

Statement of Response to ABP's Opinion

In respect of

**Proposed Strategic Housing Development
(Alterations to Phase 1 Residential and
Proposed Phase 2 Residential Development)**

At

**Frascati Centre, Frascati Road, Blackrock, Co. Dublin
(formerly known as Frascati Shopping Centre).**

Prepared by

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On behalf of

**IMRF II Frascati Limited Partnership acting through its
general partner Davy IMRF II GP Limited**

28th August 2020



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1.0 INTRODUCTION / EXECUTIVE SUMMARY

- 1.1 The pre-application consultation Opinion from An Bord Pleanála in relation to the proposed strategic housing development at Frascati Centre, Frascati Road, Blackrock, Co. Dublin, was issued on the 24th June 2020 (case reference no. ABP-306989-20).
- 1.2 The opinion states that An Bord Pleanála “*is of the opinion that the documents submitted with the request to enter into consultations **constitute a reasonable basis for strategic housing development***”. (Emphasis added)
- 1.3 The Opinion further states that, pursuant to Article 285(5)(b) of the Planning & Development (Strategic Housing Development) Regulation 2017, the prospective applicant is notified **that 17 no. items of specific information** should be submitted with any application for permission. Documentation has been prepared or updated in response to this request to ensure that the Board will have all the information it requires to come to a reasoned decision on the proposed development. A summary of the responses provided to each of these specific points is set out in Section 2. This Statement of Response, and the associated alterations to the scheme from pre-application stage, in turn seek to respond to the key issues raised by the Planning Authority’s Opinion as set out in their Chief Executive’s Report on the pre-application proposals and the Board’s Opinion.
- 1.4 The report of the Planning Authority on the pre-application documentation submission was issued to the Board in accordance with section 6(4)(b) of the Act. In the interests of thoroughness, a summary of the key issues identified in the Dun Laoghaire Rathdown County Council Opinion report is set out in Section 3, with responses to issues raised therein set out as required, a number of which have been addressed in preceding sections of this Statement and in accompanying reports.
- 1.5 This statement of response also has regard to the points of discussion and issues raised during the course of the tripartite SHD pre-application meeting held at the offices of An Bord Pleanála on the 5th June 2020, DLRCC’s Chief Executive’s Report on the SHD Pre-Application submission and the Section 247 meeting undertaken with the Planning Authority prior to the tripartite meeting with An Bord Pleanála and the Planning Authority.
- 1.6 This Statement will refer to other documentation which forms part of the final planning application pack and will direct the reader to the relevant information within the application documentation, which demonstrates that the issues raised during the course of the pre-application consultation have been fully and satisfactorily dealt with prior to the submission of this final Strategic Housing Development Application.
- 1.7 Before addressing the 17 no. specific items requested by An Bord Pleanála, we wish to note the following revisions to the scheme are proposed for approval when compared to the pre-application scheme, having regard to the issues raised at the SHD pre-application meetings and notwithstanding the fact that the Board considered the scheme to constitute a reasonable basis for a Strategic Housing Development:
- Reduction in unit numbers in Phase 2 from 60 to 57 to provide a more appropriate transition with Lisalea apartment development and minimise impacts on surrounding properties.
 - Omission of car parking and bin storage area proposed along the north west boundary and replacement with additional landscaping / tree planting to assist in screening.

- Modified internal layout and other architectural and landscaping design changes to address potential overlooking and privacy issues to surrounding properties.
- 1.8 The above changes have been informed by further detailed daylight and sunlight assessments and demonstrate that the proposed scale and building heights of the proposed development can be achieved without adversely impact on neighbouring properties or the residential amenity of the proposed units.

2.0 STATEMENT OF RESPONSE TO ABP REQUEST FOR SPECIFIC INFORMATION

- 2.1 The following sets out how the applicant has addressed the Board's request for additional specific information in respect of the proposed development as outlined in their pre-application opinion.

1) *Rationale for the proposed height of the development which should include consideration of all phases within the development. The rationale should be informed by both design consideration and potential impact upon adjoining residents' amenity. A resulting explanation should be provided for the suitability of parts of the site for the inclusion of taller elements. The application should be accompanied by a material contravention statement where heights exceed local planning policies for the area.*

Response

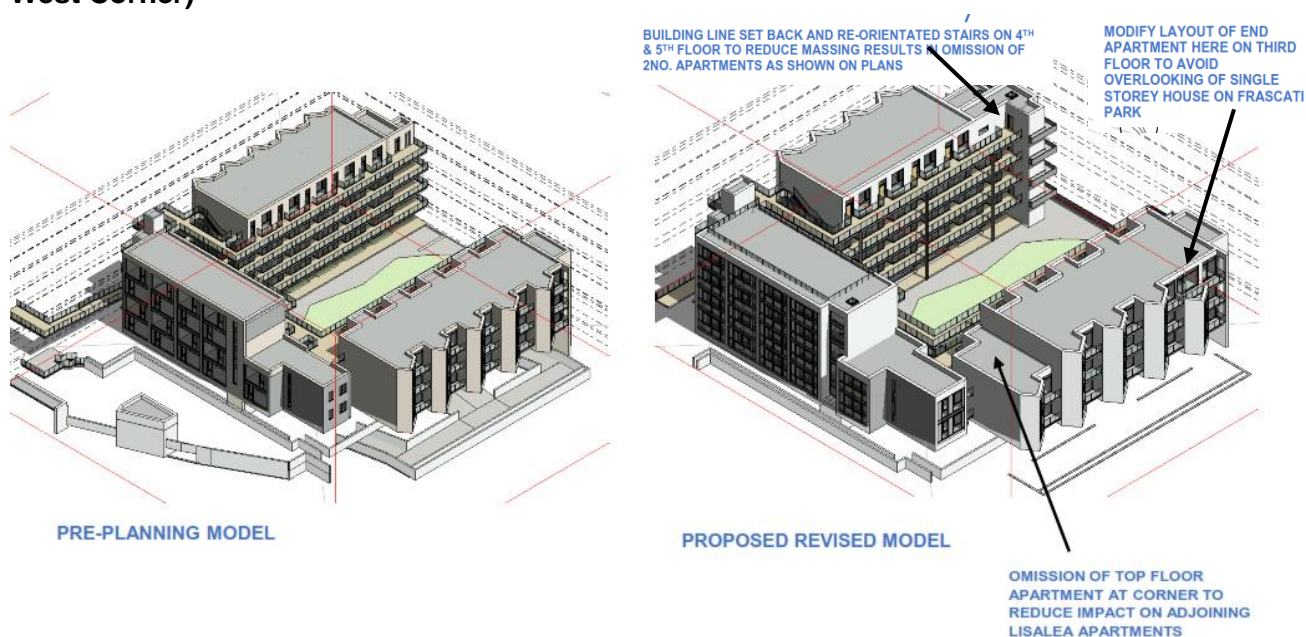
- 2.2 In response to this item we refer the Board to the Architectural Response document prepared by Reddy Architecture + Urbanism, which has been specifically prepared to address this item of the Board's Opinion and summarise how the concerns have been addressed below. A Material Contravention Statement has been prepared and accompanies this planning application in respect to the proposed building heights. A summary is provided below.
- 2.3 The permitted Phase 1 development provides for 3 no. storeys of residential development above 2 no. storeys of retail, with a maximum height of 24.6m. The proposed alterations to Phase 1 do not seek to alter the height or overall massing of the scheme, the alterations are primarily internal or external treatment changes. Commencement of construction began in March 2020. In respect to the permitted building heights, the Inspector's Report stated the following in the assessment of the permitted Phase 1 residential development- "*I would consider that in general the proposed development would be consistent with Map 12 of the Blackrock Local Area Plan*". The Inspector also states that "*I would consider that the design and scale of the proposed development is acceptable having regard to the **strategic location of the subject site and national and local policy objectives***" (*Emphasis added*).
- 2.4 The proposed Phase 2 residential scheme, which is proposed as an extension to the Phase 1 residential scheme, is laid out in a courtyard block with 2 to 5 storeys of apartments above three levels of parking (lower ground, ground and first floor podium levels). Block D is a five storey block, Block E is a part two to part four storey block and Block F is a part two to part three storey block, all above three levels of podium / basement car park. Therefore, in terms of building heights the Phase 2 proposal could be considered to range from 5 to 7 storeys, including the car park decks below, with a maximum height of c. 25 metres.
- 2.5 Following detailed design consideration, and having regard to the issues raised at the tri-partite meeting and in the Board's Opinion in respect to building height and impact

on neighbouring properties, the following changes are incorporated into the proposed Phase 2 residential development when compared to the pre-application scheme:

