

**STRATEGIC HOUSING DEVELOPMENT  
PLANNING APPLICATION  
PLANNING REPORT**

**FOR SITE AT CASTLEFORBES BUSINESS PARK,  
SHERIFF STREET UPPER & EAST ROAD, DUBLIN 1**

**BSM**

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1968

**Brady Shipman  
Martin**

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Place  
Making  
**Built  
Environment**

CLIENT  
**Glenveagh Living Ltd.**

DATE  
**2 December 2020**

**Brady Shipman Martin**

**DUBLIN**

Canal House  
Canal Road  
Dublin 6

+353 1 208 1900

**CORK**

Penrose Wharf Business Centre  
Penrose Wharf  
Cork

+353 21 242 5620

**LIMERICK**

11 The Crescent  
Limerick

+353 61 315 127

[mail@bradyshipmanmartin.com](mailto:mail@bradyshipmanmartin.com)

[www.bradyshipmanmartin.com](http://www.bradyshipmanmartin.com)

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## 1 INTRODUCTION

This Planning Report has been prepared in support of a SHD Planning Application to An Bord Pleanála on behalf of Glenveagh Living Ltd. The subject application site is located at Castleforbes Business Park, Sheriff Street Upper and East Road, Dublin 1.

This application falls under the definition of Strategic Housing Development as set out under Section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 as it is a proposed development 'of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses'.

This Planning Report, in addition to a Statement of Consistency with Planning Policy, accompanies this Strategic Housing Development Planning Application. The possible effect on the environment has been examined through the process of an Environmental Impact Assessment Report and Information for Appropriate Assessment Screening Report.

The development for which planning permission is being sought is set out as follows:

*The development will consist of:*

1. *Demolition of all structures on the site (combined gross floor area of c.15,125 sq.m) and the construction of a mixed use residential scheme set out in 9 no. blocks, ranging in height from 1 to 18 storeys, above part basement/upper ground level, containing 702 no. Build to Rent (BTR) residential units, with associated mixed uses including, 3 no. retail/café/restaurant units, cultural/community building, residential tenant amenity, in addition to a standalone three storey childcare facility, all with a total cumulative gross floor area of c.63,025 sq.m (excluding below podium parking and plant areas). The site will accommodate 179 no. car parking spaces, 1,392 total no. bicycle parking spaces, storage, services and plant areas. Landscaping will include a new central public space, residential podium courtyards and upgraded public realm on Sheriff Street Upper and East Road.*
2. *The 8 no. residential blocks range in height from 1 storey to 18 storeys, (including podium and ground floor uses) accommodating 702 no. Build to Rent residential units comprising 100 studios, 406 no. 1 bed units, 8 no. 2 bed duplex units, 169 no. 2 bed units, 15 no. 3 bed units, and 4 no. live-work duplex units. The residential buildings are arranged around a central public plaza (at ground level) and raised residential courtyards at podium level over part basement level car-parking and other uses. Balconies and terraces to be provided on all elevations at all levels for each block. The breakdown of residential accommodation is as follows:*
  - *Block A1 is a 1 to 9 storey building (including podium and ground floor Level 0), including setbacks and balconies, accommodating 82 no. units;*
  - *Block A2 is a 1 to 9 storey building (including podium and ground floor Level 0), including setbacks and balconies, accommodating 136 no. units;*

- Block B3 is a 7 to 8 storey building (including podium and ground floor Level 0), including setbacks and balconies, accommodating 94 no. units;
  - Block B4 is a 7 to 8 storey building (including podium and ground floor Level 0), including setbacks and balconies, accommodating 49 no. units;
  - Block C1 is a 6 to 12 storey building (including podium and ground floor Level 0), including setbacks and balconies, accommodating 107 no. units;
  - Block C2 is a 1 to 18 storey building (including podium and ground floor Level 0), including setbacks and balconies, accommodating 98 no. units;
  - Block C3 is a 15 storey building (including podium and ground floor Level 0), including setbacks and balconies, accommodating 74 no. units;
  - Block C4 is a 13 storey building (including podium and ground floor Level 0), including setbacks and balconies, accommodating 62 no. units;
  - Residential tenant amenity space is provided in Blocks A1, B3, & C2 to include a total floorspace of c. 1,263.9 sq.m.
3. The residential buildings sit above a part basement and ground level which contains residential car-parking, cycle parking, plant areas and ground floor uses. These ground floor uses located onto Sheriff Street and into the central open space include a 6 storey (incl. plant floor) cultural/community building of c. 2,859.5 sq.m and 3 no. retail/restaurant/cafe units with a total floor area of c. 1,154.2 sq.m. The proposed development also includes a standalone three storey (incl. external play area at second floor level) childcare building of c. 469.6 sq.m. Total gross floor area of proposed other uses is c. 4,483.3 m.
4. Two vehicular access points are proposed along Sheriff Street, and the part basement car parking is split into two areas accordingly, accommodating 1,040 residential bicycle parking spaces, 179 car parking spaces, plant, storage areas and other associated facilities. The main pedestrian access is located centrally along Sheriff Street with an additional access point from East Rd across the western podium. The proposed development also includes for upgrades to existing junctions and existing road layout including alterations to existing street parking along Sheriff St Upper.
5. The development also includes for a new landscaped central open space opening onto Sheriff Street Upper. External residential amenity space is provided in two podium courtyards and external roof terraces throughout the scheme. The application also includes for an interim pocket park on the corner of Sheriff Street and East Rd to be provided as a temporary park prior to the delivery of the permitted hotel on this part of the site.
6. The proposed application includes all site landscaping works, green roofs, boundary treatments, lighting, servicing, signage, and associated and ancillary works, including site development works above and below ground.

This report examines the site location, context, and planning history. It also has regard to issues of compliance with the Dublin City Development Plan 2016-2022 and Section 28 Guidelines which are the relevant statutory documents against which the development will be considered.

This Planning Application is accompanied by a comprehensive set of documentation which specifically seeks to address the requirements of the Planning and Development (Housing) and Residential Tenancies Act 2016, the Planning and Development (Strategic Housing Development) Regulations 2017 and the requirements of the Dublin City Development Plan 2016-2022.

### Enclosed Documents

This Planning Report for a SHD Planning Application should be read in conjunction with the other documentation (reports and drawings) accompanying the planning application, including (but not limited to) the following:

- Statement of Consistency prepared by Brady Shipman Martin
- Response to ABP Opinion prepared by Brady Shipman Martin
- Material Contravention Statement prepared by Brady Shipman Martin
- Community & Social Infrastructure Audit prepared by Brady Shipman Martin
- Childcare & Schools Assessment prepared by Brady Shipman Martin
- Architectural Drawings including Site Location Map, Site Layout Plan and Schedule of Drawings and Design Statement prepared by O'Mahony Pike (OMP) Architects;
- Tall Building Statement prepared by Urban Initiative Studio
- Part V proposals including a brochure of drawings prepared by O'Mahony Pike (OMP) Architects, a Part V Cover Letter and an Estimate of Costs prepared by the Applicant;
- Landscape Drawings and Design Rationale Report prepared by Brady Shipman Martin.
- Environmental Impact Assessment Report, Non-Technical Summary & Appendices prepared by Brady Shipman Martin
- Appropriate Assessment Screening Report prepared by Brady Shipman Martin
- Infrastructure Design Report and Drawings prepared by DBFL Consulting Engineers;
- Traffic and Transport Assessment and Drawings prepared by DBFL Consulting Engineers;
- Parking Strategy Report prepared by DBFL Consulting Engineers;
- Statement of Compliance with DMURS prepared by DBFL Consulting Engineers;
- Site Specific Flood Risk Assessment prepared by DBFL Consulting Engineers;
- Wind Microclimate Study, prepared by Arup
- Sunlight and Daylight Access Analysis, prepared by ARC
- Photomontages prepared by Brady Shipman Martin
- Energy Statements, prepared by Ethos Engineering
- Site Lighting Report prepared by Ethos Engineering

- Property Management Plan prepared by Aramark
- Building Lifecycle Report prepared by Aramark
- Quality Audit prepared by Bruton Engineering
- Operation Waste Management Plan prepared by AWN Consulting
- Construction & Demolition Waste Management Plan prepared by AWN Consulting

We confirm that prior to making this planning application the drawings enclosed herewith have been checked with reference to the Planning and Development Regulations, 2001-2018.

### **Planning Application Boundary**

As the Board will note from the submitted Site Location Map, some of the areas for public realm and road upgrades are located outside the applicant's ownership and within the public roadway. These lands are within the control of Dublin City Council who have been consulted on these interventions and have issued a letter of consent to include these areas in the application boundary.

## 2 SITE LOCATION AND CONTEXT

The subject site is located on Sheriff Street Upper and East Rd, Dublin 1. The application site has an area of approximately 2.44 ha, with a development site area of 2.02 ha (excluding footpaths and roads) and is bound by East Road to the West, the railway sidings to the North, and Sheriff Street to the South.

The site is currently in use as a warehousing /light industrial use and has a number of existing industrial sheds and buildings.

The site sits directly north of the North Lotts and Grand Canal Dock Strategic Development Zone (SDZ) boundary with numerous developments completed, permitted and others in progress nearby, and is a significant site to further continue and expand growth and development in this important part of the city.



Fig 2.1: Scheme Development Boundary (in red) and Adjacencies

The site sits within the ‘Docklands Area’ as designated as Strategic Development and Regeneration Area (SDRA) 16 in the City Development Plan.

This underutilised brownfield site is located adjacent to a current bus route (and a future upgraded Bus Connect route) and less than 400m walking distance to the Spencer Dock Luas Stop (and future Dart Underground stop), the Docklands Rail Station to the west of the site, and the Point Luas Stop to the east of the site.



### 3 PLANNING HISTORY

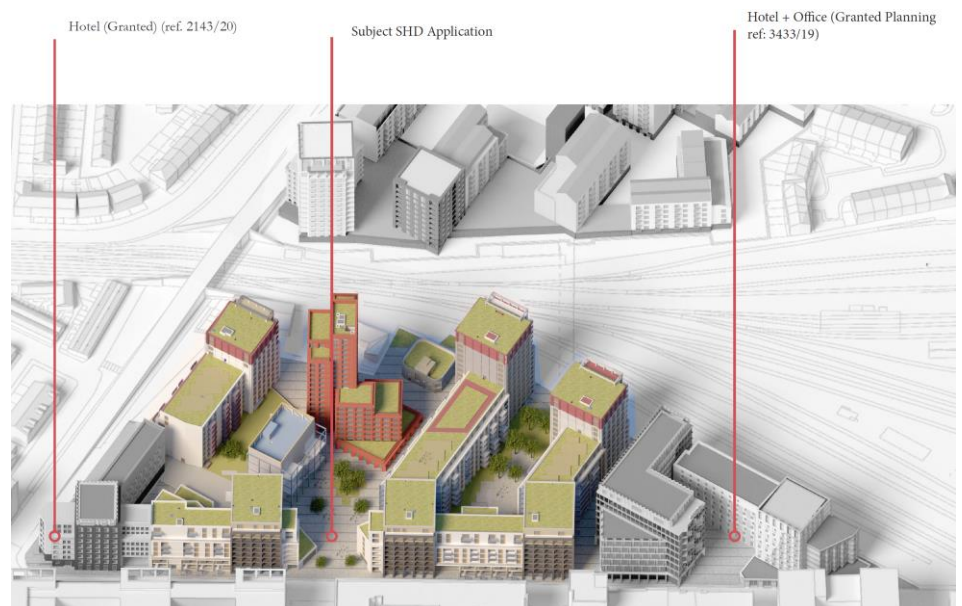
The application site, and wider site, has been subject to a number of planning applications in recent years as set out below:

#### 3.1 Castleforbes Business Park

**Plan Reg. Ref.: 3412/08 (3412/08/x1) Granted 29th Dec 2008 (and extended 16<sup>th</sup> Oct 2013) by Dublin City Council**

The proposed development consisted of a building ranging in height from 8 to 10 storeys (33,257sqm) incorporating 4 levels of basement car parking (314 spaces) and ancillary areas. The south western corner of the proposed building fronts onto Sheriff Street Upper and extends to 8 storeys in height. An 8 storey glazed atrium with internal bridges on all levels between the 2nd and 7th floor forms a link to the 10 storey element of the building.

