed alteration of a planning permission so granted relates, which other area shall be subject to such other maximum area in the development as may be prescribed;”**

(* SLA bold text emphasis identifies qualifying criteria for the proposed development)

2.3 Brief Description of Proposed Development

The proposed development comprises mixed use residential and commercial redevelopment (c. 43,353 sq. m gross floor area) of a brownfield site, accommodated in 6no. blocks ranging in height from 8 to 29 storeys with basement and undercroft, and including: 481no. **‘Build To Rent’** apartments (66no. studio units, 298no. 1-bed units and 117no. 2-bed units); ancillary residents’ amenity rooms and facilities, including co-working spaces, one of which (c.119 sq. m) to be made available to the public for hire for cultural uses/ events; commercial office (c.3,698 sq. m), retail (c.214 sq. m) and café/ restaurant (c.444 sq. m) uses; and all associated and ancillary conservation and site development works.

Proposed block description as follows:

- **Block A** (c. 12,207 sq. m gross floor area): 29-storeys with setback at 25th floor, accommodating 1no. café/restaurant (c. 208 sqm), residents' amenity areas and 160no. apartments. Residents' roof gardens at 9th and 25th floors. Ancillary plant / storage at ground floor level.
- **Block B1** (c. 10,520 sq. m): 10 to 13-storeys with setback at 7th floor, accommodating 1no. café/restaurant (c. 236 sqm), resident's amenity areas, including co-working spaces made available to the residential community within the proposed development, and one of which (c. 119sqm) to be made available also to the public for hire for cultural uses/ events, and 141no. apartments. Residents' roof gardens at 9th floor. Ancillary plant / storage at basement and ground floor level.
- **Block B2** (c. 3,698 sq. m): 8-storeys with setback at 6th floor, including 6 storeys of commercial office floorspace (c. 3,698 sqm) over entrance foyer and site entrance. Residents' garden on the roof. Ancillary plant / storage at basement level.
- **Block C1** (c. 4,207 sq. m): 9-storeys, accommodating 58no. apartments. Ancillary plant / storage at undercroft and ground floor level. Link with 'River Building' at undercroft level.
- **Block C2** (c. 2,520 sq. m): 9-storeys, accommodating residents' amenity areas and 40no. apartments. Residents' roof garden at 8th floor.
- **Block C3** (c. 6,274 sq. m): 11-storey building over partial basement with setback at 7th floor, accommodating 1no. retail unit (c. 80 sq. m), residents' amenity areas and 82no. apartments. Residents' roof garden at 7th floor. Ancillary plant / storage at ground floor level.

Associated and ancillary conservation, site development, infrastructure, landscaping and boundary treatment works, including:

- Public open space (c.1409 sq. m), including a plaza and riverside walkway.
- Residents' communal open space, including courtyard at ground level and roof gardens at 7th, 8th, 9th and 25th floor levels. Residential apartment balconies on south, east and west elevations of all residential buildings and also north elevation of tower.
- Conservation, refurbishment, repair and adaption of existing protected structures, including:
 - Entrance stone archway (protected structure) to be conserved, refurbished, repaired and adapted for use as pedestrian access to proposed residents' communal open space, entrance foyers to Block B1 and Blocks C1, C2 and C3 and ancillary amenities.
 - Riverside stone wall (protected structure) to be conserved, refurbished, repaired and adapted, with partial demolition comprising the enlargement of existing opes and creation of new opes and lintel treatments, for incorporation within the riverside stone wall, as part of the proposed riverside amenity walkway.
 - Turret (protected structure) at the eastern end of the riverside stone wall to be conserved, refurbished, repaired and adapted as an integrated part of riverside stone wall and proposed amenity walkway.
 - Square Tower on riverfront (protected structure) to be conserved, refurbished, repaired and adapted as an integrated part of riverside wall proposed and amenity walkway.
- Conservation, refurbishment, repair and adaption of the larger of the two riverfront gabled building ('River Building') for use as gym for residents of the development, accessible from Block C1 undercroft and residents' courtyard at ground level, and incorporation of building as integrated part of riverside stone wall and proposed riverside amenity walkway.
- Conservation, refurbishment, repair and adaption of the southern façade of the smaller riverfront gabled building as part of riverside wall and incorporated with the amenity walkway. Demolition of the remainder of the building fabric.
- Demolition of all other structures within the former Hickey's Fabrics site, including the large single storey warehouse building with curved wall to Parkgate Street and all warehouse internal walls and partitions including the southern brick wall running parallel to the interior of the riverside stone wall, a small two storey building adjacent to the entrance stone archway and the former 2-

storey detached house (Parkgate House) at the north west corner of the site, and other miscellaneous structures.

- 2no. new pedestrian site entrances at Parkgate Street, connecting to proposed public plaza and the proposed riverside amenity walkway.
- 1no. new vehicular access via Parkgate Street to surface and basement parking areas at western edge of the site.
- 26no. car parking spaces (total) at surface and basement levels.
- 551no. bicycle parking spaces (total) at surface, undercroft and basement levels.
- Ancillary plant, bin storage and remote storage at ground and basement levels.
- Ancillary plant and telecommunications antennae at roof level.
- Solar panels on the roof of proposed Blocks B and C.
- Ancillary works along the southern footpath on Parkgate Street and in the public roadway, including new loading bay, removal of recycling bins and Dublin Bikes Station No. 92 and surface water drainage works including new sections of pipework.

More than 100no. residential units are proposed as part of this application. The gross floor area of the proposed residential use is c.37,567 sqm (including internal resident's amenity areas). The gross floor area of other office, retail and café/restaurant uses amount to c.4,356 sqm. The residential floorspace is in excess of 85% of the total floorspace of the development.

The application site is zoned for a mixture of residential and other uses.

The majority of the site is zoned **Objective Z5 (City Centre)** and the footprint of the proposed buildings are located within this zoning objective:

"To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity."

The proposed uses are permissible in principle on Z5 lands.

A strip of land along the riverside (southern) boundary is zoned **Objective Z9: (Amenity/Open Space):**

"To preserve, provide and improve recreational amenity and open space and green networks."

The Development Plan states that Z9 zoning includes all active or passive public and private amenity open space lands and sports facilities, on which there are no buildings (or not more than 5% is covered with buildings). The proposed development of a riverside amenity walk is permissible in principle at the Z9 lands.

A small parcel of land to the north eastern boundary, around the area of the adjoining electricity sub station building, is zoned **Objective Z6: (Employment/Enterprise):**

"To provide for the creation and protection of enterprise and facilitate opportunities for employment creation"

No substantive works, other than ancillary conservation and landscape enhancement works, are proposed on that part of the lands that are zoned Z6. It may also be noted that the Council has published notification of its intention to vary the Development Plan to rezone this land parcel to Z5.

For all of the reasons and considerations outlined above, it is our professional opinion that the proposal before the Board constitutes Strategic Housing Development.

2.4 Circulation to Prescribed Bodies

We acknowledge receipt of the Board's Opinion, together with the list of Prescribed Bodies which the Board has requested to be circulated with a copy of the application.

Enclosed with the SHD Planning Application are copies of the Cover Letters issued with the application to the relevant Prescribed Bodies in this case, being: -

- Transport Infrastructure Ireland
- National Transport Authority.
- Coras Iompair Eireann
- Commission for Railway Regulation
- Irish Water
- Irish Aviation Authority
- Minister for Culture, Heritage and Gaeltacht.
- Heritage Council
- Inland Fisheries Ireland
- An Chomhairle Ealaíon
- Fáilte Ireland
- An Taisce – the National Trust for Ireland.
- Dublin City Childcare Committee.

2.5 The Applicant

We wish to confirm that the Prospective Applicant in this case is Ruirside Developments Limited. Contact details are provided below:

Name: Ruirside Developments Limited

Address: Usher House, Main Street, Dundrum, Dublin 14

Telephone: (01) 2164080

Email: info@charteredland.ie

2.6 Applicant's Legal Interest

A Letter of Consent from the principal landowner to make a planning application is enclosed within the application.

Letters of consent from Dublin City Council (DCC) are also enclosed as the proposed works extend to lands currently within the control of the Council. The proposed works form part of the associated site development and landscape works in the description of development, as described in the plans and particulars that accompany the application.

2.7 Agent

This SHD application has been co-ordinated by Stephen Little & Associates, Chartered Town Planners and Development Consultants, as part of a Design Team led by Reddy Architecture and Urbanism.

Details of the agent are set out below for the convenience of the Board: -

Name: Stephen Little & Associates, Chartered Town Planners & Development Consultants.
Address: 26/27 Upper Pembroke Street, Dublin 2 D02 X361.
Telephone: 01-676 65 07.
Email: info@sla-pdc.com.

2.8 Planning Design Team

The core Design Team involved in the preparation of this Application is comprised of: -

Stephen Little & Associates Chartered Town Planners & Development Consultants – Preparation and co-ordination of the SHD Planning Application to An Bord Pleanála. Town Planning guidance and input, including pre-planning consultation with Dublin City Council Planning Department and An Bord Pleanála. Preparation of Planning Report and Statements Consistency and Material Contravention Statement. Preparation of Community and Social Infrastructure Audit and Childcare Needs Assessment.

Reddy Architecture and Urbanism – Project Architect. Urban and architectural design co-ordination and design services. Preparation of planning drawings, Computer Generated Images (CGI's) and digital model. Architectural Design Statement, including detailed urban design and architectural rationale, and response to An Bord Pleanála Opinion, in respect of the proposed development.

Arup Consulting Engineers – Full civil engineering consultancy services including detailed roads and engineering services design, structural advice, preparation of Transport Statement, Drainage Report, Flood Risk Assessment, Lighting Design Concept and other infrastructural requirements. Consultation with Irish Water and Dublin City Council (Transportation and Water Services divisions).

Mitchell & Associates Landscape Architects – Preparation of Landscape Masterplan and associated drawings and schedules. Co-ordination with Arup on SUDS infrastructure and with Arup and IN2 on lighting plan.

IN2 Engineering Design Partnership – Preparation of Sunlight / Daylight analysis of the proposal, Site Wind Analysis as required by the Building Height Guidelines, Public Lighting Plan, Energy Statement.

ARC Consultants – Architectural Heritage Impact Assessment.

Independent Site Management (ISM) - Micro-Wave & Telecommunications Assessment

Aramark –Estate Management Strategy and Building Lifecycle Report.

Moore Group – Appropriate Assessment Screening and Natura Impact Statement.

DWEG (Professor John Worthington and Dr Lora Nicolau) – Expert Opinion in support of the planning submission

Section 7 of this Report identifies the plans and particulars that constitute this SHD planning application to An Bord Pleanála. Further plan schedules are provided by each of the design consultants.

2.9 EIAR Team

The EIAR has been co-ordinated and prepared by Arup Consulting Engineers. The following lists the expert consultants involved in the preparation of the Environmental Impact Assessment Report for the proposed development: -

Arup – Preparation and Co-ordination of EIAR and preparation of and EIAR chapters, including the Introduction, Description, Construction, Traffic & Transportation, Air Quality, Climate (with input from IN2), Water, Land and Soils, Hydrogeology, Population and Human Health, Material Assets, Major Accidents, Cumulative Effects and Interaction of Effects and Construction and Environmental Management Plan.

Stephen Little & Associates Chartered Town Planners & Development Consultants – EIAR Chapter relating to Planning and Policy.

Reddy Architecture & Urbanism – EIAR Chapters relating to Alternatives (with input from ARC)

AWN Consulting –EIAR Chapters relating to Noise and Vibration and Resource and Waste Management. Preparation of Construction and Demolition Waste Management Plan and Operational Waste Management Plan.

ARC Consultants –Landscape and Visual Impact (with input from Mitchell & Associates and Modelworks) and Architectural Heritage Chapter.

Courtney Deery –EIAR Chapter relating to Archaeology and Cultural Heritage

Moore Group – Preparation of the EIAR Chapter relating to Biodiversity.

3 APPLICATION SITE & CONTEXT

3.1 Site Description

The application site is a brownfield site, last occupied by Hickey's Fabrics warehouse and main office. The site is currently unused.

This triangular site measures approximately 0.82 ha. It is bounded by Parkgate Street to the north, the River Liffey to the south, the junction of Sean Heuston Bridge and Parkgate Street and a small electricity substation to the east, and the Parkgate Place office and residential development to the west.

The application site forms the eastern section of a larger former industrial site sitting between Parkgate Street and the River Liffey. The former industrial site was divided some time prior to 1940, and the western section is now occupied by the Parkgate Place 4-5 storey office and residential development.

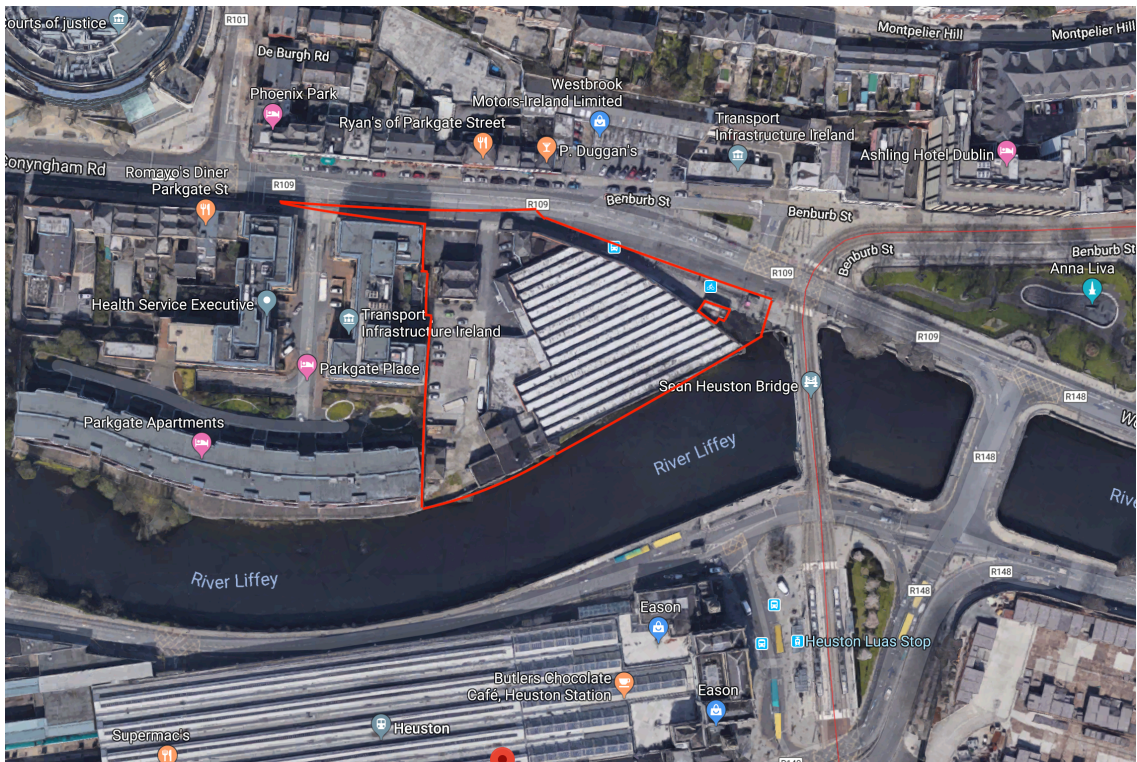


Figure 1: Subject site outlined in red (Approximate Overlay by SLA) Please refer to the enclosed Site Location Plan prepared by Reddy Architecture & Urbanism for the definitive red line boundary of the subject site.

The site lies within a Conservation Area, designated in the Dublin City Development Plan, and contains several structures that are listed in the Dublin City Council Record of Protected Structures, specifically the:

- a) *riverside stone wall;*
- b) *turret at eastern end of site;*
- c) *square tower on the riverfront; and*
- d) *entrance stone arch on the Parkgate Street frontage.*

The site also includes a number of other buildings and structures that are not on the Record of Protected Structures, including:

- The large single storey cast iron and brick warehouse building at the eastern end of the site that covers almost half the overall site.

- The long curved wall of the warehouse facing onto Parkgate Street
- Two ancillary industrial buildings presenting their gables to the river front at the west end of the riverside stone wall
- A small two storey building attached to the inside of the eastern side of the stone arch entrance gateway
- A 2-storey, detached, ruinous late Georgian house (Parkgate House) at the north west corner of the site

3.2 Site Context

The site is centrally located at the western termination of the city quays, in an historic area of the city and major transport hub. The site presents a unique opportunity to provide a residential-led mixed-use development which will contribute to the revitalisation and regeneration of this site and within the Heuston environs gateway.

The application site is easily accessible on foot, being within walking distance of most of the key retail, employment and recreational amenities of the city centre. The site is close to various healthcare services, including St. Patricks University Hospital and St. James' Hospital. The area is also well served by legal and administrative services, with the new Criminal Court, the Four Courts and Dublin City Council Civic Offices all a short distance away.

The site is proximate to cycle facilities along the quays and to a number of Dublin Bike Stations including the Parkgate Street, Heuston Bridge South and the Heuston Bridge North. It is however proposed to relocate the Heuston Bridge North bike station to accommodate the proposed redevelopment of the application site. The operators (JCDecaux) will agree the relocation of the bikes station with Dublin City Council.

The site is within walking distance of a number of significant public transportation services, including Heuston Station Intercity Railway Station, Heuston Red Line LUAS stop (linking to Connolly Station) and numerous Dublin bus services which operate on Parkgate Street and the City Quays (route no's 25, 25a, 25b, 26, 66, 66a, 66b, 66e, 67, 69 and 145).

Significant historic features include the City Quays, Heuston Station, Dr Steeven's Hospital, the Royal Hospital Kilmainham, the Guinness Brewery, Collins Barracks, Phoenix Park (including the Wellington Monument) and other protected structures along Parkgate Street. Consequently, the site also lies adjacent to an excellent range of cultural and recreational amenities, such as the expansive Phoenix Park and Dublin Zoo, the National Museum of Ireland at Collins Barracks, the Irish Museum of Modern Art at Kilmainham and the Guinness Storehouse to name a few. We refer the Board to the EIAR Landscape and Visual Impact Assessment chapter prepared by ARC architectural consultants, for a detailed overview of the receiving environment and historic context of the application site.

3.3 Existing & Planned Uses

The Phoenix Iron Works was founded in 1808. The application site occupies the eastern half of the former ironworks site. Most of the original ironworks buildings were demolished and replaced by other buildings and structures in the mid 1880's. The site has seen a number of changes of use over time: to a woollen mills (late 1800's); shell factory / government depot (early 1900's); printers (early-mid 1900's); bookbinders / publishers (mid-late 1900's), and a textile warehouse (1970's – '00's).

The site was last occupied by Hickey's Wholesale Fabrics warehouse and head office, for over 40 years dating back to the 1970s. The existing buildings total c.4,500 sqm, including the large single-storey warehouse, ancillary stores and former house/office. The buildings on site have fallen into disrepair and dilapidation to various degrees.

As highlighted in section 3.4 below there are a number of Protected Structures on the site, namely:

1. Riverside stone wall

2. Turret at the eastern end of the riverside stone wall
3. Square tower at the western end of the riverside stone wall
4. Entrance stone arch on the Parkgate Street frontage

It is proposed to conserve, repair, refurbish and adapt these Protected Structures in situ.

The Riverside stone wall (protected structure) is to be conserved, refurbished, repaired and adapted, with partial demolition comprising the enlargement of existing opes and creation of new opes and lintel treatments, as part of the opening up of a riverside amenity walkway.

EIAR Ch2 'Alternatives' addresses the different design options that were considered in regard to the proposed works to protected structure. The design rationale seeks to achieve enhanced physical and visual connections, and excellent public realm, between Parkgate Street, the proposed amenity walk, the River and Heuston Station, in responding to the Development Plan objectives and guiding placemaking principles for Heuston & Environs SDRA7. (See Sections 6.2.5 (Issue 5 response), 7.4 (proposed conservation works) and 10.1.6 (SDRA 7) of this planning report below for further discussion.)

As part of the river walk experience it will be possible to enter inside the square tower and view the river through the existing ope that is proposed to be reopened to connect with the river.

Other late 19thC buildings and features of historic interest (not protected structures) are also to be integrated into the proposed development, including the larger ancillary gabled building and the gable wall of the smaller ancillary building that contribute to the walled character of the existing built edge to the river.

Demolition of some other buildings of historic interest that are not listed for protection is proposed to facilitate the proposed regeneration of the site. This proposed demolition of the main warehouse includes the removal curved brick wall to Parkgate Street and the southern brick wall parallel to the riverside stone wall. The cast iron beams are to be reused on site as part of pergola landscape features. The small building beside the entrance gate and the detached 2-storey Parkgate House are also proposed to be demolished. These are all shown on the enclosed plan entitled 'Existing Buildings to be Demolished'.

We refer the Board to the ARC Heritage Impact Assessment Report for further discussion on proposed works to existing buildings on site and the heritage impact of this.

Proposed redevelopment will see the construction of new buildings ranging from 8 to 29 storeys (including mezzanine), sitting in part over basement and undercroft areas. The new building footprints are contained within the Z5 zoned lands. Proposed uses include commercial / employment uses to activate ground and lower levels of this city centre site (retail, café/restaurant) and a larger office building (6 storeys of office floorspace sitting over ground and mezzanine levels / the main site entrance to the public plaza). Residential amenities including gym, common rooms, co-working spaces are also available at lower levels in the proposed scheme. The 2no. co-working spaces amounting to c.419 sq m are for the private use of the prospective residential community within the proposed development. However the ground floor co-working space (c.119 sq m) can also be made available for hire for cultural / community uses by the general public, to be arranged through the management company. Residential accommodation is concentrated at upper levels, amounting to 481no. 'build to rent' apartment units, and additional ancillary amenity spaces.

The proposed scheme includes a new public riverside amenity walk, within the Z9 zoned lands, and significant new public and private communal amenity open space areas within the site area. As described above, some of the residential co-working space will be made available for public hire for cultural and community uses (exhibitions, talks, social networking, etc) through the management company. The public plaza space may also, subject to future consents or licensing as appropriate, be capable of accommodating occasional temporary uses such as market stalls, open air cinema, cultural / community events or performances. Access to public amenity open spaces for non-residents will be during normal public park opening hours. A management company will be established to manage the scheme, including any public access arrangements for external and internal amenities outside normal business hours.

The application proposes a considered, high quality, architecturally designed, residential-led mixed-use scheme to achieve the sustainable redevelopment of this brownfield site at the Heuston gateway to the city centre. The scale and density of development has been tested against a range of urban development, residential design and development control standards and heritage, visual and environmental tolerances, as evidenced in the breadth of documentation accompanying the application.

We are of the opinion that the application duly demonstrates that the proposed development represents a sustainable level of urban development at an accessible brownfield site, beside a significant transport hub, public park (Phoenix Park) and the surrounding employment, retail services, civic and cultural amenities of the city centre. The proposed development will regenerate and revitalise this western gateway to the city, acting as an origin and destination for city activity (work, rest and play), and expanding the public perception of the city centre to Heuston and environs along the Liffey banks.

The proposed development has benefited from the input of a highly qualified, multi-disciplinary design team and external advisors, including Reddy Architecture and Urbanism (project architect and urban designers), ARC including Bill Hastings, Grade 1 Conservation Architect (architectural heritage and visual impact assessments), and Professor John Worthington & Dr Lora Nicolaou (joint authors of *Managing Intensification and Change: A Strategy for Dublin Building Height*, DEGW Report, 2000) providing expert opinion on building height and placemaking.

In developing the scheme, the design team has had regard to strategic National, Regional and Local Planning Policy, as well as ministerial guidelines such as *'Sustainable Residential Development in Urban Areas'* and accompanying *'Urban Design Manual'* (2009), *'Design Standards for New Apartments'* (2018) and *'Urban Development and Building Height'* (2018), and the provisions of the Dublin City Development Plan 2016-2022.

3.4 Conservation Area and Protected Structures

The site is located within a larger 'Conservation Area' designated in the Dublin City Development Plan along the River Liffey and its banks and quays. Policies SC25 and CHC4 of the Plan promotes high quality, inclusive urban design, architecture and public open space that positively contributes to the city's built and natural environments, taking opportunities in designated conservation areas to enhance their special character and distinctiveness that is derived from historic buildings and other important features. One of the principles of Strategic Development and Regeneration Area (SDRA) 7 (within which the subject site lies) is to forge dynamic relationships of contemporary urban form and sustainable density with cultural institutions, historic fabric and setting in the Heuston environs.

The site contains several Protected Structures, specifically listed in the Record of Protected Structures, as:

- Riverside stone wall
- Turret at the eastern of the site
- Square tower on the riverfront
- Entrance stone arch on the Parkgate Street frontage

We refer the Board in the first instance to the description of these and other non-protected structures on site and their heritage, as set out in the Architectural Heritage Impact Assessment report prepared by ARC that accompanies this application. Potential impact on cultural heritage is also assessed in the EIAR that accompanies the application.

In summary:

The **Stone Archway** (protected structure) entrance on Parkgate Street is identified as having been part of the original Phoenix Iron Works, and built around 1820. Its present location is noted on the 1838 Ordnance Survey map. The stone archway is to be conserved and restored in its present position, and proposed to be incorporated into the proposed development as a pedestrian gateway to the residential communal amenity courtyard.

The **Riverside Stone Wall** (protected structure) is constructed in coarse limestone and calp rubble. Evidence would suggest that this wall, located along the southern boundary of the site along the river, dates from the 1880s reconstruction of buildings on the site. Some adaptations and elements of demolition are proposed to the riverside stone wall, including enlargement or reopening of existing opes and the creation of some new openings, as part of the proposed creation of a new riverside walk and to provide for visual links through the scheme from Parkgate Street and the proposed public plaza to the river and beyond to Heuston Station. A brick wall which forms part of the large warehouse structure (not a protected structure) runs inside and parallel to the Riverside Stone Wall. It is proposed to remove this brick wall, as part of the demolition of the warehouse building as described elsewhere.

The **Turret** (protected structure) on the east end of the riverside wall appears on the 1838 Ordnance Survey Map. It is constructed in limestone ashlar. It is an attractive heritage feature that is proposed to be conserved and integrated, along with the riverside stone wall. The stone turret signals the gateway to the proposed riverside amenity walk from the eastern apex of the site.

The **Square Tower** (protected structure) on the riverfront, at the western end of the riverside wall, appears to date from the 1880s reconstruction of the site. The steel beams protruding from the structure over the river and the timbers below rising out of the river bed suggest this building, along with the adjoining gable fronted building (not protected) may have been used for loading and unloading of goods from a river wharf. It is proposed to conserve and restore the square tower as an integrated part of the proposed development along with the riverside stone wall, as part of the riverside amenity walk. It will be possible for people to walk in to view the structure from within and look across the river towards Heuston Station through the existing south facing window in the tower.

There are two existing stone gabled buildings (not protected), formerly ancillary to the main warehouse, whose gables are integrated with the riverside wall composition. It is proposed to conserve, restore and adapt the larger gabled building to accommodate residential amenity use and to be integrated with the river walk. It is also proposed to conserve, restore and adapt the gable end of a smaller gabled building (not protected) as part of the existing character of the riverside stone wall.

Thereafter, buildings and structures proposed to be removed include the large cast iron and brick warehouse building, including the long curved wall fronting Parkgate Street and the southern wall that runs parallel and inside the riverside stone wall. It is proposed to reuse the cast iron beams within the amenity open space areas as landscape features. It is also proposed to remove the small building adjacent to the entrance gate and the 2-storey detached former house to facilitate the proposed development. None of these are protected structures.

For further information on the Protected Structures on site, we refer the Board to the Architectural Heritage Impact Assessment, prepared by ARC Architectural Consultants.

For further information on the historic setting of the site and we refer the Board to the Landscape and Visual Impact Assessment Chapter of the EIAR, prepared by ARC Architectural Consultants.

For further information on the alternatives considered in respect of the proposed works to protected and non-protected structures, as part of the design strategy prepared by Reddy architecture and Urbanism, we refer the Board to the 'Alternatives' (Chapter 2) of the EIAR that accompanies the SHD application.

4 PLANNING HISTORY

The site has been the subject of one previous recent planning application, a summary of which is detailed below.

A number of other planning applications were made on the site from the 1960s to the 1980s. Due to the significant intervening time period, these older applications are not explored further as having potential significant relevance to the case at hand.

4.1 Hickey's Site - Reg. Ref. 3613/06 (ABP Reg. Ref. PL29N.221587)

Hickey and Company Limited applied for permission on 21 June 2006 for a mixed use residential and commercial development, to include residential units, offices, retail, restaurant and creche facilities, generally as follows:

- The relocation, refurbishment and repair of a stone archway (Protected Structure) from its current position on Parkgate Street to a location south west of its current position within the site.
- A stand alone 6-storey office block.
- 2no. connecting 7-9 storey residential blocks in an L shape fronting Parkgate Street and the River Liffey, to accommodate 139 no. residential units.
- 1no. creche at ground floor.
- 2no. retail units at ground floor.
- Restaurant / Cafe at ground floor and mezzanine level.
- 4no. own door duplex office units.
- Pedestrianised street linking Parkgate Street to the River, with overhanging public plaza.
- Vehicular access from Parkgate Street to basement car park, including 159no. car parking spaces and 215no. bicycle spaces
- 2no. ESB substations

Following the Applicant's response to a request for Further Information (22 November 2006), the Planning Authority proceeded to issue notification of its decision to grant permission (with 34no. conditions) on 19 December 2006.

This decision was appealed to An Bord Pleanala. In assessing the case, against the planning policy context at that time (primarily the Dublin City Development Plan 2005-2011), a review of the Inspector's assessment identifies that:

- The proposed uses generally conformed to the Z5 land use zoning and the provision of access along the river frontage was in accordance with the Z9 zoning,
- Precedent was established for significant development within the Heuston Regeneration Strategy and Development Framework area, by the following cases:
 - OPW / St John's Road Depot mixed use scheme (c.98,389 sq m total gfa, including commercial (c.65k sq m), cultural (c.4k sq m) and residential (267no. apartments) in 18no. buildings ranging from 2-12 storeys, at a site measuring c.3.9 ha), bounded by the Royal Hospital Kilmainham, granted by ABP in 2004 (PL.29S.206528). [i.e. existing Heuston South Quarter at St John's Road and Military Road]
 - Military Road mixed use scheme (c.52,111 sq m total gfa, including commercial (c.21k sq m), cultural (c.7k sq m) and residential (197no. apartments) in 14no. buildings ranging from 1-32 storeys, at a site measuring c.3.43 ha) and works to protected structures, granted by ABP in 2005 (PL.29S.210196). 10 year permission not implemented. (see Section 7.4.2 below for further reference.)

- There were reasonable aims to intensify development within built up areas close to public transport connections and having regard to other planning objectives.
- The development options for the site, illustrated in the Heuston Gateway Development Framework Plan (Dublin City Council, 2003) were not definitive, and the identified 'visual connections' were not 'untouchable'. Development should not be entirely restricted, but should enhance and not block the views, in particular the visual connection between the Wellington Monument and the Quays, and the setting of Heuston Station. The Framework Plan identified potential for increased connection between Heuston Station, Parkgate Street and Phoenix Park, to be realised through development options including: (1) Mixed use residential and commercial (office, retail, services, leisure, etc) development, with external space connecting to Parkgate Street and set back from river to facilitate river side amenity walk. (2) A high profile landmark, public, cultural building at this site.
- The site location marks a change in how the River responds to the city context from natural to controlled urban.
- Provision was made in the proposed development for the retention and renovation of a number of protected structures on site, including the turret, square tower and part of the riverside wall, and the relocation of the stone archway within the site. While the creation of a new street and cantilevered public plaza was considered to have some merit, the Inspector considered that as proposed it would detract from the overall historic appearance and composition of the wall. It was further considered that the stone gabled buildings, proposed to be demolished, formed part of the significant character and appearance of the southern wall and square tower, notwithstanding that they were not listed for protection.
- In relation to other non-protected structures, given an appropriate redevelopment proposal, the existing wall along Parkgate Street, the large warehouse and other miscellaneous buildings / structures could be removed. The Inspector was in favour of keeping the Georgian house, although the Heuston Framework Plan noted that the non-protected structures should only be preserved if they constitute exceptional examples of their kind.
- The potential of the river wall for wildlife, vegetation and landscape connectivity to other open spaces should be clarified.
- The potential impact of the development on traffic flow at Parkgate Street should be fully demonstrated.
- The scheme facilitated the possibility of a pedestrian link to the adjoining development to the west, but would require agreement with the relevant land owners.
- While the scheme had merit as a mixed use development of good design quality and including new public domain, a greater attempt at incorporating retaining existing historic building fabric in the redevelopment proposal is desirable.

While the Board Order generally concurred with the Inspector's recommendation to refuse permission for two reasons, it is notable that the reference to the "*late Georgian dwellinghouse and the large stone storage building adjacent to the southern boundary*" was removed in the Board's Order. Permission was however refused for the following reasons, by way of the Board's Order dated 14 September 2007.

1. *The application site lies within the Heuston Station and Environs Framework Development Area (FDA7), as designated in the current Dublin City Development Plan, on a significant visual connection running from the City Quays to the Phoenix Park and the Wellington Monument and in an area close to the key focal point of Heuston Station with "... famous views into and around the station environs ..." as identified in the Heuston Gateway Regeneration Strategy and Development Framework Plan. Furthermore, the site is located within a conservation area, as designated in the development plan, wherein it is the stated policy of the planning authority to protect the character and historic fabric and to ensure that new buildings complement the character of the existing architecture in design, materials and scale. In addition, the site lies in close proximity to and affecting the setting of protected structures including Heuston Station to the south of the river and in a location of significant historic, amenity and tourism importance. Having regard to the scale,*

massing and generalised design, which is bland and repetitive, it is considered that the proposed development would not reflect the pivotal and sensitive nature of the site and would interfere with views and prospects of special amenity in the environs of the site which it is necessary to preserve, would detract from the character and appearance of the conservation area at this point and would adversely affect the setting of protected structures in the vicinity. The proposed development would, therefore, seriously injure the amenities of the area and be contrary to the proper planning and sustainable development of the area.