- Omission of 1 no. apartment unit at third floor level of Block F to reduce the corner height on the north western corner from 3 to 2 storeys and reducing impact on adjoining Lisalea. The overall height of the north western corner is reduced from 18.9m to 15.3m;
- Modified layout of Apartment No. 2315 at third floor level of Block F to avoid overlooking onto Frascati Park;
- Building line setback at the south eastern corner and reoriented stairs on 4th and 5th floor of Block D to reduce massing resulting in omission of 2 no. apartments. The separation distance to No. 37 Frascati Park has increased from 30.7m to 33.5m.
- The changes result in total number of units being reduced from 105 no. units to 102 no. units.

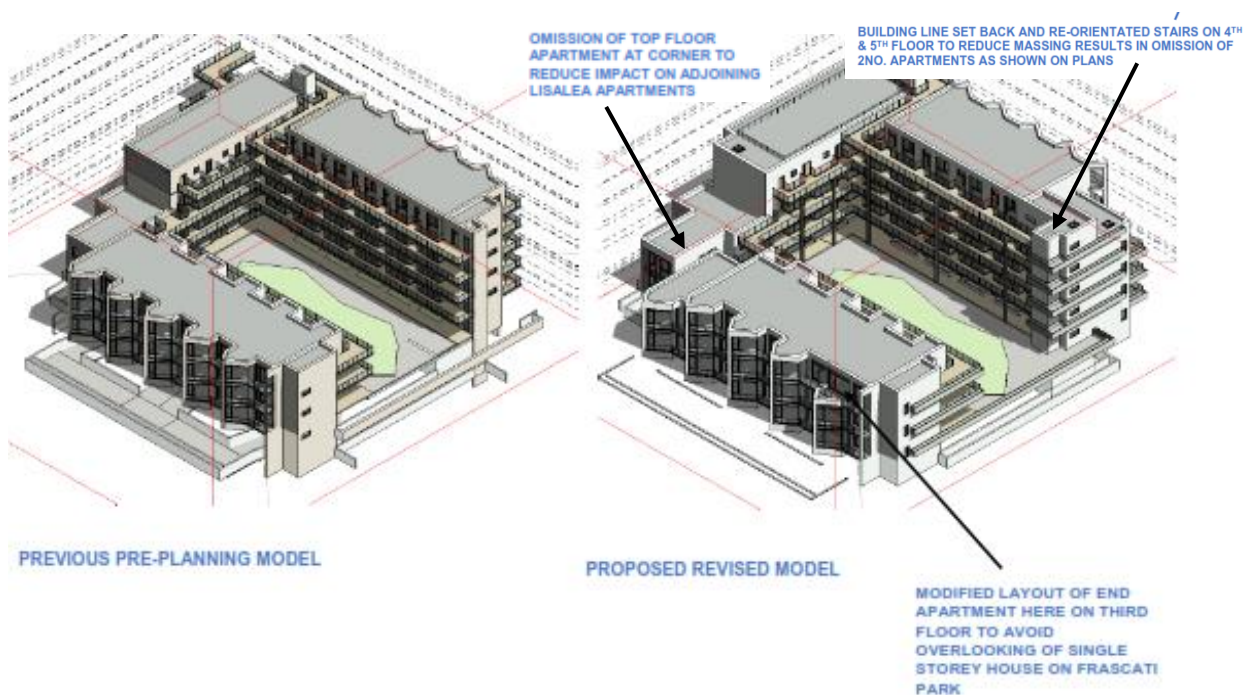
2.6 Figures 1 and 2 illustrates the proposed changes to the scheme and we refer the Board to Reddy A+U Architectural Response document which clearly demonstrate the changes to the development and the suitability of the subject site to accommodate the proposed scale and heights in the context of the surrounding development and the high-quality architecture proposed. The revisions are considered to ameliorate any impact of overlooking and adverse visual impact on neighbouring properties. It is respectfully submitted that the proposed revisions adequately address any concerns in respect to proposed building heights and impact on neighbouring properties.

Figure 1: Changes to Proposed Phase 2 Residential Development (View from the North West Corner)



Source: Reddy A+U Architectural Response Brochure

Figure 2: Changes to Proposed Phase 2 Residential Development (View from the South West Corner)



Source: Reddy A+U Architectural Response Brochure

- 2.7 The transition in scale from the 2 storey properties on Frascati Park and Mount Merrion Avenue and 4 storey Lisalea apartment block is acknowledged, however given the site is within a District Centre location, in an area well served by public transport and the separation distances, it is respectfully submitted that this is to be expected and is appropriate for the subject site.
- 2.8 The site is considered to be a suitable location to facilitate the proposed height and scale considering the subject site's location within Blackrock District Centre and the proximity to good public transport facilities (Frascati Road bus services and Blackrock DART Station). It is respectfully submitted that the scale of the proposed development can be accommodated on the subject site, due to its location within Blackrock District Centre and accessible location in proximity to high frequency public transport routes (within 500 metres of Blackrock DART station and adjacent to a Quality Bus Corridor served by Dublin Bus No. 4 and 7). The proposal is considered to accord with national planning policy which supports increased building heights and residential densities in urban locations, and particularly in central and/or accessible locations and on brownfield sites within urban built up areas.
- 2.9 The accompanying Material Contravention Statement sets out the justification for the proposed building heights should the Board consider the proposals a material contravention of the Local Area Plan, based on the development management criteria under the Building Height Guidelines 2018 and the provisions under SPPR3. The planning policy and development management justification for the proposed building heights can be summarised as follows:
- The site is located within a District Centre, in the Dublin Metropolitan Area in the administrative boundary of Dun Laoghaire Rathdown County Council, which is well served by public transport into the city centre and a number of services, amenities

and employment in the area. There is a presumption of increased height in our town/city cores and in other urban locations with good public transport accessibility and therefore the proposed heights in this context are considered appropriate

- The subject site provides for a mixed-use development and zoned for District Centre uses. The site occupies a prominent location within Blackrock. The proposal responds to the natural and built environment and makes a positive contribution to the urban neighbourhood. The proposal is considered to utilise the site's prominent location at the edge of the village as it improves and consolidates the built form and public realm within Blackrock District Centre.
- The Frascati Centre has provided significant enhancements of the public realm which will be utilised by the proposed development. The Phase 1 development, which this application seeks to alter, will enhance the streetscape along Frascati Road in line with the LAP objectives, whilst the Phase 2 proposal of 5 to 7 storeys, including the existing and permitted car park decks below, with a maximum height of 25 metres, will help enhance the overall unit mix and architectural composition of the centre. The development provides for a suitable and sustainable utilisation of the subject site.
- The proposed development has been carefully designed as to maximise access to natural daylight, ventilation and views and to minimise overshadowing and loss of light. Other site-specific reports have demonstrated no additional environmental impacts arise as a result of the proposed heights.