More recently the applicant has sought and received planning permission for the eastern and western parts of the site to accommodate 2 hotels and a commercial office building. This ensures the objectives of the Z15 Zoning area achieved.



**Fig 3.1 Existing Permitted Site Developments**

**Plan Reg. Ref.: 3433/19- Granted 7<sup>th</sup> Jan 2020**

The proposed development consists of the demolition and partial demolition of all existing structures and the construction of a commercial office building and a 270 bedroom hotel. The commercial office building ranges in height from 6 to 9 storeys plus plant zone (maximum height of c.40m) with a total gross floor area of c. 10,265sq.m. The hotel contains 270 bedrooms and ranges in height from 7

to 10 storeys (maximum height of c.35.21m) with total gross floor area of c. 9,644 sq.m.

**Plan Reg. Ref.: 2143/20- Granted 6<sup>th</sup> August 2020**

The proposed development consists of the demolition of all existing structures on the site and the construction of a 219 bedroom hotel ranging in height from 6 to 9 storeys (maximum height of c.33.95m) with total gross floor area of c.9,241sq.m (incl. basement). The ground floor includes hotel reception/lobby/check in area, a public bar with seating area, a public restaurant area with seating area, a cafe/work zone, kitchen, staff area, storage areas, lifts and circulation areas, plant, and ancillary office areas. Floors one to eight typically contain, bedrooms, linen and clearing stores, lifts and circulation areas with a gym and wellness centre located on floor one. A proposed basement -1 level contains plant, storage, staff areas, laundry store and staff cycle parking.

**Plan Reg. Ref.: 3197/20- Granted 16th November 2020**

Amendments to the permitted hotel and office, permitted under 3433/19, to the east of the SHD application site to include minor alterations to the permitted buildings including minor reconfiguration of the permitted building footprints resulting in an overall increase in office floor space of 670 sq.m and hotel floor space of 393 sq.m.

### **3.2 Adjacent Site**

**ABP Reg. Ref.: PL29N.304710- Site at 1-4 East Rd, Dublin 3. Granted 1<sup>st</sup> October 2019**

Permission granted under SHD for Demolition of all existing structures on site and the construction of a mixed use development set out in 9 no. blocks ranging in height from 3 to 15 storeys to accommodate 554 no. apartments, enterprise space, retail units, food hub/cafe/exhibition space, residential amenity, crèche and men's shed. The site will accommodate car parking spaces, bicycle parking, (241 no. car parking spaces, 810 no. bicycle parking spaces), storage, services and plant areas. Landscaping will include a new central public space and residential podium courtyards.

## 4 PRE-PLANNING CONSULTATION

### 4.1 Tripartite Meeting

A tri-partite meeting took place with An Bord Pleanála and Dublin City Council on 7<sup>th</sup> February 2020 as part of the Pre-Application Consultation Request submitted on the project (ABP Reg. Ref. 306163-19).

The attendees were as follows:

<b>An Bord Pleanála</b>	Tom Rabbette, Assistant Director of Planning Erika Casey, Senior Planning Inspector Ciaran Hand, Executive Officer
<b>On behalf of the Applicant</b>	Shane Scully, Managing Director (former), Glenveagh Living Ltd. Tom Sweetman, Director, OMP Derek Murphy, Senior Associate, OMP John Macken, Architect, OMP Pauline Byrne, Partner and Head of Planning, Brady Shipman Martin Sorcha Turnbull, Senior Planner, Brady Shipman Martin
<b>Dublin City Council</b>	Deirdre O'Reilly, Senior Planner Colm Harte, Executive Planner

### 4.2 Section 247 Consultation

Both the context and approach to the application site and the emerging design rationale for the proposed development, have been subject to considerable consultation with the Planning Department under Section 247.

A series of meetings have been held with both the Development Agency and the City Council's Planning Department as formal pre-application discussions on the substance of the proposed development. The dates of these meetings were:

- 22 January 2019- Mary Conway (Deputy City Planner), Myles Farrelly (Senior Executive Planner), Sean Flahive (Executive Planner)
- 6 March 2019 - Mary Conway (Deputy City Planner), Colm Harte (Executive Planner)
- 25 April 2019- Mary Conway (Deputy City Planner), Colm Harte (Executive Planner)

## CASTLEFORBES SHD

### Planning Report

- 27 May 2019- Mary Conway (Deputy City Planner), Claire Sheehan (Senior Executive Planner), Colm Harte (Executive Planner)
- 30 July 2019 - Mary Conway (Deputy City Planner), Claire Sheehan (Senior Executive Planner), Colm Harte (Executive Planner)
- 10 September 2019- Mary Conway (Deputy City Planner), Colm Harte (Executive Planner), Stephanie Farrington (Executive Planner)
- 1 October 2019- Mary Conway (Deputy City Planner), Colm Harte (Executive Planner), Stephanie Farrington (Executive Planner)

Following the holding of the Tri-Partite Meeting a further pre-planning meeting was held with Dublin City Council.

- 28 May 2020- Mary Conway (Deputy City Planner), Colm Harte (Executive Planner)

In addition meetings and consultation took place with officials from the Roads & Traffic Section, Drainage and Housing Departments.

## 5 PLANNING FRAMEWORK

### 5.1 Dublin City Development Plan 2016-2022

The subject site is located within the administrative area of Dublin City Council. The Dublin City Development Plan 2016-2022 sets the statutory planning policy for development within the City Boundary, having regard to national and regional plans and policies. The Development Plan also provides the planning policy framework and design and development standards for development of the subject lands.

#### **Core Strategy**

The Core Strategy of the Development Plan promotes the intensification and consolidation of Dublin city, and the Docklands is identified as one of the **Strategic Development Regeneration Area (SDRAs)** capable of realising this objective.

The plan notes that these SDRA areas *‘represent significant areas of the inner and outer city with substantial development capacity and the potential to deliver the residential, employment and recreational needs of the city’*.

The majority of SDRAs relate to a zoning objective which seeks the social, economic, physical development or rejuvenation of an area with residential, employment and mixed-uses (Z14). The Development Plan notes that *‘these SDRAs have substantial development capacity, not only for residential uses....’*

The Docklands is identified as Strategic Development Regeneration Area 6. In respect of SDRA 6, the City Development Plan identifies that *‘the designation of the Docklands, including the Docklands SDZ, as a strategic development and regeneration area (SDRA) provides for the continued physical and social regeneration of this part of the city, consolidating the area as a vibrant economic, cultural and amenity quarter of the city, whilst also nurturing sustainable neighbourhoods and communities’*.

The zoning and standard provisions in the Development Plan have been devised to support the delivery of the core strategy. In particular, the Development Plan notes that *‘the zoning provisions ensure adequate land to meet the population targets and economic role of the city as the national gateway; intensification along public transport corridors and a mixed-use approach to zonings (Z4, Z5, Z6, Z10, Z14) to underpin a compact and sustainable city’*.

#### **Zoning Objective**

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

The Z6 zoning aims to provide for enterprise and facilitate opportunities for employment creation. As such, both employment and residential uses are considered permissible within Z14 zoning, making the principle of the proposed wider site intentions for this development acceptable under the zoning.

### **Residential Development**

The Development Plan identifies that the provision of quality homes which provide for the needs of the city's population and which contribute to the making of good, connected neighbourhoods is a key priority.

In this regard it is the policy of DCC:

*QH7: To promote residential development at sustainable urban densities throughout the city in accordance with the core strategy, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area.*

*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 Development Plan further notes that, in Dublin City, it is envisaged that the majority of new housing in the city area will be apartments or another typology that facilitates living at sustainable urban densities.

With regards apartments, the DCC policies are as follows:

*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.*

*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.*

*QH20: To ensure apartment developments on City Council sites are models of international best practice and deliver the highest quality energy efficient apartments with all the necessary infrastructure where a need is identified, to include community hubs, sports and recreational green open spaces and public parks and suitable shops contributing to the creation of attractive, sustainable, mixed-use and mixed-income neighbourhoods.*

## 6 SITE MASTERPLAN

The Castleforbes Business Park site is an extensive site, of over 2ha in size and with frontage of 340m onto Sheriff Street. The strategy for delivery of the whole site masterplan is via a combination of Section 34 Planning permissions and this Strategic Housing Development Application. This strategy for the site ensures that the Z14 zoning objectives are met, through the delivery of significant commercial office space, hotels, and now through the intent to deliver significant housing, cultural, and community facilities. This is set out below:

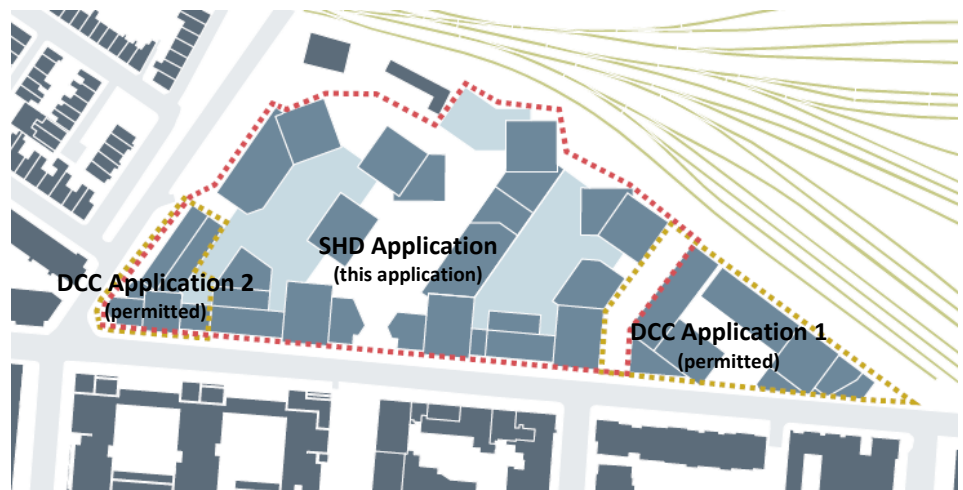


Fig 6.1- Site Application Strategy

- Dublin City Council Application 1- this application for a hotel and office development was granted by Dublin City Council on 7<sup>th</sup> Jan 2020 (subject to an amendment application also Planning Reg. Ref. **3197/20**) and is due to commence on site in early 2021.
- Strategic Housing Development Application (this application) - this is the subject Planning Application for the residential element of the wider site masterplan.
- Dublin City Council Application 2- this application for a hotel was granted by Dublin City Council on 6<sup>th</sup> August 2020.