2. *The proposed development includes proposals to demolish and relocate a protected structure (entrance stone arch) within the site. It is considered that there are no exceptional circumstances to warrant the removal of this protected archway from its historical position and that its removal would detract from the character and appearance of the conservation area where it is the policy of the planning authority to protect and enhance the character and historic fabric of such areas. The proposed development would, therefore, seriously injure the amenities of this conservation area and would be contrary to the proper planning and sustainable development of the area.*

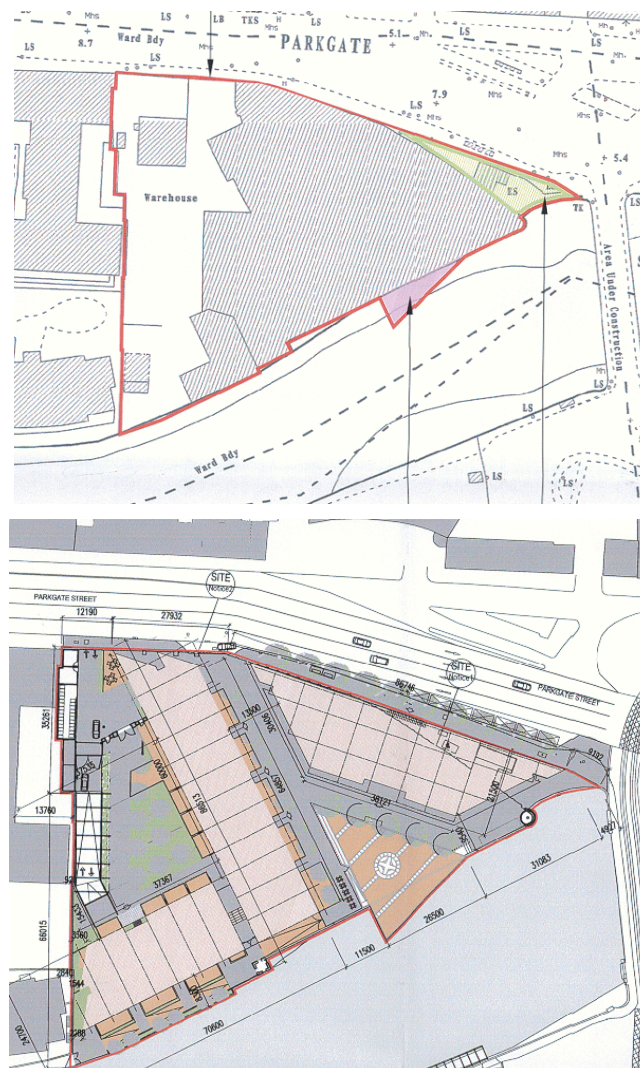


Figure 2: Site Location and Layout Plans of the 2006 application.

It is relevant to highlight that since this decision was made, there has been a significant shift in planning policy context that positively promotes the sustainable regeneration of brownfield city centre sites with high density and higher building height. The role of the regeneration of Heuston and Environs as a western counter balance to development at Docklands, at a gateway to the city centre, is also relevant. At a strategic level, this area is no longer considered an 'edge of city' site, rather an 'edge of city centre',

in the context of the strategic identification of 'Dublin & Suburbs' as the focus for higher density development. Since the publication of the Heuston Gateway Framework Plan (Dublin City Council 2003), the area has undergone significant redevelopment. The guiding principles for the development of the land banks that remain within the Heuston and Environs area (SDRA 7) are now set out in Chapter 15 (section 15.1.1.10) of the City Development Plan. See further discussion of in Section 10 of this planning report.

The proposed development subject of the current application has had regard to the visual sensitivities of the site and requirement for elegant architecture that, while of a landmark quality, does not block significant visual connections to the Wellington Monument along the Quays or detract from the setting of Heuston Station. For further discussion, we refer the Board to the Architectural Heritage Impact Assessment and EIAR chapter on Landscape and Visual Impact Assessment, prepared by ARC and photomontages by Modelworks. We refer also to the report by Prof. John Worthington and Dr Lora Nicolau relating to placemaking and building height at this location, that accompanies the SHD planning application.

The proposed development recognises the continued requirement to appropriately conserve and integrate the protected structures on site. It directly addresses refusal reason no.2 of the Board's previous order by maintaining the protected archway in its current historical position. The proposal now also seeks to conserve the southern riverside stone wall in addition to the turret, square tower, large gabled building and the riverside gable of the smaller gabled building, adapting these structures as an integrated part of the creation of a riverside amenity. While alterations are proposed to the protected wall, this has regard to the varied quality of material along the wall. Interventions are focussed around the alteration of existing opes and the creation of new opes, to enhance connectivity between Parkgate Street, the proposed public plaza and the river beyond the wall, while still retaining the historic 'wall' character.

We refer the Board to Chapter 2 'Alternatives' of the EIAR for the various design options considered, and to the Architectural Heritage Impact Assessment and Visual Impact Assessment prepared by ARC for further discussion of architectural heritage and visual impact of the proposed development.

4.2 Planning Precedent Cases

Reg. Ref: 1290/04 (ABP Reg Ref: PL29S.210196) – OPW Site, Military Road, Kilmainham

On 10 February 2004, The Commissioners for Public Works applied for a 10 year planning permission for a mixed use development (c. 52,111 sq. m), at a site (3.43 Ha) on Military Road, Kilmainham, immediately south of Heuston Station. Proposed development comprised 14no. buildings ranging from 1 to 32 storeys (over basement), to accommodate 197no. residential units (c. 20,152 sq. m), offices (14,095 sq. m), 19 no. retail units (2,747 sq. m), health club (c. 780 sq. m), 2no. restaurants (c. 1,569 sq. m), public house (c. 453 sq. m), childcare facility (c. 124 sq. m), educational facility (c. 838 sq. m), museum building (5,571 sq. m) and other cultural facilities (c. 1,711 s. m) and associated site works.

Notably the proposal included a 32-storey tower, with 28no. floors in residential use and restaurant use at lower levels.

Works to protected structures and non-protected structures included conservation and changes of use of the Protected Structures (the Phoenix Deer Park Wall and the East Gate Lodge, Royal Hospital Kilmainham) and historic buildings (the Doctor's House, Infirmary and Laundry). Also, demolition of a number of existing buildings on the site, including a three storey office block, a nineteenth century single storey coach house structure, a mortuary building, single storey prefabricated building, and various extensions and later additions to the historic buildings.

The proposal included landscaping and open space works, including a new street, IMMA Avenue, to provide a public pedestrian route from Heuston Station to the Irish Museum of Modern Art at the Royal Hospital, Kilmainham. Also amenity and environmental improvements along the River Camac, including public walkway along part of its length.

Following the Applicant's response to a request for further information (5 October 2004), Dublin City Council made a decision to grant permission (with 31no. conditions), dated 30 November 2004.

The decision was appealed to An Bord Pleanála. The Inspectors Report recommended a grant of permission subject to 30 no. conditions, which included the omission of the 32 storey block.

On the 29 November 2004 An Bord Pleanála made an Order granting permission (with 32no. conditions) and retaining the 32-storey tower. The Board's Order stated that the proposed development:

"... would constitute an appropriate mix of land uses at this location, would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of impact on protected structures and recorded monuments, and traffic safety and convenience and would constitute an appropriate form of development of the site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area."

It was further noted by the Board that:

"In deciding not to accept the Inspector's recommendation to require omission of Building C5 (the 32 storey residential block), the Board considered that this building would be acceptable in terms of its visual impact, having regard to both its design quality and its particular location. In this regard, the Board noted that the site can be considered to lie outside the historic core of the city. The Board made its decision on the basis of the merits of the particular scheme and did not consider that the decision should be regarded as a precedent in relation to any other proposal for a high building in the city, including in the Heuston Framework Development Area."

It should be noted that this permission was not implemented on site, and that the permission has now withered. In 2017 the site was entered onto the Council's Vacant Sites Register.

In August 2018, OPW planning approval was established to develop a new 6-storey Garda Headquarters complex, over 2-storeys of underground car parking (220no. spaces), at this site. While Dublin City Council made submissions to the OPW, neither Dublin City Council nor An Bord Pleanála had a role in granting planning permission. The development is due to be completed by 2022.

4.3 Planning History Summary

The development now before the Board is considered to successfully address the previous concerns raised by the Inspector and the Board in the context of the previous application for this site at Parkgate Street (Reg. Ref. 3613/06 and ABP Reg. Ref. PL29N.221587). In particular, a considered approach has been taken to the integration of protected and non-protected structures of heritage value and the achievement of good urban design and landmark architecture to ensure the reasonable protection of key visual connections, enhancement of place and streetscape within the city. It is considered that the proposed development would play a role in aiding orientation and legibility to the city, marking a visual connection between the City Quays and the Phoenix Park / Wellington Monument (see photomontage Views 4 & 5 of the LVIA) and Parkgate Street and the River / Heuston Station. Furthermore it would enliven the setting and perception of Heuston Station as a key intercity and urban transport hub at the western edge of the city centre (see photomontage Views 6, 7, 8, 9, 10, 15, 16 & 19 of the LVIA).

At the same time the proposal has necessary regard to the significant evolution in strategic planning policy at national, regional and local level, whereby there is a strong presumption in favour of development that encourages more people and generates more jobs and activity within the city. This includes the promotion of higher density development and building height, based on performance criteria and the achievement of appropriate planning standards, particularly at brownfield inner city sites proximate to significant public transport hubs and city centre amenities, to achieve targeted growth. Planning history in the vicinity of Heuston Station demonstrates relevant precedent, whereby both Dublin City Council and An Bord Pleanála have previously granted permission for development of significant scale (including a 32-storey tower) as part of the regeneration and development of Heuston & Environs as the western gateway to Dublin city centre. It has been acknowledged by the Board in these decisions that the edge of inner city Dublin has now expanded well beyond Heuston environs, with the M50 now delineating the core consolidation area of 'Dublin and suburbs'. Dublin City Council

in its development plan objectives also expresses a desire to expand the public perception of the city centre, identifying a civic spine along the Liffey Corridor between the Docklands to the east and Sean Heuston Bridge to the west.

5 PRIOR CONSULTATION IN RESPECT OF PROPOSED STRATEGIC HOUSING DEVELOPMENT

5.1 An Bord Pleanála Pre-Application Consultation

A Pre-Planning Consultation Meeting was held on the 18 September 2019 under Section 6 the Act. This was attended by representatives from An Bord Pleanála, Dublin City Council, the Applicant and its Design Team.

At the outset the applicant fully acknowledges the 'without prejudice' nature of pre-planning consultation. The following sections are provided for the Board's information only. The Board will also have the Planning Authority's minutes of the S247 meetings for its records.

Broadly, it is the Applicant's interpretation that the following issues were discussed: -

- Principle and Zoning
- Development Strategy
- Housing Format
- Residential Amenity
- Architectural Heritage & Archaeology
- Transportation
- Site Services
- Childcare

The Board issued its formal Opinion on 2 October 2019, identifying a number of issues requiring further consideration within the planning application, including:

- Development strategy
- Housing Format
- Communal Facilities/Residential Support Facilities
- Residential Amenity
- Architectural Heritage
- Principle of Development
- Childcare as issues for further discussion and/or justification, in addition to the submission of other specific information.

The Board's Opinion also listed specific information that should be submitted with this application.

A response to the Board Opinion is included at Section 6 of this Report. This includes cross references to the relevant plans and particulars submitted with the SHD application that further describe, illustrate and/or analyse the revised scheme. We draw the Board's attention also to Section 5 of the Architectural Design Statement prepared by Reddy Urbanism and Architecture that describes and illustrates the architectural design response to issues raised by An Bord Pleanála at pre-application consultation stage.

We refer the Board otherwise to the Enclosures List at the end of this Report (Section 16), which details all of the material submitted in support of this SHD Planning Application, and to the EIAR prepared by Arup Consulting Engineers.

5.2 Section 247 Consultations with Dublin City Council

Prior to the formal An Bord Pleanála Consultation meeting, a series of preliminary and formal Section 247 meetings and other 'without prejudice' pre-planning consultation took place with the Planning Authority, between September 2018 and May 2019.

The final formal S247 meeting held on 21 March 2019 was attended by the following planning officers of the Planning Authority:

- Mary Conway, Deputy City Planner
- Rhona Naughton, Senior Planner

At this meeting the Planning Authority, noted the various design amendments to the proposed scheme since previous meetings. Further guidance was provided to the Applicant, in particular focussing on the need to make the relevant case and provide further details in respect of the following key aspects of the scheme in the SHD application to the Board:

- Z5 land use mix ratio (clarity on horizontal and vertical mix of non-residential uses).
- Density, residential unit mix and residential amenity for ‘build to rent’ development – creating a place to live.
- Scale and massing of proposed buildings, in particular the 29-storey tower in key views (particularly from the Quays and within the setting of Heuston Station), integration with Parkgate Street streetscape and relationship with existing neighbouring development to the west.
- Architectural expression and materiality of the tower and other buildings.
- The nature and extent of works to the protected structures, and the integration of other non-protected structures along the river wall as far as possible to maintain the existing character and impression of the historic wall at this location, while also reasonably achieving the objective of delivering an attractive riverside amenity walk and good quality public realm and amenity open space within the site.

While it was confirmed that this was the final formal S247 meeting, the Applicant was invited to provide further design details to DCC on an ongoing consultative basis where this would be of assistance in resolving certain design issues prior to the lodgment of the final SHD application to the Board. The Applicant has availed of this valuable opportunity to engage further with the Planning Authority, through meetings and submission of various design material, right up to November 2019, prior to submitting the application to An Bord Pleanála.

The applicant has had regard to the general guidance provided at the Section 247 consultation meetings with Dublin City Council, the details of which are also outlined the Council’s Section 247 meeting minutes issued to An Bord Pleanála.

5.3 Other Consultations with DCC

In addition to the final formal Section 247 meeting held on 21 March 2019, previous meetings took place on the following dates:

- 3 September 2018 (Initial concept with DCC Planning)
- 19 December 2018 (Preliminary design issues with DCC Planning)
- 18 January 2019 (formal S247 attended by DCC Planning)
- 31 January 2019 (formal S247 attended by DCC Planning)
- 28 February 2019 (formal S247 attended by DCC Planning and DCC Conservation Officer)

Minutes of these ‘without prejudice’ meetings were provided to An Bord Pleanála at pre-application consultation by Dublin City Council, for its information.

We set out below the Applicant’s understanding of the issues discussed with the local planning authority at these meetings, for the further information of the Board.

5.3.1 S247 Meeting No.1: 3rd September 2018

Planning Authority attendance by:

- Mary Conway Deputy City Planner

Presentation of an initial development concept by Reddy Architecture & Urbanism. Identification by DCC Planning of a number of the fundamental principles associated with the redevelopment of this site,

including: mix of use, 'build to rent' concept, key views and vistas, building height and the creation of a riverside walk.

5.3.2 S247 Meeting No.2: 19th December 2018

Planning Authority attendance by:

- Mary Conway Deputy City Planner
- Rhona Naughton, Senior Planner

Presentation by Reddy Architecture & Urbanism of provisional development proposal. The Planning Authority responded well to the proposed site layout, with the built form presenting 'fingers' to the river rather than a wall. The Planning Authority advised that key topics for further design exploration and follow up discussion included public realm, use mix, massing, materiality and conservation aspects of the proposed scheme.

5.3.3 S247 Meeting No.3: 18th January 2019

Planning Authority attendance by:

- Mary Conway, Deputy City Planner
- Rhona Naughton, Senior Planner

The following issues were discussed:

- Use mix/ ratio compliance with Z5 zoning objective.
- Further detail on public realm.
- Works to Protected structures
- Further design detail relating to the communal private space at ground plane
- Relationship between residential entrance points and the public realm.
- Apartment unit mix
- Separation to neighbouring office and residential buildings to the west

5.3.4 S247 Meeting No.4: 31st January 2019

Planning Authority attendance by:

- Mary Conway, Deputy City Planner
- Rhona Naughton, Senior Planner

Further presentation by Application on how the proposed design had evolved to respond to previous Planning Authority feed back.

Planning Authority raised the following further issues:

- Planning authority seeking to increase employment use on site.
- Further detail on residential amenities and facilities requested.
- Clearer delineation between common private space and public space at ground level to be provided.
- Further contextual elevations and site sections required to understand conditions within the spaces, under cantilevers, along streets, moving through spaces, and negotiating site level changes.
- Further detail on Parkgate Street streetscape sought. Contextual elevations to show height, scale, layers, detailing, finish.
- Significant (heritage) views of the site to be identified.
- Tower design to be further refined, including improvement of slenderness ratio.
- Architectural expression and materiality details required.
- Further clarification on how the proposed scheme embraces its heritage context.

5.3.5 S247 Meeting No.5: 28 February 2019

Planning Authority attendance by:

- Mary Conway, Deputy City Planner
- Rhona Naughton, Senior Planner
- Mary McDonald, Conservation Officer

This meeting focused on conservation and architectural heritage, in particular:

- Treatment of Protected Structures, in particular the riverside wall (including turret, square tower and other non-protected structures) and the stone archway.
- Integration of the riverside wall with the proposed river walk and public plaza.
- Overall conservation approach, including loss of historic buildings / structures not listed for protection in the interests of achieving appropriate redevelopment of the site.
- Building height in context of historic setting of Heuston Station and Parkgate Street and in views along the Quays.
- The Council's Conservation Officer expressed some reservation regarding loss of historic buildings / structures (not listed), loss of historic fabric and potential impact on the character of the riverside wall (protected structure) and building height in the historic setting.
- The Planning Authority appeared to also recognise that there were strategic planning considerations also at play, at national, regional and local policy level in respect of the sustainable regeneration of the site and the creation of high quality public space and riverside amenity connections, that required some level of compromise. It is however for the Applicant to prove its case in its application to ABP.

5.3.6 Meeting No.6: 21st March 2019

See details in Section 5.2 above.

5.3.7 Follow Up Consultation with the Planning Authority

Further follow up submissions and consultation with the Planning Department occurred also on the following dates:

- 11 April 2019 – Tower Design
- 5 May 2019 – Draft Architectural Design Statement, floor plans, elevations and sections and schedule of accommodation issued to the Planning Authority.
- 4 July 2019 – Summary round up on key design issues, including: uses to ground plane; river wall and amenity walk details; Parkgate Street stone archway, shopfront detail and private communal amenity space; Block B2 western elevation; residential unit mix and amenities; and massing and design in key views. Held prior to ABP pre-application consultation on 18 September 2019.
- 18 November 2019 – Follow up consultation with Planning Authority prior to lodgement of SHD application. Conservation Officer in attendance also.

Following the pre-application consultation with An Bord Pleanála, on 18 September, a further meeting with the Planning Authority took place on 18 November 2019, prior to lodgment of the SHD application. This meeting was attended by the following officials of the Planning Authority:

- Mary Conway, Deputy City Planner
- Rhona Naughton, Senior Planner
- Mary McDonald, Conservation Officer

At this meeting, the Applicant provided clarification on the design updates made in response to the planning authority's previous advice and following receipt of the Board's Opinion. The meeting covered the following topics:

- Design, height and massing
- Residential amenity
- Architectural heritage
- The proposed mix of uses
- Visual Impact Assessment

A follow up submission was made to the Planning Authority on 12 December 2019, including the placemaking report by Professor John Worthington and Dr Lora Nicolaou, further building height design justification in response to the Board's Opinion (See Section 5 of Architectural Design Statement) and proposed materials strategy. All of this material is included with the application to the Board.

Consultation with other Planning Authority departments, including Transportation, Water Services and Housing, also occurred prior to the submission of this application, as detailed in the reports of the various design team in respect of their fields of expertise. The Transportation division facilitated a meeting also with Transport Infrastructure Ireland. The Applicant also made contact with the Irish Aviation Authority to determine any particular design or safety issues that might arise for aircraft, in the context of a development proposal including a 29-storey building at this site.

5.4 DCC Housing Department – Part V Consultation

There has been dialogue between the applicant and Dublin City Council Housing Department with regard Part V provision prior to making this application. A proposal was presented, without prejudice, to the Housing Department at Dublin City Council. A validation letter from Dublin City Council, dated 5 December 2019, is enclosed as evidence of this dialogue.

In the first instance, we refer the Board to section 7.6.2 of this report which sets out the applicant's Part V Proposals, in addition to the enclosed Part V Proposal Methodology of Calculation of Costs Table and drawing no. PGATE-RAU-ZZ-ZZ-DR-A-GAP-31140, prepared by Reddy Architecture and Urbanism, for the relevant details in respect of Part V Proposals for this application. Cost estimates relating to this proposal, to the level of detail commensurate with this stage of the Part V process having regard to Circular Letter 10/2015, have been provided to the Board with this application.

We acknowledge that, under the provisions of the Amendment to the Act and its accompanying Regulations, the ultimate agreement with regard to Part V is dependent a) upon receipt of a final grant of permission and b) upon a site value at the time the Permission is granted; neither of which can be confirmed at this time.

5.5 Other Consultation

5.5.1 Irish Water

Arup Consulting Engineers engaged in consultation meetings with Irish Water. This was supplemented by email and telephone communications.

In addition, Arup Consulting Engineers submitted a Pre-Connection Enquiry to Irish Water. Enclosed with the SHD application is a 'Confirmation of Feasibility Statement', dated 4 July 2019, and a Statement of Design Acceptance, dated 13 December 2019, both received from Irish Water.

We refer the Board to the 'Planning Drainage and Watermain Report' prepared by Arup Consulting Engineers for further details.

5.5.2 Transport Infrastructure Ireland

Arup Consulting Engineers engaged in consultation with Transport Infrastructure Ireland and the DCC Transport and Planning Division on matters concerning the proposed development, transportation facilities, and potential impact on pedestrian, cycle, bus, LUAS and vehicular movement and infrastructure.

We refer the Board to the Transport Statement and DMURS statement of consistency prepared by Arup Consulting Engineers for further details.

5.5.3 Irish Aviation Authority

Stephen Little and Associates consulted the Irish Aviation Authority (IAA) on the development proposals. The IAA responded by letter dated 22 November 2019 (enclosed within the application) setting out their requirements. These requirements include an obstacle warning light scheme to be agreed by condition, as well as notification to the IAA 30 days in advance of commencing crane operations. We confirm that the applicant will be in a position to comply with the requirements set out by the IAA.

6 APPLICANT'S STATEMENT OF PROPOSALS IN RESPONSE TO AN BORD PLEANALA OPINION

In accordance with Section 6(7) of the Planning and Development (Housing) and Residential Tenancies Act 2016, and Article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the Board has set out its written opinion, dated 2 October 2019, on whether the documents submitted at pre-application consultation stage constitute a reasonable basis for a Strategic Housing Application. It sets out also its opinion on the issues that require further consideration or justification, and any specific information that is necessary to accompany the application.

Article 297(3) provides –

(3) Where, under section 6(7) of the Act of 2016, the Board issued a notice to the prospective applicant of its opinion that the documents enclosed with the request for pre-application consultations required further consideration and amendment in order to constitute a reasonable basis for an application for permission, the application shall be accompanied by a statement of the proposals included in the application to address the issues set out in the notice.

Before proceeding to set out the details of the characteristics of the overall proposed development now before the Board (see Section 7 below), the statement of proposals referred to under Article 297(3) required in response to the Board's Pre-Application Consultation Opinion is set out in this overall section.

This should be read in conjunction with the plans and particulars that accompany the application which provide a further illustration and/or written analysis and justification of the proposed design response to the specific issues raised by the Board. We cross reference the relevant material in the responses below for the convenience of the Board.

We can confirm that in making this SHD application the Applicant will have issued notification to the Prescribed Bodies identified in the Board's Opinion, inviting submissions on the application (see cover letters enclosed with application). We refer the Board also to Section 2.4 of this planning report for a list of the prescribed bodies that have been notified.

6.1 Amendment to Proposed Scheme in response to Opinion of An Bord Pleanála

6.1.1 Key Physical Design Amendments

In responding to Issues 1 to 7 of the Board's Opinion that further consideration and amendment of the proposed development is required to constitute a reasonable basis for a strategic housing application, we refer the Board in the first instance to the following documentation that is particularly relevant to its consideration of the proposed scheme as amended since pre-application consultation:

- Architectural Design Statement, Housing Quality Assessment Report, Materials Strategy, planning drawings and visualisations, prepared by Reddy Architecture + Urbanism.
- Report of Professor John Worthington & Dr Lora Nicolaou, addressing planning history, building height and placemaking pertaining to the proposed development.
- Architectural Heritage Impact Assessment Report, prepared by ARC architectural consultants
- EIAR Landscape and Visual Impact Assessment Chapter, prepared by ARC architectural consultants
- Childcare Needs Assessment, prepared by Stephen Little & Associates
- This planning report and statement of consistency with planning policy and guidelines, prepared by Stephen Little and Associates

The plans and particulars accompanying the application, that provide a response to the Board's request for specific information (further items 1 to 17 inclusive) are also identified in sections below.

At pre-application consultation with the Board (18 September 2019), the proposed development had evolved through in-depth ‘without prejudice’ consultation with Dublin City Council, and iterative planning, architecture, engineering and environmental assessment by the project team, over the preceding 12 months. By the time of consultation with the Board, a residential mixed use scheme (including office, retail and retail services) was proposed generally accommodated in buildings ranging from 6 to 11 storeys and a 29 storey landmark tower, over undercroft and basement areas. The proposed development was arranged:

- to form a new active street edge to Parkgate Street;
- to create animated public and private open space amenity within the site and a new river walk inside the existing riverside stone wall;
- to integrate protected structures and other features of historic interest on site; and
- to generally present a new landmark development that makes sustainable use of land and creates positive connections with its surroundings in the achievement of good placemaking from a land-use, transportation and cultural perspective.

At pre-application consultation stage with An Bord Pleanála the proposed development generally included:

- 436no. apartment units, including 408no. ‘build to rent’ apartments (51no. studios, 272no. 1-bed units, 85no. 2-bed units) and 28no. shared living units of 4 to 6 en-suite bedrooms each with shared living area and dining facilities (i.e. containing 159no. private bedrooms). Also, internal residential amenities such as gym, residents’ lounges, bookable rooms, management areas, and break-out spaces, external private shared open space at ground and upper levels, etc.
- 4,205sq m commercial floor space, including office (c.3,481 sq m), retail (c.75 sq m) and café/restaurant (c.649 sq m) uses, at lower levels relating to public streets and spaces.
- Public plaza and river walk
- Basement car park, accommodating car parking, bicycle parking and ancillary facilities and plant
- Conservation, repair, refurbishment and adaptive reuse of protected structures on site, namely, the riverside wall, turret, square tower and stone archway. The larger of the gabled buildings to the river (not protected) was proposed to be incorporated into the riverside amenity walk along the historic wall. The expansion of existing opes and creation of a new opening in the river wall was also proposed to enhance the proposed river walk and south facing amenity spaces behind the wall. The new public realm would benefit from excellent natural light penetration and visual connection between Parkgate Street and the River. All other existing structures on site were to be demolished.

On foot of consultation with the Board and receipt of its written opinion dated 2 October 2019, the proposed development has been subject of further design amendment, refinement and detailing in order to respond to the Opinion of the Board. A brief description of the amended scheme is provided in Section 2.3 above. For convenience, the key differences compared to the scheme proposed to the Board in September 2018, are identified below.

The proposed development as now proposed to An Bord Pleanála includes:

- A mixed use scheme generally accommodating 6no. blocks ranging from 8 to 13 storeys and a 29 storey landmark tower, including mezzanine level. (Essentially 5no. mixed use residential buildings (A, B1, C1, C2 and C3) and 1no. office building (B2).)
- The slenderness, architectural expression and materiality of the tower at the site’s eastern apex has evolved further in consultation with Dublin City Council (as advised at pre-application consultation with the Board) and in response to the Board’s formal opinion.
- The two ‘finger’ blocks extending towards the river wall have been subject of further height modulation and elevation detailing, to address *inter alia* the relationship of the western block to

existing neighbouring development, and in views of the proposed development from the west and south.

- Further detailing of the architectural composition and streetscape along Parkgate Street has been developed and refined at street level (ground to 1st floor), at shoulder level (up to 7th floor) and at set back levels above. Architectural expression and materiality seeks to achieve design coherence and compliment the pattern, mix and materiality of surrounding older and newer development in the immediate vicinity.
- Further detailing of the integration of the stone archway (protected structure), in its existing historic position, as a gated pedestrian entrance to the residential buildings and communal amenities from Parkgate Street.
- Further adjustments to the conservation approach to the riverside stone wall (protected structure), in respect of the extent and simplicity of new openings that retain the existing character and impression of the historic wall, while also creating pleasant public riverside amenities, including the 'river walk', public plaza and ground floor café/restaurant facilities that positively contribute to the successful reintegration of this site with Parkgate Street and Heuston gateway setting.
- The turret, square tower (both protected structures) and larger gabled building (not protected) to remain as existing heritage features, along with the riverside stone wall, as part of the built form of the site along the southern boundary / river edge. The gable end of the smaller building (not protected) is now also to be kept in this context. The cast iron beams from the factory building to be repurposed as a pergola feature within the residents' communal amenity open space.
- Demolition of all other structures including: the large single storey warehouse building with curved wall to Parkgate Street and all warehouse internal walls and partitions including the southern brick wall running parallel to the interior of the riverside stone wall; the upper level, roof, north and east walls of the smaller gabled riverside building, a small two storey building adjacent to the entrance stone archway and the former 2-storey detached house (Parkgate House) at the north west corner of the site, and other miscellaneous structures.
- The quantum and mix of uses proposed (horizontally and vertically) has been amended, and now comprises:
 - 481no. 'build to rent' apartments (66no. studio units, 298no. 1-bed units and 117no. 2-bed units). No 'shared living' units are proposed.
 - Ancillary residents' amenity rooms and facilities, including 2no. co-working spaces to be made available to residents of the proposed development, one of which (119 sq m) to be made available to residents of the proposed development and/or the public for cultural uses/ events. Also, further detailing of communal amenity open spaces at ground and roof levels (at 7th, 8th, 9th and 29th floor).
 - Commercial office (c.3,698 sq m), retail (c.214 sqm) and café/ restaurant (c.444 sqm) uses at ground and mezzanine level edge to public streets and spaces, and extending up to 6th floor level in the case of the office building.
 - The public plaza, to be open during public park opening hours, also has potential to facilitate occasional markets and outdoor entertainment, subject to separate planning consent or other licencing as necessary.
 - A reduced basement area, and reconfiguration of car parking, bicycle parking and ancillary facilities at basement, undercroft and ground levels, with access from Parkgate Street.
- Further clarity on works within the public road (Parkgate Street), to include loading area, relocation of recycle bins and Dublin Bikes station, surface water drainage works, etc.
- Inclusion of telecoms antennae at roof level.

6.2 Response to Issues Raised in ABP Opinion

6.2.1 Issue 1 – Development Strategy

*Further consideration and/or justification of the documents as they relate to block structure; height, scale and mass of the blocks; and the architectural expression and detailing of the blocks, as follows: Further justification of the documents as they relate to height of the 29 storey tower block, having regard to **visual and skyline impacts**; further justification/consideration of the documents as they relate to the **overall block structure and the relationship between the blocks** (height/scale/massing/proportions); further justification/consideration of the documents as they relate to the **relationship with existing contiguous development**, including but not limited to development on Parkgate Street to the north, the River Liffey to the south and the Parkgate Place development to the west; and further justification/consideration of the documents as they relate to the **architectural expression and detailing of the blocks**, including but not limited to the **materiality and composition** of the blocks and the **interface with streets and open spaces at ground level**. Regard should be had to the sites strategic and prominent location within the city and the need for an architectural design of exceptional high character and quality at this location. Regard should be had to the need to form a coherent and legible block structure within the site; to respond to the character and traditional architectural quality of the area; to provide **high-quality urban edge** to the River Liffey and to Parkgate Street; and for a level of consistency in terms of architectural expression and materiality to create a distinctive character for the development overall. The further consideration/justification should have regard to, inter alia, the guidance contained in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and the accompanying Urban Design Manual, the Urban Development and Building Height Guidelines for Planning Authorities (2018); the Architectural Heritage Protection, Guidelines for Planning Authorities (2011); and the Dublin City Development Plan 2016 – 2022.*

(SLA bold font emphasis)

We refer the Board in the first instance to Section 5 of the Architectural Design Statement provides the design response to the issues raised by An Bord Pleanála that it considered required further consideration and/or justification. This covers:

- Tower height justification – visual and skyline impacts*.
- Block structure and relationship between blocks (height, scale, massing, proportions).
- Relationship with contiguous development, including Parkgate Street (north), the River Liffey (south) and Parkgate Place (west).
- Architectural expression and detailing, including materiality, composition and interface of the proposed tower and other blocks with streets and open spaces at ground level.

* We refer the Board also to the report of Professor John Worthington & Dr Lora Nicolaou, and the EIAR chapter on landscape and visual impact assessment, in relation to this issue.

We also refer the Board to Sections 9 and 10 of this planning report for statements of consistency of the proposed development, as amended, with the relevant planning policy, objectives and standards applicable to the nature and extent of development proposed at this site.

6.2.1.1 Visual and skyline impacts (29-Storey Tower)

The project architect has taken considerable care in the site analysis, urban design and architectural expression and detailing of the proposed tower building to ensure that it is the correct fit for the site and that it will enhance its city setting as a positive landmark, as part of the strategic transport hub and regeneration area at the western Heuston gateway. We refer the Board to the Architectural Design Statement (pp.97-101 in particular), prepared by Reddy Architecture and Urbanism, that provides a detailed architectural response to this item. The Architectural Design Statement (Section 4.2, pp.33-39) also provides an assessment of the urban form and structure of the proposed development against the relevant criteria of the 'Urban Design Manual'.

We refer the Board to the Landscape and Visual Impact Assessment, prepared by ARC architectural consultants and Grade I Conservation Architects, that addresses the potential visual impact in the context of the historic setting of the site. The LVIA discusses the historic context of the key views. It

identifies that the application site lies outside the 'cone of vision' identified between Royal Hospital Kilmainham and the Phoenix Park (see SDRA 7 principle no.8). In respect of 'other views' (SDRA 7 principle no.9) "*to be respected*", the impact of the proposed development on the visual connection between the City Quays and the Phoenix Park (including Chesterfield Avenue, the Wellington Monument, etc) is discussed. It may be noted that this assessment indicates that any existing views between the Quays and historic features within the Park (including the Wellington Monument) were not architecturally designed views. That said, the proposed development ensures that a visual connection to the monument is retained, as may be seen in photomontage View 4 and View 5.

The Landscape and Visual Impact Assessment finds no significant adverse visual impact on key views, and that the proposed development is anticipated to make a generally positive contribution to place-making and city legibility. This is highlighted in particular in relation to interconnection with the Heuston Station transport hub, as illustrated in views 7 (Benburb Street) and 10 (St John's Road West / Heuston Station).

We refer the Board also to the report of Professor John Worthington & Dr Lora Nicolaou, and the EIAR chapter on landscape and visual impact assessment, in relation to this issue. This report addresses the reasons for previous refusal by the Board for development at this site. It discusses the function of tall buildings in the legibility, visual impression and navigation of the city and identifying key destinations, (with specific reference to the Wellington Monument and the role of Parkgate Street as part of the Heuston environs regeneration area). It identifies key criteria for placemaking at the application site and immediate surrounding strategic regeneration area and transport hub. It draws conclusions in respect of the success of the proposed scheme in this context of all of this analysis.

We refer the Board to the Architectural Heritage Assessment Report and Chapter 11 Cultural Heritage (Architectural Heritage), both prepared by ARC, for further consideration of the impact of proposed scheme in respect of existing heritage structures on site, having regard to the guidance contained in the Architectural Heritage Protection, Guidelines for Planning Authorities (2011).