2.10 Having regard to the above, the applicant has demonstrated compliance with the criteria under Section 3.2 of the Guidelines as required under SPPR3 which states the following:

“It is specific planning policy requirement that where:

- 1. an applicant for planning permission sets out how a development proposal complies with the criteria above; and**
- 2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines;*

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

2.11 Having regard to the above and provisions of SPPR3, it is respectfully submitted that the Board can approve the proposed development under Section 28 (1C) of the Planning and Development Act 2000 (as amended) as compliance has been demonstrated with the relevant development management criteria under Section 3 of the Building Height Guidelines 2018.

2.12 It is submitted that the proposed heights and design of the building will provide urban design benefits enhancing the legibility, appearance and character of the area. It is respectfully submitted that the proposals respond to the natural and built environment and makes a positive contribution to the urban neighbourhood.

2.13 In planning policy terms, the proposed heights are supported by the National Planning Framework, the Apartment Guidelines 2018 and the Building Height Guidelines 2018, in order to create more compact growth on brownfield sites and on public transport corridors. The site is located at a strategic location within Blackrock District centre, is

situated adjacent to three public transport corridors and therefore is considered to represent an opportunity to provide increased building heights. It is respectfully submitted that the current limitations of building height on the subject site as set out under the Blackrock LAP are inconsistent with the Building Height Guidelines, which acknowledges that to achieve higher density, development of taller buildings are required at appropriate locations.

- 2.14 As discussed in greater detail below under other items, the proposed development has been informed by further detailed daylight and sunlight assessments that demonstrate the reduced scale and massing do not adversely impact on neighbouring properties or the residential amenity of the proposed units.
- 2.15 We also refer the Board to the Landscape and Visual Impact Chapter of the EIAR which states the following of note:

“It is considered that the proposed development respects existing sensitive features, including the mature trees and the objective for their protection and retention. The established trees will protect the amenity of adjoining residential properties, and the proposed new perimeter tree planting and landscape mitigation has been designed to protect that of properties that have had a more open aspect to the site area.

“While the proposed development does not step down from five to two storeys at the site perimeter, it does step down towards the sensitive edges and retains an appropriate setback distance from established properties. The scheme further delivers on the aims for rejuvenation of the centre, strengthening the mixed use profile of the area, and for provision for greater pedestrian linkage and animation. The scheme has no impact on Blackrock Park.

“Phase 2 of the proposed development will intensify the land use of the northern part of the Frascati Centre, in a manner that is consistent with the permitted and proposed development on the southern portion of the site. There will be localised areas at in the vicinity of Frascati Park, Mount Merrion Avenue and the Lisalea apartment building where Phase 2 will present a significant change, however, mitigation proposals are inherent in the architectural design and further extended in the perimeter landscaping. The residential nature of Phase 2 contrasts with the existing large scale retail building and associated car parking facilities on the lands, and while the scale of Phase 2 will be substantial, the building will have a finer grain and detailing that is more suitable to its residential neighbours.”

2) Drawings should illustrate the proposed buildings without any obstruction from landscaping or planting elements. Separate drawings detailing the inclusion of green walls should also be provided.

Response

- 2.16 We refer the Board to Dwg. 19-202D-AR-08-PL-144 prepared by Reddy A+U which illustrates the proposed residential development building without landscaping or planting elements. The proposed section / elevation drawings include the proposed planting / green walls, which the design team are confident is achievable for the development and will enhance the appearance of the scheme.
- 2.17 Full details of the proposed green wall systems have been specified in SDLA construction section CS-01 and CS-02, on Dwg No's 19-524-PD-05 and 19-524-PD-06 and discussed in greater detail in response to Item No. 9 below.

- 3) Elevation drawings should include dimensions, including maximum heights from ground level and also indicate the additional height proposed over previously permitted elements (for example, the podium car park). A plan showing separation distances between the development and to existing dwellings should also be included, annotating key distances to boundaries, buildings and windows.**

Response

- 2.18 As illustrated in the architectural drawings prepared by Reddy A+U, all elevations indicate overall dimensions, including maximum heights from ground level and additional height over permitted/existing elements such as the podium car park and retail floorspace of the Frascati Centre.
- 2.19 The elevational drawings and sections submitted with the application include a colour coded system to outline existing floorspace of the Frascati Centre (blue), permitted residential development (green), proposed modifications to permitted Phase 1 residential development (pink) and proposed Phase 2 residential development and associated works (red).
- 2.20 The site layout and floorplans illustrate the separation distances between the development and existing dwellings on the surrounding lands. As outlined above, the changes to the scheme provide for significant setbacks to adjacent properties and therefore the scheme shall not result in adverse impacts on the residential amenity of existing residents.

- 4) Housing Quality Assessment with regard to relevant national and local planning policy on residential development.**

Response

- 2.21 Reddy Architecture + Urbanism have prepared a Housing Quality Assessment document, including a HQA breakdown of details on their drawings to demonstrate how the proposed scheme complies with the 2018 Apartment Guidelines. Compliance with the requirements of the Apartment Guidelines is also set out in Section 6 of the Statement of Consistency / Planning Report.

- 5) A report that specifically addresses the proposed materials and finishes of buildings, landscaped areas and any screening/boundary treatment. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinct character for the development. A life cycle report shall be submitted in accordance with section 6.3 of the Sustainable Urban housing: Design Standards for New Apartments (2018). The report should have regard to the long term management and maintenance of the proposed development.**

Response

- 2.22 We refer to the Materials & Finishes Report prepared by Reddy Architecture + Urbanism which includes details of the proposed materials and finishes of the proposed residential development. It is considered that the proposed materials and finishes are of a high quality and complement the design, as an extension of the Frascati Centre.

- 2.23 In respect to materials and finishes relating to landscaped areas and boundary treatments, we refer to the Landscape Architectural Statement of Response prepared by Stephen Diamond Landscape Architects. Dwg. No. 19-524-PD01 includes details of the boundary screen planting proposals and landscape works planting schedule with further detail on tree species and size specification.
- 2.24 In accordance with Section 6.13 (we note a typographical error above which refers to Section 6.3) of the Apartment Guidelines 2018, we refer the Board to the Building Life Cycle Report which accompanies this application for further details on the considerations that have informed the final scheme design to ensure that long-term management and maintenance costs associated with the proposed development are not excessive and appropriate for a scheme of this scale and for this location, having regard to current requirements (Building Regulations, etc).

6) A plan of the proposed open space clearly delineating public, semi-private and private spaces should also be provided, as well as a detailed breakdown of the total area of same. These plans should clearly highlight how the proposals provide for an appropriate variety and suitable location(s) of children's play spaces.