This application is therefore the final piece of the application process for this site, and proposes the most substantial elements given the residential focus of the scheme.

It should be noted however, that the strategy is such that the current application for residential development includes significant other uses including cultural / community hub, work-live units, retail-café, and childcare facility, and therefore can be considered to comply independently with Z14 zoning.

The key principles of the wider site are:

- Complete the northern edge of the North Lotts through a coherent cluster of tall buildings along the rail edge, and 300m of street frontage completing Sheriff Street Upper.
- Bridge the gap between East Wall and the North Lotts through careful modulation of height and a coherent architectural strategy.
- Significantly increase permeability between East Rd, Sheriff Street and the North Quays, with over 20% public open space within the scheme.
- Complement the employment driven SDZ with a mixed use development. The Masterplan for the entirety of the Castleforbes site and its first principles has been the key driver to ensuring the delivery of a strong 'sense of place' at the heart of this development. This new residential hub will have a wide variety of mixed uses including offices, 2 anchor hotels, a cultural/community space, range of retail, food outlets and residential amenities.

## 7 PROPOSED DEVELOPMENT

Planning permission for the residential element of the site is sought by way of a single SHD Planning Application. The site application boundary is 2.44 ha which includes the extended red line to capture proposed alterations to Sheriff Street Upper and East Road. The development site area is 2.02 ha which includes the temporary park on the western corner of the site and as such the residential development area sits on a site area of 1.86 ha.

The development which is the subject of this Planning Application consists of:

1. *Demolition of all structures on the site (combined gross floor area of c.15,125 sq.m) and the construction of a mixed use residential scheme set out in 9 no. blocks, ranging in height from 1 to 18 storeys, above part basement/upper ground level, containing 702 no. Build to Rent (BTR) residential units, with associated mixed uses including, 3 no. retail/café/restaurant units, cultural/community building, residential tenant amenity, in addition to a standalone three storey childcare facility, all with a total cumulative gross floor area of c.63,025 sq.m (excluding below podium parking and plant areas). The site will accommodate 179 no. car parking spaces, 1,392 total no. bicycle parking spaces, storage, services and plant areas. Landscaping will include a new central public space, residential podium courtyards and upgraded public realm on Sheriff Street Upper and East Road.*
2. *The 8 no. residential blocks range in height from 1 storey to 18 storeys, (including podium and ground floor uses) accommodating 702 no. Build to Rent residential units comprising 100 studios, 406 no. 1 bed units, 8 no. 2 bed duplex units, 169 no. 2 bed units, 15 no. 3 bed units, and 4 no. live-work duplex units. The residential buildings are arranged around a central public plaza (at ground level) and raised residential courtyards at podium level over part basement level car-parking and*



other uses. Balconies and terraces to be provided on all elevations at all levels for each block. The breakdown of residential accommodation is as follows:

- Block A1 is a 1 to 9 storey building (including podium and ground floor Level 0), including setbacks and balconies, accommodating 82 no. units;
  - Block A2 is a 1 to 9 storey building (including podium and ground floor Level 0), including setbacks and balconies, accommodating 136 no. units;
  - Block B3 is a 7 to 8 storey building (including podium and ground floor Level 0), including setbacks and balconies, accommodating 94 no. units;
  - Block B4 is a 7 to 8 storey building (including podium and ground floor Level 0), including setbacks and balconies, accommodating 49 no. units;
  - Block C1 is a 6 to 12 storey building (including podium and ground floor Level 0), including setbacks and balconies, accommodating 107 no. units;
  - Block C2 is a 1 to 18 storey building (including podium and ground floor Level 0), including setbacks and balconies, accommodating 98 no. units;
  - Block C3 is a 15 storey building (including podium and ground floor Level 0), including setbacks and balconies, accommodating 74 no. units;
  - Block C4 is a 13 storey building (including podium and ground floor Level 0), including setbacks and balconies, accommodating 62 no. units;
  - Residential tenant amenity space is provided in Blocks A1, B3, & C2 to include a total floorspace of c. 1,263.9 sq.m.
3. The residential buildings sit above a part basement and ground level which contains residential car-parking, cycle parking, plant areas and ground floor uses. These ground floor uses located onto Sheriff Street and into the central open space include a 6 storey (incl. plant floor) cultural/community building of c. 2,859.5 sq.m and 3 no. retail/restaurant/cafe units with a total floor area of c.1,154.2 sq.m. The proposed development also includes a standalone three storey (incl. external play area at second floor level) childcare building of c.469.6 sq.m. Total gross floor area of proposed other uses is c.4,483.3.m.
4. Two vehicular access points are proposed along Sheriff Street, and the part basement car parking is split into two areas accordingly, accommodating 1,040 residential bicycle parking spaces, 179 car parking spaces, plant, storage areas and other associated facilities. The main pedestrian access is located centrally along Sheriff Street with an additional access point from East Rd across the western podium. The proposed development also includes for upgrades to existing junctions and existing road layout including alterations to existing street parking along Sheriff St Upper.
5. The development also includes for a new landscaped central open space opening onto Sheriff Street Upper. External residential amenity space is provided in two podium courtyards and external roof terraces throughout the scheme. The application also includes for an interim pocket park on the corner of Sheriff Street and East Rd to be provided as a temporary park prior to the delivery of the permitted hotel on this part of the site.
6. The proposed application includes all site landscaping works, green roofs, boundary treatments, lighting, servicing, signage, and associated and ancillary works, including site development works above and below ground.

The proposed development provides for 702 no. build to rent residential units with associated tenant amenity spaces and retail/restaurant/café uses, a crèche and a cultural building.

## 7.1 Overall Design Rationale

The vision for the proposed site is to transform an underutilised brownfield site through a major urban regeneration project, by consolidating the various areas which meet at this confluence point. This new urban quarter will combine living, employment, public realm, and a significant cultural offering in a diversified model of housing supply, new adaptable employment, and community use opportunities. All this is delivered in a design approach scaled to the various edges of the site, drawing inspiration from the industrial vernacular of the area, through a strong historic resonance with the buildings' proportions and materiality.

The site strategy and design evolution followed a number of key structuring principles including:

1. Public Space Connectivity  
Provide public space as a central focus of the new scheme which links in with a north south pedestrian link to the Quays. This public space sets out the site's tripartite subdivision.
2. Resolving Grid  
Primary north-easterly grid followed through from East Wall which then turns to face Sheriff Street's geometry.
3. Street Edge  
Buildings respond to contextual street rhythms, creating nodes, focal points, and linking to vistas.
4. Rail Edge  
Buildings reciprocate rhythm and geometry from East Road permitted development to form a coherent rail corridor. Focal point of north/south axis signalled by tallest element.

A detailed analysis of the site and architectural design strategy is provided in the accompanying Design Statement prepared by O'Mahony Pike (OMP) Architects.

## 7.2 Height

### 7.2.1 Principle of Height on the Site

As set out in the OMP Design Statement and the Urban Initiatives Tall Buildings Statement it is considered that increased height, including proposed tall building

and 3 mid-rise buildings on the Castleforbes site, is justified. The rationale for this is set out in detail in the above reports but can be summarised as follows:

- Alongside the consented Marshall Yards development to the north of the railway line, the proposed development will form a new cluster of mid-rise and tall buildings. This cluster will celebrate the northern entrance into the Docklands from East Wall and contribute to the regeneration of the wider area. Furthermore, it will appear clearly subservient to the other established and emerging tall buildings and clusters in Dublin City.
- At a height of 63.2m, and in relation to the surrounding context height, it is demonstrated that the proposed tall building would be considered a “local landmark”. This is proportionate to its role within the wider city and reflective of its role in local legibility.
- The proposed development is located within the Docklands Strategic Development and Regeneration Area (SDRA 6) and is directly adjoining the Docklands Strategic Development Zone. The proposed development acts as an extension of the North Docks and creates a character and mix of uses that can support a tall building.
- The Castleforbes site is very well served by walking and cycling routes and public transport, in particular the Luas red line, which links it to much of Dublin City and beyond. This accessibility supports the sustainable densities provided by the proposed tall and mid-rise buildings.
- The proposed tall building enhances legibility by acting as a landmark for the new public space and community facility delivered as part of the scheme. It also enhances local wayfinding by sign posting the northern entrance to the Docklands and interface with the East Wall area. This new public space facilitates a more direct walking route from North Wall Quay, through Castleforbes, to Sean O’Casey Community Centre in East Wall.
- The landmark tall building has been designed carefully to align with the entrance to the site from Sheriff Street Upper, to address the proposed public space and enhance legibility from the south. It also interfaces visually with the consented Marshall Yards development across the railway line and is visually distinctive from the rest of the proposed development. The proposed development is of high quality urban and architectural design, which is fitting for its role as a prominent local landmark and new destination.
- The proposed mid-rise buildings help to achieve an urban density appropriate for this highly accessible location. With their playful approach to height they offer variation and differentiate the quarter from the regular grid of the Docklands, and as such contribute to a strong sense of place at the interface with the East Wall neighbourhood. The mid-rise buildings step down from the central tall building, creating a coordinated cluster.

- The proposed tall building will have no negative effects on the city image, key views, heritage assets or historic townscape, and impact on nearby residences are minimised by site layout and design. The proposed tall building will actually play a positive role in wayfinding and legibility for the local area.

The Tall Building Statement finds that the approach to height and design of the proposed tall building is well considered and fully justified, and therefore should be permitted.

### 7.2.2 Proposed Height

The Development Plan Height Strategy identifies a building height cap of 24m for residential development in this location. However it is submitted that the rationale for increased height at this location goes beyond the specific height limits set out in the Development Plan and should be considered in the context of the wider height policies of the Development Plan and the site context. The Urban Building Height Guidelines establish the principle for the re-examination of height limits and these now take precedence over the Development Plan height limits on a site specific contextual basis.

The Development Plan states that the:

*‘clustering of taller buildings of the type needed to promote significant densities of commercial and residential space are likely to be achieved in a limited number of areas only. Taller buildings (over 50m) are acceptable at locations such as at major public transport hubs, **and some SDRAs**. For example, the North Lotts and Grand Canal Dock SDZ planning scheme provides for a limited number of tall buildings at Boland’s Mills, the Point, Spencer Dock Square and Britain Quay’ [our emphasis].*

The Core Strategy of the Development Plan promotes the intensification and consolidation of Dublin City, and the Docklands is identified as Strategic Development Regeneration Area 6 (SDRA). In respect of SDRA 6 the City Development Plan identifies that *‘the designation of the Docklands, including the Docklands SDZ, as a strategic development and regeneration area (SDRA) provides for the continued physical and social regeneration of this part of the city, consolidating the area as a vibrant economic, cultural and amenity quarter of the city, whilst also nurturing sustainable neighbourhoods and communities’.*

The SDRA for the Dublin Docklands covers three areas, 1. Docklands Area (which includes the subject site), 2. Strategic Development Zone, and 3. Poolbeg West.