We refer the Board to Sections 9 & 10 of this planning report for further discussion of the proposed development, as amended, with respect to building height and its consistency with the National Planning Framework (National Policy Objectives), Guidelines for Planning Authorities on '*Sustainable Residential Development in Urban Areas*' (2009) and the accompanying '*Urban Design Manual*', the '*Urban Development and Building Height Guidelines for Planning Authorities*' (2018), and the '*Dublin City Development Plan 2016 – 2022*' (including, inter alia, guiding principles for Strategic Development and Regeneration Area 7 (SDRA 7) Heuston & Environs; criteria relating to high buildings; and, objectives relevant to shaping the city).

In respect of the strategic planning policy and guidelines identified above, in summary, they more strongly promote the consolidation of urban development and regeneration in Dublin City and Suburbs at brownfield sites, at higher density and building height than heretofore, particularly where such sites are proximate to high capacity and frequency public transport and employment centres, subject to reasonable compliance with relevant design standards and Development Plan objectives. The Building Height Strategy of the Development Plan and the guiding principles for the Heuston and Environs SDRA7 identify this location as being suitable for tall buildings (over 50m high) and creating a western gateway counterbalance to the eastern Docklands development along the Liffey Quays. While two particular sites are identified within the Heuston environs for tall buildings (50m +), the City Plan does not state that tall buildings must or can only be located at these specific sites. We would further note that in the case of the identified OPW site at Military Road, where a 32-storey tower had previously been granted planning permission by An Bord Pleanála, a new Garda HQ complex (6-storeys) has now been approved and is due to be completed to accommodate relocation of this facility from Harcourt Street by 2022.

Policies relating to the promotion of good urban design, architectural and public realm principles and criteria for tall buildings (Chs 4 & 15), to the preservation, protection and enhancement of key views, built heritage (including protected structures) and cultural landmarks, and the development of sites within 'Conservation Areas', are addressed in the reports identified above, and in other sections of this planning report at Section 3.4 above and Sections 7 & 10 below.

6.2.1.2 Overall block structure and the relationship between the blocks

A key design change made to the block structure in response to the Board's Opinion has been to amend the finger blocks to achieve modulated height ranging from 9 to 11 storeys on the western edge (Block C), a shoulder height of 7 storeys along the Parkgate Street edge, with set back levels at higher heights from 8 to 13 storeys extending along the central finger block towards the river edge (Block B). The tower block (Block A) at the eastern apex of the site extends to 29 storeys and achieves a slenderness ratio of 3:1. The mezzanine level over ground floor is included in the height description. (See pp.58/59 and 70) RAU Architectural Design Statement.

Landscaped roof gardens are located at 7th, 8th, 9th and 25th floors. Generous shared private and public amenity open spaces at ground level also ensures appropriate separation between the proposed buildings (site coverage c. 42%, with over half of the ground plane dedicated to amenity open spaces and 'river walk').

The building elevation treatments have been revised to enhance vertical emphasis in building components, to achieve coherent rhythm of solid and void, and ensure careful placement of balconies to provide private amenity, avoid undue overlooking of prospective and existing (western) living areas and provide additional mannered architectural interest to the building facades. Private balconies on the northern elevations of the scheme are limited to the tower building. Separation distance to existing 'over the shop' accommodation at Parkgate Street is typical of other mixed use city centre development. Separation distance to Montpelier Hill and surrounds to the north is significant.

We refer the Board to the Architectural Design Statement (pp.97-107 and page 113 in particular), prepared by Reddy Architecture and Urbanism, that provides the architectural response to the Board in respect of the overall block structure and the architectural relationship between the blocks.

Thereafter, the Housing Quality Assessment report, prepared by Reddy Architecture and Urbanism identifies how the residential development complies with all of the relevant residential design standards to ensure good quality residential amenity within the buildings. Residential design and orientation of units and living area windows and balconies are not less than 22m apart between building elevations. Appropriate standard of dual aspect ratio is achieved for residential units within the buildings. Sunlight and daylight standards are achieved, and prospective residents will benefit from unrivalled views across the city, river and Phoenix Park.

We refer the Board also to Sections 9 & 10 of this Report below that demonstrates appropriate compliance with the relevant design and residential amenity standards of the relevant Guidelines and the City Development Plan, in the delivery of a quality place for living.

6.2.1.3 Relationship with existing contiguous development

We refer the Board to the Architectural Design Statement (pp.102-114 in particular), prepared by Reddy Architecture and Urbanism, that provides the architectural response to the Board in respect of how the proposed development makes a positive contribution to placemaking at this site, which is strategically located at the western termination of the 'Civic Spine' along the city quays, at a strategic transportation hub and within the historic setting of the City Quays, Heuston Station and Parkgate Street and backdrop of Phoenix Park.

In its current form the site generates little interaction with Parkgate Street, which provides an important link from the city centre to the Criminal Courts building and the Chesterfield Avenue entrance to Phoenix Park. The proposed development will present a dynamic new urban edge to Parkgate Street. Importantly, it also provides greater permeability to the River edge in the form of a new gallery directly linking to the river via a proposed public plaza in the east of the site. Additionally, the historic stone archway will provide pedestrian access to the proposed residential courtyard and other residential amenities with links to the proposed public amenity 'river walk' and public plaza. Proposed further alterations to the riverside stone wall (protected structure) would allow visual permeability from Parkgate Street, through the site and across the river, towards Heuston Station. This would enhance city legibility and navigation between these historic areas, encouraging exploration of the city core by

locals and tourists alike. It should be noted that the existing wall inside the riverside stone wall is part of the larger warehouse building that is proposed to be removed, and is not a protected structure.

The proposed new buildings fronting Parkgate Street necessitate the removal of the existing curved wall (not protected) and present a robust yet mannered edge to the street that may be broken down into the following legible components:

- Between ground and 1st floor, shopfronts to individual café/restaurant and retail units, in addition to office and residential lobbies, introduce human scale and activity at street level. Glazed shopfront treatments will reveal the active uses within these units to the street. The architectural treatment of the base of the new buildings as an identifiable street face, also reflects the scale and curve of the factory wall it replaces. The stone archway (protected structure) is retained in its historic location. (See p.80, RAU Architectural Design Statement for further illustration of activity at street level at Parkgate Street edge).
- Above street level, the 7th floor represents the building shoulder height to Parkgate Street. This is generally consistent with the predominantly low rise profile of city centre development to date. Proposed uses include office and residential. Building elevation components, fenestration pattern and materials strategy seeks to provide vertical emphasis, architectural harmony, material texture and tone that is complimentary to the pattern of surrounding development without seeking to replicate a particular historical style. It may be noted that the site does not form an extension of the existing pattern of Georgian buildings that characterise the City quays. While there are components of historic streetscape along the north side of Parkgate Street, this is interspersed with an open garage forecourt and the Aisling Hotel to the east and the Criminal Courts building to the west adjacent to Phoenix Park. There is flexibility therefore for the proposed development to determine its own contemporary urban character and architectural expression, in a manner that forges a dynamic yet respectful relationship with its surroundings.
- Set back levels above 7th floor are not read at street level on Parkgate Street. In the view east from Phoenix Park (Chesterfield Avenue) or the Criminal Courts, the proposed buildings are read in the context of the neighbouring office buildings in the foreground to the west. It is reasonable to expect that there is development potential to increase office floor area and building height at the neighbouring site, that is likely to affect the view of the proposed development from this vantage point and the development buffer to low rise buildings further west along Parkgate Street (see p.105, Fig 26, RAU Architectural Design Statement).

Along the western edge of the site (see p.78 RAU Architectural Design Statement), the proposed development is largely screened by existing neighbouring development at the Parkgate Place office and residential scheme to the west. The proposed western building form and elevation, as amended, is generally 9 storeys, but with the site level rising towards the north resulting a step up to '11-storeys' in views from the south, before dropping down to the 7th floor shoulder height along the Parkgate Street building line. Windows and balconies to residential units are carefully located to ensure no direct overlooking of the existing residential units at Parkgate Place. It may be noted that the living areas of the residential units in the existing Parkgate Place development are oriented towards the south and the river. No balconies are located on the south west corner of proposed Block C3. Balconies located towards the central area of the western elevation look over public open space at the neighbouring development, that is in any event overlooked by the existing office development at Parkgate Place.

To the south, the building composition is laid out in 'fingers' extending towards the river. Along the southern elevation and in views from Heuston Station and Sean Heuston Bridge, the buildings read predominantly as projecting vertical elements (reaching 11 and 13 storeys beside the 29-storey tower), delivering a new city scale appropriate to this prominent and well connected brownfield site.

This layout also facilitates the creation of high quality public and private amenity open space at ground level befitting of urban regeneration in this part of the city, as articulated in the guiding principles for SDRA 7 (Dublin City Development Plan). The quality of the public realm and plaza is further enhanced by (albeit not reliant on) proposals to remove the southern warehouse wall (not protected) and to reopen and create new openings in the riverside stone wall (protected structure). Natural light penetration to the south facing amenity open space is excellent, with or without the proposed new opes

in the riverside stone wall. However, the opes create a visual connection and legibility through the site between Parkgate Street and the River, and frame the view beyond to Heuston Station. The framing element also retains the character and impression of the structure as a wall.

Conservation, repair and integration of the turret, square tower and gabled buildings, as part of the built edge to the river and integrated with the creation of a 'river walk', further reinforce the historic character of the southern built edge. Conservation repair works to the riverside stone wall and other heritage buildings (listed and non-listed), reopening of existing opes and removal of miscellaneous clutter are considered to be positive in respect of the architectural heritage and character of the wall itself. While the new opes do enhance light penetration to the public amenity spaces, this would not be greatly diminished in the event that the opes were not created in the riverside stone wall. However, the opportunity to enhance visual connections and spatial legibility, and to connect the strategic regeneration of the site with the river and transport and cultural facilities to the south, through excellent public realm, as a planning gain for residents, employees and visitors alike, in this historic edge of the city centre, would not be fully realised (see SDRA7 objectives) were the Board minded to omit the proposed new opes.

We refer the Board to Chapter 2 'Alternatives' of the EIAR, to p.88-90 & 103-104 of RAU Architectural Design Statement and to ARC Architectural Heritage Impact Assessment for further illustration and discussion of treatment of the relationship of new buildings to the southern edge of the site, and proposals to integrate the riverside stone wall and other heritage buildings as part of the proposed 'river walk'.

We refer the Board also to Section 7.2.5 below for the Applicant's response in respect of the Board's request for further consideration and justification of works affecting architectural heritage and protected structures.

6.2.1.4 Architectural expression and detailing of the blocks

We refer the Board to pp.106-114 of RAU Architectural Design Statement for design illustration and discussion of the architectural expression and detailing of the proposed Blocks and the Tower.

The figure ground of the tower plan is extruded at high level to deliver a frame that anchors the building composition vertically and in a suitably elegant and refined manner. High quality stone and full height glazing systems combine to form a carefully crafted vertical tower ensemble. Glazing is recessed to ensure there is a play of light across the elevation and balconies projecting to the east to further strengthen the views of the tower as a linear object. The slenderness ratio and architectural quality ensure that this building will be appreciated as a positive city landmark. It will enhance the legibility and navigation of the city, forge a dynamic relationship with other historic and new buildings in the area, and extend the public perception of the city centre as far as the western Heuston gateway.

Residential Blocks B and C also present two tall vertical elevations, of modulating height, to the River Liffey. They are 22m apart and enclose a south facing semi-private courtyard. The facades are further divided into two slender masses within their elevational treatment. The lower floors behind the mass of the river wall are set back to ensure there is a break in the building form at this critical junction. Projecting balconies have clear glazing to provide unfussy and legible facades.

To Parkgate Street, the elevation maintains a distinct curvature to the streetscape and carefully articulates the building compositions at the base, to shoulder level and at set back levels above. Uses within the base and high visual permeability through use of 'shopfront' glazing ensure an attractive, interactive street face. Office and residential uses above are housed in a continuous coherent building structure above to 7th floor shoulder level. The tower, office building and residential components to the east and west and over the stone archway are clearly read in the composition. Subtle moves in building framing, material, colour and tone will ensure sufficient visual interest, without losing the architectural coherence of the overall scheme. High quality, durable materials and finishes include brick, textured stone. The incorporation of the stone archway is fully considered in its relationship with surrounding new buildings and gateway and railing treatments.

6.2.2 Issue 2 – Housing Format

Further consideration and/or justification of the documents as they relate to the combination of ‘Build to Rent’ and ‘Shared Accommodation’ units within a single development. This consideration/justification should have regard to, inter alia, the **distinct characteristics of both housing sectors and the guidance** set out in the Sustainable Urban Housing Design Standards for New Apartments Guidelines (2018), Chapter 5 Build-To-Rent and Shared Accommodation Sectors.

(SLA bold font emphasis)

The residential content of the proposed development has been revised. The proposed development now includes 481no. declared ‘build to rent’ apartment units. No shared living units are proposed as part of this scheme.

As ‘build to rent’, there is no prescriptive residential unit mix requirement. The proposed development addresses the significant growth in smaller households of 1-2 persons identified in Census 2016, and the dearth of development of dwelling units for smaller household sizes identified in the National Planning Framework and Regional Spatial and Economic Strategy for the Eastern Region (including Dublin Metropolitan Area). Apartment unit breakdown comprises:

- 66no. studio units (14%)
- 298no. 1-bed units (62%)
- 117no. 2-bed units (24%) – 12no. are 3-person and 105no. are 4-person units.

The size of the proposed units meets or exceeds the relevant standards set out in the ‘Sustainable Urban Housing Design Standards for New Apartments Guidelines’ (2018). (See p.10 and Appendix A of Housing Quality Assessment.)

We refer the Board to the Schedule of Accommodation and floor plans, and to the Housing Quality Assessment Report, prepared by Reddy Architecture + Urbanism, for confirmation of compliance with the residential design standards for ‘build to rent’ apartments, as set out in the ‘Sustainable Urban Housing Design Standards for New Apartments Guidelines’ (2018).

We refer also to the ‘Economic Assessment of the Parkgate Street Scheme’ prepared by Ernst & Young, which accompanies the planning application and provides an analysis of Dublin’s property market and demand for ‘build to rent’ residential accommodation in the Heuston Environs, and the benefits of the proposed mixed use scheme for economic growth.

6.2.3 Issue 3 – Communal Facilities/Residential Support Facilities

Further consideration and/or justification of the documents as they relate to the **provision of communal open space, communal facilities and residential support facilities** within the development including the quantum, quality, distribution and function of spaces and details in relation to the **overall management** of these areas. Particular regard should be had to the requirements of the Sustainable Urban Housing Design Standards for New Apartments Guidelines (2018), SPPR 7 Part (b) and the need to provide an evidenced based assessment in respect of residential services and amenities.

(SLA bold font emphasis)

We refer the Board to the Housing Quality Assessment prepared by Reddy Architecture and Urbanism that demonstrates compliance with the ‘Urban Housing Design Standards for New Apartments Guidelines (2018).

For hard and soft landscaping details, SUDS and public lighting of external communal and public spaces, we refer to Mitchell + Associates Landscape Architects plans and particulars of the planning application.

We refer also to the Community & Social Infrastructure Audit prepared by Stephen Little & Associates, and to the Estate Management Strategy Report prepared by Aramark Property, which accompany the planning application. The community audit finds the application site to be well served by a range of accessible leisure, education, cultural and city centre amenities.

The proposed development will itself make a positive contribution to the delivery of employment, local services, recreational and cultural amenities in this area.

6.2.3.1 Communal Private External Amenity

Both internal and external residential amenities are proposed within the scheme.

External shared private residential amenity open space amounts to c.2,727 sq m, located at ground floor courtyard and at landscaped roof gardens at 7th, 8th, 9th and 25th floors, accessible to all residents.

The ground level communal courtyard located between Blocks B and C includes a Children's Play Space, as illustrated on p.28 of the Housing Quality Assessment Report. Further details are also included in the Mitchell + Associates Landscape Architects plans and particulars of the planning application.

The rooftop amenity areas are spread throughout the development, with every residential block provided with immediate access to a rooftop area.

We refer the Board to pages 18-20 of the Housing Quality Assessment prepared by Reddy Architecture and Urbanism that illustrates how these spaces are accessed horizontally and vertically through the site.

The landscaping of all of these areas has been carefully designed having regard to the microclimate, and therefore will be enjoyable, usable spaces which benefit from good levels of sunlight and will not be subject to excessive wind. We refer to sunlight, daylight and wind studies prepared by IN2 included within the EIAR that confirm that the required standards are met. The results are also summarised on p.94 of the Architectural Design Statement.

6.2.3.2 Communal Private Internal Amenity

A further 1,839 sq m of tenant amenity space is provided internally, accommodating private residents' gym / exercise studio, co-working / networking space, cinema, lounge, post room, foyer and management areas.

Internal communal resident support facilities and amenities are similarly spread across all residential buildings so as to provide convenient access for all residents. Residents' amenity areas are available to all residents.

The riverside gabled former industrial building is to be conserved, repaired and refurbished for adaptive use as residents' exercise studio (150 sqm). This building is also incorporated as a part of the 'river walk', for enjoyment by private residents, and the public during public park hours.

Block A includes:

- Residents lounge at mezzanine level (205sqm)
- Resident's lounge at 9th floor (104sqm), which gives access through French doors to the 9th floor rooftop amenity space (300 sqm).
- Resident's lounge at 25th floor (168 sqm) , which gives access through French doors to the 25th floor rooftop amenity areas (50sqm).

Block B1 includes:

- Co-working space at ground floor level (119 sqm)). This space will also be available for public hire for cultural uses.
- Additional co-working space at mezzanine level (300sqm).
- Marketing / management suite (160 sqm) at mezzanine level.
- 9th floor rooftop amenity space (300 sqm)

It may be noted that for Block B2, the proposed office does not have access to the residents' private shared space at 9th floor level.

Block C1, C2 and C3 all share internal circulation, and so the residents' amenity areas in these blocks can be grouped together, providing:

- At ground floor level, 2no. TV rooms (35 sqm each), a communal room (35 sqm), a resident's lounge (32 sqm), and family room (50 sqm) and a parcel storage area (18 sqm) are provided.

- Resident's lounge (34 sqm) at 7th floor, which gives access to the 7th floor rooftop amenity space (122 sqm).
- 8th floor rooftop amenity space (280 sqm).

6.2.3.3 Public Amenity Open Space

It may be noted that all of the private amenity provision above is in addition to the significant quantum of public open space (c.1,409 sq m), including public plaza and 'river walk' amenity, delivered within the application site.

In respect of the 'river walk', which will be accessible to prospective residents and the public, the proposed design seeks to achieve an appropriate balance between the conserving the architectural heritage of the river wall and implementing the Z9 zoning objective. A number of distinct experiences are created along the route, as described in the Architectural Design Statement prepared by Reddy Architecture and Urbanism.

The stone turret (protected structure) at the eastern apex signals the gateway to the proposed 'river walk'. The route extends from here along a colonnade behind the riverside stone wall (protected structure), passing the proposed café unit with framed views of the river.

At this point pedestrians arrive in the new public plaza, where a section of the riverside stone wall is proposed to be lowered to embrace the opportunity to provide enhance visual connection to the river and Heuston Station to the south and create a unique new public open space on the edge of the river within the city.

The river walk then continues again behind the existing riverside stone wall to the Square Tower (protected structure) to be restored with gated access. The Square Tower will be accessible during normal public park hours, enabling people to enter inside the structure and look across the river to Heuston Station through the existing window. This provides a reconnection with the river, echoing its former relationship as part of a river wharf.

To the west of the Square Tower, pedestrians then move behind the gable wall of a smaller building and through the body of the larger gabled warehouse (River Building). The change in level is negotiated with steps and a lift, allowing the connection to continue along the river walk to the western site boundary.

While a future connection is facilitated, it is beyond the control of the Applicant to create link to the existing boardwalk along the southern edge of Parkgate Place without the agreement of the owner of that neighbouring development.

The 'river walk' and features of interest along its length will maintain an historic link with the river's edge, and have potential to continue a route extending from the City Quays through the site, and westwards towards Island Bridge in the event of any future agreement with the neighbouring land owner.

The application site is also within easy walking distance of the Phoenix Park and the city quays.

6.2.4 Issue 4 – Residential Amenity

*Further consideration and/or justification of the documents as they relate to the **future residential amenity**, having particular regard to the provision of **private amenity space to individual residential units**; the **portion of dual aspect and north facing units**; **daylight and sunlight access**; **micro-climate/wind impacts**; and **impact on the amenities of existing residential units**. Particular regard should be had to the requirements of the Sustainable Urban Housing Design Standards for New Apartments Guidelines (2018), SPPR 8 (ii) in relation to private amenity space and SPPR 4 and Section 3.18 in relation to the dual aspect ratio and north facing units.*

(SLA bold font emphasis)

We refer the Board to the Housing Quality Assessment prepared by Reddy Architecture and Urbanism that demonstrates compliance with the 'Urban Housing Design Standards for New Apartments Guidelines (2018).

6.2.4.1 Individual Private Residential Amenity

'Sustainable Urban Housing Design Standards for New Apartments Guidelines' (2018) includes Specific Planning Policy Requirement (SPPR 8), which allows for flexibility in the application of standards for individual private open space and storage associated with declared 'BTR' residential development. This is on the basis that alternative compensatory communal support facilities and amenities may be provided within the development.

Individual private amenity space in the form of private balconies amounts to c.650 sq m within the proposed scheme. Not all units will have their own balconies. Residents will have unrivalled views across the City, the River Liffey and Phoenix Park, from balconies, floor to ceiling windows and shared spaces at upper levels which add to residential amenity. All units will have easy access to shared internal and external private residents' amenities, and to public amenity open space, as already described in Section 6.2.3 above.

We refer the Board to the Housing Quality Assessment prepared by Reddy Architecture and Urbanism that illustrates (p.17) how private open spaces are delivered to individual units, and also how supplementary shared private amenity spaces (external and internal), are accessed horizontally and vertically through the site.

6.2.4.2 Aspect & Orientation

The proposed development provides 360° orientation for proposed residential development within the scheme. The aspect of all residential units and amenity space has been carefully considered to optimise orientation in respect of sunlight / daylight penetration and to capture views that enhance residential amenity.

The Apartment Guidelines specify a minimum standard of 33% dual aspect for residential schemes in central and accessible urban locations proximate to quality public transport. The proposed scheme achieves 43% dual aspect for the residential units, and so is in excess of the minimum requirements. There are only 2no. single aspect north facing units in the scheme. These occur on the 7th and 8th floors of Block B. These units benefit from high level views over the north inner city, between Phoenix Park and Collins Barracks. The windows are angled slightly to the north east.

We refer the Board to the Housing Quality Assessment (prepared by Reddy Architecture and Urbanism that illustrates (p. 11-16) unit typology and aspect of the proposed residential units in the scheme.

6.2.4.3 Micro Climatic Conditions

We refer to sunlight, daylight and wind studies prepared by IN2 included within the EIAR that confirm that the required standards are met.

The results are also summarised on p.9 of the Housing Quality Assessment and p.94 of the Architectural Design Statement, both prepared by Reddy Architecture and Urbanism.

6.2.5 Issue 5 – Architectural Heritage

*Further consideration and/or justification of the documents as they relate to **impacts on architectural heritage and character**, with particular regard to the level of **intervention proposed to the riverside stone wall**, the **treatment of the entrance stone arch** along the Parkgate Street frontage and **proximity of the proposed blocks to the arch**, and to the **impact on the local historic context** of Parkgate Street, Heuston Station and environs and along the Quays.*

The consideration/justification should have regard to, inter alia, the guidance set out in the Architectural Heritage Protection, Guidelines for Planning Authorities, 2011, and the guidance set out in the Dublin City Development Plan 2016 – 2022.

(SLA bold font emphasis)

The proposed development has benefited from the input of a highly qualified, multi-disciplinary design team and external advisors, including Reddy Architecture and Urbanism (project architect and urban designers); ARC including Bill Hastings, Grade 1 Conservation Architect (architectural heritage and visual impact assessments); and, Professor John Worthington & Dr Lora Nicolaou (joint authors of Managing Intensification and Change: A Strategy for Dublin Building Height, DEGW Report, 2000) providing expert opinion on building height and placemaking.

Plans, sections and elevations showing the proposed works involving protected and other structures are enclosed with the application, as well as photographs. The works are further described in the Architectural Design Statement, prepared by Reddy Architecture and Urbanism. The alternative design options considered in respect of works to protected structures are identified in Chapter 2 'Alternatives' of the EIAR.

The proposed architectural design approach is assessed in the Architectural Heritage Impact Assessment and the Cultural Heritage Chapter of the EIAR prepared by ARC architectural consultants.

6.2.5.1 Heritage Buildings to be Conserved, Repaired, Refurbished and Adapted

All of the structures specifically listed in the Record of Protected Structures, namely the riverside stone wall, the turret, the square tower and the stone arch, will be conserved, restored and adapted (where necessary) in situ. Cleaning and re-pointing of the protected structures will be carried out as part of the development. Works to the protected structures, including the reopening or creation of new opes in the riverside stone wall, are described in the Architectural Design Statement, prepared by Reddy Architecture and Urbanism. A description of design options considered in respect of the works to the protected structures is outlined in Chapter 2 'Alternatives' of the EIAR that also accompanies the planning application.

Furthermore, some of the non-protected structures and building fabric that form part of the existing built character along the southern river edge boundary will also be conserved and integrated, including the larger of the two stone gabled buildings (and its basement) and the riverside gable of the smaller of these buildings.

6.2.5.2 Stone Archway

Along the Parkgate Street frontage, it is proposed to conserve and adapt the Stone Arch at its current position as the primary residential gateway feature to the site. This is the focal point of the entrance colonnade that leads to the south facing private courtyard. The setting of the arch will be framed between the residential wings with café/retail shopfronts on either side. The setting of the Arch is protected by providing further set back of the upper floors, to allow this feature to be clearly read. The landscaping proposal integrates planting with the existing and new gates and railings to define the threshold between the street and the private realm.

6.2.5.3 Riverside Stone Wall, Turret, Square Tower and Stone Gabled Buildings

The Board will note that alternative development scenarios for the riverside wall (protected structure) were considered, as outlined in Chapter 2 of the EIAR. This looked at a series of options from 'do nothing' or minimal intervention to the creation of more significant new opes in the riverside stone wall to enhance the visual connection between Parkgate Street / the public plaza to the north and the river and Heuston Station to the south, and the legibility of the proposed river side walk as a new public amenity within the scheme. All options were examined against the key criteria of quality of public realm, sunlight/daylight penetration and integration of architectural heritage. The preferred conservation and

architectural design strategy is then illustrated and described in the Architectural Design Statement prepared by Reddy Architecture and Urbanism.

In the preferred design, now proposed to the Board, alterations including enlargement or reopening of existing opes and the creation of several new openings in the riverside stone wall will result in the loss of historic fabric (partial demolition) of a protected structure.

This design approach would enhance the legibility and amenity value of the proposed new riverside walk public amenity within the application site. The works enable new physical and visual connections between Parkgate Street and the river, and frame a new view towards Heuston Station beyond. This enhances city legibility between sites of interest. It allows also for greater light penetration to the public amenity walking route and to the proposed public and shared residential amenity open spaces to the south of the wall. The 'river walk', will incorporate the full length of the riverside stone wall and include the turret, square tower and stone gabled buildings that contribute to the character of the existing built edge to the river. There is potential for the 'river walk' to link up with the existing walkway at the neighbouring site to the west at a future point, subject to agreement with the relevant land owners.

The proposed works seek to strike the right balance between the conservation of historic fabric and special character of the riverside stone wall and associated historic features, and the implementation of the Z9 (recreational amenity, open space, green networks) objective of the Development Plan and guiding principles of the Heuston environs SDRA 7 for this site / regeneration area. It may be noted that the original Heuston Framework Plan (2003), which informed these guiding principles, identified this site as having significant potential to create riverside frontage and amenity, and increase connections between Parkgate Street, Heuston Station and the Phoenix Park. We refer the Board to Section 7.2.5.6 below for further discussion on the strategic planning considerations supporting the proposed works to the riverside stone wall to enhance its integration with the proposed river walk within the Z9 zone along the river edge.

6.2.5.4 Buildings to be Demolished (Not Protected Structures)

The existing factory warehouse building, including existing curved wall fronting Parkgate Street, southern brick wall (parallel to the riverside stone wall), western wall and supporting cast iron beams and columns, is proposed to be removed to facilitate the proposed development. These are not protected structures.

Some of the cast iron elements are to be salvaged from the old factory building and repurposed as a pergola feature in the residents' communal courtyard.

It is noted that the Board's Inspector, in the previous application case, stated that while the Parkgate Street wall was not without merit, its removal to facilitate an appropriately designed and scaled replacement scheme could be positively considered.

The upper level, roof, north and east walls of the smaller ancillary gabled building at the western end of the river wall are to be removed. (The riverfront façade to be conserved.)

The 2-storey detached Parkgate House (in ruinous condition) and the small building beside the stone archway entrance are also not protected structures and are proposed to be demolished to facilitate the regeneration of this site.

6.2.5.5 Building Height and Scale

The height and scale of the proposed redevelopment of this site is such that it is likely to be visible from a wide area within the city. However, this is consistent with the Dublin City Development Plan designation of the Heuston gateway as a location with potential for tall buildings (over 50 metres high) to provide a new urban identity and as a western counter balance to regeneration in the Docklands to the east along the Liffey Quays.

In respect of Section 3.2 of the Building Height Guidelines, we refer the Board to further discussion of building height in the context of the historic setting of the site, contained in the following documents that accompany the application, as well as in sections 9.5.4 and 10.1.5 of this report:

- Architectural Design Statement, Housing Quality Assessment Report, Materials Strategy, planning drawings and visualisations, prepared by Reddy Architecture + Urbanism.
- Report of Professor John Worthington & Dr Lora Nicolaou, addressing planning history, building height and placemaking pertaining to the proposed development.
- Heritage Impact Assessment Report, prepared by ARC architectural consultants
- EIAR Landscape and Visual Impact Assessment Chapter, prepared by ARC architectural consultants

6.2.5.6 Exceptional Strategic Planning Considerations

The heritage significance of the existing buildings and structures on site and the significance of the site within the designated Conservation Area along the Liffey banks are well understood and have informed the proposed layout and design of this regeneration proposal from the outset of the project.

We refer the Board in the first instance to the Architectural Heritage Impact Assessment that accompanies the planning application.

Thereafter, we identify below from a strategic planning perspective the exceptional circumstances supporting the integration of architectural heritage in the manner hereby proposed, including the loss of some historic fabric from the riverside stone wall.

Precedent for Buildings of Significant Scale & Height in the Heuston Regeneration Gateway (SDRA 7)

Planning history in the vicinity of Heuston Station demonstrates relevant precedent, whereby both Dublin City Council and An Bord Pleanála have previously granted permission for development of significant scale (including a 32-storey tower) as part of the regeneration and development of Heuston & Environs as the western gateway to Dublin city centre. It has been acknowledged by the Board in these decisions that the edge of inner city Dublin has now expanded well beyond Heuston environs, with the M50 now delineating the core consolidation area of ‘Dublin and suburbs’. Dublin City Council in its development plan objectives also expresses a desire to expand the public perception of the city centre, identifying a civic spine along the Liffey Corridor between the Docklands to the east and Sean Heuston Bridge to the west.

Substantial Conservation and Integration of Architectural Heritage in Situ

The proposed development now before the Board is considered to successfully address the previous concerns raised by the Inspector and the Board in case of a previous application at this site (Reg. Ref. 3613/06 and ABP Reg. Ref. PL29N.221587 refers).

In particular, a considered approach has been taken to the integration of protected and non-protected structures of heritage value and the achievement of good urban design that delivers excellent public amenity, visual and physical connectivity and legibility to the city.

It is noted that while the creation of opes in the riverside stone wall would have some adverse heritage impact, other protected structure and heritage features will be retained and repaired and that this is positive.

The stone archway is conserved in situ at Parkgate Street, as an entrance to the residential component of the proposed scheme.

While it is proposed to remove historic fabric to create enlarged and new opes in the riverside stone wall, it is our planning opinion that the substantive character of the existing built edge to the river, including the riverside stone wall and the turret and square tower (protected structures), and the larger stone gabled building and gable of the smaller building (not protected) that form a continuation of the wall, is maintained and protected. It is noted that historic stone fabric to be removed from the wall can be reused elsewhere in the scheme.

Positive Contribution to Public Amenity and Cultural Identity and Placemaking

The historic features along the river front of the site are all to be integrated as a publicly accessible amenity as part of the proposed 'river walk'.

The proposed architectural approach to the regeneration of this site, including the creation of new urban and visual links to the surrounding area, has inspired the removal of the southern wall of the factory building (not protected) and the proposed new openings in the riverside stone wall (protected structure). We refer the Board to Chapter 2 'Alternatives' of the EIAR that describes the design options considered in this respect. The Architectural Design Statement then articulates the design intent of the preferred solution proposed in this application. The architectural heritage impact is further discussed in the ARC report and the Cultural Heritage chapter of the EIAR.

The proposed development has the potential to contribute to placemaking in the new Heuston Quarter. In the text of SDRA 7 the Heuston Quarter is described as a potential '*western counterpoint to the Docklands*'. As is stated in Section 1.2 of the Development Plan: '*Place making is particularly important in the strategic development and regeneration areas*' (SDRAs). It is identified in EIAR Chapter 11 Cultural Heritage, that public space is central to placemaking, and the location of the proposed public plaza offers the potential of celebrating the enjoyment of a relationship with the River Liffey and with the great public concourse in front to Heuston station. No other location for an equivalent public space on the development site or elsewhere in the Heuston area, which would offer the same potential for relationships with both the River and the public space in front of Heuston Station. The Riverside Stone Wall unaltered forms a barrier that would prevent such relationships being realised.

EIAR Chapter 11 goes on to identify the Heuston area as one dominated by significant transport interchange and activity. The proposed public plaza will provide a welcome refuge as a protected south facing public space made for pedestrians and for public enjoyment away from traffic. It will be a unique public space for looking out over the River and experiencing the protected structures and historic structures that share a relationship with the river. The circumstance of the location and potential of the proposed public plaza is not just exceptional, it is unique. If the wall remains unaltered this potential will be lost.

In our planning opinion, the architectural design approach would:

- Deliver a publicly accessible 'river walk', incorporating the full length of the riverside stone wall and the turret, square tower and stone gabled buildings that contribute to the character of the existing built edge to the river, and make a positive contribution to public placemaking and the cultural identity of this part of the city.
- Reimagine a functional historic connection between the Square Tower and the river, by enabling access inside the tower and reopening the existing ope in the river side façade, as part of the river walk experience.
- Enable new physical and visual connections between Parkgate Street and the river, and frame a new view towards Heuston Station beyond, enhancing city legibility between sites of interest within the Heuston regeneration gateway.
- Allow for greater light penetration of natural light to the public amenity walking route and to the proposed public and shared residential amenity open spaces to the south of the wall.
- Enhance the legibility and amenity value of the proposed new riverside walk public amenity inside the riverside stone wall, within the application site.
- Allow potential for the 'river walk' to be linked up with the existing riverside boardwalk at the neighbouring site to the west (Parkgate Place) at a future point, subject to agreement with the relevant land owners.