Response

- 2.25 We refer the Board to the open space drawing (Dwg. 19-524-PD-04) prepared by Stephen Diamond Landscape Architects which outlines the communal open space areas.
- 2.26 The proposed development provides two communal terraces at second floor level within the Phase 1 area with a total area of 545.16 sq.m and a communal courtyard within the proposed Phase 2 area measuring 646.93 sq.m. Roof terraces are also proposed at fifth floor level above the Phase 1 units (99.8 sq.m) and Phase 2 (230.8 sq.m) units. The combined total of 1,522.69 sq.m of communal amenity spaces equates to 14.9 sq.m per residential unit and exceeds the minimum requirement of 612 sq.m as required under the Apartment Guidelines 2018 ($20*4 + 25*5 + 51*7 + 6*9$). The communal open space for both Phase 1 and 2 will be accessible to all residents.
- 2.27 Due to the infill nature on this mixed use development site, it is not possible to provide an area of public open space which could serve the wider area. However, it is submitted that the applicant has provided significant public realm improvements to Frascati Road as part of the Rejuvenation Scheme. We also note that the applicant exceeds all private and communal open space requirements in respect to the Apartment Guidelines 2018 as outlined above. It is submitted that the high-quality landscape and overall design of the rejuvenation at Frascati Shopping Centre is adequate and sufficiently meets the standards of the Development Plan for this residential application. The site is also located in close proximity to Blackrock Park.
- 2.28 As outlined on the open space drawing, each residential unit is provided with a private amenity space that meets or exceeds the minimum requirements set out in the Apartment Guidelines 2018. This is illustrated on the floorplans prepared by Reddy A+U and the accompanying Housing Quality Assessment spreadsheet.

7) Comprehensive landscaping proposals to be submitted. Detail of the landscaping of podium areas to include planting depths, irrigation method and maintenance regime. Precedent schemes for podium gardens with similar size/scale planting required. Usability of podium gardens for

residents to be considered with definition of spaces for different types of use i.e. BBQ, exercise, play and areas that are more private. Topographical survey of the site and detailed cross sections to indicate existing and proposed ground levels across the site, proposed FFL's, road levels, open space levels, drainage infrastructure, landscaping, etc. relative to each other and relative to adjacent lands and structures including public roads. Cross sections to the rear gardens of properties in Frascati Park should also be included.

Response

- 2.29 We refer the Board to the Landscape Architectural Statement of Response and SDLA Dwg. 19-524-PD-01 and 19-524-PD-02 for details of the landscape podium levels in relation to Item No. 7 and in response to DLR Parks Department's queries.
- 2.30 Further specific detail on topsoil depth provided to ensure the successful establishment and long term survival of trees, hedgerows and shrub/climbers is detailed in SDLA Dwg. Section no's CS-01, CS-02, CS-03 and CS-04. A minimum of approx. 600-800mm depth topsoil will be provided to all above podium trees reducing to 300mm depth for ornamental shrub planting.
- 2.31 A fully integrated automatic drip irrigation system has been specified to all intensive planters located above ground level to ensure the establishment and long term success of the scheme. For full details refer to Appendix C of the Landscape Statement of Response for details.
- 2.32 The proposed central communal open space within Phase 2 has been designed as a dynamic space to excite, stimulate and provide children and family with a central gathering space, providing a number of different areas for different residential uses. Its layout and spatial design provide ease of access to seating areas and gathering spaces configured to encourage social interaction and an enhanced sense of community. We Refer to SDLA Dwg. 19-524-PD-02 for further detail and general arrangement layout of play facilities, hard and soft landscape treatments.
- 2.33 The Landscape Architectural Statement of Response includes a precedent example of a similar podium gardens including The Mater Hospital, North Circular Road, Dublin 7, as illustrated in Figure 3 below.

Figure 3: Mater Hospital Rood Garden

- 2.34 As outlined in the Landscape Architectural Statement of Response, it is not proposed to adjust existing ground levels. Pre-existing ground levels are to be retained with the exception of areas to be resurfaced in the existing car park to facilitate additional screen planting to mitigate the proposed development by way of visual impact and reduce surface water run-off. These areas of additional planting would be excavated to a depth of 400mm and backfilled with 300mm topsoil and 75mm bark mulch. Individual tree pits measures 1m³ will be provided to each tree. We refer to the SDLA Dwg. 19-524-PD-01 for further detail.

8) *Rationale for the location of private amenity spaces to studio apartments and the type of treatment/planting to be included that will be suitable for the location/aspect.*

Response

- 2.35 We refer to the Architectural Statement of Response Brochure prepared by Reddy A+U which illustrates the revised studio unit arrangement and associated private amenity spaces. In summary, following detailed design review, it is proposed to relocate the private amenity spaces for the studio apartments to winter garden type balconies to the north east elevation with views towards Dublin Bay, as illustrated below (in contrast to the pre-application proposals).

Figure 4: Previously Proposed Private Amenity Area for Studios

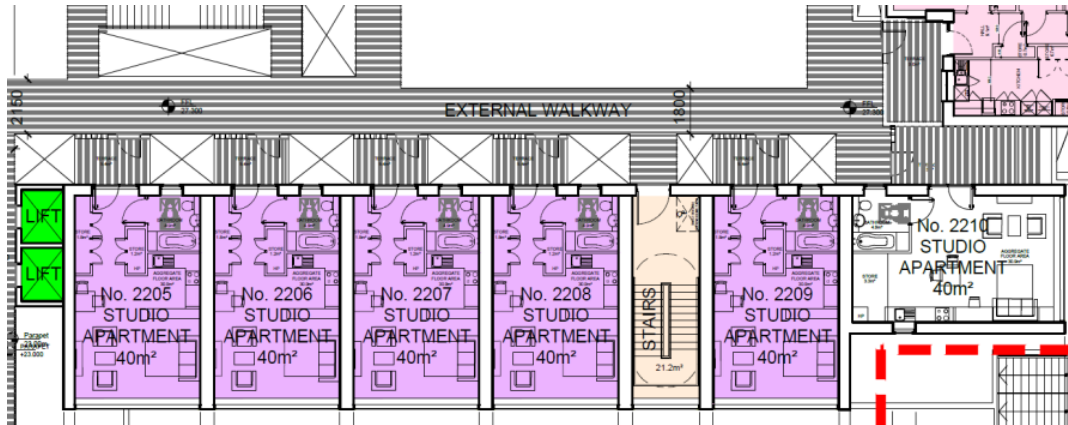
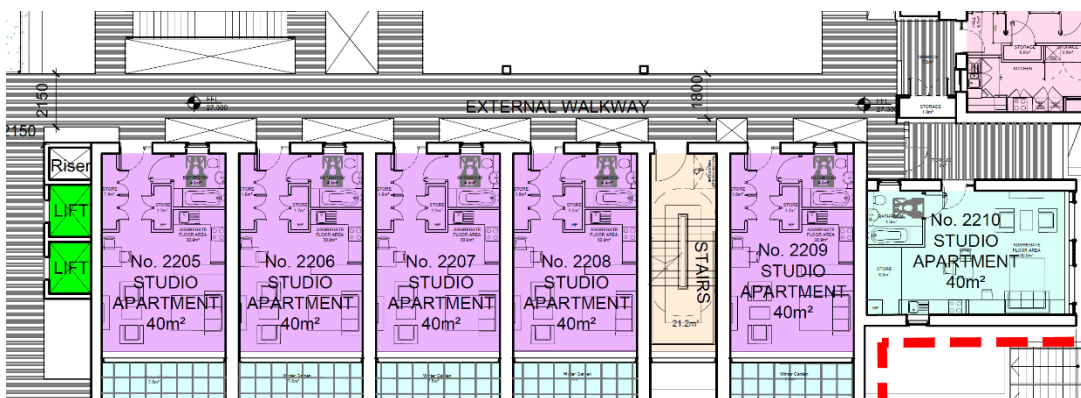