The SDRA objectives for the ‘Docklands’ as a whole include:

- *To achieve successful interaction between the SDZ scheme and surrounding streets and public realm to retain and foster a strong sense of neighbourhood within communities.*
- *To ensure that residential developments optimise the unique Docklands character in terms of visual context, maritime location, heritage assets and community identity.*
- *To safeguard residential amenity and to ensure appropriate transition in scale, the design of new development shall have regard to the context, setting and amenity of existing housing within the SDZ and wider Docklands area*
- *The Government's designation of the SDZ reflects a keen awareness of the strategic importance of this area. However, it is acknowledged that to facilitate the continued socio-economic regeneration of the wider Docklands area, there is a need to address areas beyond the SDZ Boundary*

The North Lotts area has undergone significant regeneration in recent years. The older industrial precincts along Sheriff Street Upper and northwards now present a logical location for improvements to housing supply, newer adaptable employment options and improved place making.

The Castleforbes site is an underutilised one, within the overall Docklands SDRA. This policy notes that SDRAs have substantial development capacity and emphasises the reality of significant change in these identified locations and places an importance on high quality place-making.

### **Proposed Development**

As set out in the OMP Architects Design Statement a datum of 8 storeys forms the baseline grid and height within the site. Once this was established the buildings heights are modulated as contextually appropriate. The buildings rise on the northern edge as their shadow is cast over the rail edge. Buildings drop along the southern edge to allow south light into open space and create a more human scale street datum. The central building within the main square drops to appropriate height to address the space.

The overall building heights have reduced from the Pre-Application Consultation Stage with An Bord Pleanala and are considered in a city context in the *Justification for Taller Buildings Report* prepared by Urban Initiatives.

### **Site Context**

Consideration of height is attributable to the entirety of the SDRA, as set out in the Development Plan, and is to be considered at suitable locations within the SDRA. In this regard, the Castleforbes site is a key brownfield site within the city centre (approx. 2 kms from O'Connell Bridge) and Docklands. To date, it has been

in industrial use, and the opportunity now arises to regenerate the site as a key residential and wider employment location.

It is located at an important point in the Docklands, sitting directly adjacent to the SDZ Area and sharing street frontage with City Blocks 3 and 4 of the SDZ. The remaking of the north side of Sheriff Street will have a significant impact on this important route within the Docklands. The site also has extensive frontage onto the southern part of East Rd.

The northern boundary of the site is bound by the CIE rail-line. The Spencer Dock site is located to the south west. The Point Village District Centre and Hub are located to the south east. The site is located within 400m metres of the Spencer Dock Luas and within 400m walking distance of the Point Luas Terminus and Point Square. The site is currently comprised of single and two storey warehousing and business activities in what is known as Castleforbes Business Park.

The site's dominant elevation along Sheriff Street flanks the Docklands SDZ Area. This SDZ frontage creates a 7-8 storey datum along the street with 11-12 storey gateways. Further to the east of the site is the under-construction Exo building, standing at 17 storeys of commercial use (73 metres). As the site turns onto East Road, an existing 12 storey gateway building is presented, with the scale then jumping down to 2 storeys along the western edge. As one moves north into East Wall, the permitted East Rd development (Planning Reg. Ref. PL29N.304710 ) forms a 15 storey gateway at the corner with the rest of the development ranging from 3 to 10 storeys in height.

The Urban Development & Building Height Guidelines identify that as reflected in *'the National Planning Framework .... that there is significant scope to accommodate anticipated population growth and development needs, whether for housing, employment or other purposes, by building up and consolidating the development of our existing urban areas'* and that *'securing compact and sustainable urban growth means focusing on reusing previously developed 'brownfield' land, building up infill sites (which may not have been built on before) and either reusing or redeveloping existing sites and buildings, in well serviced urban locations, particularly those served by good public transport and supporting services, including employment opportunities'*.

The Guidelines reference NPO 13 (from the NPF) which states that *'in urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected'*.

It recognises that in meeting the challenge set out above, new approaches to urban planning and development are required and that securing an effective mix of uses within urban centres is critical. To bring about this increased density and increased residential development in urban centres, the Guidelines state that *'significant increases in the building heights and overall density of development is not only facilitated but actively sought out and brought forward by our planning processes and particularly so at local authority and An Bord Pleanála levels'*.

The consideration of increased density for residential development can be seen within other DCC SDRA areas, e.g. SDRA 12 St. Teresa's Gardens, where increased heights at specific locations within the site area are promoted in the Framework Plan approved by Council. Increased residential density and height was approved at this location as it is recognised as a key residential location within the city. This is true for the SDZ Planning Scheme where significant sites have increased heights attributable. A similar approach was considered appropriate by An Bord Pleanála on the adjacent East Road site and it is considered the Castleforbes site, subject of this Planning Application, even more so shares the rationale for increased residential density and height due to its excellent accessibility and proximity to the City's major business district and to the specific location and boundary opportunities presented by the site.

As such the proposed scheme, as set out in this SHD Planning Application to ABP, has set out to achieve greater height and density above current Development Plan permitted levels. The sites suitability for this approach is further set out below, as considered against the Guidelines and in its design approach as set out in the OMP Design Statement that accompanies this Planning Application.

### **Site Location**

The Guidelines identify that *'locations with the potential for comprehensive urban development or redevelopment (e.g. brownfield former industrial districts, dockland locations, etc) should be identified where, for example, a cluster of higher buildings can be accommodated as a new neighbourhood or urban district or precinct. Such areas, particularly those in excess of 2 ha (approx. 5 acres) in area...'*

The development site, at a size of 2.02 ha, is a brownfield dockland location, which given its scale, can accommodate elements of increased height. The approach to the site has been to provide a height strategy which responds to the existing and emerging context, and using height as a way of both meeting existing scale considerations, and as a landmark to the central point of the scheme and the wider North Lotts and East Wall.

The location for increased building heights on the site, immediately adjacent to the rail yards, and at its northern-most extent, responds to site context conditions, and within the overall site is modest in its extent, with the majority of

the proposed development ranging from 3-9 storeys. The buildings rise on the northern edge as their shadow is cast over the rail edge. Buildings drop along the southern edge to allow south light into open space, and create a more human scale street datum with Sheriff Street. The central building within the main square drops to an appropriate height to address the space.

The Guidelines reference ‘a cluster of higher buildings can be accommodated as a new neighbourhood or urban district’ and the Castleforbes Site can be considered in this regard with the permitted East Rd development, as set out above. As outlined in the OMP Design Statement the backdrop and curtain to this new ‘urban village’ is a strong architectural composition formed through a clustering of a series of taller elements of varying height and tonal shifts in material. The geometry and overall disposition of buildings along this edge form a strong visual relationship with the permitted East Rd development on the northern side of the tracks. Together they frame the railway corridor.

Additionally the Guidelines identify that areas that should be considered include:

- *Proximity to high quality public transport connectivity, particularly key public transport interchanges or nodes;*
- *The potential contribution of locations to the development of new homes, economic growth and regeneration in line with the compact urban growth principles as set out in the National Planning Framework and Project Ireland- 2040;*
- *The resilience of locations from a public access and egress perspective in the event of major weather or emergency or other incidents;*
- *The ecological and environmental sensitivities of the receiving environment; and*
- *The visual, functional, environmental and cumulative impacts of increased building height.*

The subject site is in a highly accessible location, at less than 400m walking distance from the Spencer Dock Luas Stop, the Docklands Rail Station and the Point Luas Terminus and Point Square. The Spencer Dock Luas Stop is also the future proposed location of the Docklands DART Underground Station. This public transport infrastructure connects to the city centre and to the wider Dublin area employment and education locations.

The site is within walking and cycling distance of the North and South Docklands employment hubs, the IFSC and the City Centre.

#### **Development Management Principles and Criteria**

Section 3.0 of the Urban Building Height Guidelines provide guidance for Planning Authorities/An Bord Pleanala in considering development proposals for buildings taller than prevailing building heights in pursuit of the Guidelines. These are considered, in relation to Castleforbes, as follows:



Castleforbes Proposed Scheme	
<b>Principles</b>	
Does the proposal positively assist in securing National Planning Framework objectives of focusing development in key urban centres and in particular, fulfilling targets related to brownfield, infill development and in particular, effectively supporting the National Strategic Objective to deliver compact growth in our urban centres?	Yes, the scheme provides for a residential and wider mixed use development on an existing underutilised brownfield site proximate to Dublin's Docklands. This application delivers 702 residential units and c.4,448 sq.m which in tandem with the permitted two hotels and commercial office building contribute to the regeneration of the wider community and provides for compact growth of both residential and employment development in Dublin's Docklands.
Is the proposal in line with the requirements of the development plan in force and which plan has taken clear account of the requirements set out in Chapter 2 of these guidelines?	While the scheme exceeds the maximum heights set out in the current Development Plan, this Plan was prepared prior to the publication of these Guidelines.
Where the relevant development plan, local area plan or planning scheme pre-dates these guidelines, can it be demonstrated that implementation of the pre-existing policies and objectives of the relevant plan or planning scheme does not align with and support the objectives and policies of the National Planning Framework	Yes, the current Development Plan, for the most part sets numerical height caps now removed by these Guidelines. However the subject site is located within an SDRA, as designated by the Development Plan, which is an area identified for intensification and growth but is restricted currently in relation to height.
<b>Criteria</b>	
<b>City/Town Scale</b>	
The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport	The subject site is in a highly accessible location, at less than 400m walking distance from the Spencer Dock Luas Stop, the Docklands Rail Station and the Point Luas Terminus and Point Square. The Spencer Dock Luas Stop is also the future proposed location of the Docklands DART Underground Station. This public transport infrastructure connects to the city centre and to the wider Dublin area employment and education locations.
Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/enhance the character and public realm	The approach to height on this scheme has been to both step down and integrate with existing context where appropriate but also to maximise the opportunity presented by the scale of the site and

<p>of the area, having regard to topography, its cultural context, setting of key landmarks, and 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.</p>	<p>adjacency of the railway yards. Photomontages and an LVIA is considered as part of the EIAR accompanying this Application.</p>
<p>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.</p>	<p>As outlined above the approach to height both responds to the existing context and provides for a new context in appropriate areas of the site. This approach is achievable on this site due to the scale of this site which is not typical for a Docklands/Inner City site. It integrates with both existing lower and medium height contexts and acts as a reference point to the central public open space.</p>
<p><b>District/ Neighbourhood/ Street Scale</b></p>	
<p>The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape</p>	<p>Yes, it is considered that this proposed scheme contributes in both placemaking and to the wider neighbourhood of Sheriff Street Upper. The scheme remakes the northern side of the street and the key corner with East Rd provides for an interim landscaped pocket park with future active frontages at this key section of the road. In addition the type of other uses proposed including, cultural space and retail/cafes which will contribute to the locality.</p>
<p>The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered.</p>	<p>The scheme as proposed provides for 9 blocks over two part basements, around a central open space. This approach provides for varying heights throughout the site ensuring a visual connection to adjacent streets and neighbourhoods. The materials for the taller elements are varied ensuring an attractive collective of taller elements in a diverse palette.</p>
<p>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</p>	<p>It is considered that this proposed scheme contributes in both placemaking and to the wider neighbourhood of Sheriff Street and East Wall. The additional height is appropriately located at the centre of the site to provide a focus for the public open space and community/cultural building. At this</p>

<p>of “The Planning System and Flood Risk Management – Guidelines for Planning Authorities” (2009).</p>	<p>location it is buffered by lower development across the site. The proposed development provides for permeability through this currently impenetrable site, and for future connectivity to the north with potential future development.</p>
<p>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.</p>	<p>The potential for permeability and connectivity through the site is a key driver of the design of the proposed development. The proposed scheme will facilitate the development of a public route from East Rd through the site and out onto various points along Sheriff Street and onto the North Lotts particularly into City Block 3 and onto the river. Additionally the scheme has set itself up in a way that it provides for future connectivity to the north at the existing pumping station and the existing railway site (if it were developed) and also for a future connection to the permitted East Rd development.</p>
<p>The proposal positively contributes to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood.</p>	<p>In keeping with the zoning intent for the site it is proposed to provide for a meaningful mixed use scheme given the site’s location. The scheme provides for both a mix of unit types and a mix of uses ensuring a truly mixed-use environment. The proposed Strategic Housing Development scheme provides for a primarily residential development with a significant cultural building, a crèche and retail/café units. The wider scheme, including two permitted hotels and permitted commercial office building will ensure a truly mixed use environment.</p>
<b>Site/Building Scale</b>	
<p>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.</p>	<p>As outlined previously the buildings range in height from 1 to 18 storeys in order to both provide for increased density and height and landmark features at a more local scale but also to meet existing context and to ensure minimal impact on daylight or sunlight quality of adjoining properties. The edges of the site step down to match existing residential heights along Sheriff Street and the</p>

	corner of East Rd. This is considered in detail Chapter 15 of the EIAR.
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 (2 <sup>nd</sup> Edition or BS 8206-2:2008 – ‘Lighting for Buildings- Part 2: Code of Practice for Daylighting’.	A Daylight and Sunlight Report, prepared by ARC, is included in this Planning Application to ABP.
<b>Specific Assessments</b>	
Specific impact assessment of the micro-climatic effects such as downdraft. Such assessments shall include measures to avoid/ mitigate such micro-climatic effects and, where appropriate, shall include an assessment of the cumulative micro-climatic effects where taller buildings are clustered.	A Wind Impact Assessment, prepared by Arup, is included in this Planning Application to ABP. It has been prepared as an iterative process throughout the design process identifying where any problem areas exist and what mitigation is required to address them. Much of this mitigation has been incorporated into the architectural and landscape design as submitted.
In development locations in proximity to sensitive bird and / or bat areas, proposed developments need to consider the potential interaction of the building location, building materials and artificial lighting to impact flight lines and / or collision.	As part of the Biodiversity assessment for the EIAR the sensitivity of the site for protected species including bats and birds was appraised. No relevant species were identified on or connected to the site.
An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links.	It is not considered that the proposed scheme will impact any telecommunication channels.
An assessment that the proposal maintains safe air navigation.	As the site is not located within any flight paths, it is considered that safe air navigation is maintained. However as per the Opinion from An Bord Pleanala the IAA will be issued with a copy of the application as a Prescribed Body.
An urban design statement including, as appropriate, impact on the historic built environment	This is considered in both the EIAR in respect of the historic built environment but also in the OMP Design Statement in regards to proposed build form and materials taking account of the historic fabric.
Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate.	As the site contains over 500+ units an EIAR is included with this SHD Planning Application. Additionally an AA Screening Report is included.

The Guidelines in relation to these state that:

*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 in this regard states:

*It is a specific planning policy requirement that where;*

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

### **Assessment Criteria for Higher Buildings**

In addition to consideration under the Urban Development & Building Height Guidelines the Dublin City Development Plan, in Section 16.7.2, sets out 'Assessment Criteria for Higher Buildings'. This section states that '*all proposals for mid-rise and taller buildings must have regard to the assessment criteria for high buildings as set out below*', and these are considered as follows:

#### **Relationship to context, including topography, built form, and skyline having regard to the need to protect important views, landmarks, prospects and vistas.**

The City Development Plan identifies a number of key views in the city, which are concerned with views along the river Liffey and towards landmark historic buildings. The locations of the viewpoints are indicative and reference a general area rather than an exact viewing location. The key views are located away from the Castleforbes site.

The key views are largely focused on the historic city centre and River Liffey. The few views that look east towards Castleforbes, are some distance away and so unlikely to be affected by a tall building here.

The North Lotts and Grand Canal Dock SDZ identifies a number of views that shaped the layout of the masterplan. Some of these are views of historic buildings, but most of them are townscape views and views of modern landmark buildings, such as Alto Vero and the Aviva Stadium. Development at Castleforbes must be mindful of these views.

The site of the proposed development is not in the path or the backdrop of any identified views and so is unlikely to affect them. In fact, the location of the tall building will have a beneficial effect in closing a new view from North Wall Quay. This is demonstrated in Section 6 of this report.

Other views where the proposed tall building could have an impact have been tested and the development is found to have no significant impact. This is demonstrated in Section 10 of this report and the Landscape Assessment, contained in the EIAR that accompanies this planning application.

#### **Effect on the historic environment at a city-wide and local level.**

The historic city of Dublin is centred on Dublin Castle and the old walled city. The medieval city grew outwards from there. The Georgian core from St Stephen's Green in the south to Mountjoy Square in the north remains an important part of Dublin's urban form. Key historical buildings within the historic core are the Custom House, Trinity College and Four Courts.

Castleforbes Business Park is located well outside Dublin's historic core, being approximately 1km east of the "Pre 1860" city. It is therefore unlikely that any development here would impact the historic townscape. This is verified in the Landscape Assessment in the EIAR that finds that there is limited visibility of the proposal from the river corridor and that this impact is negligible.

The proposed development is located well away from the most historically sensitive areas of Dublin, the Georgian Core and Medieval City. The Docklands is outside the Pre-1860 city area and contains few Protected Structures. Therefore a tall building on this site is unlikely to affect the city's important heritage assets or historic townscape.

#### **Relationship to transport infrastructure, particularly public transport provision.**

Castleforbes Business Park is located in an area of high public transport accessibility. It is less than 400m (5 minutes walk) from Spencer Dock Luas red line stop, which connects the site to Connolly Station, Heuston Station and to interchange with the Luas green line, connecting to South Dublin. The site's good connections with both major rail stations links it to the country's major cities and towns. The Castleforbes site is 400m from the Docklands rail station, which runs a limited service to the M3 Parkway park-and-ride, which is used mainly by commuters into the Docklands. Finally, the site is located on Dublin Bus route 53a, which provides a limited weekday connection to Talbot Street.

The Castleforbes site is in a highly accessible location, and can be reached by most parts of the city by public transport. Furthermore it is in walking distance to the major employment hub in the docklands, but also to the city centre. It is therefore a prime site for higher density sustainable development. The higher residential density provided by the proposed tall building is therefore well justified from a sustainable transport perspective.

**Architectural excellence of a building which is of slender proportions, whereby a slenderness ratio of 3:1 or more should be aimed for.**

The local landmark distinguishes itself from the other taller elements of the proposal through its distinctive form and architecture. Its massing is articulated and responds to different aspects of the scheme, stepping the volume of the building back as the tower rises upwards, culminating in a slender north-south façade that addresses with an iconic silhouette the square. The colour and detailing further differentiates the landmark building from other buildings in the scheme and truly make the tower an outstanding landmark not just in height but also by its appearance and architecture. It draws the eye, while still ensuring that it appears cohesive with the overall scheme by relating well to the lower elements proposed.

**Contribution to public spaces and facilities, including the mix of uses.**

**Contribution to permeability and legibility of the site and wider area.**

A collection of leisure and community spaces is emerging within the North Docks and East Wall areas. Three public spaces are established in the North Docks, the quays of the Liffey, The Point square and Central Square at Spencer Dock Luas stop. Further to the north is Sean O'Casey Community Centre, an important hub for East Wall, which currently feels disconnected from the Docklands. A new public space is also planned as part of the East Road development. A small neighbourhood green space is in the process of being delivered just south of the Castleforbes site on a new north-south pedestrian route, as set out in the North Lotts and Grand Canal Docks SDZ masterplan.

The proposed development integrates with and connects the local network of routes and spaces by delivering a new public open space at the northern end of said pedestrian route. The space will act as a connector piece between the East Wall neighbourhood and the Docklands area. As a stop-over place it will shorten the perceived distance from East Wall and the Sean O'Casey Community Centre to the river.

**Effect on the local environment, including micro-climate and general amenity considerations.**

The scheme is considered to have a positive impact on the local environment through the redevelopment of an existing brownfield site which contributes nothing in terms of activity or animation of the entire northern side of Sheriff Street Upper. The development of the scheme acts positively in terms of wind by mitigating some of the existing windiness on Sheriff Street through landscaping.

**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.**

In response to the above we have submitted a range of documentation setting out the technical aspects of the proposed development.

- OMP's Design Rationale sets out the rationale for the design of the buildings including massing study, choice of the materials used, height study, and the buildings relationship to surrounding context.
- Photomontages prepared by BSM and Landscape Visual Impact Assessment contained with the EIAR fully detail the visual impact of the proposed development.
- Wind Microclimate Analysis prepared by Arup and Sunlight Daylight Analysis prepared by ARC ensure that the development meets key performance criteria.
- Landscape Design Rationale prepared by BSM sets out the detail of public, private and communal open spaces.
- The above reports contribute to a development which will provide a high quality living environment for existing and future residents, workers and visitors to the area.

**Adoption of best practice guidance related to the sustainable design and construction of tall buildings.**

Sustainability has been considered in the evolution of design of the scheme for both the building design, the energy strategy, services and utilities strategy and the landscape design. This is set out in the relevant reports including the Energy Statements, Landscape Design Report, Building Lifecycle etc.

**Evaluation of providing a similar level of density in an alternative urban form.**

As set out in the OMP Design Statement the progression of the scheme through an iterative design process has been considered with key principles considered from the beginning and reassessed at all stages of the report. There has been a reconfiguration and redistribution since the Pre-Application Consultation Stage with An Bord Pleanála.

As is outlined in this report and the other documentation accompanying this Planning Application, the subject site, is a prime example of the type of site anticipated in the Guidelines that can achieve increased building height and resulting increased density, while critically not being a singular use on the site but rather an integrated mixed use environment where people will live and work. Additionally the scheme meets the criteria as set out in the Development Plan for taller buildings and provides for high quality building form on this strategic site.

### **7.3 Residential Accommodation**

The proposed residential accommodation include for 702 no. build to rent apartment units arranged in 9 no. blocks around the central open space and raised landscaped courtyards. The buildings are broken down as follows:



- Block A1 is a 1 to 9 storey building accommodating 82 no. units
- Block A2 is a 1 to 9 storey building accommodating 136 no. units
- Block B3 is a 7 to 8 storey building accommodating 94 no. units
- Block B4 is a 7 to 8 storey building accommodating 49 no. units
- Block C1 is a 6 to 12 storey building accommodating 107 no. units
- Block C2 is a 1 to 18 storey building accommodating 98 no. units
- Block C3 is a 15 storey building accommodating 74 no. units
- Block C4 is a 13 storey building accommodating 62 no. units
- Block CB is a 6 storey (inc. plant floor) cultural/community building.

#### 7.4 Other Uses and Ground Floor Units/Active Uses

In keeping with the zoning intent for the site it is proposed to provide for a quantum of meaningful mixed uses, within the residential application, given the site's location. The more significant elements of the employment/enterprise zoning intent are provided by the two applications to Dublin City Council (as outlined in Section 6), and the Strategic Housing Development application also includes for c. 4,483 sq.m of other uses centrally located in the scheme and focused around the public open space.

As such the proposed development allows for a more diverse and creative mix of employment/enterprise opportunities through the provision of live work units, retail/restaurant/ space of 1,154.2 sq.m, a creche of 469.6 sq.m and a dedicated cultural building of 2,859.5 sq.m.

These uses, in addition to tenant amenity space, are located fronting onto the central open space and public routes throughout the scheme allowing for a successful integration of residents, employees, visitors and the community. It is submitted that this approach, in tandem with the strong hotel and office elements which bookend the residential core ensures a truly mixed-use development and environment.

#### 7.5 5% Space for 'Social, Cultural, Creative and Artistic' Purposes

Under the Development Plan, it is an objective for the Docklands SDRA that developments within the SDRA includes for a minimum of 5% space for '*social, cultural, creative and artistic*' purposes. The Development Plan does not provide a definition or clarity as to how the 5% space is to be calculated, however a number of scenarios have been considered and assessed to ensure the scheme is compliant with this requirement. (This is set out further below).

It is submitted that the potential uses which could be considered under '*social, cultural, creative and artistic*' is broad in nature and requires a wider consideration than the usual assumptions pertaining to social/cultural uses. For example '*artistic*' uses can include more traditional uses such as art galleries/artists' studios, and also newer uses such as animation studios. As such

it is considered that flexibility in the nature of spaces to be provided that can accommodate and contribute *social, cultural, creative and artistic purposes* is critical.

In this regard, we have identified the dedicated cultural building and the childcare facility, as being suitable for inclusion to this use category.

*Definition of ‘5% of space’*

As outlined above there is no clarity on how the ‘5% of space’ is to be assessed and as such, we have considered it in terms of each of the following scenarios:

- Gross Floor Area
- Non-Residential Uses Floor Area
- Site Area

The table below indicates how, if taken against any of the scenarios above, the 5% space for *social, cultural, creative and artistic purposes* has been achieved.

Space Considered (sq.m):

Cultural Building	2,859.5
Crèche /Childcare Facility	<u>469.6</u>
<b>Total</b>	<b>3,329.1</b>

As a percentage of:

Gross Floor Area	5.2%
Non-Residential Floor Area	74.3%
Site Area	16.4%

The proposed Community/Cultural Building is the most significant non-residential element of the proposed Strategic Housing Development Application. It comprises 2,859.5 sq.m over 5 floors of flexible multi use spaces, centrally located onto the new public square. As outlined in the Architects Statement this is considered to include exhibition, workshop/class, artist, markets spaces to ensure a variety of activity through the day and night. The building will be managed and curated by a single entity ensuring access to space and diversity of uses. It is considered that the building’s location centrally onto the square allows it to spill out into the new public space and provide a focus and destination for the North Lotts. This offering, in addition to the childcare facility provided, is considered to represent the 5% social, cultural, artistic, creative space required under the Docklands SDRA.

## 7.6 Open Space, Public Realm & Permeability

The open space and landscape design has been developed to enhance the proposed scheme and to provide interest, connection, interaction and function to a large central zone and to three private podium communal court yards. It seeks to provide for and enhance a public permeable route, which links the different proposed buildings and East Road to Sheriff Street and create links and interaction with the centrally located cultural hub building, which opens into the central public space.

The scheme contains the following key elements in respect of open space and public realm, which are outlined below and considered in more detail in the Landscape Design Rationale Report (BSM Landscape Architects) accompanying this Planning Application.

- **New Central Public Open Space-**  
The central plaza sits at the 'cross-roads' of the site desire lines and crossing streets and provides for a pedestrian focussed, central public space. This space is lined by active ground floor uses providing a variety of cultural, tenant amenity and retail/café uses and acts as a 'destination' within the site. The overall diverse range and extensive offering of mixed uses and resident amenities will ensure that a vibrant residential hub and distinguished development of high quality can be achieved.
- **Communal Courtyards**  
Two large communal courtyards are provided to the west and east of the scheme. These spaces provide for separation from the public routes through the site, combining play spaces, planting, seating and hard and soft landscaping providing for use as both an amenity space and as a visual amenity from overlooking residential units.
- **Communal Roof Terraces**  
A number of various sizes of communal roof terraces are provided through the scheme and at different levels and orientations across the scheme. This provides for multiple opportunities for residents to enjoy external spaces in proximity to their home. These spaces are all landscaped to a high quality.
- **Sheriff Street Public Realm**  
As outlined the proposed development extends along the majority of the length of the northern side of Sheriff Street Upper, which has suffered from a lack of animation due to light industrial use at Castleforbes Business Park. The proposed scheme steps back from Sheriff Street providing for an increased and enhanced pedestrian public realm, and

the provision of entrances and animation combined with a fully revised and enhanced public realm and planting.

- **Connectivity & Permeability through the Site**  
Permeable public through routes which provide access from East Road through to the public plaza of the proposed development to a number of landing points on the eastern end of Sheriff Street, or to cross to a future potential access to lands to the North, are included in the scheme. It is considered that the scheme significantly enhances connectivity with the surrounding communities and existing and future developments.

The Central Public Open Space is designed as a multifunctional space which can cater for a variety of uses and seeks to provide a high quality public realm, situated at the heart of the development. It is bound by the ground floor of the cultural building, tenant amenity space and retail/café units, which will help activate the square. It features a multi-use flexible space that could be used for outdoor markets, public gathering, cultural events or performance area. The location of the ground floor uses and upper floors of the cultural building here ensures a level of connectivity and passive surveillance over this central space at all hours of the day.

The scheme contains 2 no podium level internal courtyards which provide the residents with semi-private/communal amenity space. These courtyards are visually dynamic spaces that allow for permeable resident movement between apartment blocks and access to each apartment block.

The courtyards are complemented by external roof terraces on various buildings and at various levels throughout the scheme containing a mix of uses from sitting spaces and more active recreation spaces.

The proposed development is designed to include a playable landscape that provides opportunities for children to explore and have imaginative fun within a safe environment. The courtyards and terraces will have informal play features such as logs, stepping stones, timber play poles and contoured grass mounds. Path widths will allow space to pedal small bikes. The provision of more imaginative play environments has received much focus in the last few years. This approach is being promoted in the UK by Play England in favour of traditional playground design and is regarded as a better response to the key principles of play. Their thinking is set out in 'Design for Play: A Guide to Creating Successful Play Spaces'. This approach to play has been adopted within the design of the courtyards. The spaces have high levels of overlooking and passive surveillance ensuring the spaces are secure and well used..

It is considered that both the public and communal amenity space provided throughout the scheme is a key feature of the proposal and provides for an attractive and high quality setting for the proposed development.

## 7.7 Access, Car & Cycle Parking

The Urban Building Height Guidelines seek to minimise car-parking in accessible locations and to maximise a modal shift to public transport due to proximity to public transport routes, in particular the LUAS at this location. The quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of sustainable location characteristics in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria. For residential developments located within an Accessible Urban Location, such as the subject Castleforbes Development site, the DHPLG design standards state in reference to local authority development management requirements that *“the default policy is for car parking provision to be minimised, substantially reduced or wholly eliminated in certain circumstances.”*

The proposed development minimises car parking numbers to 179, at a rate of 0.25 spaces per unit. These are provided at lower ground level behind the ground floor uses.

The 0.30 spaces per unit is below the Development Plan requirement of 1 per unit however given the scheme’s highly accessible location proximate to the City Centre, adjacent the Luas line, Docklands Rail Station and proposed BusConnects Route it is considered appropriate in ensuring a sustainable urban development form. This is considered further in the accompanying Parking Strategy Report prepared by DBFL Engineering.

In addition high-quality cycle parking and associated facilities are provided in the proposed development. A total of 1,392 cycle parking spaces are provided for both residents and visitors to the development. The proposals include the provision of a total of 1040 no. long term bicycle parking spaces and 30 no. disabled / cargo bicycle parking spaces at basement level and 352 no. short stay visitor spaces at surface level within the subject Castleforbes Development.

In addition to public transport accessibility the site is within walking distance of the significant employment areas in the IFSC, North Lott and Grand Canal Dock as well as the Dublin 1 and 2 office districts particularly when the proposed pedestrian bridges, as in the SDZ Planning Scheme, are implemented by Dublin City Council.

## 7.8 Residential Development Standards

The proposed development is fully in compliance with the Dublin City Council Development Plan Standards, as set out in Chapter 16, and where superseded by the *Sustainable Urban Housing: Design Standards for New Apartments-Guidelines for Planning Authorities’* of March 2018.

This section of the Planning Report sets out compliance with these standards in tandem with the detail set out in the Housing Quality Assessment Table which is included in this Planning Application.

### **Residential Quality Standards – Apartments**

As the proposed scheme is Build-To-Rent a number of the SPPR provisions in the Guidelines do not apply and SPPR7 & 8 is the primary standards to be considered.

#### ***Build To Rent***

Under SPPR 7 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;

The Site Notice for the proposed residential development is described in the Statutory Notices as Build-To-Rent. The applicant is aware that the Planning Authority, in any grant of permission, will attach conditions requiring 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. This is accepted by the applicant and a letter from the applicant's legal is included with the application.

(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.

The application is accompanied by an Estate & Common Area Management Plan which outlines how the scheme will be managed and the facilities available to residents including a dedicated reception facilities and services including day to day management of issues, post/deliveries, security, waste management 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 Estate Management Report, in addition to the Architects Design Statement outlines the extensive residential amenities provided for residents. This is also outlined in response to SPPR 8 (ii) below.

#### ***Unit Mix***

The proposed mix is in compliance with the amended mix requirements of SPPR 8 of the Guidelines which states:

#### **SPPR 8 (i)**

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

The proposal includes the following mix:

- Studios 14.39 %
- 1 beds 57.98%
- 2 beds 25.50%
- 3 beds 2.14%

#### ***Private and Communal Amenity Space & Storage Space***

The Guidelines, SPPR 8, states

#### **SPPR 8 (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;

Given the nature of the proposed scheme it is submitted that the provision of balconies for all units would not be preferential for adjacencies, residential amenity and daylight access. As such balconies have been removed on some studio units and incorporated as Juliette balconies in the proposed development.

The Guidelines also require that communal amenity space must be provided within a scheme which can be in the form of courtyards, roof gardens etc. In

in addition in larger schemes, communal internal spaces are to be provided for residents use only i.e. multi-purpose rooms, cinema rooms, gym etc.

Dedicated amenity space is provided for residents in Blocks A1, B3 and C2 totalling 1,263.9m in line with the requirements of BTR. This brings the life of the inhabitants into the public realm, and helps foster a sense of community within the scheme. This is to consist of a resident’s gym and a resident’s lounge/work hub. The work hub again responds to the changing nature of the workforce in the city and the need for greater flexibility in living arrangements.

Communal open space requirement for the development has been met through two podium courtyards and external terraces / roof terraces totalling c. 4,890 sq.m. which is in excess of the 3,827sq.m which would normally be required based upon the mix of units.

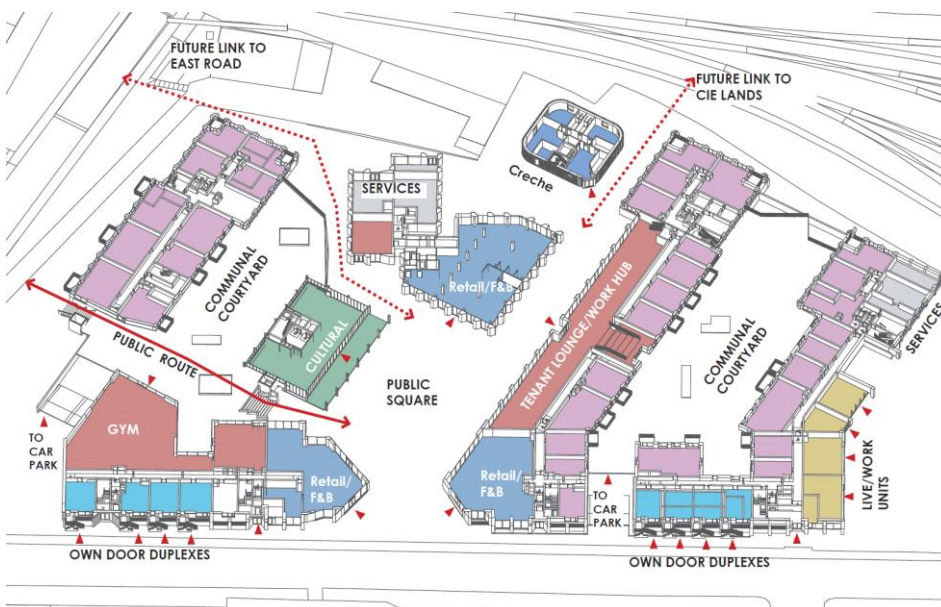


Fig 7.1 Proposed Ground/Podium Layout

**Reduced Car Parking**

**SPPR 8 (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

The Urban Building Height Guidelines seek to minimise car-parking in accessible locations and to maximise a modal shift to public transport due to proximity to public transport routes, in particular the LUAS at this location. The quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of sustainable location



characteristics in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria. For residential developments located within an Accessible Urban Location, such as the subject Castleforbes Development site, the DHPLG design standards state in reference to local authority development management requirements that *“the default policy is for car parking provision to be minimised, substantially reduced or wholly eliminated in certain circumstances.”*

The proposed development minimises car parking numbers to 179, at a rate of 0.25 spaces per unit. These are provided at lower ground level behind the ground floor uses.

The 0.25 spaces per unit is below the Development Plan requirement of 1 per unit however given the scheme’s highly accessible location proximate to the City Centre, adjacent the Luas line, Docklands Rail Station and proposed BusConnects Route it is considered appropriate in ensuring a sustainable urban development form. This is considered further in the accompanying Parking Strategy Report prepared by DBFL Engineering.

In addition high-quality cycle parking and associated facilities are provided in the proposed development. A total of 1,392 cycle parking spaces are provided for both residents and visitors to the development. The proposals include the provision of a total of 1040 no. long term bicycle parking spaces and 30 no. disabled / cargo bicycle parking spaces at basement level and 352 no. short stay visitor spaces at surface level within the subject Castleforbes Development.

In addition to public transport accessibility the site is within walking distance of the significant employment areas in the IFSC, North Lott and Grand Canal Dock as well as the Dublin 1 and 2 office districts particularly when the proposed pedestrian bridges, as in the SDZ Planning Scheme, are implemented by Dublin City Council.

### ***Floor Areas***

The proposed mix is in compliance with the amended floor area requirements of SPPR 8 of the Guidelines which states:

#### **SPPR 8 (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

The proposed development includes units with the following minimum floor areas, all of which are compliant with the minimum floor areas required:

## CASTLEFORBES SHD

### Planning Report

- Studios 37 sq.m
- 1 beds 45 sq.m
- 2 beds 75 sq.m
- 3 beds 103 sq.m

The proposed residential units meet or exceed the minimum standards for apartment sizes.

Compliance with minimum aggregate floor areas and widths for living/dining/kitchen rooms and bedrooms is outlined in the HQA as prepared by OMP Architects.

### Units per Core

#### SPPR 8 (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.

This standard is not required in BTR developments.

### Storage

The Guidelines states that minimum storage requirements must be met as follows:

The Guidelines require the following minimum storage areas:

- Studio 3 sq.m
- 1-bed 3 sq.m.
- 2-bed 6 sq.m.
- 3-bed 9 sq.m.

The proposed residential units meet or exceed the minimum standards for storage areas as set out in the HQA.

### Aspect

With regards to dual aspect units, Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning Authorities (2018) state at 3.17:

*Accordingly, it is a policy requirement that apartment schemes deliver at least 33% of the units as dual aspect in more central and accessible and some intermediate locations, i.e. on sites near to city or town centres, close to high quality public transport or in SDZ areas, or where it is necessary to ensure good street frontage and subject to high quality design. Where there is a greater freedom in design terms, such as in larger apartment developments on greenfield or standalone brownfield regeneration sites where requirements like street*

*frontage are less onerous, it is an objective that there shall be a minimum of 50% dual aspect apartments.*

The Development Plan standards state that apartment units shall be provided with a good level of daylight and sunlight which contribute to a high quality living space. In certain circumstances, usually on inner urban sites, this minimum percentage of dual aspect apartments may be further reduced to an absolute minimum of 33% where it is necessary to ensure good street frontage and subject to high quality design, which is also reflected in the Guidelines as set out above.

Where single aspect apartments are provided, the provision of south facing units should be maximised with west or east facing single aspect units also being acceptable. Living spaces in apartments should provide for direct sunlight for some part of the day. North facing single aspect apartments may be considered where overlooking a significant amenity such as a public park, garden or formal space or a water body or some other amenity feature.

The proposed mix is in compliance with the amended mix requirements of SPPR 4 of the *Sustainable Urban Housing: Design Standards for New Apartments-Guidelines for Planning Authorities* which states:

#### SPPR 4

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. **[Our emphasis]**
- (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 scheme includes for 35 % of dual aspect units, in compliance with the Development Plan and Guidelines standards. There are no single aspect north facing units.

### ***Floor To Ceiling Heights***

The proposed mix is in compliance with the amended mix requirements of SPPR 5 of the Guidelines which states:

#### **SPPR 5**

Ground level apartment floor to ceiling heights shall be a minimum of 2.7m and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise discretion on a case-by-case basis, subject to overall design quality.

The Guidelines identify that 2.4m is standard good practice however 2.7m would be a minimum standard for ground floor apartments but a higher ground floor should be considered where apartments are not proposed at ground level.

The proposed scheme includes limited ground floor units and these are onto East Road and Sheriff Street and are raised above street level and as such are not strictly ground floor. The scheme contains commercial ground floors of 3-4.7m and all units have floor to ceiling heights of 2.55 m.

### ***Internal Space Configuration***

Minimum internal space requirement for living/dining/kitchen rooms and bedrooms are set out in the Development Plan. Compliance with the internal rooms sizes are demonstrated in the HQA Table included in the OMP Design Statement. It is considered that all of the proposed units meet or exceed the Guidelines requirements.

### **Residential Quality Standards – Apartments & House Standards**

Section 16.10.1 and 16.10.3 of the Development Plan outlines a number of residential quality standards to be applied to both apartment and house developments as follows:

#### ***Unit Mix & Floor Areas***

In respect of Unit Mix and Floor Area set out in Section 16.10.1 this is set out in compliance with the *Sustainable Urban Housing: Design Standards for New Apartments- Guidelines for Planning Authorities* of March 2018 as set out above. This is also considered in the Material Contravention Statement.

#### ***Build To Rent Concentration***

The Dublin City Development Plan requires in Section 16.10.1 that application for BTR schemes 'shall be requested to submit evidence to demonstrate that there is not an over-concentration of such schemes within an area, including a map showing similar facilities within 0.25km of a proposal'.

As set out in the below map there is only 1 other BTR residential scheme and 1 BTR Shared Accommodation Scheme within 0.25km. The majority of surrounding residential is either permitted or proposed Build-To-Sell or a Student Accommodation Scheme with only 2 Build To Rent schemes (1 standard residential and 1 shared accommodation) permitted within 0.25km.

As such it is not considered there is an overconcentration in this area.



Fig 7.2: Assessment of Surrounding BTR Residential Development

### **Public Open Space**

The Development Plan standards specify that in new residential developments, 10% of the site area shall be reserved as public open space. A landscaping plan is required for all developments, identifying all public, communal and private open space.

The scheme as proposed meets the 10% minimum public open space, providing 10.4% (or 1,957sq.m) of public open space throughout the scheme (excluding the temporary park and improved public realm on Sheriff Street).



Fig 7.3. Public Open Space Areas

The temporary park outlined in the application is provided in an interim basis in the event that the development of the permitted hotel on the western corner of the site is delayed. This will ensure that the site residential development is implemented in an appropriate manner and that this corner of the site isn't left unfinished or appearing incomplete.



Fig 7.4. Temporary Park Design

A detailed landscape plan and design rationale prepared by Brady Shipman Martin Landscape Architects has been submitted with the application which outlines the rationale and design concepts proposed.



### ***Plot Ratio & Site Coverage***

The Development Plan sets indicative plot ratio and site coverage levels, to be used as a tool to assess development proposals. The Development Plan however acknowledges that both cannot be used alone to determine development proposals and *'need to be used in conjunction with other development control measures, including site coverage, building height, public and private open space, the standards applied to residential roads, and parking provision'*.

The Development Plan sets an indicative plot ratio standard of 1.0 – 3.0 for Z14 lands and the proposed scheme has a plot ratio of 3.38.