Strategic Urban Gateway Regeneration

The proposed works seek to strike the right balance between the conservation of historic fabric and special character of the riverside stone wall and associated historic features, and the implementation of the Z9 (recreational amenity, open space, green networks) objective of the Development Plan and guiding principles of the Heuston environs SDRA 7 for this site / regeneration area.

It may be noted that the original Heuston Framework Plan (2003), which informed these guiding principles, identified this site as having significant potential to create riverside frontage and amenity, and increase connections between Parkgate Street, Heuston Station and the Phoenix Park. The proposed works to the riverside stone wall seek to enhance its integration with the proposed river walk within the Z9 zone along the river edge, in an effort to deliver excellent public realm, visual connections and cultural identity as part of the regeneration of the site.

The proposed design approach successfully delivers on the strategic guiding principles for SDRA 7, as expressed in Chapter 15 of the City Development Plan:

- To develop a new urban gateway character area focused on the transport node of Heuston Station, and including high quality residential accommodation, vibrant economic and recreational activities, excellent public realm and architecture, and connections with major historic, cultural and recreational attractions.
- To incorporate sustainable densities, with architecture and urban form forging dynamic relationships with national cultural institutions.
- To implement best practice urban design principles to: achieve a coherent, legible urban structure within major development sites; prioritise the provision of public space; achieve successful interconnection between the development site and adjacent urban structure.
- To protect the fabric and setting of protected structures and national monuments.
- To incorporate mixed use in appropriate ratios in order to generate urban intensity and animation. Major uses of residential and office to be complemented by components of culture, retail and service elements.
- To improve pedestrian and cycle linkages, through key sites.
- As a western counterpoint to the Docklands, to consider mid-rise or taller buildings (above 50m / 16-storeys), subject to maintaining a coherent skyline and protecting key views and vistas.

The proposed development delivers an exceptional gateway destination for residents, employees and visitors of/to the city, that forges dynamic relationships with transport infrastructure and cultural institutions, in a coherent and legible manner that prioritises the provision of public space and physical and visual urban connections.

The proposed river walk is in accordance with the Z9 land use zoning objective for the site, and derives from the previous requirements of the Heuston Gateway Development Framework Plan (2003) to provide a riverside walk and public plaza facilitating access between Parkgate Street and the river edge, and general improvement to the public realm.

The proposed development, in respect of the conservation strategy, was discussed at length with the Planning Authority at pre-application consultation stage. While the Council's Conservation Officer expressed some reservation regarding loss of historic buildings / structures (not listed), loss of historic fabric and potential impact on the character of the riverside stone wall (protected structure), the Planning Authority recognised that there were strategic planning considerations also at play, at local, national, regional and local policy level in respect of the sustainable regeneration of the site and creation of high quality public space and riverside amenity connections, that required some level of compromise.

Other National, Regional and Local Strategic Development Considerations

The proposal has also necessarily had regard to the significant evolution in strategic planning policy at national, regional and local level, whereby there is a strong presumption in favour of development that encourages more people and generates more jobs and activity within the city.

This includes the active promotion of higher density development and building height, based on performance criteria and the achievement of appropriate planning standards, particularly at brownfield inner city sites proximate to significant public transport hubs and city centre amenities, to achieve targeted growth.

The urgent need to deliver housing that supports population and economic growth is a key aspect of strategic planning policy and guidelines, addressing a housing crisis. Policy and guidelines also seek to manage the development and change inevitable in successful urban environments, in a sustainable manner having regard to investment in public infrastructure and transportation, creating job opportunities, delivering places to live, and protecting cultural heritage and identity and the continued attraction of tourists, all within finite development lands.

Heuston and Environs is an area designated for strategic development and regeneration (SDRA 7) as a key urban gateway focussed on the transport node of Heuston Station in addition to being a gateway to major historic, cultural and recreational attractions in Dublin City, and as a destination for living, working, discovery and enjoyment, by residents, workers and visitors alike. The proposed development seeks to make a positive and balanced contribution to city development and identity at this strategic and historic location.

6.2.6 Issue 6 – Principle of Development

Further justification of the documents as they relate to the **overall mix of uses**. This justification should have regard to, inter alia, the **land use zoning objectives** pertaining to the site and the guiding principles for development in the **Heuston Strategic Development Regeneration Area** set out in the Dublin City Development Plan 2016 – 2022 (Chapter 15)

(SLA bold font emphasis)

Since pre-application consultation with the Board, the following revisions have been made:

- An additional storey has been added to the office block, increasing the overall commercial floorspace of proposed the development to approximately 4,400 sqm.
- 285 sqm of co-working floor space has been incorporated into the resident’s amenity. Of this, an area measuring c.119 sq m is proposed to be made available for residents of the proposed development and, or members of the public for hire for cultural use / events, such as exhibitions, lectures, wine tasting, networking events and community development, etc.
- Further acknowledgement is given to the potential for the public plaza to accommodate community gatherings, markets, open air cinema / cultural events and performances, subject to any further planning consent or licencing required for such activities.

A sizeable quantum and variety of uses and amenities, mixed horizontally and vertically within the scheme, is proposed to comply with the Z5 and Z9 land use zoning objectives for this site. The proposed development has significant potential to reactivate a site that has been unused for some time, and contribute to the demand for employment, residential accommodation, leisure and community/cultural identity, at accessible locations within the city centre.

Under the zoning matrix (Fig. 8 of the Development Plan) for Z5, the following uses which form part of the proposed SHD application are included as “*Permissible Uses*”: Recreational Building and Uses, home-based economic activity, office, residential, restaurant, shop (neighbourhood) and cultural. The uses proposed under the intended SHD application are all permissible uses.

Compliance with the Zoning of the lands is addressed in greater detail at Section 10.1.2 of this Report. In the interests of brevity, rather than replicating those arguments here, we trust the Board will have regard to those arguments when considering this point.

The proposed development is generally consistent with the indicative Regeneration Masterplan for Heuston & Environs (SDRA 7) contained in Chapter 15 of the City Development Plan, that envisages mixed uses, with employment/commercial component relating generally to Parkgate Street and residential accommodation to the river side. How the proposals address the guiding principles of SDRA 7 is set out in some detail at Section 10.1.6 of this Report. In the interests of brevity, rather than replicating those arguments here, we trust the Board will have regard to those arguments when considering this point.

We refer the Board to the Architectural Design Statement (pp.42-44 and 82-87) and schedules of accommodation prepared by Reddy Architecture and Urbanism that illustrate and describe the mixed use nature of the proposed development, horizontally and vertically through the site.

We refer also Ernest and Young report that assesses the positive economic impact of the proposed development in delivering employment and housing to this part of the city, having regard to strategic development context, demographic analysis and use demand.

6.2.7 Issue 7 – Childcare

Further consideration and/or justification of the documents as they relate to childcare provision having regard to the demands of the residential and commercial uses proposed, the level of existing childcare provision in the area and the site's strategic location and proximity to a multi-modal transport interchange.

We refer the Board to the Childcare Needs Assessment prepared by Stephen Little and Associates which accompanies this application.

Having regard to local demographic trends and the existing provision of registered childcare facilities within an identified 1km catchment area of the site, the report confirms that it is not necessary to provide a dedicated childcare facility on this site. There is adequate capacity in existing local facilities serving the area to cater for any new demand generated from the proposed development.

6.3 Response to Specific Information Requested

6.3.1 Specific Information Item 1 – Updated Architectural Design Statement

The statement should include justification for the proposed development, having regard inter alia urban design considerations, visual impacts, site context, the locational attributes of the area and national and local planning policy. The statement should specifically address the proposed block structure and the height, scale and mass of the blocks, the design relationship between the individual blocks within the site; the relationship with contiguous development and the interface along key frontages, having regard to the criteria set out in Chapter 3 of the Urban Development Building Height Guidelines (2018) and in Chapter 16 of the Dublin City Development Plan. The statement should be supported by contextual plans and contiguous elevations and sections that details the relationship between the proposed blocks within the site and the relationship with existing contiguous development in the area.

We refer the Board to the enclosed Architectural Design Statement prepared by Reddy Architecture and Urbanism, which addresses all of the issues raised in Item 1.

We refer the Board also to previous discussion of these issues in preceding sections of this Planning Report above.

6.3.2 Specific Information Item 2 – Materials Strategy

A Materials Strategy that details all materials proposed for buildings, open spaces, paved areas and boundaries. This strategy shall include details of the colour, tone and texture of materials being used having regard to the need for high quality and sustainable finishes that create a distinctive character for the development overall, whilst also responding to the character of the area. The documents should also have regard to the durability of materials and the long-term management and maintenance of the proposed development.

We refer the Board to the Materials Strategy, which forms part of the Design Statement prepared by Reddy Architecture and Urbanism.

6.3.3 Specific Information Item 3 – Updated Visual Impact Assessment

An updated Visual Impact Assessment that includes photomontages, cross sections, axiometric views and CGIs. The assessment should address the contribution of the tower block to the skyline and the impact on key views, including local views along Parkgate Street and in the vicinity of Heuston Station and Sean Heuston Bridge, along the Quays, from Phoenix Park, Island Bridge and Kilmainham to the west and from the wider historic areas of the City.

We refer the Board to the Landscape and Visual Impact Assessment which is provided in Chapter 12 of the EIAR.

No significant adverse visual impacts are predicted. The assessment is broadly that the proposed development generally makes a positive contribution to city development at a landmark site, within a strategic regeneration area at the western Heuston gateway to the city centre, and having regard to the historic setting of this area.

6.3.4 Specific Information Item 4 – Housing Quality Assessment

A housing quality assessment which provides details in respect of the proposed apartments set out as a schedule of accommodation, with the calculations and tables required to demonstrate compliance with the various requirements of the 2018 Guidelines on Design Standards for New Apartments.

We refer the Board to the accompanying Housing Quality Assessment, prepared by Reddy Architecture and Urbanism, which demonstrates how the proposed apartments comply with the requirements of the 'Apartment Guidelines' (2018).

In respect of compliance with the Apartment Guidelines 2018, we direct the Board also to the Statement of Consistency at Section 8.4.3 of this Report, which addresses the specific planning policy requirements of those Guidelines.

6.3.5 Specific Information Item 5 – Schedule of Open Space and Communal Facilities

A schedule of the open space and communal facilities within the development clearly delineating public, semi-private and private spaces.

We refer the Board to the schedule of accommodation and Housing Quality Assessment Report prepared by Reddy Architecture and Urbanism, which demonstrates that the proposed development complies with the public and private open space requirements of the Development Plan and 'Sustainable Urban Housing: Apartment Design Guidelines' (2018)

We refer the Board also to the landscape plans that provide details of the delineation between public and private open space. Landscaping details for all external amenity open space are provided.

The design of ground plane and rooftop gardens have been informed by sunlight/daylight and wind studies. These show that an excellent quality environment and high quality amenities are generally provided. Screening and shading treatments have been introduced where appropriate within the landscaped spaces.

6.3.6 Specific Information Item 6 – Daylight and Sunlight Analysis

An updated Daylight and Sunlight Analysis.

We refer the Board to the accompanying Daylight & Sunlight Analysis, prepared by IN2 Engineering Design Partnership.

This provides an analysis of daylight and sunlight that would be available to the proposed development and to the existing dwellings in the vicinity of the proposed development, including to open spaces and gardens serving them.

The development has been shown to be in excess of 96% compliant in terms of sunlight and daylight access. A worst case scenario, which assumes a new 8 storey building is built next door to the development has been assessed and results in 95% compliance.

6.3.7 Specific Information Item 7 – Building Lifecycle Report

A building Lifecycle Report that includes an assessment of the long term running and maintenance costs associated with the development in accordance with Section 6.13 of the 2018 Guidelines on Design Standards for New Apartments.

We refer the Board to the enclosed Building Lifecycle Report prepared by Aramark.

6.3.8 Specific Information Item 8 – Management

Details of the management provisions for the Build to Rent and Shared Accommodation (where proposed) to include details of a covenant or legal agreement as required under the SPPR 7 of the Sustainable Urban Housing Design Standards for New Apartments Guidelines (2018).

We refer the Board to the enclosed Estate Management Strategy Report prepared by Aramark and Legal Covenant, as required under SPPR 7 of the Design Standards for New Apartments Guidelines 2018.

6.3.9 Specific Information Item 9 – Part V Provision

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

We refer the Board to the enclosed Part V proposals and validation letter from Dublin City Council Housing Department.

6.3.10 Specific Information Item 10 – Vehicular Access and Servicing

Details of vehicular access and serving arrangements from Parkgate Street.

We refer the Board to the plans and particulars prepared by Arup Consulting Engineers that address these issues. In particular, the enclosed Arup Transport Statement describes that the surface and basement car parks will be accessed off Parkgate Street in the north western corner of the site. The Transport Statement further details the proposed arrangements for waste collection, deliveries and emergency vehicle access.

6.3.11 Specific Information Item 11 – Surface Water, Foul Drainage and Water Supply

Details of surface and foul water drainage and water supply connections.

We refer the Board to the plans and particulars prepared by Arup Consulting Engineers that address these issues. In particular, the enclosed Arup Planning Drainage and Watermain Report provides details of the proposed surface and foul water drainage, as well as the proposed water supply connections.

6.3.12 Specific Information Item 12 – Construction Management Plan and Construction Traffic Management Plan

A Construction Management Plan and Construction Traffic Management Plan

We refer the Board to the enclosed Environmental Impact Assessment Report, in particular Chapter 4: Construction Strategy, and the Construction and Environmental Management Plan (CEMP) which fulfil this requirement.

We confirm that a fully comprehensive Construction Management Plan to implement the requirements of the Construction Management Plan/ Construction Environmental Management Plan will be submitted to the Planning Authority for its approval in advance of any works commencing on site, should the Board grant permission for the proposed development. We invite the Board to attach a condition to any grant of permission in this regard.

6.3.13 Specific Information Item 13 – Site Layout Plan and Land Use Zoning Delineation

A site layout plan showing the extent of the Z5 and Z9 Zoning objectives within the site.

We refer the Board to the Architectural Design Statement prepared by Reddy Architecture and Urbanism (p.23) that shows the land use objectives, Z5, Z6 and Z9 as they relate the proposed development at ground plane.

It may be noted that new buildings accommodating the mixed use residential, commercial and cultural uses are contained within the Z5 zone.

The 'river walk' extending along the inner side of the riverside wall is located within the Z9 zone. The riverside wall, turret and square tower and the footprint of the existing stone gabled buildings are located within the Z9 zone, and are integrated into the 'river walk'.

That part of the site lying within the Z6 zoning, otherwise occupied by the existing electricity substation, is subject of landscape improvement and site access works only.

6.3.14 Specific Information Item 14 – Site Layout Plan - Separation Distances

A site layout plan, elevations and sections that detail existing residential development to the west and north and show separation distances to opposing blocks, windows and balconies. The details should also detail the outlook from the proposed west facing residential units in Block C.

We refer the Board to the planning drawings prepared by Reddy Architecture and Urbanism, including separation distances between proposed blocks and to site boundaries and existing neighbouring development to the west and north.

It may be noted that Block C has been stepped back by a further 2m to allow a more generous distance between the proposed development and its western neighbours at Parkgate Place.

The living areas and balconies of the existing residential building to the west at Parkgate Place are oriented to the south with views over the river, and not overlooked by the proposed development. Notwithstanding, balconies on the western elevation of proposed Block C are kept towards the central part of the building, looking out over an area of public open space of Parkgate Place to the west, which is already overlooked by the existing office buildings within that scheme.

There are no balconies provided to north facing residential units within proposed Blocks B and C. A rooftop garden is provided at the north western corner of the scheme, at 7th floor, providing pleasant views towards Phoenix Park.

6.3.15 Specific Information Item 15 – Phasing Plan

A detailed phasing plan for the proposed development.

Due to the nature of the site and the proposed development, the development is to take place in a single phase and not be delivered over a number of phases. Therefore no phasing plan is provided.

6.3.16 Specific Information Item 16 – Site Layout Plan - Taking in Charge

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

It is not proposed that the development within the Applicant's ownership would be taken in charge. The proposal is for a declared 'build to rent', privately managed scheme. We refer to the enclosed Management Strategy and Legal Covenant, prepared by Aramark, which confirms this.

In respect of proposed works within the public road at Parkgate Street, these lands are already controlled by Dublin City Council.

6.3.17 Specific Information Item 17 – Public Lighting

Details of public lighting.

We refer the Board to the Electrical Services Installation Site Plan, prepared by IN2 Engineering Design Partnership. This should be read in conjunction with the public lighting proposals for amenity open space within the scheme, discussed and illustrated in the landscape plan prepared by Mitchell + Associates, and also with the lighting details provided in the Lighting Design Concept Report prepared by Arup Consulting Engineers.

6.3.18 Specific Information Item 18 – Material Contravention

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 objectives (s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) 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. Details of vehicular access and serving arrangements from Parkgate Street.

We note that it is a matter for the Board to determine whether any material contravention of the objectives of the Development Plan arises in respect of the proposed scheme. If it so determines that such a contravention arises, it is obliged to identify the objective(s) being contravened and identify the specific criteria that would allow it to grant permission, having regard to Section 37(2) of the Planning and Development Act 2000, as amended. It is further noted that the Board may not grant permission for Strategic Housing Development that materially contravenes the land use zoning.

We have identified two specific development standards contained in the Dublin City Development Plan 2016-2022 from which the proposed development deviates. These refer to the unit mix and apartment floor area standards of the Development Plan.

The proposed development complies instead with the relevant, superseding specific planning policy requirement (SPPR) of the 'Sustainable Urban Housing: Apartment Design Guidelines for Planning Authorities' (2018), for 'build to rent' residential development, as it relates to unit mix and apartment size (floor area). In this regard, we note the provisions of Section 9(3) of the SHD Act which provide that the requirements of an SPPR apply instead of the relevant Development Plan requirements where there is a conflict between the two policies:

(3) (a) When making its decision in relation to an application under this section, the Board shall apply, where relevant, specific planning policy requirements of guidelines issued by the Minister under section 28 of the Act of 2000.

*(b) Where specific planning policy requirements of guidelines referred to in paragraph (a) differ from the provisions of the development plan of a planning authority, **then those requirements shall, to the extent that they so differ, apply instead of the provisions of the development plan.***

(c) In this subsection “specific planning policy requirements” means such policy requirements identified in guidelines issued by the Minister to support the consistent application of Government or national policy and principles by planning authorities, including the Board, in securing overall proper planning and sustainable development.

(Emphasis added)

Having regard to the requirements of the SHD legislation, we refer the Board therefore to the Statement of Material Contravention, prepared by Stephen Little and Associates, enclosed within the application.

7 PARTICULARS OF THE PROPOSED STRATEGIC HOUSING DEVELOPMENT

7.1 Planning Notice Description

The proposed development comprises mixed use residential and commercial redevelopment (c. 43,353 sq. m gross floor area) of a brownfield site, accommodated in 6no. blocks ranging in height from 8 to 29 storeys with basement and undercroft, and including: 481no. **'Build To Rent'** apartments (66no. studio units, 298no. 1-bed units and 117no. 2-bed units); ancillary residents' amenity rooms and facilities, including co-working spaces, one of which (c.119 sq. m) to be made available to the public for hire for cultural uses/ events; commercial office (c.3,698 sq. m), retail (c.214 sq. m) and café/ restaurant (c.444 sq. m) uses; and all associated and ancillary conservation and site development works.

Proposed block description as follows:

- **Block A** (c. 12,207 sq. m gross floor area): 29-storeys with setback at 25th floor, accommodating 1no. café/restaurant (c. 208 sqm), residents' amenity areas and 160no. apartments. Residents' roof gardens at 9th and 25th floors. Ancillary plant / storage at ground floor level.
- **Block B1** (c. 10,520 sq. m): 10 to 13-storeys with setback at 7th floor, accommodating 1no. café/ restaurant (c. 236 sqm), 1no. retail unit with ancillary café (c. 134 sqm), resident's amenity areas, including co-working spaces made available to the residential community within the proposed development, and one of which (c. 119sqm) to be made available also to the public for hire for cultural uses/ events, and 141no. apartments. Residents' roof gardens at 9th floor. Ancillary plant / storage at basement and ground floor level.
- **Block B2** (c. 3,698 sq. m): 8-storeys with setback at 6th floor, including 6 storeys of commercial office floorspace (c. 3,698 sqm) over entrance foyer and site entrance. Residents' garden on the roof. Ancillary plant / storage at basement level.
- **Block C1** (c. 4,207 sq. m): 9-storeys, accommodating 58no. apartments. Ancillary plant / storage at undercroft and ground floor level. Link with 'River Building' at undercroft level.
- **Block C2** (c. 2,520 sq. m): 9-storeys, accommodating residents' amenity areas and 40no. apartments. Residents' roof garden at 8th floor.
- **Block C3** (c. 6,274 sq. m): 11-storey building over partial basement with setback at 7th floor, accommodating 1no. retail unit (c. 80 sq. m), residents' amenity areas and 82no. apartments. Residents' roof garden at 7th floor. Ancillary plant / storage at ground floor level.

Associated and ancillary conservation, site development, infrastructure, landscaping and boundary treatment works, including:

- Public open space (c.1409 sq. m), including a plaza and riverside walkway.
- Residents' communal open space, including courtyard at ground level and residents' roof gardens at 7th, 8th, 9th and 25th floor levels. Residential apartment balconies on south, east and west elevations of all residential buildings and on north elevation of tower.
- Conservation, refurbishment, repair and adaption of existing protected structures, including:
 - Entrance stone archway (protected structure) to be conserved, refurbished, repaired and adapted for use as pedestrian access to proposed residents' communal open space, entrance foyers to Block B1 and Blocks C1, C2 and C3 and ancillary amenities.
 - Riverside stone wall (protected structure) to be conserved, refurbished, repaired and adapted, including partial demolition comprising the enlargement of existing opes and creation of new opes and lintel treatments for incorporation within the riverside stone wall, as part of the proposed riverside amenity walkway.
 - Turret (protected structure) at the eastern end of the riverside stone wall to be conserved, refurbished, repaired and adapted as an integrated part of riverside stone wall and proposed amenity walkway.

- Square Tower on riverfront (protected structure) to be conserved, refurbished, repaired and adapted as an integrated part of riverside stone wall proposed and amenity walkway.
- Conservation, refurbishment, repair and adaption of the larger of the two riverfront gabled building ('River Building') for use as gym for residents of the development, accessible from Block C1 undercroft and residents' courtyard at ground level, and incorporation of building as integrated part of riverside stone wall and proposed riverside amenity walkway.
- Conservation, refurbishment, repair and adaption of the southern façade of the smaller riverfront gabled building as part of riverside wall and incorporated with the amenity walkway. Demolition of the remainder of the building fabric.
- Demolition of all other structures within the former Hickey's Fabrics site, including the large single storey warehouse building with curved wall to Parkgate Street and all warehouse internal walls and partitions including the southern brick wall running parallel to the interior of the riverside stone wall, a small two storey building adjacent to the entrance stone archway and the former 2-storey detached house (Parkgate House) at the north west corner of the site, and other miscellaneous structures.
- 2no. new pedestrian site entrances at Parkgate Street, connecting to proposed public plaza and the proposed riverside amenity walkway.
- 1 no. new vehicular access via Parkgate Street to surface and basement parking areas at western edge of the site.
- 26no. car parking spaces (total) at surface and basement levels.
- 551no. bicycle parking spaces (total) at surface, undercroft and basement levels.
- Ancillary plant, bin storage and remote storage at ground and basement levels.
- Ancillary plant and telecommunications antennae at roof level.
- Solar panels on the roof of proposed Blocks B and C.
- Ancillary works along the southern footpath on Parkgate Street and in the public roadway, including new loading bay, removal of recycling bins and Dublin Bikes Station No. 92 and surface water drainage works including new sections of pipework.

7.2 Key Site Statistics

In summary, the key statistics for the proposed developments are outlined below: -

Key Site Statistics	
Total Number of Units	481
Gross Floor Area (Residential only)	35,728 sq. m GFA (excl. basement)
Gross Floor Area (Residential and ancillary uses)	41,923 sq. m GFA (excl. basement)
Gross Retail Floor Area	214 sq. m
Gross Office Floor Area	3,698 sq. m
Gross Café/ Restaurant Floor Area	444 sq. m
Gross Site Area	0.82 Ha
Net Density	587 no. unit per Ha
Unit Mix	Studio: 66 (14% of total units) 1 Bed: 298 (62% of total units) 2 Bed: 117 (24% of total units)
Open Space	Public c.1,409 sq. m. Communal Private c.2,727 sq. m
Part V	10% (48 no. Units)

Plot Ratio	5.8
Site Coverage	42%

7.3 Scale and Height

The application site is highly accessible, within easy walking and cycling distance of all of the significant employment, retail, recreational and cultural amenities that exist within this central city area.

The application site area measures approximately 0.82 hectares.

Site coverage is approximately 42% and plot ratio 5.1.

The Development Plan provides indicative standards of 90% and 2.5-3.0 respectively for these density indicators, but they are clarified as not being 'stand-alone' objectives. Higher standards may be permitted in circumstances where the site adjoins major public transport, mixed use regeneration is being achieved and other considerations in respect of the protection of residential amenity, Parkgate streetscape and character are reasonably taken into account.

481no. residential units are proposed. This amounts to an overall density of approximately 587 units per hectare.

There is no prescriptive residential density threshold prescribed in the City Development Plan. For sites greater than 0.5 ha, proximate to a strategic public transport hub, within the city centre, national planning guidance on sustainable residential development would recommend that such sites dictate their own character, whereby there is no prescriptive upper limit beyond 50 units per hectare.

The height (8 to 29 storeys) and scale of the proposed redevelopment of this site is such that it is likely to be visible from a wide area within the city.

The Dublin City Development Plan designates the Heuston gateway as a location with potential for tall buildings (over 50 metres high) to provide a new urban identity and as a western counter balance to regeneration in the Docklands to the east along the Liffey Quays.

The proposed development has benefited from the input of a highly qualified, multi-disciplinary design team and external advisors, including Reddy Architecture and Urbanism (project architect and urban designers), ARC including Bill Hastings, Grade 1 Conservation Architect (architectural heritage and visual impact assessments), and Professor John Worthington & Dr Lora Nicolaou (joint authors of Managing Intensification and Change: A Strategy for Dublin Building Height, DEGW Report, 2000) providing expert opinion on building height and placemaking.

Planning policy issues are discussed further in later sections (statement of consistency) of this planning report.

7.4 Proposed Conservation Works

The heritage significance of the existing buildings and structures on site and the significance of the site within the designated Conservation Area along the Liffey banks are well understood and have informed the proposed layout and design of this regeneration proposal from the outset of the project.

All of the structures listed in the Record of Protected Structures, namely the stone arch at Parkgate Street and the riverside stone wall, the turret and the square tower along the river front, will be conserved, repaired and adapted within the scheme as described in the plans and particulars that accompany the planning application, and in Section 6.2.5 above.

We refer the Board in particular to the Architectural Design Statement, prepared by Reddy Architecture and Urbanism. A description of design options considered in respect of the works to the protected structures is outlined in Chapter 2 'Alternatives' of the EIAR that also accompanies the planning application.

An assessment of the proposed works from a heritage conservation perspective is provided by the Architectural Heritage Impact Assessment Report prepared by ARC (and also the Cultural Heritage Chapter of the EIAR).

7.4.1 Stone Archway (Protected Structure)

Along the Parkgate Street frontage, it is proposed to conserve and adapt the Stone Arch at its current position as the primary residential gateway feature to the site. This is the focal point of the entrance colonnade that leads to the south facing private courtyard. The setting of the arch will be framed between the residential wings with café/retail shopfronts on either side. The setting of the Arch is protected by providing further set back of the upper floors, to allow this feature to be clearly read. The landscaping proposal integrates planting with the existing and new gates and railings to define the threshold between the street and the private realm.

7.4.2 Riverside Stone Wall

Adaptation works, including enlargement or reopening of existing opes, and the creation of several new openings, will result in the loss of some historic fabric of the riverside stone wall. We refer the Board to EIAR Chapter 2 'Alternatives' for a description of the alternative development strategies examined in respect of the proposed works to the riverside stone wall along the river walk. The preferred strategy is then described in the Architectural Design Statement prepared by Reddy Architecture and Urbanism. This has also been discussed in Section 6.2.5 above, in response to the Board's Opinion, including exceptional circumstances in respect of loss of historic fabric arising from works to a protected structure.

It is considered that the removal of the southern wall of the industrial warehouse building (not protected) and the creation of new opes in the riverside stone wall (protected structure) will enhance the proposed creation of a new 'river walk' amenity, within the application site, connecting with Parkgate Street and the river edge. The proposed river walk seeks to implement the Z9 open space objective along the southern edge of the site, and meet the guiding principles of SDRA 7 for excellent public realm, interconnection and city legibility. There is also potential to form a connection with the existing boardwalk to the west at some future date, subject to agreement with that landowner, to create a greenway along the northern bank of the Liffey, in the direction of Island Bridge.

The proposed new opes will enhance light penetration to the proposed public and shared residential amenity open spaces behind the riverside stone wall. Given the southern aspect of these spaces, light penetration will however be excellent to very good, with or without the new opes. Another point to consider is that the proposed opening up of the riverside stone wall will enable a visual connection between Parkgate Street and the River and Heuston Station beyond, in accordance with the guiding principles of SDRA 7 to enhance interconnectivity between the development site and the adjacent urban structure and cultural / historic attractions. Parkgate Street is an important corridor connecting the City Quays to Phoenix Park.

Ultimately, the proposed creation of new opes in the riverside stone wall is not fundamental to the success of the public realm or overall scheme. It would be possible to deliver good quality public realm / open space environment and amenity without the wall opes. However, with the omission of the opes, the opportunity to provide enhanced visual and physical amenity connections through the development site, relevant to strategic regeneration and placemaking within the Heuston gateway, would not be realised. We refer the Board to EIAR Chapter 2 'Alternatives' and Sunlight / Daylight analysis that accompanies the application.

It is our opinion that the proposed works strike the right balance between delivering the Z9 (recreational amenity, open space, green networks) objective and SDRA principles of the Development Plan, while substantially conserving the historic fabric and character of the historic protected riverside stone wall.

The wall proposed to be removed along the inside of the riverside stone wall is not a Protected Structure, which forms part of the large warehouse building (not a protected structure). We refer to the Heritage

Impact Assessment Report prepared by ARC for further description of the existing historic buildings and structures on site, and their conservation status.

7.4.3 Turret, Square Tower and Ancillary Gabled Buildings

As described previously, the 'river walk', will incorporate the full length of the riverside stone wall, and will also include the turret, the square tower and other non-protected late 19th Century structures, including the larger ancillary gabled building and the gable wall of the smaller ancillary building, that contribute to the walled character of the existing built edge to the river. As part of the river walk experience it will be possible to enter inside the square tower and view the river through the existing ope that is proposed to be reopened to connect with the river.

7.5 Existing Buildings and Structures to be Removed

The remaining existing structures (not protected) on site to be demolished, include:

- The large industrial warehouse building, including curved wall to Parkgate Street, southern wall inside the riverside stone wall and western wall. Some of the supporting cast iron beams and columns to be salvaged for reuse as a pergola feature in the residents' communal open space area.
- The removal of all but the river façade of the smaller 19th C gabled building, west of the square tower,
- The detached two-storey house (Parkgate House) in ruinous condition.
- The small building beside the stone arch.

7.6 Proposed Residential Development

7.6.1 Build To Rent Apartments

The residential component of the proposed development comprises five identifiable blocks: Blocks A, B1, C1 and C2. Block C3. Each residential block has a separate entrance core and ample residential amenities and open space. Given the mixed use nature of the proposed development, the architect's schedule of accommodation identifies the various blocks based on their respective cores.

481no. 'build to rent' apartments are proposed within the scheme. Unit types range from 1-bed studios and apartments to 2-bed apartments to meet a range of household sizes from single person up to 4-person. Apartment layouts range from deep plan to wide frontage, with and without private balconies. 43% of the proposed units are dual aspect, and none are single aspect north facing units. Apartments at upper levels benefit from excellent views across the city, along the River Liffey and over Phoenix Park. All apartments benefit from a range of public and private communal open space proposed as part of this scheme.

The following tables identifies the mix of accommodation envisaged within the scheme.

Apartments			
Unit Type	No. of Units	Approximate GFA (m ²) / Unit	Min. Size – Guidelines 2018
Studio Apartment	66		37 sq. m
1 Bed Apartment – 2 person	298		45 sq. m
2 Bed Apartment – 3-4 person	117		63 sq. m – 73 sq. m
Total	481		

Each of the proposed residential blocks is described as follows:

Block A: 29 storeys. Accommodating café/restaurant and residents' amenity at ground floor and mezzanine level, 160 No. residential units from first floor to 27th floor inclusive, including:

- 24 No. Studio apartments
- 109 No. 1-Bed apartments
- 27 No. 2-Bed apartments
- Ancillary residential amenities
- Roof terraces at 9th and 25th floors

Block B1: 10 – 13 storeys. Comprising café/ restaurant at ground floor level, resident's amenity areas and 141 No. residential units, from mezzanine level to 11th storey inclusive, including:

- 14 No. Studio apartments
- 96 No. 1-Bed apartments
- 27 No. 2-Bed apartments
- 4 No. 2-Bed (3 person) apartments
- Roof terraces at 9th floor

Block C1 / C2 and C3: 9-11 storeys. 180 No. residential units, from mezzanine level to 9th storey inclusive, including:

- 28 No. Studio apartments
- 93 No. 1-Bed apartments
- 51 No. 2-Bed apartments
- 8 No. 2-Bed (3 person) apartments
- Ancillary residential amenities
- Roof terraces at 7th and 8th floor.

Site plan, floor plans and elevations relating to units at all levels, a Schedule of Accommodation and Housing Quality Assessment Report have been prepared by Reddy Architecture and Urbanism and are enclosed with the planning application, which provide detailed information about the proposed residential components of the scheme.

7.6.2 Part V (Social Housing)

There has been on-going dialogue between the applicant and Dublin City Council Housing Department with regard to Part V provision prior to making this SHD Planning Application.

We have set out below how the applicant proposes to satisfy and comply with the requirements of s.96 (Part V) of the Planning and Development Act (as amended). Please note that the details provided below, along with those in the enclosed Part V Proposal: Methodology of Calculation of Costs Table are purely indicative and are intended to provide a reasonable estimate of the costs and values of the units based on construction costs and values prevailing at the time of the application. Please also note that the information set out herewith is purely for the purposes of facilitating the making of a valid planning application and will ultimately be subject to possible amendment and formal agreement with Dublin City Council prior to submission of the Commencement Notice in relation to the development of the site. The financial data contained in the enclosed table (entitled Part V Proposal: Methodology of Calculation of Costs Table) is provided to the level of detail commensurate with this stage of the Part V process having regard to Circular Letter 10/2015 and should be read as being indicative as a result. We note under the Amendment to the Act and its accompanying Regulations that the ultimate agreement with regard to Part V is dependent a) upon receipt of a final grant of permission and b) upon a site value at the time the Permission is granted; neither of which can be available at this time.

The applicant's preferred option to comply with Part V involves the grant of a lease of 10% of the "Build to Rent" apartment units to the planning authority, or persons nominated by the authority, by way of an Enhanced / Long Term Leasing on the site subject to the application.

The overall estimated cost to the Local Authority at this time is based on a 25 year lease and is set out in the enclosed table on the basis of the Council Leasing 48 no. units. We refer the Board to drawing no. PGATE-RAU-ZZ-ZZ-DR-A-GAP-31140 which is enclosed within the architectural drawings prepared by Reddy Architecture + Urbanism. This illustrates the location of the 48no. units within the proposed development.

Zero car parking allocation is proposed as residential car parking is being provided via a club car arrangement. It is proposed that the monthly reduction to cover net monetary value is by way of reduction on monthly rent for a period over the lease length. It is also understood that there may be a preference for this to be converted, to a rent free for a period of years. The Discount to Market is based on a Leasing, in line with the draft form issued and accounting for the level of amenity in the scheme.

Finally, we would wish to highlight that the above information is being provided on a wholly without prejudice basis in order to comply with the Planning & Development Regulations in force at this time. The final details of any agreement with the Council regarding compliance with Part V, including agreements on costs will not be arrived at until after planning permission has been secured as is provided for under the Planning & Development Act 2000, as amended.

7.6.3 Proposed Ancillary Residential Amenities

Some residential units will have access to private open space in the form of individual balconies, however not all. All units will have access to private internal and external residents' amenities. Flexibility is applied in this respect under the 'Sustainable Urban Housing: Apartment Design Guidelines' (2018), for 'build to rent' schemes.

The total amenity space provided in the form of individual private balconies is 650 sq. m. This will be further complemented with the provision of c.2,727 sq m of shared private external open space at ground and roof levels and c.1,839 sq.m of internal shared residential amenity facilities. We refer the Board to the table below and the architectural plans for details of the nature of these internal shared amenities. Residents will be able to reserve rooms for personal use and private functions. The gym and co-working areas will be non-commercial spaces, for use by residents. The exception being the co-working area at the ground floor of Block B1 (119 sq m) which will also be available for hire for cultural uses/ events accessible to the wider community.

Where the Wind Assessment, prepared by IN2 Engineering Design Partnership, identifies that a number of balconies on the residential tower are failing to provide adequate conditions for 'sitting', these units are not included in the private amenity calculations.

The following is an extract of the schedule of accommodation provided by Reddy Architecture & Urbanism Schedule, which outlines the extent of residential amenity facilities proposed within the scheme.

Communal Amenity Schedule Breakdown		Block A	Block B1	Block B2	Block C1	Block C2	Block C3
Level U	River Building Interior River Building Exterior				131 70		
Level 00	Reception Foyer Post Room Gym (incl changing) Internal Amenity Co-working River Building (Gym) Communal Courtyard	70	190 0 105 119 321		0 150 321	180 321	33 321
Level Mezz	Internal Amenity Co-working Lounge Room Cinema room	205	300				
Level 01							
Level 07	Internal Amenity Rooftop Amenity						34 122
Level 08	Rooftop Amenity					280	
Level 09	Internal Amenity Rooftop Amenity	104 300	50 300				
Level 25	Internal Amenity Rooftop Amenity	168 50					
Total Blocks		1218	1385		602	781	510
Total Interior Amenity		1839					
Total Communal Open space		2727					
Total		4566					
Balconies		138	175		159	149	29
Total Balconies		650					
		Provided	Required	diff			
Total Amenity		5216	5120	96			

Figure 3: Extract from Schedule of Areas, prepared by Reddy Architecture and Urbanism.

Further details can be found by reference to the Schedule of Accommodation and Housing Quality Assessment, prepared by Reddy Architecture and Urbanism, enclosed with the application.

7.6.4 Amenity of Adjoining Residential Properties

Along the western edge (see p.78 RAU Architectural Design Statement), the proposed western building form and elevation, as amended, modulates from 9-storeys at the lower south western corner, up towards the set back floors (11 storeys) to the north, before dropping down to 7th floor shoulder height along the Parkgate Street building line.

Windows and balconies to residential units are carefully located to ensure no direct overlooking of the existing residential units at Parkgate Place. It may be noted that the living areas of the residential units in the Parkgate Place development are oriented towards the south and the river. No balconies are proposed on the south west corner of Block C3. Balconies located towards the central area of the western elevation look over public open space at the neighbouring development, that is in any event overlooked by the existing office development.

7.7 Proposed Commercial Development

At ground floor and mezzanine levels the proposed development accommodates retail units, café/restaurant units and resident's amenity/ancillary facilities, which will serve to activate the street level and new amenity open spaces, in addition to the building entrance cores.

Block A (tower) adjoins proposed Office Block (B2), which delivers office accommodation from first floor to sixth and seventh floor levels.

The following table identifies the extent of non-residential accommodation envisaged within the scheme.

Class of Development	Gross Floor Space in m ²
Commercial Office	3,698
Retail	214
Café/Restaurant	444
Total	4,356

7.8 Landscape Proposals

The proposed development has been well considered in respect of landscaping. This extends to the proposed communal residential amenity open space at ground and upper levels and to the introduction of significant public amenity open space in the form of the 'river walk' and public plaza. Landscape enhancements to the public road beyond the site proper are also proposed.

Amenity open space is generally oriented to benefit from a southern aspect, to integrate heritage features on site and to make visual connections with the River and the city beyond.

The landscape proposals, prepared by Mitchell + Associates, integrates SUDS and public lighting proposals prepared by Arup Consulting Engineers and IN2 Consulting Engineers.

7.8.1 Public Open Space

The most significant features of the proposed public amenity open space include the 'river walk' and public plaza, connecting to Parkgate Street and the River Liffey. This amounts to c.1,409 sq m within the site area of 0.82 ha (c.17% of the site area).

The proposed development provide a strong frontage onto Parkgate Street with active ground floor uses and new connections to the river. The public open space will also benefit from passive surveillance from the residential units at upper levels.

The proposed public plaza is flanked by proposed café/restaurant use that enliven the space. As a new civic space within the city, it would have potential to accommodate a range of recreational and cultural uses, including markets, street theatre and open air cinema, subject of further appropriate planning consent and/or licencing where necessary.

The public plaza, flanking uses and proposed residential units above provide passive surveillance to the proposed amenity 'river walk'. This will extend along the edge of the riverside wall (protected structure), integrating features of heritage interest, which will become more accessible to the public. Existing and proposed new opes created within the wall can open the space out to the river edge and enhance visual connections through the site from Parkgate Street to the river and other parts of the city.

While the public and private amenity open spaces at ground level will benefit from a very good standard to natural light penetration in any event, the creation of new or enlarged opes within the wall would further enhance the light conditions within these spaces. We refer the Board to the Design Statement and to the 'Alternatives' section of the EIAR that describes the various development scenarios considered for the treatment of the riverside wall (protected structure) along the 'river walk'.

At street level, the proposed 'river walk' and public plaza will be publicly accessible via Parkgate Street, at the new site entrance between Block A (tower) and Block B (mixed block). A new public route via the eastern corner of the site near Sean Heuston Bridge is facilitated through a small existing 'park' area, keeping the 4no. existing trees within the landscape plan. This land is under the control of Dublin City Council, and therefore a Letter of Consent received from DCC Parks Division is enclosed relating to these works. Public park opening hours are proposed for public space areas within the application site boundary. Access will be managed and controlled by the private management company for the scheme (see Aramark Report for details).

A pedestrian survey was undertaken by Arup Consulting Engineers (5th December 2019) to monitor pedestrian movement between Parkgate Street and Sean Heuston Bridge. The proposed development

is not considered to have any significant negative impact on pedestrian flow or safety in the vicinity of Sean Heuston Bridge or the Luas line.

There is potential to link the proposed 'river walk' to the existing boardwalk at neighbouring private lands to the west (Parkgate Place) at some future point. While a future connection is facilitated as part of the proposed development, it is currently beyond the control of the applicant to remove the boundary wall to enable continued access onto to the neighbouring boardwalk. This would require the agreement of the relevant landowner.

We refer the Board to the Landscape Drawings and Landscape Design Statement and Masterplan, prepared by Mitchell + Associates Landscape Architects and the Architectural Design Statement and Housing Quality Assessment Report prepared by Reddy Architecture and Urbanism for further design details of the public amenity open space areas.

7.8.2 Private Communal Amenity Open Space

In addition to the public open space described above, there are several areas of communal private open space provided for the sole benefit of prospective residents. This space amounts to c.2,727 sq. m.

Where not all residential apartments have their own individual private balconies, they will all have easy access to the external communal spaces at ground and various roof levels. Access to the residents' communal courtyard at ground level is via the stone archway at Parkgate Street. The space in turn has controlled access to the public amenity areas. Each residential block also has direct access to rooftop garden amenity, at various levels.

All communal spaces are designed to enjoy pleasant aspect, shelter from wind during clement weather periods, and excellent views over the city and natural amenities in the surrounding area.

The communal open space will consist of a mixture of hard and soft landscaping, including children's play area and rain garden feature (SUDS).

7.8.3 Public Lighting

We refer the Board to the Electrical Services Installation Site Plan, prepared by IN2 Engineering Design Partnership. This should be read in conjunction with the public lighting proposals for amenity open space within the scheme, discussed and illustrated in the landscape plan prepared by Mitchell + Associates, and also with the lighting details provided in the Lighting Design Concept Report prepared by Arup Consulting Engineers.

7.9 Transportation

We refer the Board to the enclosed Transport Statement, prepared by Arup Consulting Engineers. This Statement addresses how the proposed strategic housing development considers traffic and transportation issues, including, traffic generation, pedestrian and cyclist linkages and safety, public transport availability and capacity.

7.9.1 Access / Layout

The proposed development prioritises pedestrian movement at ground level.

The proposed development will have a number of access points from Parkgate Street, as follows:

- The public plaza and 'river walk' will be accessible via a new entrance created between Blocks A and B. This site entrance will also be able to accommodate emergency and maintenance vehicles as necessary.

- A further pedestrian access route to the public plaza and ‘river walk’ will be opened up via the small landscaped open space beside the existing electricity sub station in the eastern corner of the site near Sean Heuston Bridge.
- The residents’ communal private space will be accessible via the stone archway, which is maintained in situ in its historic location.
- Bicycles can access secure bicycle storage at undercroft in the south west corner of the site, via any of the pedestrian access points.
- Vehicular access to surface car parking and basement is located at the western most corner of the site.

7.9.2 Car Parking

The proposed development provides 26no. car parking spaces.

- 11no. spaces, including 1 no. disabled space, are proposed at basement, which will be accessed using a double car lift. Of these, 9no. car spaces at basement level will be designated for the commercial office floorspace.
- 15no. car spaces, including 2 no. disabled spaces, are proposed at ground level. They are to be allocated to a bespoke car club for the prospective residents. The car club facility will be managed centrally by the management company.

Electrical power points are also provided for car parking spaces.

The site is at a highly accessible location near public transport links such as Dublin Bus on the adjacent Parkgate Street and the Rail and LUAS options at Heuston Station. The car parking proposals are in line with the Development Plan’s aspiration to achieve a modal shift away from the car to more sustainable forms of transport such as cycling, walking and public transport. It is anticipated that the proposed parking provision will be sufficient to meet the needs of the future residents.

In addition to the imposition of maximum car parking standards in the Dublin City Development Plan for this parking zone 1 area, the ‘Sustainable Urban Housing: Apartment Design Guidelines’ (2018) recommend reduced car parking provision for ‘build to rent’ schemes, given their central locations and accessibility by other modes of sustainable travel.

7.9.3 Bicycle Parking

A total of 551no. bicycle parking spaces are proposed at ground level, undercroft and basement levels.

Bicycle parking is proposed via safe dedicated stairwell with dedicated storage for bicycles at ground level, undercroft and basement levels.

Bicycle parking spaces for the office element benefit from ancillary shower, changing and drying room facilities at basement.

7.9.4 Other Transportation Projects

The proposed development has been the subject of consultation with Dublin City Council Transportation Division, Transport Infrastructure Ireland and the National Transport Authority, to ensure that the proposed development does not prejudice emergent plans for BusConnects or the Liffey Cycle Way at Parkgate Street, or existing LUAS services at Sean Heuston Bridge.

7.10 Water Services

There has been on-going engagement with Irish Water and DCC Drainage Department in relation to the proposed development, led by ARUP Consulting Engineers on water and drainage issues.

A Confirmation of Feasibility (dated 4 July 2019) and Statement of Design Acceptance (dated 13 December 2019), both enclosed herewith, have been provided by Irish Water to show that the proposed connection to the Irish Water network can be facilitated.

We refer the Board to the Planning Drainage and Watermain Report, prepared by Arup Consulting Engineers which provides the relevant details of the proposal regarding water and drainage infrastructure.

7.11 Flood Risk Assessment & Justification Test

We refer the Board to the Flood Risk Assessment prepared by Arup Consulting Engineers. No significant impacts are predicted, subject to appropriate mitigation measures as identified in the EIAR.

7.12 Micro Climatic Conditions

The Daylight and Sunlight Analysis, prepared by IN2 Consulting Engineers, has been used to refine aspects of the proposals to ensure that proposed and existing residential, commercial and ancillary external amenity spaces benefit from adequate levels of sunlight and daylight, having regard to the relevant standards.

Site Wind Analysis, prepared by IN2 Consulting Engineers, demonstrates that the proposed open spaces will benefit from a good micro-climate. Where proposed balconies at upper levels, particularly on the tower elevations, cannot always benefit from a good micro-climate (wind) conditions, residential units are compensated with easy access to shared private external open space and other internal amenity spaces.

7.12.1 Sunlight/Daylight Analysis

We refer the Board to the accompanying Daylight & Sunlight Analysis, prepared by IN2 Engineering Design Partnership, which provides an analysis of daylight and sunlight that would be available to the proposed development and to the existing dwellings in the vicinity of the proposed development, including to open spaces and gardens serving them.

The shadow analysis results indicate no significant shadowing of surrounding buildings and where shadowing occurs it would be for a minimal period of time.

The proposed amenity spaces achieve excellent sunlight and daylight availability. The assessment also concludes that the proposed development will not have a negative effect on the neighbouring amenity space at Parkgate Place.

The average daylight results determined that due to the massing and height of the proposed development, an element of self-shading was inevitable, however compliance with the BRE minimum recommendations is achieved.

7.12.2 Wind Analysis

A Wind Analysis and Pedestrian Comfort Report prepared by IN2 Consulting Engineers is enclosed with the application.

Pedestrian comfort due to wind was assessed utilising the "*Lawson Criteria*", which is an index of how usable an external space may be for comfortable sitting/ walking etc. The analysis demonstrates that conditions at ground level, on most balconies and all roof terraces would be suitable and not preclude their usage as amenity space.

It may be noted that some balconies on the tower that are failing due wind conditions. These balconies have not therefore been included in the private amenity calculations. All residential units, including

these and others without balconies, have access to ample compensatory internal and external communal residential amenities (see Sections 6.2.3, 6.2.4, 7.6.3 and 7.8.2 above for details).

7.13 Architectural Design Statement

We refer the Board to the enclosed Architectural Design Statement prepared by Reddy Architecture and Urbanism, which sets out the detailed urban, site and architectural design analysis and rationale for the proposed scheme. It also provides specific responses to the issues raised in the Board's pre-application consultation written opinion (see Section 5).

7.14 Urban Design Expert Opinion

Professor John Worthington & Dr Lora Nicolaou (joint authors of *Managing Intensification and Change: A Strategy for Dublin Building Height*, DEGW Report, 2000) have provided an expert opinion in support of this planning application. This report concludes that the design of the proposed development successfully responds to the unique characteristics of this site and will enhance and contribute to the distinctiveness and vibrancy of this evolving area of the city.

7.15 Landscape and Visual Impact Assessment

A Landscape and Visual Impact Assessment prepared by ARC is provided as part of the EIAR. This assesses the potential visual effects of the proposed development from 18 relevant viewpoints. The potential visual effects are deemed to range from 'none', 'slight', 'slight to moderate' and 'moderate'. No 'significant' or 'very significant' visual effects are expected to arise.

7.16 Economic Assessment

An Economic Assessment of the proposed development has been prepared by EY-DKM and is enclosed with this application. This report provides an analysis of demographic trends, residential delivery and analysis of commercial floorspace at local and citywide level. It provides supporting evidence for the form of development proposed.

7.17 Estate Management Strategy Report

An Estate Management Strategy Report has been prepared by Aramark and is enclosed with this application. This provides a report on the proposed facilities, public realm maintenance and management strategy for the proposed development and how it will be maintained to the highest standards.

7.18 Community and Social Infrastructure Audit

A Community and Social Infrastructure Audit prepared by Stephen Little & Associates is enclosed with this application. The purpose of the audit is to contribute to the ongoing assessment and monitoring of community facilities by Dublin City Council, and to identify the additional facilities being provided by the proposed scheme. In addition to providing a high quality residential scheme, the development proposes a significant quantum of employment generating floorspace. This will contribute to the Development Plan aspiration for a mix of uses at this site. The groundfloor of the scheme is primarily given to active uses such as retail and café, which will animate and enliven the streetscape along Parkgate Street, as well as the new public open spaces.

The redevelopment of this site also presents a rare opportunity to open up access to the River Liffey to the public, which had previously not been possible. This aspiration is clearly recognised within the Development Plan, as the strip of land adjacent to the river is zoned Z9 - Open Space. The proposed

treatment of the Z9 part of the site responds carefully to the zoning objective to provide recreational amenity and open space in this area, while addressing the heritage value of the structures in this location. The restoration of the site's protected structures, as well as other historic structures will enhance the cultural fabric of the area.

The proposed development will also provide a high quality public plaza. The proposal will provide for retail and café / restaurant uses which will benefit the existing residents in the area as well as the future residents. These new uses will increase the variety of offering in the area.

It is considered that this is an appropriate contribution to the community infrastructure of the local area, on the basis of the scale of this development and the existing local facilities, as demonstrated in the audit.

7.19 Childcare Needs Assessment

Section 2.4 of *Childcare Facilities: Guidelines for Planning Authorities (June 2001)* sets out general standards for the land use planning issues related to childcare provision in Ireland. In relation to 'New Communities / Larger New Housing Developments', it is noted that:

'Planning authorities should require the provision of at least one childcare facility for new housing areas unless there are significant reasons to the contrary or where there are adequate childcare facilities in adjoining developments.'

The Guidelines outline that crèche provision should be made on the basis of 20 no. childcare spaces for every 75no. dwellings permitted in a scheme. The *Design Standards for New Apartments: Guidelines for Planning Authorities* published in 2018 provides further clarification with regards to childcare provision:

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.

The proposed development will consist of 481no. Build-to-Rent apartment units, ancillary commercial/retail facilities and public open space. The proposed dwelling mix is as follows:

- 66no. 1-bed studio apartments
- 298no. 1-bedroom units
- 117no. 2-bedroom units

On the basis of the clarification provided by the Apartment Guidelines 2018, it can be concluded that the 66no studios and 298no. 1 bedroom apartment units, proposed as part of this scheme, would not generally contribute to demand for childcare provision.

Having regard to the Apartment Guidelines, it could be further considered that approximately 50% of the 2 bedroom units could be discounted in the estimate of childcare demand arising from this project – i.e. 58no. apartments. In this scenario the total number of new dwellings with potential to give rise to childcare demand (i.e. 58no. 2-bed units) falls below the threshold for childcare provision.

Nonetheless, a detailed Childcare Needs Assessment prepared by Stephen Little & Associates is enclosed with this application. This assessment concludes that by virtue of the capacity of the existing childcare facilities and recent population and demographic trends, there is sufficient capacity to cater for the existing and future childcare needs in this area.

7.20 Building Life Cycle Report

A Building Life Cycle Report has been prepared by Aramark and is enclosed in this application. This report contains an assessment of long term running and maintenance costs of the development. On foot of this assessment, the Applicant proposes specific measures (contained in the report) to effectively manage and reduce costs for the benefit of residents.

7.21 Energy Report

An Energy Analysis Report prepared by IN2 Consulting Engineers is enclosed with this application. This analysis determined an energy and servicing strategy to enable compliance with the standards set out under the following:

- Building Regulations Technical Guidance Document Part L 2019
- EU Directive for Near Zero Energy Buildings
- Building Energy Rating A2

7.22 Telecommunications

We refer the Board in the first instance to the accompanying telecommunications letter report, prepared by Independent Site Management (ISM), for details in relation to the anticipated potential for impacts on telecommunication channels arising from the development in this case. This report identifies that the proposed development may have an impact on a current microwave telecommunication channel.

The proposed development has been designed, and will necessarily be subject of further detailed construction design. Detailed construction design will employ ISM expertise to ensure that both existing identified and future unknown telecommunication channels will continue to operate effectively.

The proposed development includes for the provision of a 'hop site' on the roof of Block B, which will enable retention of microwave telecommunications channels, as may be necessary. The statutory planning notices and applications drawings include telecommunications antennae at roof level to allow for this possibility at detailed design stage.

7.23 Archaeology

We refer the Board to the EIAR Chapter 11: Archaeology, Architectural and Cultural Heritage. No significant impacts are predicted, subject to appropriate mitigation measures as identified in the EIAR.

7.24 Construction Management Plan

A Construction and Environmental Management Plan (CEMP) is enclosed with this application as part of the EIAR. This details how the construction phase will be managed with minimal impacts on the environment or the surrounding community.

We confirm that a fully comprehensive Construction Management Plan to implement the requirements of the Construction Management Plan/ Construction Environmental Management Plan will be submitted to the Planning Authority for its approval in advance of any works commencing on site, should the Board grant permission for the proposed development.

7.25 Construction & Demolition Waste Management Plan

A Construction and Demolition Waste Management Plan prepared by AWN Consulting Ltd is enclosed with this application as an appendix to the EIAR. The demolition works included in the proposed development are outlined in this report, and include demolition of the warehouse building and Parkgate House. The plan aims to ensure maximum recycling, reuse and recovery of waste with diversion from landfill, wherever possible. It also seeks to provide guidance on the appropriate collection and transport of waste from the site to prevent issues associated with litter or more serious environmental pollution (e.g. contamination of soil and/or water).

7.26 Operational Waste Management Plan

An Operational Waste Management Plan prepared by AWN Consulting Ltd is enclosed with this application as an appendix to the EIAR. This plan provides a strategy for storing, handling, collecting and transporting wastes generated at the subject site in accordance with the current legal and industry standards. The plan aims to ensure maximum recycling, reuse and recovery of waste with diversion from landfill, wherever possible, and provides guidance on the appropriate collection and transport of waste to prevent issues associated with litter or more serious environmental pollution. The plan estimates the type and quantity of waste to be generated from the proposed development during the operational phase and provides a strategy for managing the different waste streams.

7.27 Basement Impact Assessment

The Dublin City Council requirement from February 2020 for a Basement Impact Assessment to be provided where a development includes the construction of any form of basement is noted. The purpose of a Basement Impact Assessment is to consider issues relating the construction of a basement, including groundwater, effects on adjacent basements, land stability, surface water and flooding, construction activity and temporary works (for example ground anchors) and any other related factors. The majority of these issues are comprehensively addressed in the EIAR.

We refer the Board to the enclosed letter Basement Impact Assessment Letter provided by Arup Consulting Engineers. This letter highlights for the Board's convenience the locations in the application documents (in particular the EIAR) where relevant information can be found relating to potential impacts arising from the proposed basement/ undercroft.

8 NATIONAL AND REGIONAL PLANNING POLICY

8.1 National Planning Framework – Ireland 2040

The National Planning Framework (NPF) seeks to achieve the consolidation of Dublin City's development and growth within the M50 and canals to create a more compact urban form. The NPF seeks 40% of all new homes to be located within the existing footprints of our urban settlements. In Dublin, development should be focused within the M50 and canal rings in order to consolidate the urban area. Development on infill and brownfield sites is seen as a key way to deliver this vision, particularly where such sites are served by high capacity public transport.

The subject site is exceptionally well placed to achieve this NPF vision. It delivers a high quality, mixed use regeneration development on a brownfield site at one of the city's key public transportation hubs.

This policy direction means encouraging more people, jobs and activity generally within our existing urban areas. It requires a change in previous development patterns which have predominately focused on 'greenfield' sites. In particular, it requires well-designed, high quality development that can encourage more people, and generate more jobs and activity within existing cities, towns and villages.

Development must therefore meet appropriate design standards to achieve targeted levels of growth. It also requires active management of land and sites in urban areas.

The following are the key NPF Policy Objectives which support the principle of this development:

National Policy Objective 3b seeks to deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.

National Policy Objective 4 promotes the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

National Policy Objective 11, states a presumption in favour of development that encourages more people and generates more jobs and activity within existing cities, towns and villages, subject to appropriate planning standards being met and targeted growth achieved.

In NPF Chapter 4 'Making Stronger Urban Places', the following Key Objective is relevant:

National Policy Objective 13 requires that *"in urban areas, planning and related standards, including in particular height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth"*, subject to a range of environmental and residential amenity tolerances.

In NPF Chapter 6 'People Homes and Communities', the following Key Objectives are relevant:

National Policy Objective 27, that seeks to *"ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages."*

National Policy Objective 33, that seeks to *"prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location."*

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

National Policy Objective 36, that seeks to put in place Section 28 Ministerial Guidelines to improve the evidence base, effectiveness and consistency of the planning process for housing provision to meet varying housing needs at regional, metropolitan and local authority levels. For example, in reconciling

future housing requirements effectively it is identified that in Dublin city, while one, two and three person households comprise 80% of all households, the housing stock is largely comprised of 3 and 4-bedroom houses.

The proposed development is consistent with the NPF in the promotion of more compact mixed use urban regeneration that delivers increased residential density and employment activity, of high quality urban design and architecture, at an underutilised, brownfield site on the edge of the city centre, served by high frequency public transport connecting it with Dublin City Centre and other strategic settlements and employment zones within the Dublin Metropolitan Area. It addresses the dearth of housing that accommodates smaller household sizes, through the provision of good quality 1 and 2-bed dwellings for 1-4 person households.

The proposed development is strategically located within the built footprint of Dublin's Metropolitan Area, within the city centre. The proposed development will deliver a new residential-led mixed-use development at Parkgate Street, on land zoned for a mix of uses (including residential) appropriate to maintaining the life and vitality of the city centre. The site benefits from excellent access to numerous forms of public transport, cycle and pedestrian facilities in the area.

The future planned provision of Bus Connects Route Corridor 6 (R148/St. John's Road West) and the Liffey Cycle Way (City Quays/Parkgate Street) will support a greater modal shift toward the use of public transport in the immediate vicinity of the application site, consistent with the aspirations of the NPF.

The proposed scheme provides compact development delivering a good apartment mix in buildings of appropriate and landmark height, supported by ancillary facilities, at this prominent, underutilised brownfield site at the western gateway to the city centre.

It is submitted to the Board that the proposed development is compliant with the policies of the National Planning Framework.

8.2 Eastern and Midlands Regional Spatial & Economic Strategy (2019)

- The RSES came into effect on 28 June 2019. This identifies the strategic regional outcomes aligned with the NPF, and which set the strategic framework for City and County Development Plans.
- The Dublin Metropolitan Area includes the continuous built up Dublin city area and highly urbanised settlements, that form the main gateway and largest economic contributor in the State.
- The RSES identifies that 50% of all new homes are to be delivered within the existing built up area of Dublin City & Suburbs in tandem with the delivery of key infrastructure, to achieve the NPF growth targets.
- **Regional Policy Objective (RPO) 4.3** promotes the consolidation and re-intensification of development at infill, brownfield and underutilised lands, to provide high density and people intensive uses within the existing built up area of 'Dublin city and suburbs' that is integrated with key existing and planned environmental and transport infrastructure.
- The **Dublin Metropolitan Area Strategic Plan (DMASP)**, as part of the RSES, seeks to focus development on large scale strategic sites and on the redevelopment of underutilised lands, based on key transport corridors, that will deliver significant development in an integrated and sustainable manner. The subject lands are located within the *strategic development area* of 'City Centre within the M50'.

The subject site is well connected within the strategic settlement of Dublin City where further consolidation of residential and infrastructure development is promoted. The proposed development is consistent with the RSES and DMASP promotion of intensive brownfield regeneration and high density residential development, at this strategic site located at Parkgate Street, Dublin 8 located in the '**City Centre within the M50**' Strategic Development Area, is well served by public transport with high capacity, frequent services available by rail and Luas at the adjacent strategic transport hub of Heuston station, as well as numerous frequent bus services connecting to other strategic settlements and employment, health and education centres within the Dublin Metropolitan Area.

8.3 Smarter Travel – A Sustainable Transport Future, A New Transport Policy for Ireland 2009 – 2020

This document is the transport policy for Ireland for the period from 2009 – 2020. Overall it has the following aims: -

- To reduce overall travel demand.
- To maximise the efficiency of the transport network.
- To reduce reliance on fossil fuels.
- To reduce transport emissions.

To improve accessibility to transport, the Policy recognises progress made under the National Spatial Strategy (now superseded by the National Planning Framework) and the Regional Planning Guidelines (which have been superseded by the Regional Spatial and Economic Strategy) in promoting integrated transport and spatial planning. These strategies recognise the need for more compact, walkable urban areas that support investment in good quality public transport under Transport 21.

The proposed development will contribute to reducing travel demand by locating new residential-led mixed use development at an underutilised brownfield site, within a well connected regeneration gateway to the city centre.

The site's proximity to high quality public transport services assists in maximising the efficiency of the existing transport network and reducing reliance on fossil fuels and transport emissions.

The future provision of Bus Connects Route Corridor 6 along the R148/St. John's Road West (to the south of the site) and the Liffey Cycle Way will further support greater modal shift toward the use of public transport.

A bespoke car sharing club is proposed for residents, which will further limit the amount of individual private car parking required for the scheme and reduce traffic generation associated with the proposed development.

The proposed development is consistent with **Smarter Travel – A Sustainable Transport Future**

9 STATEMENT OF CONSISTENCY - MINISTERIAL GUIDELINES

9.1 Statutory Requirement for Statement of Consistency

The prescribed application form requires –

(A) A statement that, in the prospective applicant's opinion, the proposed strategic housing development is consistent with relevant guidelines issued by the Minister under section 28 of the Planning and Development Act 2000.

(B) A statement setting out how the proposed strategic housing development will be consistent with the relevant objectives of the relevant development plan.

This section addresses the requirements of (A) above.

Section 10 below will address the requirements of (B) above.

There is a general obligation to “have regard” to the Guidelines. Additionally, Section 9(6)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016 provides:

*(b) Where **specific planning policy requirements** of guidelines referred to in paragraph (a) differ from the provisions of the development plan of a planning authority, then those requirements shall, to the extent that they so differ, apply instead of the provisions of the development plan.*

9.2 Section 28 Ministerial Guidelines

The following Statements of Consistency sets out how the proposed development is consistent with Section 28 Ministerial Guidelines.

9.2.1 Sustainable Residential Development Guidelines in Urban Areas (Cities, Towns, Villages) (2009)

- Section 16.4 of the City Development Plan sets out that Dublin City Council will promote sustainable residential densities in accordance with the standards and guidance set out in the DEHGL Guidelines on Sustainable Residential Development in Urban Areas (2009).
- Section 5.8 of the Guidelines on Sustainable Residential Development in Urban Areas (2009) sets out that sites within 500m walking distance of a bus stop are expected to achieve minimum net residential density of 50 units per hectare, with the highest densities being located at rail stations/bus stops and decreasing away from such nodes.

The proposed development is consistent with the **Sustainable Residential Development Guidelines (2009)** that promote increased residential density, for urban development sites proximate to sustainable public transport.

The application site is located at the western edge of the city centre, immediately adjacent to Heuston Station (c. 200 m), Heuston Station LUAS stop (c. 180m) and Museum LUAS stop (c. 250m), and fronting Parkgate Street served by high frequency inbound and outbound city centre bus services.

9.2.2 Urban Design Manual – A Best Practice Guide (2009)

The ‘Urban Design Manual - A Best Practice Guide’ (2009) is a companion document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) referred to above.

The following table provides an overview of the ‘12 Design Criteria’ contained within the Urban Design Manual, and the response of the proposed development to these criteria.