Figure 5: Proposed Private Amenity Area for Studios fronting toward Dublin Bay



- 9) **Detailed report with supporting drawings of the green wall elements to be included. This should include reference to successful precedents local to the subject site, with use of similar or same planting species. Illustrations of the green wall after completion, and after 1, 2, 3 years etc. should be included to demonstrate the length of time that will be needed before full growth will be achieved. Detail of the maintenance regime required with reference to any experience the maintenance team have with green wall treatments. Contingency plans in the event of extreme weather events, disease or failure of planting should also be included.**

Response

- 2.36 For details of the proposed green wall systems, we refer the Board to the Landscape Architectural Statement of Response and SDLA drawings 19-524-PD-01 Landscape Master Plan & Planting Schedule and construction sections CS-01, CS-02, CS-03 and CS-04 (ref drawings 19-524-PD-05 through to 09). For clarity Illustrations of the green wall are included in drawing numbers 19-524-PD-09 detailing Green Wall Elevations on Completion; 19-524-PD-10 Green Wall Elevations 3 Years Post Completion and 19-524-PD-11 Green Wall Elevations 6 Years Post Completion. SDLA have selected this time sequence as a realistic timeline to maturity, in lieu of 1, 2, 3 years sequence requested by An Bord Pleanála.

- 2.37 Detail guidance on the proposed green wall planters have been informed from the green wall planters implemented at East Point Business Park, which is included as a precedent example, as outlined in the Statement of Response.
- 2.38 A detailed maintenance regime of the proposed green wall is also included within the Landscape Architectural Statement of Response.

10) Daylight/Sunlight analysis, showing an acceptable level of residential amenity for future occupiers of the proposed development, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development. The analysis should also consider potential overshadowing impacts on adjoining residential areas. The methodology for daylight and sunlight analysis should provide consideration of existing residential dwellings. Where alternative BRE values are relied upon as part of the assessment of existing residential dwellings, up to date floor plans and a clear rationale should be provided. If accurate floor plans cannot be sourced, default BRE values should be applied. Reference should also be included in relation to BRE guidance on existing development constructed proximate to the boundary of a development site.

Response

- 2.39 A daylight / sunlight analysis has been prepared and is submitted with this application. The design, form and layout have been informed by achieving the best possible results for daylight/ sunlight within the development and the surrounding properties. Below is a summary of the assessment results.

Skylight Access to Neighbouring Accommodation

- 2.40 In terms of the assessment of skylight access levels available to neighbouring accommodation, the results of the assessment indicate that 83 out of 109 windows assessed satisfy the minimum recommendations of the BRE. This includes all windows assessed for properties on Frascati Park and Mount Merrion Avenue. In respect to the Lisalea apartment block, full compliance with the advisory targets would be achieved at a number of rooms. No significant diminution in skylight amenity is anticipated for these spaces. Where VSC levels are found to fall short of the advisory targets, a secondary testing has been carried out to demonstrate that it has been possible to show that the rooms in question would remain capable of receiving acceptable levels of internal skylight. It is on this basis that the impacts identified in primary testing can be considered to fall within tolerable bounds.

Sunlight Levels to Neighbouring Accommodation

- 2.41 In terms of Sunlight Assessment, the results of the assessment state:

“The results of this assessment indicate that substantial levels of compliance with advisory minimums would be achieved. In the small number of cases where it has not been possible to demonstrate full compliance with advisory minimums the magnitude of the departures registering are found to be modest in all cases”.

Sunlight Levels to Neighbouring Amenity Areas

- 2.42 In terms of Sunlight Assessment on neighbouring amenity areas, the results of the assessment state:

“In this case, full compliance with BRE guidelines has been demonstrated in all cases. It follows that no significant loss of sunlight amenity can be reasonably anticipated for any of the gardens located in the immediate neighbourhood of the proposed development.”

Daylight & Sunlight Amenity within the Development

- 2.43 In terms of the levels of daylight amenity within the habitable accommodation, the assessment assesses a sample number of rooms within Phase 1 and Phase 2 which are considered to experience the most constrained access to natural light. The results of the assessment state:

“The results of this study demonstrate that advisory minimums would be satisfied in most cases (a compliance rate of 93% is predicted). Having regard to this finding it is reasonable to conclude that the potential for acceptable levels of internal skylight amenity would be provided within this development”

- 2.44 In terms of the levels of sunlight amenity which would be available to the accommodation, which is being proposed as part of this development, the results of this study state

“The results of this study indicate that acceptable levels of sunlight access would be provided within the development and that this is particularly true when the aggregate contribution of unique sunlight hours, registering on all of the windows in each unit, are accounted for. While lower levels of sunlight access are identified within Phase 1 by comparison to Phase 2, it is also clear that the views over Dublin Bay which are available from Phase 1 accommodation represent a compensating factor”.

Sunlight Amenity on Outdoor Spaces

- 2.45 The results of this study demonstrate that full compliance with guideline recommendations would be achieved in all cases; it follows that good levels of outdoor sunlight amenity can be anticipated.

- 2.46 The Daylight and Sunlight Assessment concludes by stating:

“When assessed in the round, and in relation to the other factors which contribute to the proper planning and sustainable development of this area, it is possible to conclude that acceptable levels of daylight amenity would be provided within this development and that acceptable levels of daylight would remain available to neighbouring properties”.

- 2.47 It is submitted that while care should be taken to ensure that substantial levels of compliance with the BRE recommendations in these guides are achieved, it is often the case that the particulars of a given site structurally impede the ability of a development to achieve full compliance at all points of assessment. In this regard it is important to weigh up the isolated cases where full compliance with guideline targets has not been satisfied against the broader benefits which a development can provide to the compactness, vitality and viability of an emerging neighbourhood.

11) Rationale for proposed parking provision with regard to development plan parking standards and to the 'Sustainable Urban Housing Design Standards for New Apartments – Guidelines for Planning Authorities' (2018), to consider the existing and proposed car parking provision in the context of the available car parking at the Frascati Centre and the existing and projected demand for same with regard to current and proposed land uses at the Centre, also details of car parking management and segregation between uses.

Response

- 2.48 A total of 57 dedicated managed car parking spaces is proposed to be allocated to the apartment residents within the lower ground floor area of development, directly accessible to the apartments. Vehicular access to these 57 no. car parking spaces will be restricted to residents only access by way of a dedicated car pack entry barrier on entry to the residential area of the car park. The car parking 'Ratio' of 0.56 car parking spaces per residential unit is considered appropriate given the highly sustainable location characteristics of the apartment scheme, and in consideration of National Guidance. There will also be 3 Go-Car Spaces plus additional managed and paid parking available within the overall Frascati Centre for the use of visitors, which further increases that effective parking supply available to the apartments.
- 2.49 The report also notes the provisions of the Apartment Guidelines 2018 in relation to car parking provision in central and accessible areas. The Guidelines include an objective to '*Remove requirements for car-parking in certain circumstances where there are better mobility solutions and to reduce costs.*' Under Car Parking - Section 4.18, the Guidelines acknowledge that the quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of location in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria. Under Section 4.19, the Guidelines note that in larger scale and higher density developments, comprising of apartments in more central locations that are well served by public transport, the default policy is for car parking provision to be wholly eliminated or substantially reduced.
- 2.50 As this site is in the centre of Blackrock and its employment zone, within 6-7 minute walk of the DART plus directly on a Core Radial Bus Corridor, with very high frequency bus services, these guidelines support the case for the partially-reduced parking provision as part of this development.
- 2.51 In terms of cycle parking, the provision of a total of 214 new dedicated cycle parking spaces complies with requirements outlined in Apartment Guidelines 2018. This high level of cycle parking provision is considered appropriate given the highly sustainable location characteristics of the apartment scheme and further supports the case for reduced car parking numbers.
- 2.52 Further details on the accessibility of the site and justification for the proposed parking provision is outlined in the Transportation Assessment Report has been prepared by NRB Consulting and accompanies this SHD application. The report notes that as a result of the proposed development, a total loss of 63 no. car parking spaces is proposed to serve the retail floorspace. The loss of car parking spaces relates to 6 no. car parking spaces reallocated for the residential units, 15 no. spaces removed to allow for stair/lift cores for Phase 2 and a further spaces are removed externally from the surface car park to facilitate an additional bin store for the residential units and reorientation of parallel parking spaces in the southwest corner to accommodate

additional landscaping/trees, to mitigate against adverse visual impact on the adjacent existing properties from the proposed Phase 2 residential development.