The Development Plan sets an indicative site coverage standard of 50% for Z14 lands and the proposed scheme has a site coverage of 65% (excluding the area of temporary park).

### ***Safety & Security***

The Development Plan sets out that the design of all residential proposals should have regard to the safety and security measures outlined in the 'Safety Design Guidelines' Appendix and the 'Design for Safety and Security' guidance contained in the DEHLG 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007).

It is submitted that the scheme has been designed cognisant of these Guidelines and this is evident from the Architectural Design Statement prepared by OMP.

### ***Acoustic Privacy***

The Development Plan sets out that the design of all residential proposals should have regard to the guidance on sound insulation and noise reduction for buildings contained in BS 8233:2014.

It is submitted that the scheme, as designed by OMP, has been designed cognisant of these BS standards.

## **7.9 Sunlight and Daylight**

The overall configuration and design of the proposed development has been influenced by the need to achieve the best possible levels of sunlight and daylight penetration into the development. The proposed orientation of the blocks represents the best response to the site context in terms of day light and sunlight availability as a result of the density and height proposed. The Architectural Design Statement prepared by OMP accompanying this Report, sets out how the internal elevations are designed to address sunlight and daylight optimisation in terms of reflectivity and lightness of materials proposed.

The central space is the focal point of the scheme and the surrounding buildings have been stepped back to create a high quality space, accessible directly through a generous entrance from Sheriff Street and which is significantly different in character to that provided to date in surrounding docklands sites. It is a more enclosed and safe environment for residents and workers to linger. It is the subject of extensive passive surveillance, afforded it by the design layout of the proposed development, and the overall site masterplan strategy.

Detailed Daylight and Sunlight assessment has been carried out on the proposed development by ARC, and is outlined in greater detail in their accompanying report. The ARC analysis looked at the following areas:

#### *Sunlight To:*

- Central Open Space and Courtyard
- Courtyards
- Adjacent Residential Open Space

#### *Daylight To:*

- Daylight to Proposed Apartments
- Daylight to Adjacent Residential Buildings.

### **Daylight Access within Proposed Development**

In regard to the proposed development, analysis indicates that a large majority of sample habitable rooms within the proposed development are likely to achieve Average Daylight Factors considerably in excess of the relevant minimum levels recommended. ARC's analysis indicates the following in relation to the sample studied rooms:

- The majority of kitchen / living / dining rooms and studios (i.e. in which the principal space serves as a kitchen / living / dining room and bedroom) or 49 of the 54 studied kitchen / living / dining areas, including those in studios, in studied unit types Floor 00 and 01 are likely to receive a level of daylight access in excess of the recommended 2% Average Daylight Factor for combined use rooms. In other words, 91% of the studied kitchen / living / dining areas (including those in studios) are likely to receive the recommended 2% Average Daylight Factor for combined use rooms.
- The majority of studied living areas or 56 out of 57 living areas (i.e. including studios, living / kitchen / dining rooms, and living / dining rooms) on Floors 00 and 01 of the proposed development will achieve levels of daylight access at or above the minimum Average Daylight Factor recommended by the BRE Guide for living rooms (i.e. 1.5% Average Daylight Factor). In other words, 98% of the studied living areas are likely to receive the recommended 1.5% Average Daylight Factor for living rooms. It is considered that in urban environments An Bord



Pleanala have previously accepted 1.5% ADF as a standard for these rooms.

- All studied bedrooms were found to achieve above the recommended 1% Average Daylight Factor.

Given that the rooms chosen for analysis on Floors 00 and 01 of the proposed development were those most likely to achieve lower levels of daylight access due to the number of windows, layout of the room or location within the proposal, ARC's analysis suggests that the large majority of rooms within the proposed development will receive a level of daylight access in excess of that recommended by the BRE Guide. As such it is considered that that the scheme will be of a high quality in terms of daylight access.

### **Sunlight Access within Proposed Development**

For open space, the central public open space will achieve sunlight levels in excess of the levels recommended on 21<sup>st</sup> of March. To demonstrate the quality of the space it was also assessed on 21<sup>st</sup> June and the scheme receives a very high level of sunlight in the summer months. It is considered that this space will be of a very high quality and as such will be used by residents. It is believed that this space will attract residents from adjacent Docklands schemes whereby given the tighter nature of the spaces will not receive such a high level of sunlight.

In terms of the proposed communal amenity spaces at podium level while they are just below the required standard for March 21<sup>st</sup> they do pass comfortably in June. It is considered that these are offset when considered on a full scheme basis in combination with the extensive roof terraces provided which when considered as a whole passes on 21<sup>st</sup> of March. The roof terraces as can be seen in the Arc Report pass comfortably and receive a high level of sunlight for much of the day and these spaces are provided in every block and as such residents have immediate access to high quality sunlight spaces at all times.

### **Impact on Adjacent Residential Daylight & Sunlight Access**

This is considered in detail in Chapter 15 of the EIAR which accompanies the application. This concludes that

- given that the potential for development to result in impacts on daylight access diminishes with distance, it is the finding of ARC's analysis the proposed development will have no undue adverse impact on daylight access within buildings in the wider area surrounding the application site.
- The potential cumulative impact of the proposed development, in combination with nearby permitted development, on sunlight access to lands bounding the site to the northeast is likely to range from "imperceptible" to "significant", although it is noted that these lands are in railway use serving Dublin Port.

Having regard to the scale of development permitted or constructed in the wider area and to local, regional and national planning policy for densification of the urban area, some may consider the impact to be consistent with emerging trends for development in the area or “moderate” in extent, particularly having regard to the scale of development already permitted inside or outside the Strategic Development Zone area.

As such it is considered that the scheme achieves the appropriate balance between protecting existing and proposed residential amenity with regards to daylight and sunlight levels which ensuring an optimised scheme which achieves increased density and height in a highly accessible location in Dublin City.

### **7.10 Wind Microclimate Study**

A Wind Microclimate Study prepared by Arup is included as part of this planning application. This study concludes that the wind microclimate around the proposed development will be relatively calm and therefore, produce high quality public realm. The majority of the public spaces along the central and podium areas will be sheltered from the wind either by buildings or incorporated mitigation. This will provide public spaces that are conducive to sitting, reading and socialising with friends and colleagues.

The entrances to the buildings are well situated. The majority of the residences can be accessed via the upper ground floor. The study found that all entrances are suitable for their proposed use.

In terms of external spaces including the central public open space and residential courtyards at podium level are acceptable for ‘sitting’ activities. In general, wind conditions on terraces are expected to be in the ‘sitting’ to ‘standing’ range and most of the terraces are suitable for their intended use. While there are some areas of the scheme, namely parts of the eastern podium and the terraces of B3/C3 and B4/C4 which will experience some discomfort levels throughout the year this is anticipated to only be on extreme weather events (0.32% of the time) when these spaces are unlikely to be used in any case. Additionally some minor windier balconies are located on the northern side of the scheme particularly at some upper levels however again this is at limited periods of time during the year.

The study concludes that is anticipated that the proposed mitigation measures, that have influenced the architectural and landscape design, will alleviate distress that could be encountered on occasion in certain areas of the site. Overall, it is anticipated that the wind conditions within the proposed development are considered within suitable limits with the adoption of appropriate mitigation measures and therefore, it is likely to provide a wind microclimate suitable for its intended use.

## 7.11 Community Infrastructure

As required by the Dublin City Development Plan Section 16.10.4 ('Making Sustainable Neighbourhoods') we have assessed the existing supply and need of social and community facilities. The application includes a Community & Social Infrastructure Audit, and a Childcare and Schools Assessment, prepared by Brady Shipman Martin which details the evidence basis and the rationale for the proposed development's contribution to the area. This assessment entails an overview of the following key considerations:

1. Community facilities
2. Education facilities
3. Childcare facilities

The needs of the community have been considered carefully in the design of this building and the preparation of this planning application. The consideration of community and social infrastructure provision has been proposed in context of the subject site and its masterplan. Within the proposed scheme the following is provided for:

- Retail/Restaurant/Cafe Units
- New cultural/community building
- Upgraded Public Realm on Sheriff Street
- New Central Open Space
- Live/Work Units
- Creche / Childcare facility

## 8 PART V REQUIREMENTS

Part V documentation is included with this application. The applicant has reached agreement in principle with the Housing Department of Dublin City Council in respect to the Part V requirements for the residential element of this scheme. The proposal is to provide 71 no. residential units (i.e. 10% of 702).

Preliminary consultation has taken place with DCC Council Housing Department in this regard and the units proposed under Part V have been considered accepted in principle. At this stage we would be happy to discuss any of the options, as set out under Section 96 of Part V of the Planning and Development Act (as amended), with DCC. We enclose a letter confirming such from DCC.

## 9 ENVIRONMENTAL CONSIDERATIONS

### 9.1 APPROPRIATE ASSESSMENT

An Appropriate Assessment Screening Report prepared by Brady Shipman Martin is included with this Planning Application and concludes that there will be no risk of significant negative effects on any European site, as a result of the proposed development, either alone or in combination with other plans or projects. Therefore, Stage 2 of the Appropriate Assessment Process – a Natura Impact Statement – is not required.

### 9.2 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).

Projects requiring environmental impact assessment are listed in Parts 1 and 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended).

Schedule 5 (Part 2) of the Planning & Development Regulations 2001 (as amended) lists major project classes for the purposes of mandatory EIA, which typically include industrial, chemical, energy, waste, infrastructure and intensive agricultural developments. The proposed development at Sheriff Street Upper does not correspond to a development set out under Part 1 of Schedule 5 and therefore, EIA is not a requirement under this provision.

Schedule 5 (Part 2) of the Planning & Development Regulations 2001 (as amended) set mandatory thresholds for each project class above which EIA is required. Sub-sections 10(b) (i) and 10(b) (iv) addresses 'infrastructure projects' referring to housing and urban developments, and require that the following classes of project, relevant to this project, be subject to EIA:

*“Class 10(b) (i). Construction of **more than 500 dwelling units.**”*

*“Class 10(b) (iv). Urban development which would involve **an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.**” [Our emphasis]*

The proposed development involves the demolition of existing buildings and the construction of a residential development of 702 no. residential units and other uses on a site of over 2ha within the inner city of Dublin.

As such an Environmental Impact Assessment Report (EIAR) has been prepared with the SHD Planning Application. An EIAR has been prepared to accompany this Planning Application to An Bord Pleanála.

## 10 CONCLUSION

This Planning Report has been prepared to accompany this Planning Application to An Bord Pleanála for a strategic housing development at Castleforbes Business Park, Sheriff Street Upper and East Road, Dublin 1. The development will consist of the demolition of all structures on the site and the construction of a residential and mixed use development set out in 9 no. blocks, ranging in height from 1 to 18 storeys to accommodate 702 no. apartments.

It is submitted that, as set out in this Report and the accompanying planning application documentation, that the proposed mixed use scheme for this underutilised brownfield site provides an opportunity to deliver much needed residential development in this central location which is well served by public transport. In conclusion it is submitted that the proposal as presented constitutes a reasonable basis for an application.