Criteria	Prospective Applicant's Response
1. Context	<ul style="list-style-type: none"> The proposed development responds to the site and the surrounding developments in several ways. Unlike all the other riverfront sites that have been developed in Dublin in recent years or in the past this site is not cut off from the river by the traffic flow. The design therefore embraces the opportunity this setting affords by opening up this key site to residents and the community. It will be possible to enjoy private and public, south facing open spaces overlooking Heuston Station, the river and the City. The proposed development has utilised existing features in its design, such as the riverside wall and the entrance archway on Parkgate Street, which are both Protected Structures. The flagship building on the development – the 29 Storey Residential tower block – uses the curvature of the site on its eastern end to bring a strong edge to Parkgate Street. The proposed height has been carefully considered in the context of local and national policy and brings a flagship development to this strategic site.
2. Connections	<ul style="list-style-type: none"> The development site is well served by public transport. Heuston Station is approximately 200m from the site which provides national and regional rail services, as well as LUAS services. On Parkgate Street a number of Dublin Bus routes are located which give further access across the city. There are Dublin Bike Stations adjacent to the site, as well as many dedicated cycle lanes in the nearby roads that provide safe cycling for cyclists. Furthermore, the site offers pedestrians an alternative route along the riverfront as the proposed development provides active engagement to the River Liffey.
3. Inclusivity	<ul style="list-style-type: none"> The proposed development has been designed to be universally inclusive for all.
4. Variety	<ul style="list-style-type: none"> There is a range of apartment types in the proposed development in blocks reaching a height of up to 29 storeys. Studios, 1-bedroom and 2-bedroom units are provided. The range of unit sizes will typically cater for small families, young professionals or professionals who may only stay in the country for a period of time. A range of open spaces are to be provided, both public and communal, whilst incorporating the existing features of the site such as the stone wall, turret and gable of the two buildings fronting onto the River Liffey.
5. Efficiency	<ul style="list-style-type: none"> The proximity of the site to frequent public transport services on Parkgate Street and at Heuston Station will increase the attractiveness of using public transport. Furthermore, the adjacent Dublin Bike Stations coupled with the cycle path on Arran Quay will encourage future residents to cycle. All dwellings within the proposed development will be constructed to meet the current Part L Building Regulation with regard energy efficiency. Provisional BER Certificates will be prepared for each apartment type to demonstrate compliance with the standards and will be included as part of the planning application. The layout of the proposed development capitalises on orientation to maximise the daylight and the added benefits of passive solar gain for individual units.
6. Distinctiveness	<ul style="list-style-type: none"> The design of the proposed development has been influenced by the site's unique riverside setting, it's built heritage and pivotal gateway location within the city. The built form, including the height and massing, has been created following an extensive design process. Careful attention to materiality has further resulted in a distinctive and attractive scheme.
7. Layout	<ul style="list-style-type: none"> The layout of the proposed development has paid particular attention to the creation of people friendly streets and spaces. The design provides a human scale, active frontage to Parkgate Street and responds to the existing fine grain nature of development on Parkgate Street. The public plaza and private communal plaza are both designed to benefit from active ground floor uses, good light and microclimate, passive surveillance and views of the river and Heuston Station.
8. Public Realm	<ul style="list-style-type: none"> The layout of the proposed development maximises the use of passive surveillance. The proposed ground floor uses mostly provide active frontages, and upper floor apartment units provide additional passive surveillance. The proposed new opes in the river wall provide additional light to the open spaces and the perception of permeability.
9. Adaptability	<ul style="list-style-type: none"> Certain apartments are designed to be adaptable, with future proofing in place to allow for potential modifications in selected areas should same be required in the future. For example, the design allows for 2 studios to be combined into a single, 3-

	person 2 bedroom unit in the future if desired. The apartments are designed to be energy efficient and NZEB compliant, using heating systems which are both efficient and adaptable in the future.
10. Privacy & Amenity	<ul style="list-style-type: none"> The proposed design provides for a high level of residential amenity. Residents will be provided with a private communal courtyard between Blocks B and C, which will benefit from high quality landscaping. Many of the units will enjoy private balconies, while all will have access to a roof terraces which have been designed to afford excellent views and amenity space. The location of this site adjacent to the River Liffey and within easy walking distance of Croppies Acre, the Phoenix Park and Kilmainham Gaol afford exceptional amenity to future workers, residents and visitors to this site.
11. Parking	<ul style="list-style-type: none"> 26no. secure car parking spaces will be provided at surface and undercroft level and will be served by stair and lift cores. Those in the basement are provided for use arising from the office space, while those at surface will be given to a car sharing club for exclusive use by residents.
12. Detailed Design	<ul style="list-style-type: none"> The proposed scheme represents a high-quality design solution to this landmark site. It draws from the heritage assets on site and provides a mix of high quality public and private open spaces which will be activated by the ground floor uses. The apartments will benefit from good daylight and all meet the standards required under the Design Standards for New Apartments: 2018.

9.2.3 Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2018)

These Guidelines contain a number of ‘*Specific Planning Policy Requirements*’ (SPPRs). As confirmed in Section 9.1 above, these SPPRs take precedence over policies and objectives of development plans, local area plans and strategic development zone planning schemes.

9.2.3.1 Suitable Locations for Apartment Development

The 2018 Guidelines outline that the scale and extent of apartment development should generally increase in relation to proximity to core urban centres and other relevant factors.

‘Central and/or Accessible Urban Locations’, are suitable for large scale and higher density development that may wholly comprise apartments. Such sites include:

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

The application site would meet the description in the last bullet point above, and is thus a location that is suitable in principle for large scale, high density residential development.

9.2.3.2 ‘Build-To-Rent’ Accommodation Sector

Under the Guidelines, there are two categories of Apartment schemes identified:

- Apartment
- Built-To-Rent

The SPPRs of the Guidelines provide minimum standards for apartment unit mix, apartment sizes and the minimum number of apartments that must be dual aspect. In addition to this, the Guidelines provide minimum design standards for living and bedroom areas, storage space and private amenity space.

Some concessions from the design standards applied to conventional private apartment development are allowed for declared 'built to rent' managed apartment schemes, as set out in Section 5.0 of the Guidelines. The proposed development is declared 'built to rent'.

SPPR 7 and SPPR 8 specifically deal with Build to Rent apartment, and compliance of the proposed scheme with these recommendations is identified further below.

9.2.3.3 Specific Planning Policy Requirement 7: 'Built to Rent' Development

"BTR development must be:

(a) 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;

(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:

(i) Resident 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.

(ii) 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, etc."

The proposed development complies with SPPR 7.

The development is described in the public notices as 'Build to-Rent', and the application is accompanied by a proposed covenant as stipulated in SPPR 7. In addition to the public open space and riverside walkway, the proposed development is provided with extensive supporting communal and recreational amenities for exclusive use by and enjoyment of prospective residents of the scheme, as detailed in the schedule of accommodation.

9.2.3.4 Specific Planning Policy Requirement 8: BTR Design Standards Flexibility

"For proposals that qualify as specific BTR development in accordance with SPPR 7:

*(i) No restrictions on **dwelling mix** and all other requirements of these Guidelines shall apply, unless specified otherwise;*

*(ii) Flexibility shall apply in relation to the provision of a proportion of the **storage and private amenity space** associated with individual units as set out in Appendix 1 and in relation to the provision of all of the **communal amenity space** as set out in Appendix 1, on the basis of the provision of alternative, compensatory communal support facilities and amenities within the development. This shall be at the discretion of the planning authority. In all cases 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;*

(iii) There shall be a default of minimal or significantly reduced **car parking** provision on the basis of BTR development being more suitable for central locations and/or proximity to public transport services. The requirement for a BTR scheme to have a strong central management regime is intended to contribute to the capacity to establish and operate shared mobility measures;

(iv) The requirement that the majority of all apartments in a proposed scheme exceed the minimum **floor area** standards by a minimum of 10% shall not apply to BTR schemes;

(v) The requirement for a maximum of 12 **apartments per floor per core** shall not apply to BTR schemes, subject to overall design quality and compliance with building regulations.”

The proposed development complies with SPPR 8.

The location of the proposed development is considered to be highly appropriate for a Build-To-Rent scheme, due to its central location and high accessibility to public transport.

With reference to each point in the SPPR above:

(i) The **dwelling mix** proposed (14% studios, 62% 1-bed, 24% 2-bed) is in accordance with the flexibility offered in the Guidelines for BTR schemes. The appropriateness of the dwelling mix proposed is further supported by the Economic Assessment of Parkgate Street Scheme, prepared by Ernst and Young (EY) Economic Advisory Services.

(ii) Not all apartments have **private open space** in the form of balconies. However, all apartments have direct access to a wide range of communal facilities and amenities. Communal resident’s roof terraces are provided at 7th, 8th, 9th and 25th floors, where residents can enjoy landscaped areas with unparalleled views over the city and Phoenix Park. These roof terraces have been designed to reduce exposure to wind and to enable comfortable use. Residents are also provided with a communal courtyard at ground level. A total of c.2,727 sq m of private outdoor amenity space is provided for residents of the development.

In addition, residents have exclusive access to numerous indoor private communal amenities such as lounges, TV rooms, communal/ family rooms, quiet rooms, co-working spaces to enable remote working and resident’s gym (amounting to c.1,839 sq m overall). We refer the Board to the Schedule of Areas, Housing Quality Assessment and Architectural Design Statement which accompany this application for further details on these facilities and amenities. (Refer also to sections 6.2.3, 6.2.4, 7.6.3 & 7.8.2 of this report for details.)

(iii) A total of 26no. **car parking spaces** are provided (9 of which are provided for the commercial office element of the development). This represents a significantly reduced quantum of residential car parking, which is appropriate in this case due to the site’s excellent accessibility to city centre employment and amenities, and public transport. The residential car parking spaces will be allocated to a bespoke car club which will enable residents to book a car for occasional/ non commuting use.

(iv) The design of the proposed apartment scheme avails of the flexibility afforded to BTR schemes in respect of the overall excess **floor area** requirement of the Guidelines for standard apartment development.

(v) The ratio of 12 **apartments per core per floor** is not exceeded in the proposed development.

9.2.3.5 Specific Planning Policy Requirement 3: Minimum Apartment Floor Area

SPPR3 requires that the following minimum floor areas are achieved for apartments:

- *Minimum Apartment Floor Areas:-*
- *Studio Apartment (1 person) 37sqm*
- *1-bedroom apartment (2 persons) 45sqm*
- *2-bedroom apartment (4 persons) 73sqm*
- *3-bedroom apartment (5 persons) 90sqm*

The proposed development complies with SPPR 3.

All apartments in the proposed development will meet the minimum floor area requirements set out in the Guidelines. A Housing Quality Assessment (HQA), prepared by Reddy Architecture & Urbanism, confirms this. The development also includes a number of 2 bedroom (3 person) apartments, as provided for in the section 3.6 of the Guidelines.

9.2.3.6 Specific Planning Policy Requirement 4: Dual Aspect

SPPR 4 of the Apartment Guidelines states as follows:

“In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply: -

(i) A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate.

(ii) In suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.

(iii) For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects.”

The proposed development complies with SPPR 4.

The application site meets the Guidelines’ categorisation of central and/or accessible urban locations, including ‘sites within reasonable walking distance (i.e. up to 10 minutes of 800- 1,000m) to/from high capacity urban public transport stops (such as DART or Luas)’.

This is a location where the 33% minimum dual aspect units requirement applies.

We refer the Board to the Housing Quality Assessment which confirms that 43% of units are dual aspect.

9.2.3.7 Specific Planning Policy Requirement 5: Floor to Ceiling Height

SPPR 5 of the Apartment Guidelines states:

“Ground level apartment floor to ceiling heights shall generally be a minimum of 2.7m and shall be increased, either at ground level only or in conjunction with all floors in an apartment block or building, in certain circumstances. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25 ha, planning authorities may exercise discretion on a case-by-case basis, subject to overall design quality.”

The proposed development complies with SPPR 5.

All apartments at ground level have a floor to ceiling height of at least 2.7m.

For the avoidance of doubt, due to the proposal being a Built-To-Rent apartment scheme, Specific Planning Policy Requirement 1, 2, 6 and 9 do not apply to this development.

9.2.3.8 Other Design Standards for New Apartments

Communal Amenity Space:

Minimum Floor Areas for Private Amenity Space	
Studio	4 sq. m
One bedroom	5 sq. m
Two bedroom (3 person)	6 sq. m
Two bedroom (4 person)	7 sq. m

The proposed development complies with standards for Communal Amenity Space.

481no. apartments are proposed (66no. studios, 298no. 1-beds and 117no. 2-beds). The minimum communal open space requirement would amount to 2, 561 sq m for a standard apartment scheme.

The private communal residential amenity space is provided in the form of external courtyards and roof terraces accessible to each apartment block. Such communal open space amounts to **2,727 sq m** within the proposed development. This comfortably exceeds the communal amenity space standards set out in the Guidelines

Building Life Cycle Report

Paragraph 6.13 of the Guidelines requires the submission of a Building Life Cycle Report.

This application is accompanied by a Building Life Cycle Report.

All apartments in the proposed development meet the floor area requirements set out the Guidelines.

The Housing Quality Assessment Report, prepared by Reddy Architecture & Urbanism, enclosed with this SHD Planning Application demonstrates that the relevant requirements have been met.

9.2.4 Urban Development & Building Heights Guidelines for Planning Authorities (2018)

The proposed development includes mid-rise buildings of 8-13 storeys and a tall building of 29 storeys. Issues relating to height are now considered in the context of the Building Height Guidelines. It should be noted also that the Development Plan permits building heights of 50+ m at this location.

The Building Height Guidelines indicate that an increase in prevailing building heights has a critical role to play in addressing the delivery of more compact urban growth which is a key objective of the NPF. The Guidelines set out a number of Strategic Planning Policy Requirements (SPPR) which are noted as taking precedence over any conflicting policies and objectives in the Development Plans.

The Guidelines acknowledge that a key objective of the NPF is therefore to promote an increase in building heights and overall density. Increased building height and development density are not only facilitated, but actively sought out and brought forward by the planning processes.

These Guidelines include Specific Planning Policy Requirements (SPPR). Planning Authorities and An Bord Pleanála are required to have regard to the Guidelines and to apply any SPPR, in carrying out their functions.

Section 9(6)(b) of the Planning and Development (Housing) and Residential Tenancies Act provides:

(b) Where specific planning policy requirements of guidelines referred to in paragraph (a) differ from the provisions of the development plan of a planning authority, then those

requirements shall, to the extent that they so differ, apply instead of the provisions of the development plan.

Accordingly, **compliance with SPPRs takes precedence over compliance with any conflicting, policies and objectives of Development Plans, Local Area Plan and Strategic Development Zone Planning Schemes.**

The Building Height Guidelines sets out the requirement to comply with SPPR3(A), as follows:

Where the relevant planning authority or An Bord Pleanála considers that such criteria are appropriately incorporated into development proposals, the relevant authority shall apply the following Strategic Planning Policy Requirement under Section 28 (1C) of the Planning and Development Act 2000 (as amended).

SPPR 3 (A) states:

It is a specific planning policy requirement that where;

(A) 1. an applicant for planning permission sets out how a development proposal complies with the criteria above; and 2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines; then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise.

It follows that the Board must be satisfied that the proposed development complies with the development management criteria set out under **Section 3.2 of these Guidelines**. These are addressed below.

At the scale of the relevant city/ town

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

The site is located at a strategic public transportation hub and one of the most highly accessible locations in the city. Regional and intercity rail services are available at the immediately adjacent Heuston Station. The Luas red line is available at either Heuston or Museum stops, and numerous frequent bus routes serve Parkgate Street and Heuston. Bus services are due to be further enhanced under the Bus Connects proposals.

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.

The project architect has taken considerable care in the site analysis, urban design and architectural expression and detailing of the proposed tower building to ensure that it is the correct fit for the site and that it will enhance its city setting as a positive landmark, as part of the strategic transport hub and regeneration area at the western Heuston gateway. We refer the Board to the Architectural Design Statement (pp.97-101 in particular), prepared by Reddy Architecture and Urbanism.

We refer the Board to the Landscape and Visual Impact Assessment (LVIA), prepared by ARC Architectural Consultants and Grade I Conservation Architects, that addresses the potential visual impact in the context of the historic setting of the site. The LVIA discusses the historic context of the key views. It identifies that the application site lies outside the 'cone of vision' identified between Royal Hospital Kilmainham and the Phoenix Park (see SDRA 7 principle no.8). In respect of 'other views' (SDRA 7 principle no.9) "to be respected", the impact of the proposed development on the visual connection

between the City Quays and the Phoenix Park (including Chesterfield Avenue, the Wellington Monument, etc) is discussed.

The Landscape and Visual Impact Assessment finds no significant adverse visual impact on key views, and that the proposed development is anticipated to make a generally positive contribution to place-making and city legibility.

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.

The site has been identified in the Development Plan as having the capacity for a taller building. The proposed design responds to its key gateway location, providing a landmark/ wayfinding function. The development provides a variety of form, materials and interest; rising to the signature 29 storey tower. A new public plaza is provided within the development, along with riverside walkway providing new access and views to the river and Heuston from Parkgate Street. The design of the Parkgate Street elevation makes a positive contribution to place-making, providing animation to the street and using setbacks to respond to the scale of the area.

At the scale of district/ neighbourhood/ street

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

The proposed development responds to the neighbourhood by providing active frontage to Parkgate Street, complementing the existing uses. The staggered building height provides a human scale of development to Parkgate Street appropriate to its city centre location. We submit that it complements the fine grain scale of development at Parkgate Street. The retail, café/ restaurant units and public realm will complement and enliven the existing neighbourhood.

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

The proposed development provides active frontages and is composed of a varied form, including setbacks, to provide visual interest and thereby avoiding monolithic uninterrupted walls of buildings. The proposed materials include natural limestone, various brick types and textures, zinc cladding and render. The materials have been chosen having particular regard to durability, the local climate and the creation of variation and interest, whilst presenting a coherent whole. We refer the Board to the submitted Materials Strategy, which is in section 4.12 of the Design Statement prepared by Reddy Architecture and Urbanism for further information.

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 Planning System and Flood Risk Management – Guidelines for Planning Authorities" (2009).

The Development Plan highlights that Heuston is a suitable location for taller buildings as a western counterpoint to the Docklands. The proposed development provides an active frontage to Parkgate Street which is a significant urban design enhancement to Parkgate Street. The proposed opes in the riverside stone wall also create the potential for pedestrians to interact with the river in a way that is not currently possible.

The flood risk to the development has been identified as low. Finished floor levels have been raised to allow for climate change, and access and egress to the site will not be compromised during a flood event. We refer the Board to the enclosed Flood Risk Assessment, prepared by Arup for further information.

The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner.

The development site has remained underutilised for a number of years. The proposals reflect the site's pivotal location, which currently is not realised. The site's location at the termination of the city quays and beside Heuston, which acts as a gateway to the city from the west, lends the site to a landmark/wayfinding building. The proposed development will enhance legibility and integrate into the area in a cohesive manner.

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

The proposed development will provide for a greater range of one and two bed dwelling typologies in an ideal location adjacent to the city centre and public transport. The suitability of the proposed unit mix is supported by evidence set out in the enclosed Economic Assessment of Parkgate Street Scheme, prepared by Ernst and Young (EY) Economic Advisory Services. The development proposal also provides commercial office, retail, café/ restaurant and cultural uses which will significantly enhance the mix of uses currently in the area.

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.

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

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 or an effective urban design and streetscape solution.

The proposed design has been influenced by a Daylight and Sunlight Analysis prepared by IN2 Engineering Design Partnership. This demonstrates that 96% of habitable rooms exceed minimum BRE requirements. The shadow analysis results indicate no significant shadowing of surrounding buildings and where shadowing occurs it would be for a minimal period of time. The proposed amenity spaces achieve excellent sunlight and daylight availability. The assessment also concludes that the proposed development will not have a negative effect on the neighbouring amenity space at Parkgate Place.

Specific Assessments

The Guidelines state that at some scales, specific assessments may be required for taller buildings. These include:

Assessment of micro-climatic effects: A Site Wind Analysis has been prepared by IN2 Consulting Engineers and is enclosed within this planning application. It demonstrates that the proposed open spaces will benefit from a good micro- climate.

Potential impacts on birds/ bats: The Biodiversity Chapter of the EIAR, prepared by Moore Group considers the potential for impacts on birds/ bats and concludes that it is not predicted that there would be an effect on birds/ and or bats in terms of the proposed development height.

An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links: We refer the Board to the accompanying Telecoms Letter Report prepared by Independent Site Management (ISM), for further details in relation to the potential for impacts on telecommunication channels.

This report identifies the proposed development will have an impact on a current microwave telecommunication channel. The proposed development has been designed, and will be subject of further detailed construction design, employing ISM expertise, in order to ensure that both existing identified and future unknown telecommunication channels continue to operate effectively. The proposed development includes for the provision of a 'hop site' on the roof of Block B, which will enable retention of microwave telecommunications channels, as may be necessary. The statutory planning notices and applications drawings include telecommunications antennae at roof level to allow for this possibility.

Impact on safe air navigation: It is not anticipated that buildings of this height would impact on safe navigation. A Letter, prepared by Stephen Little & Associates, and attached drawings, prepared by Reddy Architecture & Urbanism, was submitted to the Irish Aviation Authority (IAA) on 6 November 2019 inviting comment on the proposals. The IAA responded on the 22 November 2019 stating that any concerns relating to the height of this building could be resolved by a suitably worded planning condition to agree an appropriate obstacle warning light scheme for the development. They also outlined the required specification of lighting for obstacle warning. The applicant can confirm that it will comply with these requirements.

Urban Design Statement: We refer the Board to the Architectural Design Statement provided by Reddy Architecture and Urbanism.

Relevant environmental assessments: This planning application is accompanied by an Environmental Impact Assessment Report, as well as a Natura Impact Statement.

9.2.5 The Planning System and Flood Risk Management (2009)

A Site Specific Flood Risk Assessment, prepared by Arup Consulting Engineers in accordance with the Planning System and Flood Risk Management Guidelines for Local Government (2009) accompanies this SHD Planning Application. A Statement of Consistency with these guidelines also accompanies this report.

The Flood Risk Assessment concludes that flood risk to the site is low. Finished floor levels will be raised to allow for climate change plus freeboard. Access and egress to and from the site will not be compromised during a flood event and the development will not impact on flood plain storage or conveyance.

9.2.6 Design Manual for Urban Roads and Streets (2013 - updated in 2015 and 2019)

The Traffic and Transport Assessment Report, prepared by Arup Consulting Engineers includes a Statement of Consistency with regards the Design Manual for Urban Roads and Streets.

The proposed development is consistent with both the principles and guidance outlined within the Design Manual for Urban Roads and Streets (DMURS).

The scheme proposals are the outcome of a plan-led, multi-disciplinary, integrated design approach that seeks to support a sustainable community connected by well-designed permeable and legible city streets which deliver safe, convenient and attractive interconnections between city development and amenities.

9.2.7 Childcare Facilities, Guidelines for Planning Authorities (2001)

Section 2.4 of the Guidelines set out general standards for the land use planning issues related to childcare provision in Ireland. In relation to ‘New Communities / Larger New Housing Developments’, it is noted that: -

“Planning authorities should require the provision of at least one childcare facility for new housing areas unless there are significant reasons to the contrary or where there are adequate childcare facilities in adjoining developments.”

The Guidelines outline that crèche provision should be made on the basis of 20 no. childcare spaces for every 75no. dwellings permitted in a scheme. The Design Standards for New Apartments: Guidelines for Planning Authorities published in 2018 provides further clarification with regards to childcare provision:

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.

A **Childcare Needs Assessment and Community Audit** has been undertaken, by Stephen Little & Associates, and is enclosed with the planning application.

Summary findings:

The Guidelines for Childcare Facilities 2001 requires the provision of 1no. childcare facility (or 20no. childcare spaces) for new housing development of 75no. houses or more, unless there are significant reasons to the contrary, or where there are adequate childcare facilities in adjoining developments.

Further clarity on childcare requirements for apartment developments is provided in the Apartment Design Guidelines (2018), which allows flexibility on the relevant childcare provision threshold in respect of 1 and 2-bed apartment units.

The proposed development includes 481no. ‘build to rent’ apartments, comprising 66no. 1-bed studio apartments, 298no. 1-bed apartments and 117no. 2-Bed apartments.

A Childcare Needs Assessment has been prepared in respect of the proposed development. This indicates a theoretical demand for 31 no. childcare spaces arising from the proposed development of 117no. 2-bed apartments.

The Childcare Needs Assessment finds that there is sufficient capacity in the existing and permitted childcare facilities within 1km of the application site to absorb the childcare needs of the proposed development.

Therefore no childcare spaces / childcare facility is proposed as part of the proposed development.

10 STATEMENT OF CONSISTENCY – DEVELOPMENT PLAN

This section addresses the requirement of the prescribed application form which requires –

(B) A statement setting out how the proposed strategic housing development will be consistent with the relevant objectives of the relevant development plan.

10.1 Dublin City Council Development Plan 2016 – 2022

The *Dublin City Council Development Plan 2016 – 2022* (hereafter referred to as the Development Plan) came into effect on the 21 October 2016 and is the statutory land-use plan governing the subject lands at this time.

This Statement of Consistency is intended to provide the Board with adequate comfort that the relevant provisions of the Statutory Development Plan have been taken in to account in devising the development proposals. Equally, it is understood that it is not intended to provide the Board with a detailed assessment of the wide-ranging detailed design standards relating to residential development.

In completing this exercise, we have compiled a List of Objectives, quoted the text in italics and provided the Prospective Applicant's Response to this beneath each Objective in turn.

10.1.1 Core Strategy

Dublin City Council's proposed development strategy for Dublin is to promote:

- A compact, quality, green, well-connected city;
- A smart city facilitating economic activity; and,
- A city of good neighbourhoods and socially inclusive communities.

The Core Strategy states that Dublin City is the 'gateway core' for high-intensity clusters, brownfield development, urban renewal and regeneration. The Development Plan places an emphasis on quality compact urban neighbourhoods near public transport corridors, with the intention of bringing about a model shift from private cars to more sustainable modes of transport such as walking, cycling and public transport.

Core Strategy Principles include:

- **Economic:** Developing the city as a national gateway and focus for employment and creativity.
- **Social/Residential:** Developing a network of compact sustainable urban neighbourhoods, offering a range of facilities and house types.
- **Cultural/Built Heritage:** making provision for cultural facilities, raising awareness of cultural heritage and promoting safe and active streets through design of buildings and public realm, as part of the city's build and natural heritage and unique identity.
- **Urban Form:** Creating a connected and legible city based on active streets and quality public spaces, with a distinct sense of place (particularly important for SDRAs).
- **Movement:** Supporting modal shift to more sustainable transport modes of walking, cycling and use of public transport.

The delivery of quality housing in Dublin city is a key issue for its citizens and competitiveness. The central principles of the Core Strategy for residential development remain broadly consistent with current strategic national and regional policy in seeking, inter alia, to -

- *[support] the regional settlement strategy which seeks to re-balance future growth in the region and consolidate development in the metropolitan area,*
- *[provide] for an appropriate quantity and quality of residential accommodation incorporating sustainable densities and designs,*
- *[provide] the right quantity of appropriate housing in the right locations that is accessible and affordable for all residents of the city through the implementation of the housing strategy,*

The proposed development is consistent with the Core Strategy

The proposed residential-led mixed use development of significant residential and office content, complemented by retail, café/ restaurant units and ancillary residential, cultural and recreational amenities, are consistent with the vision of the Core Strategy.

The proposed scheme provides a sustainable solution to sustainable city regeneration, to meet strategic population and economic growth targets, by providing a high density mixed use development, that integrates the city’s architectural heritage fabric and realises a rare opportunity to create excellent riverside public amenity and connections, at a defensive, vacant, brownfield regeneration site, at a strategic gateway to the city centre served by a significant transport interchange and city amenities.

10.1.2 Land Use Zoning

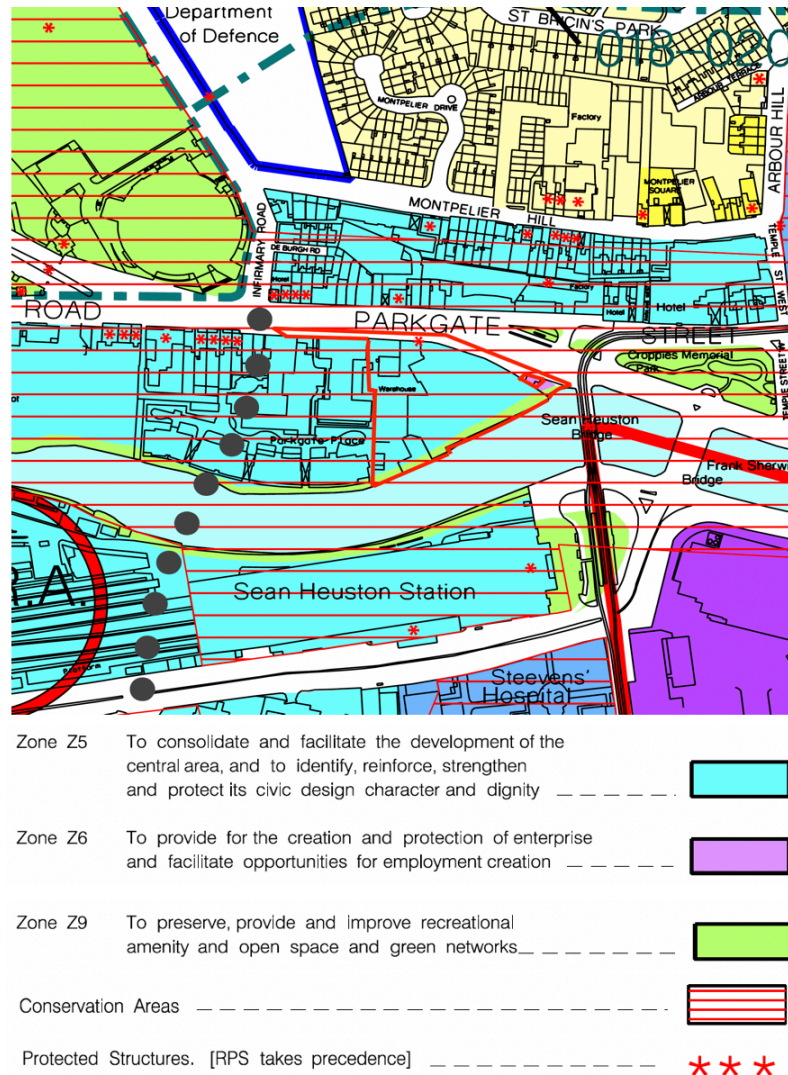


Figure 4: Subject site outlined with thin red line (approximate Overlay by SLA) Please refer to the enclosed Site Location Plan prepared by Reddy Architecture & Urbanism for the definitive red line boundary of the subject site.

The application site takes in three zones: Z5, Z6 and Z9.

The Development Plan lists a range of ‘permissible uses’ and uses that are ‘open for consideration’ (see below) under these zoning objectives.

Under section 16.4 of the Development Plan, it is clarified that any proposed use not listed will be assessed on its merits under the overall policies and objectives of the plan.

Zoning Objective Z5	Zoning Objective Z6	Zoning Objective Z9
<p>Permissible Uses</p> <p>Amusement/leisure complex, bed and breakfast, betting office, buildings for the health, safety and welfare of the public; car park, car trading, childcare facility, civic offices, community facility, conference centre, cultural, creative, artistic, recreational building and uses, delicatessen, education, embassy office, enterprise centre, funeral home, guest house, home-based economic activity, hostel, hotel, industry (light), internet café, live-work units, media-associated uses, medical and related consultants, motor sales showroom, nightclub, office, off-licence, open space, part off-licence, place of public worship, public house, public service installation, residential, restaurant, science and technology-based industry, shop (district), shop (neighbourhood), shop (major comparison), take-away, training centre, veterinary surgery, warehousing (retail/non-food)/retail park.</p>	<p>Permissible Uses</p> <p>Betting office, car park, childcare facility, conference centre, cultural/recreational building and uses, embassy office, enterprise centre, green/clean light industries, hotel, industry (light), live-work units, office (within canal ring), open space, park and ride facility, public service installation, restaurant, science and technology-based industry, shop (neighbourhood), training centre, cultural, creative and artistic enterprise and uses.</p> <p>Open for Consideration Uses</p> <p>Advertisement and advertising structures, car trading, civic and amenity/recycling centre, factory shop, funeral home, garage (motor repair/service), nightclub, office, outdoor poster advertising, petrol station, place of public worship, public house, residential, veterinary surgery, warehousing (retail/non-food)/retail park, warehousing.</p>	<p>Permissible Uses</p> <p>Cemetery, club house and associated facilities, municipal golf course, open space (see Appendix 21 land use definitions), public service installation which would not be detrimental to the amenity of Z9 zoned lands.</p> <p>Open for Consideration Uses</p> <p>Car park for recreational purposes, caravan park/camp site (holiday), community facility, craft centre/craft shop, crèche, cultural/recreational building and uses, golf course and clubhouse, kiosk, neighbourhood retail (in accordance with highly exceptional circumstances above), tea room, café/restaurant.</p>
<p>Zoning Objective Z5</p> <p>Open for Consideration Uses</p> <p>Advertisement and advertising structures, civic and amenity/recycling centre, financial institution, household fuel depot, outdoor poster advertising, petrol station, transport depot.</p>		

Figure 5: Z5 Permissible uses and Open for Consideration uses (Extract from Dublin City Development Plan 2016 – 2022)

10.1.2.1 Z5 ‘City Centre’

Under the Dublin City Development Plan 2016-2022, as may be seen from the zoning map extract above, the majority of the site is subject to the zoning objective, “Z5 – City Centre”, in common with much of the city centre area in the immediate vicinity of the application site.

The land-use objective for the Z5 zoning seeks:

“To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity.”

The primary purpose of this use zone is to sustain life within the centre of the city through intensive mixed-use development (see also Chapters 6, 7, and 16 for policies, objectives and standards). The strategy is to provide a dynamic mix of uses which interact with each other, help create a sense of community, and which sustain the vitality of the inner city both by day and night. As a balance and in recognition of the growing residential communities in the city centre, adequate noise reduction measures must be incorporated into development, especially mixed-use development, and regard should be given to the hours of operation (see Chapter 16, Section 16.36 – Noise).

Ideally, this mix of uses should occur both vertically through the floors of the building as well as horizontally along the street frontage. While a general mix of uses e.g. retail, commercial, residential etc. will be desirable throughout the area, retail will be the predominant use at ground floor on the principal shopping streets.

The Development Plan indicates that a wide range of uses is to be provided in this zoning area, which is sustainable and within easy reach of services, open space, facilities and public transport.

10.1.2.2 Z9 ‘Open Space’

The strip of land along the southern part of the site which bounds the River Liffey is zoned ‘Z9 – Amenity/Open Space Lands/ Green Network’, with the objective:

“To preserve, provide and improve recreational amenity and open space and green networks.”

This zoning includes all amenity open space⁽³⁾ lands which can be divided into three broad categories as follows:

- *Public open space*
- *Private open space*
- *Sports facilities in private ownership*

⁽³⁾ *Open space is any land (active or passive use), including water, whether enclosed or not, on which there are no buildings (or not more than 5% is covered with buildings), and the remainder of which is laid out as a garden/ community garden or for the purposes of recreation, or lies vacant, waste or unoccupied. It also includes school playing fields, playgrounds, urban farms, forests, allotments, and outdoor civic spaces.*

In respect of Z9 lands, the Development Plan further states:

The provision of public open space is essential to the development of a strategic green network. The chapters detailing the policies and objectives for landscape, biodiversity, open space and recreation and standards respectively, should be consulted to inform any proposed development (see Chapter 10 – Green Infrastructure, Open Space and Recreation, and Section 16.2 – Design, principles and standards).

Generally, the only new development allowed in these areas, other than the amenity/recreational uses, are those associated with the open space use. The continuation of sports clubs and facilities to enhance sustainable city living is recognised. In highly exceptional circumstances, in order to serve the long term retention and consolidation of the sporting facility in a locality and to secure the primary sporting land use on the site, some limited once off development is open to consideration. Specifically, residential development shall not be permitted on public or privately owned open space unless exceptional circumstances are demonstrated.

In certain specific circumstances where it has been demonstrated to the satisfaction of the planning authority that there is a need for ancillary development to take place in order to consolidate or retain the sporting and amenity nature of Z9 lands or an existing facility in a local area, some limited degree of (residential/retail) development may be permitted on a once-off basis and subject to the primary use of the site being retained for sporting or amenity uses.

In all cases height shall relate to the prevailing height in the vicinity. In all cases the applicant shall submit a statement, as part of a legal agreement under the Planning Acts, demonstrating how the sports facility will be retained long term on site. In all cases the applicant shall be the sports club owner/occupier.

We note in relation to the above, that the ‘highly exceptional circumstances’ relating to the retention of sporting facilities does not apply in this instance.

We refer the Board to the Applicant’s response to Item 13 of the Board’s Opinion, whereby the delineation of the land use zoning is overlaid on the proposed site layout plan.

10.1.2.3 Z6 ‘Employment / Enterprise’

A small parcel of land to the north east is zoned ‘Z6 – Employment/Enterprise’, with an objective:

“To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.”

A proposed Variation to the Development Plan has been published seeking to change the Z6 zoning at this location to Z5.

The proposed development is consistent with the Z5, Z6 and Z9 land use zoning objectives as follows:Z5 'City Centre'

The proposed new development footprint of the mixed use residential, office, retail, café/ restaurant and cultural use is contained within Z5 zoning. Under the zoning matrix (Fig. 8 of the Development Plan) for Z5, the following uses which form part of the proposed SHD application are included as "Permissible Uses": Recreational Building and Uses, home-based economic activity, office, residential, restaurant, shop (neighbourhood) and cultural. The uses proposed under the intended SHD application are all permissible uses.

The scheme is representative of plan-led, high-quality urban and architectural design, which seeks to achieve the sustainable regeneration of an underutilised brownfield site. It delivers an appropriate mix of uses, both vertically and horizontally across the scheme, with 6 floors of commercial office space, complemented by street activating commercial and cultural/community uses at lower levels, and a significant quantum of residential development at upper levels, to deliver sustainable development as a component of the regeneration of a 'living city' at the Heuston Gateway, in accordance with the guiding principles of SDRA 7. The residential to employment ratio is approximately 8.5:1.

In this regard, we note the words 'ideally' and 'desirable' are used in the Development Plan with regard to the mix of uses being spread both vertically and horizontally along street frontages. We submit that this indicates that this aspect of the policy is flexible or aspirational and is not prescriptive. In any event, as is set out above the proposed development clearly provides for a mix of uses and this occurs in both the horizontal and vertical planes. The ground floor level includes, retail, café/restaurant and cultural uses, as well as residents' amenity spaces, the commercial office core and access to public and private open space. The mezzanine level provides café/ restaurant use in two of the blocks (i.e. Block A and Block B), as well as residential accommodation. Above this, six floors of commercial office space are provided as well as the remainder of the residential accommodation and amenities.

In terms of the overall policy objective of a Z5 zone, the proposal would appear in our professional opinion to help to "consolidate and facilitate the development of the central area". It is also our professional planning opinion that the development proposed, being of exceptional architectural quality, also strengthens and protects the "civic design character and dignity" of Dublin City.

The development of this brownfield site delivers urban regeneration of exceptional architectural quality at a strategic node of the city, providing sustainable, high density development that will strengthen and protect the city's civic design character and dignity. Further evidence of compliance with this objective can be found throughout the application documentation.

Z9 'Open Space'

The redevelopment of this site presents a rare opportunity to open up recreational riverside public amenity open space along the north bank of the River Liffey, in accordance with the Z9 zoning objective.

The design of the proposed scheme seeks to balance the delivery of the new river walk amenity with the conservation of existing heritage structures, including listed protected structures, that contribute unique character of the site and cultural identity of this part of the city, but which do currently present a defensive barrier to the river's edge. The careful creation of a number of new opes in the riverside stone wall (protected structure) will allow visual permeability to the proposed new river walk amenity, forming further interconnections between Parkgate Street, the River and Heuston Station, and enhancing light penetration into the amenity spaces behind the wall. Access to the square tower (protected structure) and reopening of an existing ope will also re-establish a former connection to the river.

Z6 'Employment / Enterprise'

A small parcel of land at the eastern site apex is zoned Z6. Outside the application site boundary, this land accommodates an existing electricity sub-station. Within the application site it accommodates part of an existing fenced off open space supporting a number of trees in the control of Dublin City Council. Within the application site it is proposed to incorporate the open space as part of the landscaped public realm and proposed river walk, providing the eastern pedestrian access to the site, connecting with the river walk and public plaza.

The Council has recently published a notice of its intention to re-zone this small parcel of Z6 zoned land to 'Z5 – City Centre' as part of a proposed variation (no. 17) of the Dublin City Development Plan 2016-2022. This would ultimately consolidate the overall Z5 zoning at this location.

10.1.3 Conservation Areas and Protected Structures

It is a policy of the Plan to protect the special interest, character and setting of 'Conservation Areas', whereby proposed development must contribute positively to same wherever possible, and protect from harm protected structures and other buildings or features of heritage interest in Conservation Areas. **(CHC4)**

Protected structures, specifically listed on the Record of Protected Structures, include the following structures only: (a) riverside stone wall, (b) turret at eastern end of site, (c) square tower on the riverfront and (d) entrance stone arch on the Parkgate Street frontage.

The Council will resist the total or substantial loss of protected structures in all but exceptional circumstances, requiring strongest justification with specialist professional input should this arise. **(CHC5)**

The proposed development is consistent with objectives to protect the special character and protected structures within 'Conservation Areas'.

The historic setting of the site, and requirement to conserve and protect structures and buildings of significant heritage value on site has been carefully considered as part of the proposed development, and in assessing the visual impact of the proposed development in significant views identified in the Development Plan.

The listed protected structures are to be conserved, restored and adapted as an integrated part of the proposed scheme. Other non-protected structures that contribute to the site heritage and character are also being retained. This represents a conservation gain and positive contribution to the cultural identity of this historic part of the city.

Some loss of historic fabric arises with the creation of new opes in the riverside stone wall to enhance its integration as part of the proposed river walk and enable visual connection to the river and Heuston Station from Parkgate Street through the proposed public plaza. Non-protected structures including the large warehouse building with curved wall to Parkgate Street and all warehouse internal walls and partitions including the southern brick wall running parallel to the interior of the riverside stone wall, the former 2-storey house and small building adjacent to the entrance gate are to be removed to facilitate the sustainable redevelopment of the site.

The exceptional circumstances to justify the proposed loss of historic fabric in the riverside stone wall (protected structure) to create the opes is set out in section 6.2.5.6 of this report, and is reproduced below for the Board's convenience:

Exceptional Strategic Planning Considerations

The heritage significance of the existing buildings and structures on site and the significance of the site within the designated Conservation Area along the Liffey banks are well understood and have informed the proposed layout and design of this regeneration proposal from the outset of the project.

We refer the Board in the first instance to the Architectural Heritage Impact Assessment that accompanies the planning application.

Thereafter, we identify below from a strategic planning perspective the exceptional circumstances supporting the integration of architectural heritage in the manner hereby proposed, including the loss of some historic fabric from the riverside stone wall.

Precedent for Buildings of Significant Scale & Height in the Heuston Regeneration Gateway (SDRA 7)

Planning history in the vicinity of Heuston Station demonstrates relevant precedent, whereby both Dublin City Council and An Bord Pleanála have previously granted permission for development of significant scale (including a 32-storey tower) as part of the regeneration and development of Heuston & Environs as the western gateway to Dublin city centre. It has been acknowledged by the Board in these decisions that the edge of inner city Dublin has now expanded well beyond Heuston environs, with the M50 now delineating the core consolidation area of 'Dublin and suburbs'. Dublin City Council in its development plan objectives also expresses a desire to expand the public perception of the city centre, identifying a civic spine along the Liffey Corridor between the Docklands to the east and Sean Heuston Bridge to the west.

Substantial Conservation and Integration of Architectural Heritage in Situ

The proposed development now before the Board is considered to successfully address the previous concerns raised by the Inspector and the Board in case of a previous application at this site (Reg. Ref. 3613/06 and ABP Reg. Ref. PL29N.221587 refers).

In particular, a considered approach has been taken to the integration of protected and non-protected structures of heritage value and the achievement of good urban design that delivers excellent public amenity, visual and physical connectivity and legibility to the city.

It is noted that while the creation of opes in the riverside stone wall would have some adverse heritage impact, other protected structure and heritage features will be retained and repaired and that this is positive.

The stone archway is conserved in situ at Parkgate Street, as an entrance to the residential component of the proposed scheme.

While it is proposed to remove historic fabric to create enlarged and new opes in the riverside stone wall, it is our planning opinion that the substantive character of the existing built edge to the river, including the riverside stone wall and the turret and square tower (protected structures), and the larger stone gabled building and gable of the smaller building (not protected) that form a continuation of the wall, is maintained and protected. It is noted that historic stone fabric to be removed from the wall can be reused elsewhere in the scheme.

Positive Contribution to Public Amenity and Cultural Identity and Placemaking

The historic features along the river front of the site are all to be integrated as a publicly accessible amenity as part of the proposed 'river walk'.

The proposed architectural approach to the regeneration of this site, including the creation of new urban and visual links to the surrounding area, has inspired the removal of the southern wall of the factory building (not protected) and the proposed new openings in the riverside stone wall (protected structure). We refer the Board to Chapter 2 'Alternatives' of the EIAR that describes the design options considered in this respect. The Architectural Design Statement then articulates the design intent of the preferred solution proposed in this application. The architectural heritage impact is further discussed in the ARC report and the Cultural Heritage chapter of the EIAR.

The proposed development has the potential to contribute to placemaking in the new Heuston Quarter. In the text of SDRA 7 the Heuston Quarter is described as a potential '*western counterpoint to the Docklands*'. As is stated in Section 1.2 of the Development Plan: '*Place making is particularly important in the strategic development and regeneration areas*' (SDRAs). It is identified in EIAR Chapter 11 Cultural Heritage, that public space is central to placemaking, and the location of the proposed public plaza offers the potential of celebrating the enjoyment of a relationship with the River Liffey and with the great public concourse in front to Heuston station. No other location for an equivalent public space on the development site or elsewhere in the Heuston area, which would offer the same potential for

relationships with both the River and the public space in front of Heuston Station. The Riverside Stone Wall unaltered forms a barrier that would prevent such relationships being realised.

EIAR Chapter 11 goes on to identify the Heuston area as one dominated by significant transport interchange and activity. The proposed public plaza will provide a welcome refuge as a protected south facing public space made for pedestrians and for public enjoyment away from traffic. It will be a unique public space for looking out over the River and experiencing the protected structures and historic structures that share a relationship with the river. The circumstance of the location and potential of the proposed public plaza is not just exceptional, it is unique. If the wall remains unaltered this potential will be lost.

In our planning opinion, the architectural design approach would:

Deliver a publicly accessible 'river walk', incorporating the full length of the riverside stone wall and the turret, square tower and stone gabled buildings that contribute to the character of the existing built edge to the river, and make a positive contribution to public placemaking and the cultural identity of this part of the city.

Reimagine a functional historic connection between the Square Tower and the river, by enabling access inside the tower and reopening the existing ope in the river side façade, as part of the river walk experience.

Enable new physical and visual connections between Parkgate Street and the river, and frame a new view towards Heuston Station beyond, enhancing city legibility between sites of interest within the Heuston regeneration gateway.

Allow for greater light penetration of natural light to the public amenity walking route and to the proposed public and shared residential amenity open spaces to the south of the wall.

Enhance the legibility and amenity value of the proposed new riverside walk public amenity inside the riverside stone wall, within the application site.

Allow potential for the 'river walk' to be linked up with the existing riverside boardwalk at the neighbouring site to the west (Parkgate Place) at a future point, subject to agreement with the relevant land owners.

Strategic Urban Gateway Regeneration

The proposed works seek to strike the right balance between the conservation of historic fabric and special character of the riverside stone wall and associated historic features, and the implementation of the Z9 (recreational amenity, open space, green networks) objective of the Development Plan and guiding principles of the Heuston environs SDRA 7 for this site / regeneration area.

It may be noted that the original Heuston Framework Plan (2003), which informed these guiding principles, identified this site as having significant potential to create riverside frontage and amenity, and increase connections between Parkgate Street, Heuston Station and the Phoenix Park. The proposed works to the riverside stone wall seek to enhance its integration with the proposed river walk within the Z9 zone along the river edge, in an effort to deliver excellent public realm, visual connections and cultural identity as part of the regeneration of the site.

The proposed design approach successfully delivers on the strategic guiding principles for SDRA 7, as expressed in Chapter 15 of the City Development Plan:

To develop a new urban gateway character area focused on the transport node of Heuston Station, and including high quality residential accommodation, vibrant economic and recreational activities, excellent public realm and architecture, and connections with major historic, cultural and recreational attractions.

To incorporate sustainable densities, with architecture and urban form forging dynamic relationships with national cultural institutions.

To implement best practice urban design principles to: achieve a coherent, legible urban structure within major development sites; prioritise the provision of public space; achieve successful interconnection between the development site and adjacent urban structure.

To protect the fabric and setting of protected structures and national monuments.

To incorporate mixed use in appropriate ratios in order to generate urban intensity and animation. Major uses of residential and office to be complemented by components of culture, retail and service elements.

To improve pedestrian and cycle linkages, through key sites.

As a western counterpoint to the Docklands, to consider mid-rise or taller buildings (above 50m / 16-storeys), subject to maintaining a coherent skyline and protecting key views and vistas.

The proposed development delivers an exceptional gateway destination for residents, employees and visitors of/to the city, that forges dynamic relationships with transport infrastructure and cultural institutions, in a coherent and legible manner that prioritises the provision of public space and physical and visual urban connections.

The proposed river walk is in accordance with the Z9 land use zoning objective for the site, and derives from the previous requirements of the Heuston Gateway Development Framework Plan (2003) to provide a riverside walk and public plaza facilitating access between Parkgate Street and the river edge, and general improvement to the public realm.

The proposed development, in respect of the conservation strategy, was discussed at length with the Planning Authority at pre-application consultation stage. While the Council's Conservation Officer expressed some reservation regarding loss of historic buildings / structures (not listed), loss of historic fabric and potential impact on the character of the riverside stone wall (protected structure), the Planning Authority recognised that there were strategic planning considerations also at play, at local, national, regional and local policy level in respect of the sustainable regeneration of the site and creation of high quality public space and riverside amenity connections, that required some level of compromise.

Other National, Regional and Local Strategic Development Considerations

The proposal has also necessarily had regard to the significant evolution in strategic planning policy at national, regional and local level, whereby there is a strong presumption in favour of development that encourages more people and generates more jobs and activity within the city.

This includes the active promotion of higher density development and building height, based on performance criteria and the achievement of appropriate planning standards, particularly at brownfield inner city sites proximate to significant public transport hubs and city centre amenities, to achieve targeted growth.

The urgent need to deliver housing that supports population and economic growth is a key aspect of strategic planning policy and guidelines, addressing a housing crisis. Policy and guidelines also seek to manage the development and change inevitable in successful urban environments, in a sustainable manner having regard to investment in public infrastructure and transportation, creating job opportunities, delivering places to live, and protecting cultural heritage and identity and the continued attraction of tourists, all within finite development lands.

Heuston and Environs is an area designated for strategic development and regeneration (SDRA 7) as a key urban gateway focussed on the transport node of Heuston Station in addition to being a gateway to major historic, cultural and recreational attractions in Dublin City, and as a destination for living, working, discovery and enjoyment, by residents, workers and visitors alike. The proposed development seeks to make a positive and balanced contribution to city development and identity at this strategic and historic location.

10.1.4 Employment Space

CEE11: *To promote and facilitate the supply of commercial space, where appropriate, e.g. retail and office including larger floor-plates and quanta suitable for indigenous and FDI HG-type uses, as a means of increasing choice and competitiveness, and encouraging indigenous and global HQs to locate in*

Dublin; to consolidate employment provision in the city by incentivising and facilitating the high-quality re-development of obsolete office stock in the city.

The proposed development is consistent with **CEE11**:

The proposed development includes 4,356 sq m of employment floorspace, including retail, café/ restaurant and 3,698 sq m of commercial office floorspace. The development will serve to enhance the choice of commercial floorspace for indigenous and global companies in a well connected part of the city.

10.1.5 Vacant or Under-Utilised Sites & Inner City Regeneration

***QH8:** To promote the sustainable development of vacant or under-utilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and the character of the area.*

The proposed development is consistent with **QH8**:

The proposed scheme seeks to utilise an under utilised brownfield site located at a strategic location in proximately to numerous amenities and public transport services. The site is located approximately 200 m from Heuston Station, 180 m from Heuston LUAS Stop and is on Parkgate Street which provides high frequency bus services across Dublin.

The proposed scheme is consistent with the character of the area in terms of its design and function. Heuston Station and its environs has long been earmarked for the provision of landmark tall buildings, as was highlighted in the DEGW study referenced in section 11.4 of this report.

The proposed scheme will be a landmark building in Dublin's skyline at will set a benchmark for tall buildings in this area which is currently being advocated through planning policy. The proposed development will be supplemented by amenities and services at ground floor level which will benefit future residents.

***QH26:** To promote the transformation of the key regeneration areas into successful socially integrated neighbourhoods including those on the Main Inner City Regeneration Areas Map and promote area regeneration in parts of the city which require physical improvement and enhancement in terms of quality of life, housing and employment opportunities, including the Docklands. It is recognised that the nature of some housing regeneration initiatives may warrant the demolition of existing dwellings before proposals for new or replacement dwellings are agreed.*

The proposed development is consistent with **QH26**:

The proposed development site is an underutilised brownfield site, located within SDRA 7 which is an area earmarked for significant regeneration in the Dublin City Development Plan. These areas have been identified as being capable of delivering a significant quantum of housing and employment in the city, through the regeneration of existing built areas.

The SDRA states that development should seek to incorporate mixed-uses in appropriate ratios in order to generate urban intensity and animation. The proposed scheme achieves this aim by providing residential, office and café/ restaurant space. The development also comprises residents' co-working space, which can be made available for hire by the management company as a cultural space for exhibition, education, performance and community uses accessible to the wider public.

Building Height

The Development Plan designates the Heuston area of the city as being an appropriate location for buildings in excess of 50m. See Figure 9 below, which is extracted from Dublin City Development Plan.

Section 16.7.2 of the Development Plan also sets out assessment criteria for taller buildings as follows:

Relationship to context, including topography, built form, and skyline having regard to the need to protect important views, landmarks, prospects and vistas

Effect on the historic environment at a city-wide and local level

Relationship to transport infrastructure, particularly public transport provision

Architectural excellence of a building which is of slender proportions, whereby a slenderness ratio of 3:1 or more should be aimed for

Contribution to public spaces and facilities, including the mix of uses

Effect on the local environment, including micro-climate and general amenity considerations

Contribution to permeability and legibility of the site and wider area

Sufficient accompanying material to enable a proper assessment, including urban design study/masterplan, a 360 degree view analysis, shadow impact assessment, wind impact analysis, details of signage, branding and lighting, and relative height studies

Adoption of best practice guidance related to the sustainable design and construction of tall buildings

Evaluation of providing a similar level of density in an alternative urban form.

The following table identifies allowable building heights in different parts of the city, and specifically highlights Heuston as being an area suitable for 'high-rise' (50m +) development.

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	Docklands Cluster	50m +
	Connolly	
	Heuston	
	George's Quay	

Figure 6: Extract from Dublin City Development Plan 2016-2022

The proposed development is consistent with **building height policy** of the Development Plan.

The Heuston area has been identified in the Development Plan as being suitable for mid-rise and tall buildings (+50m).

The design of the development has had regard to the Development Plan's assessment criteria for higher buildings:

** Relationship to context, including topography, built form, and skyline having regard to the need to protect important views, landmarks, prospects and vistas.*

We refer the Board to Section 6.0 of this Planning Report for a detailed response to the Board's Opinion regarding these issues. The project architect has taken considerable care in the site analysis, urban design and architectural expression and detailing of the proposed tower building to ensure that it is the correct fit for the site and that it will enhance its city setting as a positive landmark, as part of the strategic transport hub and regeneration area at the western Heuston gateway. We refer the Board to the Architectural Design Statement (pp.97-101 in particular), prepared by Reddy Architecture and Urbanism.

We refer the Board to the Landscape and Visual Impact Assessment (LVIA), prepared by ARC architectural consultants and Grade I Conservation Architects, that addresses the potential visual impact in the context of the historic setting of the site. The LVIA discusses the historic context of the key views. It identifies that the application site lies outside the 'cone of vision' identified between Royal Hospital Kilmainham and the Phoenix Park (see SDRA 7 principle no.8). In respect of 'other views' (SDRA 7 principle no.9) "to be respected", the impact of the proposed development on the visual connection

between the City Quays and the Phoenix Park (including Chesterfield Avenue, the Wellington Monument, etc) is discussed. The Landscape and Visual Impact Assessment finds no significant adverse visual impact on key views, and that the proposed development is anticipated to make a generally positive contribution to place-making and city legibility.

** Effect on the historic environment at a city-wide and local level*

We refer to Section 6.0 of this planning report for a detailed response to the Board's Opinion regarding these issues. The site lies within a Conservation Area designated in the Development Plan. The historic setting of the site, and requirement to conserve and protect structures and buildings of significant heritage value on site has been carefully considered as part of the proposed development.

The protected structures on site are to be conserved, restored and in adapted as an integrated part of the proposed scheme. Other non-protected structures that contribute to the site heritage and character are also being retained. This represents a conservation gain and positive contribution to the cultural identity of this historic part of the city.

Some loss of historic fabric arises with the creation of new opes in the riverside stone wall to enhance its integration as part of the proposed river walk and enable visual connection to the river and Heuston Station from Parkgate Street through the proposed public plaza. The Exceptional Circumstances to justify the demolition of protected structures in this manner this are provided in Section 6.2.5.6 of this report.

** Relationship to transport infrastructure, particularly public transport provision*

The site is located at a strategic inter and intra city transport hub and highly accessible. Regional and intercity rail services are available at the immediately adjacent Heuston Station. The Luas red line is available at either Heuston or Museum stops, and numerous frequent bus routes serve Parkgate Street and Heuston. Bus services are due to be further enhanced under the Bus Connects proposals.

** Architectural excellence of a building which is of slender proportions, whereby a slenderness ratio of 3:1 or more should be aimed for*

We refer the Board to Section 5.0 of the Architectural Design Statement prepared by Reddy Architecture and Urbanism. The 29-storey element of the proposed development delivers a slenderness ratio that exceeds 3:1.

** Contribution to public spaces and facilities, including the mix of uses*

A new public plaza is provided within the development, along with riverside walkway providing new public access and visual connections to the river and Heuston Station from Parkgate Street.

The design of the Parkgate Street elevation makes a positive contribution to place-making, providing animation to the street and using setbacks to respond to the scale of the area.

The development also includes commercial office, retail, cultural and café/ restaurant space, which will enhance the overall mix of uses at this city centre site.

** Effect on the local environment, including micro-climate and general amenity considerations*

We refer the Board to microclimatic analyses of sunlight, daylight and wind that accompany the planning application. These confirm that relevant standards are achieved.

** Contribution to permeability and legibility of the site and wider area*

The proposed development has regard to the guiding principles of SDRA 7 in meeting this requirement. The buildings will perform a waymarking function for this gateway location and contribute to the legibility of this part of the city. Permeability will also be enhanced through the development, as it provides a public plaza and riverside walkway, with visual connections to other notable parts of the city, and with the potential for future onward links to the boardwalk at the neighbouring site.

** Sufficient accompanying material to enable a proper assessment, including urban design study/masterplan, a 360 degree view analysis, shadow impact assessment, wind impact analysis, details of signage, branding and lighting, and relative height studies*

The application is supported by a wide range of accompanying illustrative and analysis material to enable a complete assessment, including photomontages, Daylight and Sunlight Analysis, Wind Assessment, Lighting Plan and Architectural Design Statement.

** Adoption of best practice guidance related to the sustainable design and construction of tall buildings*

We refer the Board to the Architectural Design Statement prepared by Reddy Architecture and Urbanism, in addition to the Energy Analysis Report and Non-Domestic NZEB Compliance Report prepared by IN2 Engineering Design Partnership and the Building Lifecycle Report prepared by Aramark which confirm that the proposed development has been designed in accordance with sustainability best practice.

** Evaluation of providing a similar level of density in an alternative urban form*

We refer the Board to EIAR Chapter 2 'Alternatives' and Architectural Design Statement prepared by Reddy Architecture and Urbanism. The proposal has been subject of a myriad of placemaking, visual, environmental, heritage and housing quality assessments, that accompany the application and are supportive of the building height and placemaking characteristics of the proposed development at this location.

10.1.6 Strategic Development & Regeneration Area No. 7 (Heuston & Environs)

The site lies within the Heuston & Environs Strategic Development Regeneration Area (SRDA 7). The vision for the area set out in this study is:

“To create a coherent and vibrant quarter of the city that captures the public imagination with high quality services, development, design and public spaces that consolidate and improve the existing strengths of the area.”

Heuston and Environs is one of a number of SDRAs to be designated under the Dublin City Development Plan, 2016 – 2022. These areas have been identified as being capable of delivering a significant quantum of housing and employment in the city, through the regeneration of existing built areas.

Most SDRAs are zoned Z14, and focus on residential and employment/enterprise uses. The subject site is zoned predominantly Z5 with the river-edge area being zoned Z9 and a small portion on the east of the site zoned Z6. Under the Development Plan, the Planning Authority is to take an active role in community & stakeholder engagement, and to encourage development of SDRA sites through 'Active Land Management'.

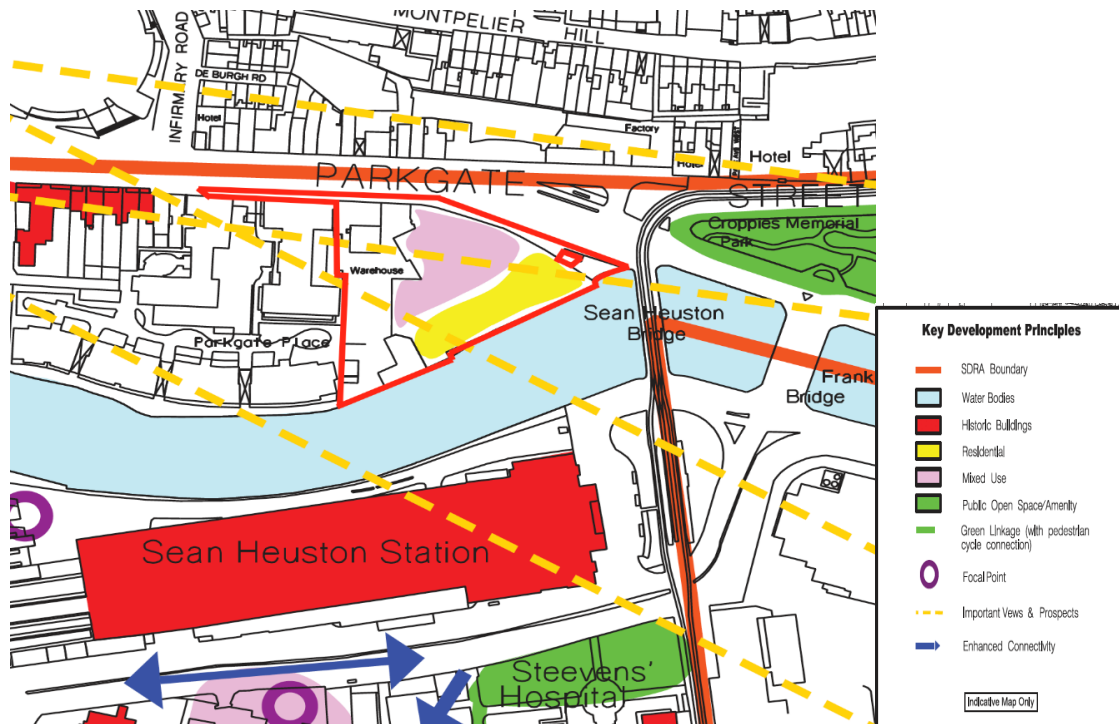


Figure 7: Indicative Diagram from the Heuston Station & Environs SDRA (SDRA 7) area from the 2016-2022 Dublin City Development Plan (Fig.27) with the subject site outlined in red (SLA overlay).

The SDRA 7 masterplan and guiding principles indicate that the eastern portion of the site has been identified for residential development. The SDRA states that development should seek to incorporate mixed-uses in appropriate ratios in order to generate urban intensity and animation. This will require the more predominant uses of residential and office space to be complemented by cultural, retail and service elements. The SDRA seeks an area of 'mixed use' within part of the overall Hickey's Parkgate Street complex. We would draw the Board's attention in particular the fact that the diagram from the SDRA is acknowledged in the City Development Plan as being "Indicative Map Only".

The proposed scheme contributes to the delivery of the mix of uses in the overall SDRA area in providing office space, retail, and café/restaurant floor space, as well as business suites/co-working space which will also be made available for hire by the management company as a cultural space for exhibition, education, performance and community uses accessible to the wider public.

The SDRA's have a series of guiding principles set out in the Development Plan. In this case, the SDRA covers a wide area, including Heuston Station, Clancy Quay/Barracks and Heuston South Quarter, as well as the Hickey's lands.

- A coherent and legible urban structure within major development sites
 - A prioritisation on the provision of public space
 - A successful interconnection between the development site and the adjacent urban structure
4. To protect the fabric and setting of the numerous protected structures and national monuments, many of which are major national cultural institutions.
 5. To incorporate mixed-use in appropriate ratios in order to generate urban intensity and animation. This will require the major uses of residential and office to be complemented by components of culture, retail and service elements.
 6. To improve pedestrian and cycle linkages throughout the area and through key sites, with a particular focus on seeking the following new linkages/improvements: along St John's Road West; from St John's Road to the Royal Hospital Kilmainham via Heuston South Quarter, subject to agreement with the OPW/RHK, on the nature of the proposed linkage; from Dr Steevens' Hospital to IMMA, with consideration given to a new path along the banks of the river Camac.
 7. As a western counterpoint to the Docklands, the Heuston gateway potentially merits buildings above 50 m (16-storeys) in height in terms of civic hierarchy. Sites particularly suited for tall buildings include:
 - OPW building: corner site on OPW lands adjacent to Dr Steevens' Hospital and Park, and opposite the south façade of the station building.
 - CIE building: site to the north of the station building on the river relating to the West Terrace and River Terrace. Any new mid or high-rise buildings must provide a coherent skyline and not disrupt key vistas and views.
 8. The 'cone of vision', as set out in the 2003 Heuston Framework Plan, represents a significant view between, the Royal Hospital Kilmainham and the Phoenix Park extending from the west corner of the north range of the Royal Hospital Kilmainham, and the north-east corner of the Deputy Master's House to the western side of the Magazine Fort and east edge of the main elevation of the Irish Army Headquarters (former Royal Military Infirmary) respectively. Any new developments within this 'cone' shall not adversely affect this view. A visual impact analysis shall be submitted with planning applications to demonstrate this view is not undermined.
 9. Other important visual connections to be respected include Chesterfield Avenue to Guinness Lands and from key parts of the City Quays to the Phoenix Park (Wellington Monument).
1. To develop a new urban gateway character area focused on the transport node of Heuston Station with world class public transport interchange facilities, vibrant economic activities, a high-quality destination to live, work and socialise in, a public realm and architectural designs of exceptional high standard and a gateway to major historic, cultural and recreational attractions of Dublin City.
 2. To incorporate sustainable densities in a quality contemporary architecture and urban form which forges dynamic relationships with the national cultural institutions in the Heuston environs.
 3. To ensure the application of best practice urban design principles to achieve:

Figure 8: Extract from 2016 - 2022 Development Plan Pages 276 and 278 showing guiding principles of SDRA 7

The proposed development is consistent with the **SDRA 7 Guiding Principles:**

The proposed development creates a new urban gateway character, immediately adjacent to the strategic transport node at Heuston Station. It provides an appropriate vertical and horizontal mix of high quality residential and office accommodation, complemented by retail, café/restaurant, cultural and recreational uses, within an excellent and unique south facing public realm beside the River Liffey, incorporating heritage buildings and structures that connect the proposed development in an innovative manner with the history of the city, to make this a landmark development. The Applicant will work with the Local Authority to identify and development an appropriate cultural strategy on site.

We would draw the Boards attention to the permitted Garda Headquarters on the OPW site at nearby Military Road which will provide a wholly employment generating use. It is therefore considered appropriate that the proposed development includes a significant quantum of residential accommodation to contribute to the overall balance of mixed uses within the SDRA 7 Heuston & Environs area.

Best practice urban design principles applied to the proposed development seek to achieve a coherent, legible urban structure within a major development site, that prioritises the provision of public space and the successful interconnection between the development site and adjacent urban structure. The proposed development delivers a sustainable density of development, housed in exciting architecture and landscape architecture, that will forge dynamic relationships with the surrounding historic and contemporary elements of the city centre.

The proposed development seeks to protect the fabric and setting of protected structures and other heritage features on site, but conserving, repairing and adapting it as an integrated part of the public realm and river side experience afforded at this site by the proposed development.

The proposed development is designed to prioritise pedestrian movement through the site and bicycle transport options for prospective residents, workers and visitors to the site, at this edge of city centre gateway and transportation hub.

Guiding Principle 5 relates to the provision of mixed use in appropriate ratio's in order to generate urban intensity and animation. In this regard, whilst we note Figure 27 on page 277 of the Development Plan shows SDRA 7 and indicates land uses, this is noted as being an 'Indicative Map Only' and could not therefore be taken as prescribing the arrangement of uses on site. Nor for that matter would it be consistent with the principle of vertically and horizontally organising the uses on the site. The SDRA notes that the will require the major uses of residential and office to be complemented by components of culture, retail and service elements. The requirement of this principle is quite vague and lacks prescription and requires planning judgement. The uses proposed as part of the development include residential, office, co-working space, retail, café/restaurant and provides for cultural activities to occur in the co-working space by the local community. In our professional planning judgement this guiding principle is being met in this development.

Guiding Principle 7 is significant in the context of building height. This identifies that as a gateway, the location merits buildings above 50m in places. Whilst the two such locations listed are the OPW and CIE buildings, the implication is that other suitable locations for tall buildings exist. It is worth noting that the permitted Garda Headquarters on the OPW site will be in the order of 6 storeys, limiting the opportunity for a tall building at that site.

Landscape and visual impact analysis demonstrates that proposed new development is not within the 'Cone of Vision' designated between Royal Hospital Kilmainham and Phoenix Park. Neither does it adversely impact any other important visual connections to be respected, such as other views from Chesterfield Avenue to Guinness Lands, or from key parts of the City Quays to the Phoenix Park (Wellington Monument). These other views are not specifically listed in Fig.4 of the Development Plan 'Key Views and Prospects' map.

The proposed development is representative of strategic city centre regeneration in keeping with the aims of the SDRA 7 vision and guiding principles.

10.1.7 Making Sustainable Neighbourhoods

SC30: *To promote residential use on upper floors of existing and new buildings and to support the Government's Living City Initiative.*

The proposed development is consistent with **SC30:**

The proposed development delivers an appropriate mix of commercial and cultural/ community space at lower levels which activates the street, with a significant quantum of residential development at upper levels. This delivers the aims of the Government's Living City initiative.

10.1.8 Residential Development at Key Locations

QH5: *To promote residential development addressing any shortfall in housing provision through active land management and a coordinated planned approach to developing appropriately zoned lands at key locations including regeneration areas, vacant sites and under-utilised sites.*

The proposed development is consistent with **QH5:**

The application site is zoned for mixed use development, with SDRA 7 principles promoting significant residential and employment uses, complemented by other retail, services, cultural and amenity uses for the Heuston environs.

The site and its buildings have been underutilised and neglected for a number of years, which has resulted in the deterioration of the buildings on site.

The site is situated at a highly accessible strategic location on the edge of Dublin city centre.

The proposed developed seeks to bring the site back into active reuse, provide much need residential accommodation in the city centre to support employment and other complementary uses on site and in the immediately surrounding city, as a western counterpoint to the Dublin Docklands.

10.1.9 Mixed-Use Neighbourhoods

QH6: *To encourage and foster the creation of attractive mixed-use sustainable neighbourhoods which contain a variety of housing types and tenures with supporting community facilities, public realm and residential amenities, and which are socially mixed in order to achieve a socially inclusive city.*

The proposed development is consistent with **QH6:**

The proposed development provides 481 no. Build to Rent (BTR) apartment units. The units are spread in a mix of studio, 1 bedroom and 2 bedroom units. The mixture of BTR units are broken down as follows:

66 no. studio units

298 no. 1 bed units

117 no. 2 bed units

Overall, the apartment typologies proposed and the associated mix of unit sizes is consistent with the Development Plan's objective to encourage a wider variety of dwelling types, sizes and tenures which will support the establishment of a sustainable residential community.

The proposed development also includes 3,698 sq. m of office space, 214 sq. m of retail space, 444sq. m of café/ restaurant space and 1,409 sq. m of public open space in the form of a public plaza and riverside walk. Cultural uses will also be facilitated in a 119 sq. m co-working space which will also be available for hire by the local community. This will foster the creation of an attractive mixed-use sustainable neighbourhood in line with this Objective.

10.1.10 Residential Amenity – Apartment Design Standards

QH18: *To promote the provision of high quality apartments within sustainable neighbourhoods by achieving suitable levels of amenity within individual apartments, and within each apartment development, and ensuring that suitable social infrastructure and other support facilities are available in the neighbourhood, in accordance with the standards for residential accommodation.*

The proposed development is consistent with **QH18**:

The proposed residential units within the scheme comply with the Design Standards for New Apartments and as such will provide high levels of amenity to future residents.

To the extent that it may be considered that there is some conflict between the provisions of the SPPRs under the Apartment Guidelines and the provisions of the Development Plan, the requirements of the SPPR will apply and take precedence, as required by section 9(3) of the Act.

Many of the apartments will contain their own private balcony. Those which do not, will have direct and easy access to shared private external open space and other amenities. Private communal amenity space is provided for the residents in the landscaped courtyard between Blocks B and C. Extensive indoor resident's amenities are provided as part of the development, including gym, co-working areas and bookable rooms. The retail and café/ restaurant offer, as well as the public open spaces will contribute further to the development of a high quality, sustainable neighbourhood.

***QH19:** To promote the optimum quality and supply of apartments for a range of needs and aspirations, including households with children, in attractive, sustainable, mixed-income, mixed-use neighbourhoods supported by appropriate social and other infrastructure.*

The proposed development is consistent with **QH19**:

As outlined previously, the proposed development will contain a mix of apartment types and sizes to suit different types of households, including studios, 1, 2, bedroom units.

10.1.11 Transport and Mobility

Sustainable Land Use and Transportation

MT1: To support the sustainability principles set out in the following documents: • The National Spatial Strategy/National Planning Framework • The National Transport Authority's Transport Strategy for the Greater Dublin Area • Smarter Travel, A Sustainable Transport Future 2009–2020 • Regional Planning Guidelines for the Greater Dublin Area • Design Manual for Urban Roads and Streets (DMURS) • National Cycling Policy Framework and National Cycle Manual. Also, to ensure that land-uses and zoning are fully integrated with the provision of a high-quality transportation network that accommodates the movement needs of Dublin city and the region.

The proposed development is consistent with **MT1**:

The site is highly accessible to numerous public transport services. The site is approximately 200m from Heuston Station which gives rail access to west Dublin and the west and south west of Ireland. Heuston Red Line LUAS stop is approximately 180m from the subject site which gives convenient access to the city centre and the IFSC in one direction and access to Tallaght and Citywest in the other direction. Numerous Dublin Bus stops are also conveniently located on Parkgate Street directly adjacent the site (Dublin Bus numbers 25, 25a, 25b, 26, 66, 66a, 66b, 66e, 67 and 69).

Under the draft Dublin Area Revised Bus Network proposals as part of BusConnects, Heuston Station will act as a major transport interchange and terminal for a number of key orbital and radial routes.

In addition to the above public transport services, there are a number of Dublin Bikes stations adjacent to the site. It is proposed that Station no. 92 will be relocated in accordance with the requirements of its operators. Station no. 86 is located directly across the Road. The site also lies along primary route '5' in the GDA Cycle Network Plan, which runs from Blanchardstown through Phoenix Park and along the

River Liffey to the East Link Bridge. The proposed Liffey Cycle Route will provide segregated cycle facilities on either side of the Liffey from Heuston Station/Parkgate Street to the East Link Bridge also.

The proposed development supports the principles of set out in the documents identified in MT1, as discussed elsewhere in this report.

Bicycle Parking

Table 16.2 of the Development Plan (extract below) sets out the Minimum Bicycle Parking standards for all new development in the City.

Land-Use	Zone	Cycle Spaces
Enterprise and employment	1 and 2 3	1 per 100 sq.m 1 per 150 sq.m
Shops and Main Street Financial Offices	1 and 2 3	1 per 150 sq.m 1 per 200 sq.m
Residential (houses and apartments)	All zones	1 per unit (<i>Additional requirements for larger units and visitor parking will be decided on a case by case basis</i>)
Hotels	1 2 3	Under 50 bedrooms – 1 per 6 bedrooms Over 50 bedrooms – 1 per 10 bedrooms (Minimum of 10 cycle spaces) 1 per 12 bedrooms 1 per 15 bedrooms
Clinic and Group Medical Practices	1 and 2 3	1 per 2 consulting rooms 1 per 4 consulting rooms
Churches, Theatres, Halls, Cinemas, Multiplex Cinemas	1 and 2 3	5 per 100 seats 3 per 100 seats
Restaurants and Cafés	1 and 2 3	1 per 150 sq.m 1 per 200 sq.m
Public Houses	1 and 2 3	1 per 150 sq.m 1 per 200 sq.m
Primary Schools	All zones	1 per 3 pupils
Student Accommodation	All zones	1 per 2 pupils
Other Educational Buildings	All zones	1 per 3 pupils/students
Funeral Homes	All zones	As required
Hospitals	1 2 3	1 space/4 hospital beds 1 space/5 hospital beds 1 space/6 hospital beds
Cultural and Recreational Buildings	1 2 3	1 per 100 sq.m 1 per 150 sq.m 1 per 200 sq.m
Multi-Storey Car Parks	All zones	At least 15% of the number of car parking provided
Train Stations	All zones	7 per number of trains at the two-hour peak period a.m. (minimum of 100 spaces)
Park and Ride Areas (bus)	All zones	30% of all car parking spaces unless otherwise agreed
Bus Interchanges	All zones	2 per 100 passengers peak flow (minimum of 50 spaces)
Public Buildings	1 and 2 3	10% of the number of visitors per day 5% of the number of visitors per day

Figure 9: Table 16.2 Cycle Parking Standards from the 2016-2022 Development Plan

In compliance with Table 16.2 above, the proposed development includes the provision of 551no. bicycle parking spaces to serve the apartments.

Car Parking

MT17: To provide for sustainable levels of car parking and car storage in residential schemes in accordance with development plan car parking standards (section 16.38) so as to promote city centre living and reduce the requirement for car parking.

Land-Use	Zone	Car Spaces
Enterprise and Employment/Offices/ General Industry (inc warehousing)	1	1 per 400 sq.m GFA (Gross floor area)
	2	1 per 200 sq.m GFA
	3	1 per 100 sq.m GFA
Retail Supermarkets exceeding 1,000sq.m GFA	1	None
	2	1 per 100 sq.m GFA ¹
	3	1 per 30 sq.m GFA ¹
Other Retail and Main Street, Financial Offices (excl. retail warehouse)	1	1 per 350 sq.m GFA
	2	1 per 275 sq.m GFA
	3	1 per 75 sq.m GFA
Industry	1	1 per 400 sq.m GFA
	2	1 per 200 sq.m GFA
	3	1 per 75 sq.m GFA
Warehouse Retail (non-food)	1	1 per 300 sq.m GFA
	2	1 per 200 sq.m GFA
	3	1 per 35 sq.m GFA
Warehouse	1 and 2	1 per 450 sq.m GFA
	3	1 per 200 sq.m GFA
Residential	1 and 2	1 per dwelling
	3	1.5 per dwelling
Elderly Persons Dwellings/ Warden-Supervised Dwellings/ Sheltered Housing	1	1 per 4 dwellings
	2 and 3	1 per 2 dwellings
Youth Hostel	1	None
	2	1 per 30 bed-spaces
	3	1 per 15 bed-spaces
Student Hostel/Student Accommodation	1	None (see section 16.10.7 for requirements)
	2	1 per 20 bed-spaces
	3	1 per 10 bed-spaces
Residential Institution	1	None
	2	1 per 20 bed-spaces
	3	1 per 10 bed-spaces
Hotels and Guest Houses	1	1 per 4 rooms
	2	1 per 3 rooms
	3	1 per 1 room
Clinics and Group Practices	1	1 per consulting room
	2 and 3	2 per consulting room
Churches, Theatres, Cinemas and Auditoriums	1	1 per 100 seats
	2	1 per 25 seats
	3	1 per 10 seats
Restaurants, Cafés and Take-aways	1	None
	2 and 3	1 per 150 sq.m seating area

Land-Use	Zone	Car Spaces
Public Houses	1	None
	2	1 per 300 sq.m NFA (net floor area)
	3	1 per 50 sq.m NFA
Schools	1	None
	2 and 3	1 per Classroom
Colleges of Further Education	1	None
	2 and 3	1 per classroom and 1 per 30 students
Funeral Homes	1, 2 and 3	4 off-street parking spaces
Hospitals (Out-patient facilities)	1	1 per 150 sq.m GFA
	2	1 per 100 sq.m GFA
	3	1 per 60 sq.m GFA
Nursing Home	1	1 per 3 patient beds
	2 and 3	1 per 2 patient beds
Cultural and Recreational Buildings	1	1 per 400 sq.m GFA
	2	1 per 250 sq.m GFA
	3	1 per 100 sq.m GFA
Nightclub/Dance Hall/Dance Club	1	None
	2	1 per 10 sq.m floor area
	3	1 per 3 sq.m floor area
Other Cultural and Recreational and Leisure Uses	1, 2 and 3	Dependent on nature and location of use

Figure 10: Table 16.1 from the 2016 - 2022 Development Plan outlining maximum car parking standards

The proposed development complies with the relevant SPPR's of the Apartment Design Guidelines for BTR development.

The development provides 26 no. of total car parking spaces, 9no. of which are associated with the office use, with the remainder for use by residents. The development site is located in car parking zone 1, which generally covers inner city location where transport corridors intersect, or that have significant interchange potential.

The proposed development provides car parking below the maximum standard for the residential and office elements of the proposed scheme (see table above). The reduced parking provision is proposed due to the site's accessible location near public transport links such as Heuston station, the Red Line LUAS and numerous Dublin Bus connections.

The car parking proposals are in line with the Development Plan's aspiration to achieve a modal shift away from the car to more sustainable forms of transport such as cycling, walking and public transport.

The residential car parking spaces will be provided to a bespoke car club which will be designed to meet the resident's occasional (i.e. non commuting) need for a car. It is anticipated that the proposed parking provision will be sufficient to meet the needs of the future residents and is in accordance with the Development Plan.

10.1.12 Infrastructure and Environmental Quality

SI3: To ensure that development is permitted in tandem with available water supply and wastewater treatment and to manage development, so that new schemes are permitted only where adequate capacity or resources exists or will become available within the life of a planning permission.

The proposed development is consistent with **SI3:**

In the first instance, we refer the Board to the Engineer Services Report and associated drawings, prepared by ARUP Consulting Engineers.

In addition, we refer the Board to the Certificate of Feasibility and Statement of Design Acceptance received from Irish Water. Irish Water has confirmed that the proposed connection can be facilitated, and that it has no objections to the proposed design.

We therefore confirm that the infrastructure proposals are in accordance with the Development Plan.

SI18: To require the use of Sustainable Urban Drainage Systems in all new developments, where appropriate, as set out in the Greater Dublin Regional Code of Practice for Drainage Works. The following measures will apply: • The infiltration into the ground through the development of porous pavement such as permeable paving, swales, and detention basins • The holding of water in storage areas through the construction of green roofs, rainwater harvesting, detention basins, ponds, and wetlands • The slow-down of the movement of water.

The proposed development is consistent with **SI8:**

The surface water drainage system has been designed in accordance with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0, the CIRIA SUDS Manual C753 2015 and Dublin City Development Plan 2016-2022.

11 ADDITIONAL SUPPORTIVE PLANNING POLICY IN DUBLIN

We wish to highlight to the Board that the below guidelines do not require a Statement of Consistency response. However they have been included in this report to further support the proposed development.

11.1 Rebuilding Ireland

The overarching aim of this Action Plan is to ramp up delivery of housing from its current undersupply across all tenures to help individuals and families meet their housing needs. It sets ambitious targets 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 housing stock and laying the foundations for a more vibrant and responsive private rented sector.

The plan has 5 key pillars: Pillar 1- address homelessness; Pillar 2 - accelerate social housing; Pillar 3 - build more homes; Pillar 4 - improve the rental sector and; Pillar 5- utilise existing housing. Pillars 3 & 4 are particularly relevant in terms of the subject site, as they seek to increase the output of private housing to meet demand and to address the obstacles to greater private rented sector delivery, to improve the supply of units at affordable rents.

The action related to Pillar 3 is to deliver 25,000 units per annum in the period until 2021. The proposed development supports the delivery of this action.

11.2 National Development Plan

The National Development Plan (NDP) sets out the investment priorities that will underpin the implementation of the NPF. This will guide national, regional and local planning and investment decisions in Ireland until 2040 in order to cater for an increasing population. The plan sets out the government's commitment to invest €116 Billion over this period.

Ten National Strategic Outcomes are outlined in the NPF. In alignment with the NPF, the NDP sets out the new configuration for public capital investment over the next ten years to secure the realisation of each of the National Strategic Outcomes. This is to improve the way public capital investment is planned and co-ordinated in a modern and growing society, leading to improved public services and quality of life. The 10 National Strategic Outcomes of the NPF & NDP are:

1. Compact Growth
2. Enhanced Regional Accessibility
3. Strengthened Rural Economies and Communities
4. Sustainable Mobility
5. A Strong Economy, supported by Enterprise, Innovation and Skills
6. High-Quality International Connectivity
7. Enhanced Amenity and Heritage
8. Transition to a Low-Carbon and Climate-Resilient Society
9. Sustainable Management of Water and other Environmental Resources
10. Access to Quality Childcare, Education and Health Services

Of the ten National Strategic Outcomes, the most relevant to the proposed development are Compact Growth and Sustainable Mobility.

Compact Growth aims to secure the sustainable growth of more compact urban and rural settlements supported by jobs, houses, services and amenities, rather than continued sprawl and unplanned,

uneconomic growth. This requires streamlined and co-ordinated investment in urban, rural and regional infrastructure by public authorities to realise the potential of infill development areas within our cities, towns and villages. This will give scope for greater development densities in areas that are centrally located.

To help achieve compact growth the government is establishing a Urban Regeneration and Development fund, aimed at among other things, docklands and quays regeneration, city centre renewal and brownfield development facilitation.

To achieve the National Strategic Outcome of Sustainable Mobility, the NDP envisages investment of €8.6 billion in key transport projects up until 2027. Included in these transport projects are Metro Link Dublin, Bus Connects Dublin and the electrification and expansion of the DART.

A high density scheme at this location, as proposed, is supported by the NDP objective for Compact Growth. It is also supported by the objective for Sustainable Mobility, in that it is served by excellent public transport, cycle and pedestrian infrastructure.

11.3 Transport Strategy for Greater Dublin Area 2016 – 2035

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. 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.

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. A key element of the strategy is the DART expansion programme service including the provision of a new DART Underground which is an underground rail link through the City Centre, allowing DART services to operate on the Kildare line and travel through the tunnel, enabling passengers to connect with DART services on the other three rail lines.

The proposed development which provides for a rejuvenation of a strategically located brownfield site adjacent to good quality public transport is entirely consistent with the vision and objectives of the Transport Strategy for the GDA.

11.4 Managing Intensification & Change

The DEWG study of 2000 *'Managing Intensification and Change: A Strategy for Dublin Building Height'* identified Heuston Station and its environs as a suitable location for tall buildings. This study identifies character areas in Dublin City and then maps areas according to their condition for change, in order to define potential for increased density and increased building height. This study argues that Dublin should aim to retain its character through a policy of incremental change, whilst allowing for large scale growth of building form at certain strategic locations.

The Heuston area and its environs can be identified as a 'potential new character area with contextual constraints'. Such areas have a diversity of grain and height and can consequently facilitate new development of higher buildings that relate to the existing character without compromising the local context. The character of future development in such areas should be dictated by "the timescale for change – market demand; relation to public transport ; local grain; the size of sites; ownership structure and pattern"

The DEWG study has three criteria for identifying locations suitable for the placement of individual high buildings:

- Key focal or converging points within the road structure of the city wide plan
- Primary public transport nodes which act as gateways to the city
- Locations which capture long, continuous views across city wide corridors, e.g. Along the river Liffey.

Exhibit 5 (reproduced below in Figure 11) of the study identifies Parkgate Street as “*Converging point of road structure*” and therefore suitable for individual high building. Building at this location should relate to the context and should be of a slender build. The study also identifies locations suitable for the provision of high-rise clusters, including Heuston Station and its environs.

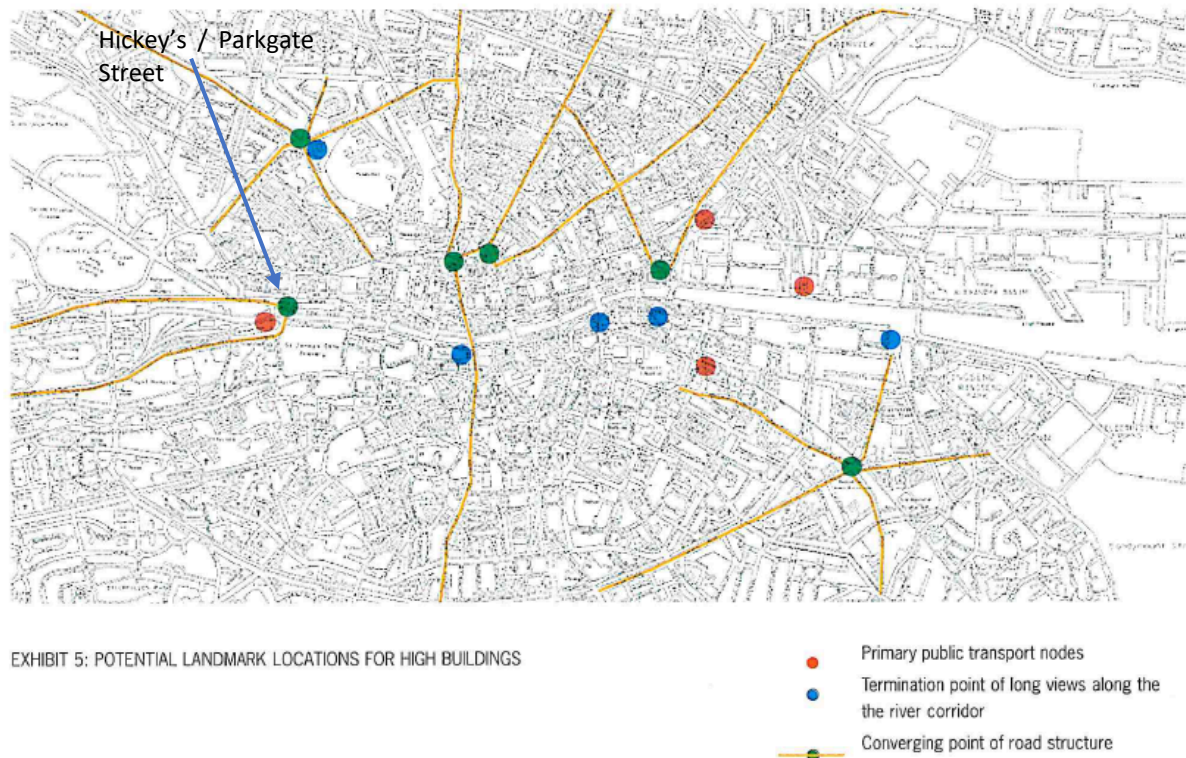


Figure 11: Potential Landmark Locations for Tall Buildings in Dublin with Subject Site Highlighted

11.5 Heuston Gateway: Regeneration Strategy and Development Framework Plan

This planning document describes the development framework proposals for the subject site. The document highlights that the subject site has excellent development potential due to its positioning at the gateway to the city beside the river and Heuston Station, the accessibility of the site and the views to and from the city centre.

12 JUSTIFICATION OF MATERIAL CONTRAVENTION

As confirmed in Section 10.1.2 of this Report, the lands are zoned in the Dublin City Development Plan as *'Objective Z5 – City Centre', 'Objective Z9- Open Space' and Z6- Employment/ Enterprise*. The proposed development provides a mix of residential, commercial and cultural uses, along with the provision of public open space. These uses comply with these objectives.

Thereafter, the Housing & Residential Tenancies Act 2016, provides that the Board may grant permission for an SHD proposal even where it would materially contravene the relevant Development Plan, other than in relation to the zoning of land. In addition, where policy requirements of the relevant Development Plan differ from specific planning policy requirements (SPPRs) set out in Section 28 Guidelines, then the SPPRS shall, to the extent that they so differ, apply instead of the provisions of the Development Plan.

In the case of the proposed development, there have arisen some inconsistencies between the objectives of the current City Development Plan 2016-2022 and SPPRs under Section 28 Guidelines, in particular in relation to the Design Standards for New Apartments, published in March 2018 that could be considered to give rise to a material contravention of the Development Plan arising. Notably, this relates to the following aspects of the proposed development:

- Dwelling Mix
- Apartment Floor Area

In this regard, we refer the Board to the accompanying 'Material Contravention Statement', prepared by Stephen Little & Associates, which provides justification for any material contraventions of the Development Plan where the Board forms the opinion that the proposed development will give rise to such a material contravention.

13 APPROPRIATE ASSESSMENT

This SHD Planning Application is accompanied by information for Screening for Appropriate Assessment prepared by Moore Group Environmental Services which concludes that Stage 2 Appropriate Assessment is required in respect of the four European site referred to, i.e.

- North Dublin Bay SAC 000206
- South Dublin Bay SAC 000210
- North Bull Island SPA 004006
- South Dublin Bay and River Tolka Estuary SPA 004024

In light of the above, a Natura Impact Statement has been prepared and is submitted with this application, which contains information to assist the competent authority in carrying out an Appropriate Assessment (Stage 2) on the effects of this development proposal. This concludes:

'...on the basis of the best scientific knowledge available, and subject to the implementation of the mitigation measures set out under Section 3.6, that the possibility of any adverse effects on the integrity of the European Sites considered in this NIS, or on the integrity of any other European Site (having regard to their conservation objectives,) arising from the proposed development, either alone or in combination with other plans or projects, can be excluded beyond a reasonable scientific doubt.'

14 ENVIRONMENTAL IMPACT ASSESSMENT REPORT

The revised 2014 EIA Directive (Directive 2014/52/EU amending Directive 2011/92/EU) uses the term environmental impact assessment report (EIAR) rather than the previous environmental impact statement (EIS). Where current national guidelines and regulations refer to an Environmental Impact Statement or EIS, this can be taken to mean an Environmental Impact Assessment Report (EIAR).

Section 172 of Part X of the Planning and Development Act, 2000, as amended in Section 17 of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) sets out the requirement for an EIA as follows:

"172 (1) An environmental impact assessment shall be carried out by the planning authority or the Board, as the case may be, in respect of an application for consent for proposed development where either—

(a) the proposed development would be of a class specified in—

(i) Part 1 of Schedule 5 of the Planning and Development Regulations 2001, and either—

(I) such development would equal or exceed, as the case may be any relevant quantity, area or other limit specified in that Part, or

(II) no quantity, area or other limit is specified in that Part in respect of the development concerned, or

(ii) Part 2 of Schedule 5 of the Planning and Development Regulations 2001 and either—

(I) such development would equal or exceed, as the case may be any relevant quantity, area or other limit specified in that Part, or

(II) no quantity, area or other limit is specified in that Part in respect of the development concerned, or

(b)(i) the proposed development would be of a class specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001 but does not equal or exceed, as the case may be, the relevant quantity, area or other limit specified in that Part, and

(ii) the planning authority or the Board, as the case may be, determines that the proposed development would be likely to have significant effects on the environment."

The Fifth Schedule of the Planning and Development Regulations lists classes of development where an EIA is mandatory under Part 1 and where an EIA may be required under Part 2. Where a project falls within a criterion for a type of development and/or exceeds a threshold as listed in Part 1 or Part 2, then it must be subjected to EIA.

The draft scheme submitted to An Bord Pleanála consisted of 567 units (the proposed number of apartments was 436. However, this included 28no. Shared Living apartments, with between 4 to 6 bedrooms each. If each Shared Living bedroom were to be considered as an individual dwelling, the overall number of units rises to 567), so was considered to fall under Classes 10 (b) (i) of Part 2 of the Fifth Schedule of the Regulations, namely: *“Construction of more than 500 dwelling units.”*. Therefore, preparation of an EIAR was progressed.

The revised scheme taking on board comments from Dublin City Council and An Bord Pleanála now provides for 481 units. While the proposed development now falls short of the mandatory requirements, a sub threshold EIAR was prepared on the basis that the number of units is very close to the threshold of 500 and having regard to the potential for significant environmental impacts.

As such, an Environmental Impact Assessment Report is submitted to An Bord Pleanála with this SHD Planning Application.

15 CONCLUSION

It is our considered professional planning opinion that the proposed development which is the subject of this SHD Planning Application complies with the proper planning and development of the area in the context of the relevant strategic and local planning policy, as primarily expressed in: -

- Rebuilding Ireland – Action Plan for Housing & Homelessness.
- National Planning Framework, Ireland 2040.
- Eastern & Midlands Regional Spatial & Economic Strategy and Dublin Metropolitan Area Spatial Plan (DMASP).
- Urban Development and Building Heights – Guidelines for Planning Authorities (2018).
- Sustainable Urban Housing: Design Standards for New Apartments (2018).
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009).
- The Planning System and Flood Risk Management (2009)
- Design Manual for Urban Roads and Streets (2013 - updated in 2015 and 2019)
- Childcare Facilities, Guidelines for Planning Authorities (2001)
- Dublin City Development Plan 2016 – 2022, save for those instances where a material contravention may arise
- Other relevant national and regional planning strategies, objectives and planning design guidelines for achieving sustainable urban residential development in the Dublin area.

The proposed development which is the subject of this SHD Planning Application is commended to the Board as an appropriate proposal for Strategic Housing Development, on the grounds that: -

- The proposed development has the potential to provide a gateway marker to Dublin city centre from the west, reinforcing the role and prominence of Heuston as a gateway to Dublin. Although containing a number of protected structures and other features of historic and cultural interest, the site does not currently fulfil that role and is significantly underutilised in its current form. It lies within a Strategic Development & Regeneration Area (SDRA) and therefore redevelopment and intensification of the site is activity sought by Dublin City Council.
- Dublin City Development Plan identifies Heuston as an area capable of accommodating taller buildings, defined in the plan as buildings greater than 50m in height. This is further corroborated by the DEWG study in 2000 '*Managing Intensification and Change: A Strategy for Dublin Building Height*'. The design solution is well considered and realises the unique potential of its riverside location and heritage assets. Furthermore, it relates well to Parkgate Street and enhances the existing streetscape, while providing new, high quality public open space. The signature tower is elegant in form and achieves a high-quality finish in design and material. The criteria for tall buildings as set out in both the Development Plan and the Building Height Guidelines have been met by the proposed development. Furthermore, the enclosed Visual Impact Assessment confirms the superior design and its successful response to the setting.
- The proposed development complies with the zoning objectives of the site. It provides vibrant, mixed use development on the Z5 city centre portion of the site while creating new, high-quality public open space on the riverside within the Z9 portion of the site.
- The proposed residential units are Build to Rent apartments. The development site is suitable for this type of unit, being centrally located and within walking distance of key employment, retail, leisure and other services of Dublin city centre. It is also served by high frequency public transport – namely rail, Luas and Dublin Bus.
- The scheme represents a well-designed and thought out development which achieves a sustainable density of residential development, having regard to the settlement and housing

strategy for the City, in a central urban location, supported by community facilities and open space amenities.

- The proposed development will provide additional amenities including retail and café/restaurant floorspaces and new public open spaces which will support greater connectivity to the surrounding areas in particular to the River Liffey.
- The proposed development will respond to current and future housing demand in the area identified in the Council's housing strategy.
- The proposed residential element will provide additional critical mass to support future planned transport infrastructure.
- Section 6 of this report outlines how the design has evolved and now comprehensively responds to the Boards Opinion.
- The proposed development has been subject of comprehensive design and environmental assessment, including an Environmental Impact Assessment Report, to ensure that it is representative of sustainable missed use development that meets the needs of existing and future generations for good quality housing at this location, and without detracting from the sensitive visual and heritage assets at this location.

It is our considered professional planning opinion that the development subject of this submission should be supported by the Board, for the reasons outlined above, as well as the following grounds:

- The proposed development consolidates growth within Dublin city, providing a development with a sustainable density which utilises a site which is currently neglected.
- The proposed development is consistent with the zoning objectives of the Development Plan
- The proposed development is consistent with national planning guidelines.
- Where the development may not be considered consistent with the City Development Plan, it is consistent with the appropriate national planning guideline. We have presented the Board with a Material Contravention Statement which addresses those instances. In the event the Board were to agree with our contention, we note the Board will provide their own statement as to why a material contravention is warranted in this case.
- The apartments proposed are designed to maximise sunlight, to minimise undue negative impact on neighbouring properties and contribute positively to the design and appearance of the public realm.
- The public and private communal open space proposed provides a high level of amenity for future residents and the public and is passively overlooked by the apartments and complies with the standards set out in the Development Plan and other Guidelines.
- The Environmental Impact Assessment Report that accompanies this application, including the mitigation measures contained therein provides the Board with an indication of the likely significant effects on the environment arising from this case. We note the Board are the competent authority to conduct the environmental impact assessment in this case.
- The Natura Impact Statement accompanying this application provides the Board with evidence for the Board, as competent authority, to satisfy themselves that there is no adverse impact on a European site arising from this development.

We confirm that we act for the Applicant in this case and would ask that all future correspondence in relation to this planning application be directed to this office.

16 ENCLOSURES

The following are enclosed with this SHD Planning Application: -

1. Planning Fee €80,000.00 (Maximum Fee – Cheque Enclosed).
2. Planning Application Form.
3. Newspaper Notice.
4. Site Notice.
5. Letter of Consent from Dublin City Council Parks, dated 15 July 2019.
6. Letter of Consent from Dublin City Council Transport, dated 12 December 2019.
7. Letter of Consent from Landowner, dated 19 November 2019.
8. Parkgate Street Deed of Covenant.
9. Copies of Cover Letters sent to Prescribed Bodies with copy of Strategic Housing Development Planning Application.
10. Copy of Cover Letter sent to Dublin City Council with copy of Strategic Housing Development Planning Application.
11. Copy of Cover Letter sent to An Bord Pleanála with copy of Strategic Housing Development Planning Application.
12. GoCar letter of Intent.
13. Confirmation of Feasibility Statement from Irish Water, dated 15 October 2019.
14. Design Acceptance Statement from Irish Water, dated 13 December 2019.
15. Part V Proposal Methodology of Calculation of Costs Table.
16. Dublin City Council Part V Validation Letter, dated 5 December 2019.
17. Letter from Irish Aviation Authority dated 22 November 2019.
18. Planning Report and Statement of Consistency (including Statement of Response), prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants.
19. Childcare Needs Assessment, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants.
20. Community and Social Infrastructure Audit, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants.
21. Material Contravention Statement, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants.
22. Planning Application Drawings, prepared by Reddy Architecture & Urbanism (see schedule of drawings attached with each bundle).
23. Architectural Housing Quality Assessment and Schedules, prepared by Reddy Architecture & Urbanism.
24. Design Statement, prepared by Reddy Architecture & Urbanism.
25. Landscape Design Report, prepared by Mitchell & Associates Landscape Architects.
26. Landscape Drawings, including Ground floor and Rooftops drawings, prepared by Mitchell & Associates Landscape Architects (see schedule of drawings attached with each bundle).
27. Arboricultural Assessment, including Tree Protection and Tree Survey & Constraints drawings, prepared by CMK Horticulture & Arboriculture (see schedule of drawings attached with each bundle).

28. Planning Drainage and Watermain Report, including Drainage and Watermain drawings, prepared by Arup Consulting Engineers. (see schedule of drawings attached with each bundle).
29. Flood Risk Assessment and Statement of Consistency, prepared by Arup Consulting Engineers.
30. Transportation Statement and Statement of Consistency, prepared by Arup Consulting Engineers.
31. Lighting Design Concept Report, prepared by Arup Consulting Engineers.
32. Environmental Impact Assessment Report, co-ordinated by Arup Consulting Engineers.
33. EIA Confirmation Portal, provided by Arup Consulting Engineers.
34. Basement Impact Assessment Letter, prepared by Arup Consulting Engineers.
35. Appropriate Assessment Screening Report, prepared by Moore Group.
36. Natura Impact Statement, prepared by Moore Group.
37. Architectural Heritage Impact Assessment, prepared by ARC Architectural Consultants.
38. Building Lifecycle Report, prepared by Aramark Property.
39. Estate Management Strategy Report, prepared by Aramark Property.
40. Parkgate: A Focus for Heuston Northern Quarter Expert Opinion in support of planning submission to An Bord Pleanála, prepared by John Worthington & Lora Nicolaou.
41. Economic Assessment of Parkgate Street Scheme, prepared by Ernst and Young (EY) Economic Advisory Services.
42. Energy Analysis Report, prepared by IN2 Engineering Design Partnership.
43. Engineering Drawing, (External Street Lighting Layout Plan), prepared by IN2 Engineering Design Partnership.
44. Daylight and Sunlight Analysis, prepared by IN2 Engineering Design Partnership.
45. Site Wind Analysis, prepared by IN2 Engineering Design Partnership.
46. Non-Domestic – NZEB Compliance Report, prepared by IN2 Engineering Design Partnership.
47. Telecommunications Letter Report, prepared by Independent Site Management (ISM).