- 2.53 The rationale for the loss of car parking spaces is based on a car park occupancy survey undertaken in 2019. The data demonstrates that the Centre had a peak demand of 505 no. spaces, the day before Christmas with the next peak of 470 no. spaces, lower across the rest of the year. It is respectfully submitted that the loss of car parking spaces to serve the Shopping Centre is not a material issue as there is sufficient capacity to cater for the retail parking demands based on the remaining spaces, which significantly exceed current Development Plan standards.
- 2.54 In terms of traffic impact of the development on the local roads, the assessment concludes by stating that there are no significant operational traffic safety or road capacity issues that prevent a positive determination of the application by An Bord Pleanála. The report demonstrates that the development will have negligible impact upon the established local traffic conditions and can easily be accommodated on the road network without any capacity concerns arising. The assessment also includes a preliminary Travel Plan for the site and a Statement of Consistency with DMURS. An independent Stage 1 Road Safety Audit including Quality Audit is included as Appendix H of the Report, with the Designer Feedback Form addressing the issues raised.
- 2.55 The report concludes by stating that there are no significant Operational Traffic Safety or Road Capacity issues that prevent a positive determination of the application by An Bord Pleanála.

12) Landscape and Visual Impact Assessment with photomontages, to include, consideration of visual impacts on the surrounding residential areas.

Response

- 2.56 Chapter 6 of the EIAR includes a Landscape and Visual Impact Assessment and accompanying photomontages. In addition, Chapter 4- Archaeology and Cultural Heritage includes an assessment of the visual impact on the built environment.
- 2.57 The subject site, located at the Frascati Centre, is located within Blackrock District Centre and is the site of an established shopping centre, which has recently been rejuvenated. In preparing the Phase 2 proposals, the design team has sought to focus the graduate the heights away from the more sensitive surrounding land uses to the north and west, as illustrated in the aerial view CGI below. This ensures that the scheme integrates appropriately with existing / permitted development on the application site and with surrounding land uses.
- 2.58 This approach is acknowledged in the Landscape/Townscape Visual Impact Assessment Chapter within the EIAR, and the accompanying photomontages, with the assessment conclusion stating that *“The proposed development is in part focussed towards the Frascati Road where **there is ample capacity to visually absorb the proposed development**, and in part within the development lands where the Phase 2 residential block will establish a substantially larger building than the existing retail buildings, **but one that is residential in character and more appropriate to the adjoining residential uses. The proposed development is considered appropriate to the area, and includes both design and mitigation measures that successfully address localised potential adverse impacts.**” (Emphasis added).*

- 2.59 We refer the Board to the Landscape and Visual Impact Assessment and accompanying Photomontages included as Chapter 6 of the accompanying EIAR prepared by Brady Shipman Martin which accompany this planning application. Additional views from Mount Merrion Avenue and Frascati Park have been included as part of the final SHD application to provide a greater illustration of the visual impact on surrounding residential areas. The photomontages are complemented by detail section drawings prepared by RAU and CGI images included in the Design Statement.

13) Traffic and Transport Impact Analysis, to be prepared in consultation with Dun Laoghaire Rathdown County Council.

Response

- 2.60 We refer the Board to the Transportation Assessment Report prepared by NRB Consulting Engineers which is submitted as part of this planning application. As outlined above, in terms of traffic impact of the development on the local roads, the assessment concludes by stating that there are no significant operational traffic safety or road capacity issues that prevent a positive determination of the application by An Bord Pleanála. The report demonstrates that the development will have negligible impact upon the established local traffic conditions and can easily be accommodated on the road network without any capacity concerns arising. The assessment also includes a preliminary Travel Plan for the site and a Statement of Consistency with DMURS. An independent Stage 1 Road Safety Audit including Quality Audit is included as Appendix H of the Report, with the Designer Feedback Form addressing the issues raised.
- 2.61 The report concludes by stating that there are no significant Operational Traffic Safety or Road Capacity issues that prevent a positive determination of the application by An Bord Pleanála.
- 2.62 NRB Consulting Engineers have engaged and consulted with DLRCC Road Department on the proposed development and comments raised by DLRCC have been addressed.

14) Road Safety Audit and Quality Audit.

Response

- 2.63 An independent Stage 1 Road Safety Audit including Quality Audit, together with the Designer Feedback form, has been undertaken for the final submission to An Bord Pleanála and is included and appended as a separate report to the accompanying Transportation Assessment Report prepared by NRB Consulting. The recommendations of the Audit have been addressed in the proposed scheme layout, as set out in the NRB report and illustrated on the submitted plans.
- 2.64 As concluded in the Transportation Assessment Report, it is considered that there are no significant Operational Traffic Safety or Road Capacity issues that prevent a positive determination of the application by An Bord Pleanála.

15) Rationale for proposed childcare provision (or omission of same) with regard to, inter alia, the 'Childcare Facilities Guidelines for Planning Authorities', circular letter PL 3/2016, and the 'Sustainable Urban Housing Design Standards for New Apartments – Guidelines for Planning Authorities' (2018), to provide details of existing childcare facilities in the area and demand for

childcare provision within the proposed scheme. The applicant is advised to consult with the relevant Childcare Committee in relation to this matter prior to the submission of any application.

Response

- 2.65 We refer the Board to the accompany Childcare Demand Audit prepared by John Spain Associates which accompanies this SHD planning application.
- 2.66 In summary, the Childcare Facility Guidelines 2001 require new residential developments of 75+ units to provide 20 childcare spaces for every 75 units. However, this position is clarified in the 2018 Apartment Guidelines, which state that studios and 1 beds can be omitted from such calculations and in certain instances 2 bed units can be dismissed. The proposed scheme of 102 no. units, incorporates 51 no. 2 bed units and 6 no. 3 beds, and is therefore below the threshold of 75 no. units requiring 20 childcare spaces. Thus, in policy terms it is submitted that a good case exists for the non-inclusion of a childcare facility from this residential scheme, which is proposed above the recently rejuvenated Frascati Centre.
- 2.67 It is also submitted that a childcare facility which provides less than 20 no. spaces would not be commercially viable and would be challenging to operate from a mixed-use environment such as the Frascati Centre. In addition, based on an audit of the existing childcare facilities serving an area of approximately 1-1.5km from the subject site, it has been demonstrated that there are significant existing childcare facilities in the wider area. Given the limited need arising from this development it is reasonable to assume that the childcare needs of the proposed development could be catered for in these existing facilities.
- 2.68 Having regard to the above, the Childcare Demand Audit has demonstrated that there is a good justification for the omission of a childcare facility from the proposed development in planning policy terms and also based on an assessment of existing provision in the wider area and the project demand arising from the proposed development.
- 2.69 The applicant contacted DLR Childcare Committee prior to lodgement of the application, including the Childcare Demand Audit to justify the omission of a childcare facility, however no feedback was received at the time of lodgement.

16) AA Screening Report.

Response

- 2.70 An Appropriate Assessment Screening Report prepared by Openfield Ecology accompanies this SHD planning application. The AA Screening Report has considered the Hydrological and Hydrogeological Qualitative Risk Assessment prepared by AWN and the various engineering reports which accompanies this application.
- 2.71 It is stated within the report that the subject site is not located within or directly adjacent to any Natura 2000 area. Mitigation measures have not been taken into account. Standard best practise construction measures which could have the effect of mitigating any effects on any European Sites have similarly not been taken into account.
- 2.72 The conclusion of the Screening Report states that it can be concluded that the possibility of any significant impacts on any European Sites, whether arising from the

project itself or in combination with other plans and projects, can be excluded beyond a reasonable scientific doubt on the basis of the best scientific knowledge available.

17) Water infrastructure proposals to meet the requirements outlined in the submission on file of Irish Water dated 8th May 2020.

Response

- 2.73 Barrett Mahony Consulting Engineers have undertaken consultation with Irish Water on behalf of the applicant prior to the lodgement of this SHD application.
- 2.74 A letter from Irish Water (pre-connection response) was submitted to An Bord Pleanála as part of the pre-application submission. This response letter confirmed that, subject to a valid connection agreement being put in place, the proposed connection to the Irish Water network for the development could be facilitated.
- 2.75 Following submission of the pre-application request, further consultation was undertaken by Barrett Mahony Consulting Engineers with Irish Water. On the 11th of August 2020, a letter (Statement of Design Acceptance, submitted herewith) was received from Irish Water which confirms that based on the further details provided by the applicant to Irish Water (Design Submission), Irish water has no objection to the proposals within the Design Solution.
- 2.76 The applicant confirms that all water and foul drainage services will be designed and installed in accordance with Irish Water standards.

3.0 RESPONSE TO DLRCC PRE-APPLICATION OPINION

- 3.1 The report of the Planning Authority on the pre-application documentation submission was issued to the Board in accordance with section 6(4)(b) of the Act. In the interests of thoroughness, a summary of the key issues identified in the Dun Laoghaire Rathdown County Council Opinion report is set out below, with responses to issues raised therein set out as required, a number of which have been addressed in preceding sections of this Statement.
- **The Planning Authority has significant concerns regarding the scale and height of the proposed development and consider that the development substantially breaches the recommended building heights as prescribed in the Blackrock LAP.**
- 3.2 As set up in Section 2, notwithstanding that ABP considered the pre-application proposals to constitute a reasonable basis for an application, the applicant and design team acknowledged some concerns outlined by the Planning Authority during the pre-application process and have incorporated a number of alterations in the final scheme submitted for approval which are illustrated in greater detail in RAU's Statement of Response, which can be summarised as follows:
- Omission of 1 no. apartment unit at third floor level of Block F to reduce the corner height on the north corner from 3 to 2 storeys and reducing impact on adjoining Lisalea;
 - Modified layout of Apartment No. 2315 at third floor level of Block F to avoid overlooking onto Frascati Park;

- Building line setback at the south eastern corner and reoriented stairs on 4th and 5th floor of Block D to reduce massing resulting in omission of 2 no. apartments, to minimise impacts on Frascati Park.
 - Alterations to the layout of studio units and associated private amenity space.
 - The changes result in total number of units being reduced from 105 no. units to 102 no. units.
 - Omission of car parking and bin storage area proposed along the north west boundary and replacement with additional landscaping / tree planting to assist in screening.
- 3.3 The revisions to the scheme are considered to be appropriate in addressing the Planning Authority's concerns.
- 3.4 A Material Contravention Statement has been prepared and accompanies this planning application in respect to the proposed building heights which sets out a justification of the proposed building heights in the context of the development management criteria set out under Section 3.2 of the Building Height Guidelines 2018 and the provisions under SPPR3.
- 3.5 Having regard to the justification set out in Section 2 and the Material Contravention Statement, the applicant has demonstrated compliance with the criteria under Section 3.2 of the Guidelines as required under SPPR3 which states the following:
- "It is specific planning policy requirement that where:*
- 3. an applicant for planning permission sets out how a development proposal complies with the criteria above; and**
 - 4. 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"*
- 3.6 Having regard to the above and provisions of SPPR3, it is respectfully submitted that the Board can approve the proposed development under Section 28 (1C) of the Planning and Development Act 2000 (as amended) as compliance has been demonstrated with the relevant development management criteria under Section 3 of the Building Height Guidelines 2018.
- 3.7 It is respectfully submitted that the development would provide a substantial amount of residential accommodation at an accessible location at a density and height that is in keeping with national policy. The development provides a good standard of residential amenity for its occupants and would make a positive contribution to the character of the area.
- **The Planning Authority consider that the proposal will unreasonably compromise the residential amenity of the properties within the vicinity by reason of being visually overbearing and is considered to be contrary to Section 8.3.2 (Transitional Zonal Areas) of the current County Development Plan.**
- 3.8 As outlined above, changes to Block F have been incorporated to reduce any adverse impact onto Lisalea apartment block. The omission of 1 no. apartment unit at third floor level of Block F to reduce the corner height on the north western corner from 3 to 2

storeys and reducing impact on adjoining Lisalea. The overall height of the north western corner is reduced from 18.9m to 15.3m. The changes made to the scheme ameliorates impact on the residential amenity of residences in the vicinity of the subject site.

- 3.9 The transition in scale from the 2 storey properties on Frascati Park and Lisalea apartment blocks is acknowledged however given the site is within a District Centre location, in an area well served by public transport and the separation distances, it is respectfully submitted that this is to be expected and is appropriate for the subject site.
- 3.10 The proposed development has been informed by further detailed daylight and sunlight assessments that demonstrate the reduced scale and massing do not adversely impact on neighbouring properties or the residential amenity of the proposed units.
- 3.11 The Landscape proposal have been developed on a number of levels to address the integration of existing buildings, proposed architecture, access, infrastructure and context. The eastern site boundary of Lisalea is heavily planted with both deciduous and evergreen shrubbery which will help screen any potential overlooking. As outlined in Figure 6, significant planting is proposed to mitigate against visual impact on adjacent residential properties.

Figure 6: Proposed Landscaping to the rear of the site



○ **Quality of Design**

- 3.12 We refer the Board to the to the Architectural Design Statement and Response Brochure for details of the approach to the design, layout and massing of the proposed development. A variety of unit typologies, built form and amenity space adds to the quality of the proposed development.
- 3.13 The proposed residential development is designed to complement and be incorporated into the rejuvenated Frascati Centre and is configured so as to provide a high quality

of residential amenity, whilst respect the residential amenities of properties adjacent to the site.

- 3.14 It is considered that the scale and design proposed for the residential development is acceptable at this site given the strategic location of the site in proximity to public transport facilities and the amenity offered by the proximity to Dublin Bay. The proposed development will contribute to providing a diverse mix of uses and further enhances the Rejuvenation of the Frascati Shopping Centre.
- **Private amenity space provision for the proposed Studios within the 'Phase 2' scheme.**
- 3.15 As set out above, we refer to the Architectural Response Brochure prepared by Reddy A+U which illustrates the revised studio unit and associated private amenity spaces. In summary, following detailed design review, it is proposed to relocate the private amenity spaces for the studio apartments to winter garden type balconies to the north east elevation with views towards Dublin Bay, as illustrated below.
- 3.16 The revised private amenity spaces are considered to be more appropriate and address the concerns raised by the Planning Authority.
- **Further details of the proposed winter gardens should support the full application for planning permission.**
- 3.17 We refer the Board to the Architectural Design Statement and elevations which provide additional details on winter gardens.
- **Creche Demand and Needs Assessment is required**
- 3.18 We refer to the Childcare Demand Report prepared by John Spain Associates which accompanies the SHD application, as summarised in Section 2 above.
- **Landscape and Parks**
- 3.19 We refer the Board to Section 2.27 above and the accompanying SDLA application documentation which summarises the SDLA response to the issues raised by the Parks Department in their submission.
- **Part V**
- 3.20 The Phase 1 residential permission, Reg. Ref.: D17A/0950 & ABP Ref.: 300745-18, includes Condition No. 15 which requires social housing on site to be agreed in accordance with Section 96 of the Planning and Development Act 2000, as amended. The proposals put forward by the applicant as part of the Phase 1 residential application relates to 4 no. units to be provided for social housing on site (10% of 45 no. units).
- 3.21 This Strategic Housing Development relates to alterations to the 45 no. apartments permitted in Phase 1 and the provision of 57 no. additional apartments as a Phase 2 extension to the Centre, i.e. a total of 102 no. units in total on the subject site.
- 3.22 Therefore, the Part V requirement for the Phase 1 and 2 residential development increases to 10 no. units (10% of 102 no. units). The Reddy A+U floor plans identifies the location of the proposed 10 no. Part V units (10% of 102). In addition, an Estimate

of Costs has been prepared by the applicant and a JSA cover letter is included with the Part V package.

3.23 The Part V proposals are subject to agreement with DL RCC Housing Department. The applicant agrees to accept a condition on any future grant of planning permission, which requires the applicant to enter into a Part V agreement with Dun Laoghaire Rathdown County Council as per their requirements prior to the commencement of development.

- **Drainage**

3.24 We refer the Board to Section 2.9 of the Civil Engineering Infrastructure and Flood Risk Assessment for the BMCE response to the issues raised by the Drainage Department in their submission.

3.25 In respect to DLR requirement for a minimum of 60% green roof, the proposed development provides a total 62% of green roof coverage. We refer to DWG-19248-C1001 submitted as part of this application for further details.

3.26 All drawings have been coordinated prior to submission.

- **Transportation**

3.27 We refer the Board to Section 2.36 and 2.43 above which summarises the NRB Consulting Engineers response to the issues raised by the Roads Department in their submission.

- **Biodiversity**

3.28 Chapter 5 of the EIAR relates to biodiversity and does not identify any significant environmental issues arising from the alterations to Phase 1 or the Phase 2 residential proposals, given the existing buildings on site and the recent and ongoing construction.

3.29 As outlined above, an Appropriate Assessment Screening Report prepared by Openfield Ecology and accompanies this SHD planning application. The AA Screening Report has had regard to the Hydrological and Hydrogeological Qualitative Risk Assessment prepared by AWN which also accompanies this application.

3.30 It is stated within the report that the subject site is not located within or directly adjacent to any Natura 2000 area. Mitigation measures have not been taken into account. Standard best practise construction measures which could have the effect of mitigating any effects on any European Sites have similarly not been taken into account.

3.31 The conclusion of the Screening Report states that it can be concluded that the possibility of any significant impacts on any European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded beyond a reasonable scientific doubt on the basis of the best scientific knowledge available.

- **Waste Management**

3.32 This SHD application is accompanied by a Demolition and Construction Waste Management Plan prepared by AWN Consulting, which includes details in respect to the management of waste during the construction process.

- 3.33 Operational waste management for the 45 no. units Phase 1 development remains as per the permitted scheme under Reg. Ref.: D17A/0950 & ABP Ref.: 300745-18. The proposed alteration to Phase 1 of the proposed development will not result in a material alteration to the volumes of waste generated. The proposed alterations do not affect the proposed waste storage area, located at lower ground floor level, or waste collection strategy for Phase 1, which is identified at the entrance to the basement, as indicated on RAU Dwg.100-8.
- 3.34 In respect to the 57 no. units proposed as Phase 2, residents have been allocated a shared external waste storage area which is located to the south east of the proposed Phase 2 development. The waste collection point is identified immediately adjacent to the carpark entrance, adjacent to the generator room to the rear of the site. We refer the Board to the Operational Waste Management Plan, prepared by AWN Consulting, which provides details of the proposed waste storage areas for the proposed development and how they meet with the relevant requirements.

4.0 CONCLUSION

- 4.1 In conclusion, it is respectfully submitted that all the issues raised by An Bord Pleanála in their Opinion on the pre-application have been comprehensively and successfully addressed prior to the submission of this final application to the Board.
- 4.2 The key measures undertaken to address the Board's concerns can be summarised as follows:
- Omission of 1 no. apartment unit at third floor level of Block F to reduce the corner height on the north western corner from 3 to 2 storeys and reducing impact on adjoining Lisalea. The overall height of the north western corner is reduced from 18.9m to 15.3m;
 - Modified layout of Apartment No. 2315 at third floor level of Block F to avoid overlooking onto Frascati Park;
 - Building line setback at the south eastern corner and reoriented stairs on 4th and 5th floor of Block D to reduce massing resulting in omission of 2 no. apartments. The separation distance to No. 37 Frascati Park has increased from 30.7m to 33.5m.
 - Alterations to studio layout and provision of private amenity space.
 - The changes result in total number of units being reduced from 105 no. units to 102 no. units.
- 4.3 This application demonstrates that the proposed Strategic Housing Development is in accordance with National and Regional planning policy for the delivery of residential units and compact growth on sites in close proximity to quality public transport routes and within existing urban areas. The proposed development is located on lands zoned for District Centre uses, where a mix of uses are supported and therefore the proposed residential development at the Frascati Centre is considered to be appropriate. The site is located within the built-up area of the Dublin Metropolitan area and served by DART rail services and good quality bus services. Thus, the site is considered highly suitable for the provision of additional residential units which will contribute to providing a diverse mix of uses and further enhances the Rejuvenation of the Frascati Shopping Centre.
- 4.4 It is considered that the scale and design of the proposed residential development is acceptable for this site given the strategic location of the site and the amenity offered by the proximity to Dublin Bay. The proposed alterations to Phase 1 do not seek to

alter the height or overall massing of the permitted residential scheme, as the alterations are primarily internal or external treatment changes. The proposed Phase 2 apartments consist of a courtyard block with 2 to 5 storeys of apartments above three levels of existing / permitted parking (lower ground, ground and first floor podium levels). The proposed building heights are considered to be appropriate for this location in the context of the development management criteria under Section 3 of the Building Height Guidelines which allows the Board to approve the proposed building heights under the provisions of SPPR 3. Please refer to the separate Material Contravention Statement for a more detailed justification.

- 4.5 The design of the proposed development is informed by its context and seeks to ameliorate impacts on surrounding properties, whilst seeking to strike a balance that provides for an appropriate scale and density of development on the subject site.
- 4.6 This statement of response should be read in conjunction with the comprehensive documentation accompanying this SHD application. It is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area, and is consistent with all relevant national, regional and local planning policies and guidelines. We therefore respectfully request the Board to issue a grant of permission for the proposed development.
- 4.7 The relevant prescribed authorities identified in the pre-application consultation opinion from An Bord Pleanála have also been notified and sent a copy of the submission of the SHD planning application in accordance with Section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended).