

**Planning Report & Statement of Consistency
with Planning Policy**

In respect of

Strategic Housing Development Application

at

Golf Lane, Carrickmines, Dublin 18

Prepared for

Bowbeck DAC

Prepared by

John Spain Associates

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39 Fitzwilliam Place, Dublin 2
Telephone: (01) 662 5803
E-mail info@johnspainassociates.com

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1.0 INTRODUCTION

- 1.1 On behalf of the applicant, Bowbeck DAC, we submit this application for a proposed residential development on lands at Golf Lane, Glenamuck Road, Carrickmines, Dublin 18.
- 1.2 As the development proposes 482 no. residential units, on lands zoned to facilitate residential development and the other uses proposed, it falls within the provisions of the Strategic Housing Development legislation. Thus, the application must be made directly to An Bord Pleanála as a Strategic Housing Development.
- 1.3 The proposed development provides for a broad range of residents' amenities, along with some small-scale elements of commercial use, including a local shop, a gym, and childcare facility however the proposed development is not a 'Build to Rent' development, and does not rely on any flexibility in terms of residential standards available for such developments.
- 1.4 The proposed development will contribute a significant element of residential development along with other complementary uses within a scheme of considerable architectural merit. As recognised in the Board's decision on the previous SHD application at this location, the subject site is strategically located to accommodate development of this nature, having regard to its location in close proximity to a range of services and amenities, both existing and permitted, also being proximate to high capacity, high frequency light rail services from the Ballyogan Luas stop.
- 1.5 The proposed development includes elements of higher development, including a landmark building up to 22 storeys in height, responding to the site's prominent location on the M50 corridor. The architectural design is bespoke, site specific, and carefully considered, while the inclusion of a statement landmark building responds directly to the site's designation for higher buildings under the recently adopted Local Area Plan, whilst also addressing the reason for a previous refusal of an SHD application on the subject site, wherein the Board's Inspector noted that the site demanded a landmark architectural approach which avoids monolithic, repetitive design.
- 1.6 The development proposal described within this Planning Report and Statement of Consistency with Planning Policy has been developed by an expert multi-disciplinary team including HJL Architects, John Spain Associates, Cameo and Partners Landscape Architects, DBFL Consulting Engineers, Visual Lab, IAC, AWN Consulting, JAK Consulting, in consultation with the applicant.
- 1.7 The proposed development as now submitted in this planning application to An Bord Pleanála, is the product of an analysis of the subject site, its recent planning history, its characteristics and surroundings, surrounding planning history, national, regional and local planning policy, and an iterative design process.
- 1.8 The final design of the proposed development responds to the items of specific information identified within the Board's Opinion on the conclusion of the pre-application consultation process. In its Opinion, the Board indicated that the proposals represented a reasonable basis for a Strategic Housing Development Application. The accompanying Statement of Response report prepared by John Spain Associates should be referred to for a response to the items of specific information required by the Board. The Statement of Response refers to other documents within the application which provide more detailed responses to particular points where relevant.

2.0 SITE CONTEXT AND DESCRIPTION

Site and Surroundings

- 2.1 The site of the proposed strategic housing development has an area of c. 2.56 hectares (including a portion of the site which is in the control of the Planning Authority and for which a letter of consent in respect of the making of the planning application has been provided) and is bound to the north by the M50 motorway, to the east by Golf Lane, to the west by Glenamuck Road, and to the south by several properties comprising residential dwellings set in large sites.
- 2.2 The site itself slopes from south to north, towards the M50 motorway, and accommodates stands of trees and areas of scrub and grassland. The site was previously occupied by the former residential properties of 'Tintagel', 'Auburn', 'Keelagues', 'Villa Nova', and 'Arda Lodge'. These previous dwellings were demolished by others some time ago. An application for the retention of the demolition of these dwellings was made in 2020 to regularise their previous demolition. A final grant of retention permission was issued by the Planning Authority on the 22nd of July 2020 (Reg. Ref.: D20A/0152 refers).
- 2.3 The lands are less than 500 metres from the Ballyogan Wood Luas Stop (to the west) and opposite The Park Carrickmines, which is a major mixed-use area comprising office and commercial uses, retail and retail warehousing uses and restaurant / café facilities. A new mixed-use neighbourhood centre, commercial, residential, and leisure scheme has recently been subject to a grant of permission from An Bord Pleanála opposite the subject site at Quadrant 3 in The Park Carrickmines. As noted within the accompanying social infrastructure audit report prepared by John Spain Associates, the Quadrant 3 development will significantly augment the range of facilities, amenities and uses in the immediate vicinity of the development.
- 2.4 In addition to the proximate Luas stop, the site is also located in close proximity to bus routes operating along Ballyogan Road and Glenamuck Road. The 63 bus route provides services from Dun Laoghaire to Kiltiernan, with c. 20 minute frequencies. Glenamuck Road is well served by existing pedestrian and cycle facilities, with Ballyogan Road also benefiting from good quality facilities. The nearby Luas stop provides an opportunity to avail of high capacity, high frequency services between Brides Glen to the City Centre and onwards to Broombridge in the north of the city. In light of the site's location within 500 metres of a high capacity urban public transport stop, the site is appropriately classified as an Accessible Urban Location, as defined under paragraph 2.4 of the 2018 Apartment Guidelines.
- 2.5 To the east / southeast of the subject site, on the opposite side of Golf Lane, is an area of existing residential development comprising semi-detached, two and three storey dwellings, with an area of existing apartment development located further to the south.
- 2.6 The subject site occupies a prominent location and is considered to constitute a gateway site into the Carrickmines and Ballyogan area along the M50. The site character and context calls for a landmark architectural design response (as previously identified by An Bord Pleanála- and in the Ballyogan and Environs LAP) to provide for an appropriate proportional framing of adjoining major routes and to acknowledge the prominent location of these lands.



Figure 2.1: Location and context of the subject site



Figure 2.2: Extract from HJL Site Layout Plan

Site Features

- 2.7 The subject lands fall from south to north towards their boundary with the M50 to the north. A stream follows the edge of the subject site along the western and north-western boundary, before entering a culvert.



Figure 2.3: View of the stream along the site boundary

- 2.8 The site is partially green-field, but previously was occupied by several dwellings. These houses were demolished some years ago by others as noted above, with retention permission recently granted in order to regularise the previous demolition of these houses.
- 2.9 The subject site is currently overgrown in parts, with elements of planting and trees remaining from the gardens of the houses which previously occupied the site, along with some remaining debris from the previous demolition, which will be removed as part of the initial site clearance / enabling works.

Site Access

- 2.10 The site has several existing accesses, associated with the houses which formerly occupied the site, and which have been closed up with temporary hoarding to make the site safe.
- 2.11 There are no footpaths on the western side of Golf Lane at present, however the proposed development will implement a new pedestrian route along this frontage, without prejudicing future road improvement plans. Glenamuck Road to the west of the site is served by footpaths and cycle lanes.

Local Amenities and Schools

- 2.12 The subject site benefits from ease of access to a wide range of amenities. The site is within close proximity of Leopardstown Valley Neighbourhood Centre, The Park Carrickmines and provides for ease of access to Sandyford via the adjacent Luas line. The site is also proximate to the Samuel Beckett civic campus and within close proximity of an existing tennis and basketball facility within The Gallops to the northeast.
- 2.13 Section 4.4 of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) relates to the provision of school spaces with large scale residential development.
- 2.14 A full community and social infrastructure audit report, including an analysis of existing and projected school demand on foot of the proposed development has been prepared and is included as part of the final application to An Bord Pleanála.

3.0 RELEVANT PLANNING HISTORY

- 3.1 This section will provide a summary of the relevant planning history of the subject site and adjacent lands. This planning history has been reviewed by the design team and has informed the emerging development proposals for the subject site. The recent planning history pertaining to the site has proven particularly relevant in developing a design which befits the prominent and strategic location of the subject site.

Subject Site

Reg. Ref.: D20A/0152 – Permission to Regularise Previous Demolition on Site

- 3.2 On the 22nd of July 2020, a final grant of retention permission was issued by the Planning Authority, providing for the retention of the demolition of the houses which previously occupied the site.
- 3.3 The proposal was described as follows within the public notices:
- “The development for which retention permission is now sought consists of the demolition of the 6 no. dwellings (all detached houses) known as 'Tintagel', 'Auburn', 'Keellogues' (comprising two houses), 'Villa Nova' and 'Arda Lodge'. The cumulative gross floor area of the 6 no. houses formerly occupying the site was c. 1,106 sq.m.”*
- 3.4 Auburn House was located in the southeast of the site, and was a single storey dwelling with a pitched roof and an adjoining garage.
- 3.5 Tintagel was located in the southwest of the site, and was a two storey dwelling with a hipped roof, adjoined by a garage.
- 3.6 Both of the houses forming the overall property Keellogues were single storey, shallow-plan, rectilinear houses, both of which were one storey in height with pitched roof profiles. They were both located near the western boundary of the site.
- 3.7 Arda Lodge was a single storey, flat roofed dwelling, located near the eastern boundary of the site with Golf Lane.

- 3.8 Villa Nova was a significant part two storey, part one storey house with pitched roof profile and dormer windows. It was located in the northeast of the site.
- 3.9 The application related to the retention of demolition of these dwellings, along with any ancillary works undertaken at the time to implement the demolition of the dwellings. This has regularised the removal of these properties in planning terms.

Reg. Ref.: PL06D.302336 – Previous SHD Application

- 3.10 On the 16th of November 2018, an order to refuse permission was issued by An Bord Pleanála in relation to a previous proposed SHD application on the subject site. The development comprised 250 residential units, along with a childcare facility, gym, resident’s amenity space and associated works.
- 3.11 A single reason for refusal was provided by the Board, which is set out in full below, as it provides relevant context and background for the current application:

“Given the location of the site within the built-up area of Carrickmines, proximate to public transport linkages, to the M50 major transport corridor and to both established and emerging social, retail and employment facilities, it is considered that the proposed design strategy as it relates to height and design does not provide a landmark building which is considered necessary in order to achieve the optimal architectural solution for this strategic gateway site. Furthermore, and notwithstanding the acceptability of the proposed density, it is considered that the overall design of the scheme is monolithic and repetitive and represents an inappropriate design response to the site, given its locational context, which has the capacity to accommodate a building of much greater height and architectural significance than that proposed. Accordingly, the proposed development is considered to be contrary to national policy as set out in the National Planning Framework and section 28 Ministerial Guidance and is considered to be inconsistent with the proper planning and sustainable development of the area.”

- 3.12 This reason for refusal was critical of the overall design of the previous proposal, which was considered not to offer a sufficiently site specific design, with a landmark building. The heights of the development were 4-6 storeys, with limited variation across the site. The Board’s Inspector, in assessing this previous proposal, noted that the subject site was an appropriate location for compact, dense residential development having regard to its accessibility via public transport and the surrounding development context.



Figure 3.1: An example of a typical block within the previously refused application

- 3.13 The Inspector raised significant concerns in relation to the height and architectural design of the scheme. Some of these concerns are considered worthwhile including in extenso (paragraphs 10.3.2 – 10.3.6 refers):

“With regard to the proposal before me, it is the issue of height and density with which I have most issue and I draw the attention of the Bord to this. The applicants in their response to the ABP Opinion state that the development will be a prominent and architecturally attractive addition to the area. They continue by stating that as a development of notable design, that it will become a landmark building for this prominent site along the M50 and within the wider Carrickmines/Glenamuck/Foxrock area. I would question this assertion.

The Oxford dictionary defines ‘landmark’ as ‘an object or feature of a landscape or town that is easily seen and recognized from a distance, especially one that enables someone to establish their location’. I am of the opinion that the proposal before me at a maximum of seven storeys in height could not be described as a landmark building. As proposed, the height and design is such that would not be easily seen or recognised from a distance or as one travels along the M50. Its design is such that it would not be an easily recognisable feature within the Dublin skyline. The development as proposed is such that it would not easily enable someone to establish their location along the M50. Given the above, I consider that the proposed structures on site could not be described as landmark structures. When one thinks of landmark structures along major routes in the Greater Dublin Area, I think of the Quinn building along the N3, which clearly enables someone to establish their location at Blanchardstown. I also think of the Sillogue water tower at Ballymun, which clearly indicates to someone travelling along the M50 that they are close to the airport. I consider that the proposed development does not go far enough to act as such a distinguishable feature, either by means of height or design, and instead I consider that the proposal would merge into the indistinguishable suburban landscape at this location. The M50 is severely lacking in such landmarks or wayfinders to enable the traveller distinguish their location and I consider that a bold architectural expression would be a welcome addition at this location. A landmark at this suburban location would not only be visible in the immediate locality but would also be visible from the wider area, thereby becoming an aid in orienting people and also an aid in enhancing the character of this emerging area.

I am cognisant of existing and emerging national policy in this regard, in particular the NPF which recognises the need for compact urban growth, and I refer the Bord to Objectives 33 and 35 of this document. I am also cognisant of the draft Urban Development and Building Heights, Guidelines for Planning Authorities (August 2018) which recognises that our town and cities must grow upwards, if we are to meet the many challenges ahead, with a presumption in favour of buildings of increased height in our towns/city cores and in other urban locations with good public transport accessibility. I note that this document is currently in draft form. The Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2018) acknowledge the need to significantly increase housing supply in proximity to core urban centres; existing public transport nodes and close to locations of employment. I am also cognisant of local policy, in particular Appendix 9 Building Height Strategy of the operative County Development Plan. This acknowledges that in larger development sites, which include Carrickmines, heights greater than six storeys have been permitted. It also states that in certain exceptional circumstances, a case may be made for additional height, for example in significant commercial or employment zones such as Nutgrove or Carrickmines, which are not areas covered by a Local Area Plan but which may be subject to development proposals. I note that there are buildings of greater height than that proposed evident within the Sandyford area.

I consider that this site offers the opportunity to be developed differently from other sites developed heretofore along the M50. I concur with the applicants that it is a gateway site into Carrickmines, but I would go further and state that it is a gateway site on the M50, signalling one's arrival at the start of the built-up area of our capital city. The following is noted. Its proximity to employment generating areas of Sandyford, Carrickmines and Cherrywood. Its location proximate to the M50, a major transport corridor. Its location proximate to existing public transport facilities. The limited constraints in terms of impacts on established residential properties. I consider that there is an opportunity here to make better use of this site, both in terms of height and density- one which meets both the highest architectural and planning standards- than that which is proposed.

I refer the Bord to a recent decision, ABP301991-18 in Mahon, Cork for a development ranging in height from 6 to 25 storeys. This structure will become a landmark as one enters Cork city, identified as a punctuation mark for development to the south of the site. The site subject of this current application could be classed as a similar punctuation mark within the Dublin context. It may be considered to demarcate the start of the built-up area of Dublin when one is travelling from the south. Once the area of Carrickmines is reached, the built-up area of the city begins to unfold. A landmark structure at this location could set the marker when travelling from the south that one has now reached the built-up area of Dublin. A landmark building at this location would denote the significance of the location in the urban structure of Dublin and its wider environs. Given the strategic, gateway location of the site, I am of the opinion that it has the capacity to accommodate a development of much greater height, scale and density, without detriment to the amenities of the area. I am not satisfied that this is the optimal architectural solution for this strategic landmark site. By providing a landmark building at this site, it would aid in addressing the current housing shortage and would provide a more sustainable residential density on the site, without detriment to the amenities of the area. The developable area of the site is stated as being 1.6 hectares and while the density does not appear to have been explicitly stated in the documentation, I

calculate it as being approximately 139 units/ha. Given the above, I consider that the site has capacity to achieve a higher density than that proposed given its location, close to the interchange of the M50, in a serviceable, suburban area in close proximity to established and emerging services and close to public transport. I note that much higher densities have been permitted previously within the general Sandyford area. I am of the opinion that a bold design statement should be welcomed at this location. The context of the site is such that I feel such a development could be accommodated without detriment to nearby residential properties. In this regard, I am of the opinion that the height of Blocks B and D are acceptable, having regard to its location proximate to existing residential properties. However, in my opinion the remaining area of the site could accommodate buildings of greater height. Having regard to all of the above, I am therefore of the opinion that the proposed residential development would not be developed at a sufficiently high density to provide for an acceptable level of efficiency in the use of serviced lands at this location and would accordingly be contrary to the National policy as set out in the aforementioned section 28 Ministerial Guidelines.” (Emphasis Added)

- 3.14 The foregoing section of the previous Inspector’s Report clearly identifies the subject site as an appropriate location for a significant landmark building, and for high density development. The subject site is highlighted as a gateway site, not only to the Carrickmines area, but to the capital city itself, which calls for a brave architectural statement and a high residential density to make appropriate use of these prominently located and serviced lands. It is further noted that the Board itself endorsed the views of the Inspector, as confirmed by their reason for refusal of the previous development as set out above.
- 3.15 The current development proposal has sought to address the foregoing reason for refusal and the concerns of the Board’s Inspector in full. The scheme now presented represents a bespoke, site-specific design, which includes a significant, 22 storey landmark element, with other blocks stepping down from that tallest element. Each built element proposed has been designed specifically to respond to its location and orientation within the site, avoiding any sense of monotony.
- 3.16 The landmark element responds to its prominent location at the gateway to the built-up area of Carrickmines, and will be instantly recognisable to passing motorists on the M50 and as a wayfinding point within the surrounding area. The landmark element achieves an attractive and graceful slenderness ratio and will be executed in high quality durable materials, to deliver a durable architectural statement at this important location.
- 3.17 The Board’s Inspector noted the acceptability of Blocks B and D in the refused scheme, as illustrated in the site layout plan extract below. The design of the current proposal has been cognisant of this statement and has sought to promote an increase in scale (including the landmark building) at locations elsewhere within the site.



Figure 3.2: Extract from site layout plan of Reg. Ref. PL06D.302336.

3.18 The net density of the development, at c. 268 units per hectare (based on a net developable area of c. 1.8 hectares) is influenced by the greater height of development now proposed on the site and allows for an efficient use of this serviced site at an accessible location on the public transport network. The gross density of the scheme will be c. 188 units per hectare, with the significant difference between net and gross being attributable to the significant element of the site given over to new public infrastructure to serve the wider area (primarily the new cycle and pedestrian facilities), and the inclusion of DLR lands within the application site in order to provide for a comprehensive landscape response and a new crossing of Glenamuck Road, to align with that previously permitted in the adjoining Q3 neighbourhood centre development.

Reg. Ref.: D06A/1157

3.19 Permission was granted following the withdrawal of an appeal in July 2007 for 4 houses and 121 apartments with 3 blocks of 5-6 storeys over basement car parking (site area of 1.25ha).

Reg. Ref.: D07A/1496

- 3.20 Permission was refused for two apartment blocks of 6-8 storeys providing 109 apartments, crèche community room, medical centre, beauticians, 2 small retail units and 2 small offices with 2-3 storey commercial block providing gym and retail. The reasons for refusal related to excessive density, overdevelopment by reason of excessive height, scale and bulk, inadequate mix of housing, impact on residential amenity of future residents.

Reg. Ref.: D08A/0590 (An Bord Pleanála Reg. Ref.: PL06D.232551)

- 3.21 Permission was refused by ABP for 90 apartments in 3 blocks ranging from 6-8 storeys, a 2 storey crèche, basement car parking with development reduced to 88 units within 6 storeys following FI. One reason for refusal was provided which related to proximity of Blocks E and F to the M50 resulting in unacceptable substandard levels of residential amenity.

Adjacent Lands

Reg. Ref.: D15A/0530

- 3.16 Permission was granted in December 2015 on lands to the east of the subject site for a single storey curved dwelling with sedum roof. The site of this permitted dwelling adjoins the subject site, and the current proposal seeks to avoid any significant impact on this development to the greatest degree possible. However, bearing in mind the overarching planning policy imperative for the provision of development at an appropriate density and scale on the subject site, it is considered that some level of impact arising from the proposed development is inevitable.
- 3.17 It is important to note that the provision of a single dwelling on the adjoining lands is somewhat at odds with the stated objective of providing higher density development with landmark elements in this neighbourhood area and particularly on the subject site. In this regard, while the current development proposal strives to minimise any impact, the proposed development must meet the requirement for a higher building on the subject site, which is most appropriately located on the northern portion of the subject site, closest to the M50.
- 3.18 It is noted that the majority of fenestration on the permitted dwelling faces internally into the courtyard space which is partially enclosed by the building's curved shape. The windows facing outward towards the proposed development site are slit windows, primarily facing onto circulation spaces. Therefore, any impact from the proposed development in terms of privacy, light, and visual impact on this permitted dwelling will be limited.
- 3.19 Furthermore, as was noted during the course of pre-application consultations, development has not commenced on foot on this permission and no extension of the duration of that permission has been sought or granted.

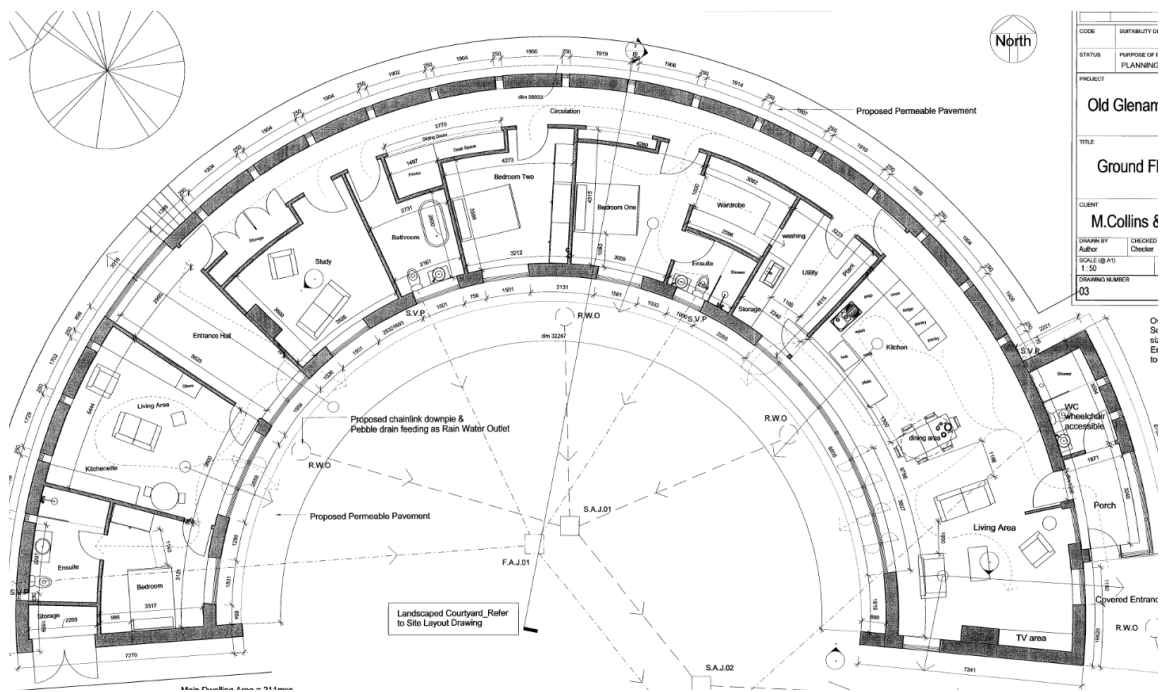


Figure 3.3: Extract from ground floor plan of permitted adjoining development. Note the narrow / slit type fenestration to the outer façade, with the main windows facing the internal courtyard.

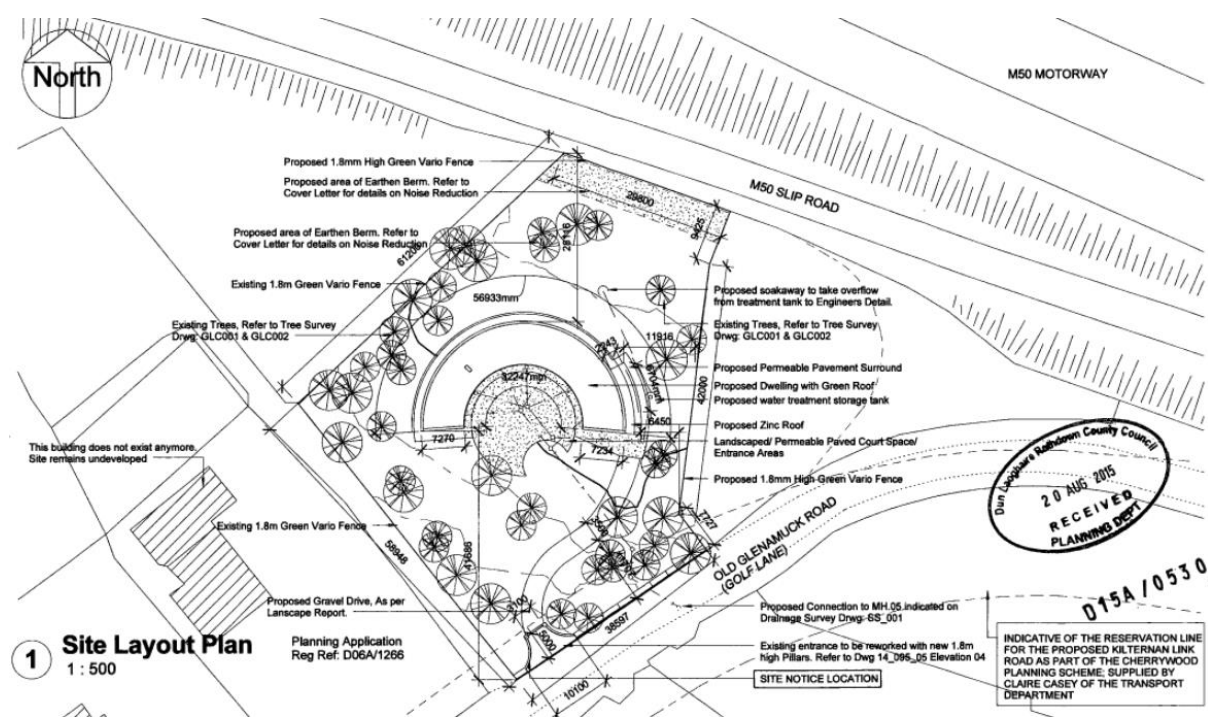


Figure 3.4: Extract from site layout of permitted development on adjoining site
 Reg. Ref.: D11A/0197

3.20 Permission was refused on appeal in November 2011 for development comprising the demolition of bungalow known as 'Waterville' and construction of 19 no. apartments in 2 five-storey blocks for three reasons relating to prematurity depending on proposed future

road layout for the area, piecemeal development and undesirable precedent, impacts on residential amenities.

Reg. Ref.: D18A/0257 (An Bord Pleanála Reg. Ref.: ABP-304396-19) – Quadrant 3

3.21 On the 26th of September 2019, permission was granted by An Bord Pleanála for development at Quadrant 3, the Park, Carrickmines. The development permitted consists of the following:

- Block A, containing two supermarkets (to include off licence use) with a GFA of 1,725 sq.m and GFA of 1,390 sq.m, service yard and loading bays, 6 no. retail units, 26 no. own door office units (over two levels), external courtyard, a gym, a leisure facility, 5 no. restaurant / café units, a medical centre, and management suite
- Block B containing 3 no. retail service units at ground floor level, 2 no. restaurant / café units at ground floor level, a car showroom (at level -1) and a creche (over two levels) and 130 no. apartments at first, second, third, fourth and fifth floor level and a courtyard at first floor level.
- Block C containing 6 no. retail warehousing units including mezzanine level, 12 no. retail units, indoor skydiving facility, 2 no. restaurant / café units and a cinema.
- Block D, comprising of a 12,980 sq.m office block.

3.22 This permitted development will constitute a significant additional level of facilities, amenities, and retail provision for the area, directly adjacent to the subject site. This new neighbourhood centre and mixed-use development will serve the growing population of the area, including on the subject site and adds to the significant existing development at the Park Carrickmines. The Board in granting permission noted the existing, permitted, and planned development in the vicinity.



Figure 3.5: CGI of the permitted Q3 neighbourhood centre and mixed-use development

Reg. Ref.: PL06D.303945 – Glenamuck District Roads Scheme

- 3.23 On the 15th of March 2019, Dun Laoghaire Rathdown Local Authority lodged a Strategic Infrastructure Development (SID) application for new road infrastructure in the vicinity of the subject site. The development comprises the Glenamuck District Roads Scheme which will connect the existing R117 Enniskerry Road with the Glenamuck Road and new link distributor road which will connect to the Ballycorus Road and the R117 Enniskerry Road.
- 3.24 The application was subject to an Oral Hearing. The development was also subject to Environmental Impact Assessment. An order to grant permission was issued by the Board on the 18th of December 2019. We understand the Planning Authority expect to commence construction on the GDRS in the short-term and to complete the works by c. mid 2022.



Figure 3.6: Extract from site layout of the Roads Scheme

Reg. Ref.: D18A/1175 and ABP Reg. Ref.: ABP-304642-19

- 3.25 An Order to grant permission was issued by An Bord Pleanála on the 24th of October 2019 for a residential development comprising a single apartment block of 48 no. units with heights of four to five storeys at The Glen, Golf Lane, to the east of the current SHD application site. The Order to grant permission was subject to 19 no. conditions.

Conclusion

- 3.26 The planning history pertaining to the subject site clearly demonstrates that a strong architectural response is required to respond to the requirements of An Bord Pleanála in developing these lands. Meanwhile, the surrounding planning history, including the recently permitted development at Quadrant 3 and of the GDRS, demonstrates the ongoing development of the surrounding area as a significant growth area within the County, which the proposed development will contribute to and fit in with.

4.0 PRE-APPLICATION CONSULTATION

Section 247 Consultation with the Planning Authority

- 4.1 Prior to the lodgement of the SHD pre-application request to the Board in March of 2020 a section 247 pre-application meeting was undertaken with the Planning Authority, Dun Laoghaire Rathdown County Council. This meeting took place on the 12th of January 2020, at the offices of the Planning Authority.
- 4.2 The main topics of discussion included the compliance of development with Development Plan policies, objectives and standards, the visual impact of the proposed development, wind and microclimate effects, car and bicycle parking provision, arboricultural impacts and drainage matters.
- 4.3 It was requested at the meeting that a full report setting out the compliance of the proposals with local planning policy be prepared. This planning report and statement of consistency provides a full analysis of the proposed development in the context of national, regional, and local planning policy.
- 4.4 During the course of the first pre-application meeting, it was noted that a site meeting should take place to discuss the proposals further, particularly in relation to trees on site and drainage matters. Although was ongoing liaison with the Planning Authority in this regard, this site meeting was not considered possible at the time due to the ongoing public health situation.
- 4.5 Furthermore, additional consultations were undertaken by DBFL Consulting Engineers with the DLR Drainage Department to review the detailed of the scheme in relation to water services, drainage, and flood risk.

SHD Pre-Application Consultation with An Bord Pleanála

- 4.6 A request to enter into consultations with the Board was submitted on the 27th of March 2020. The pre-application request incorporated a comprehensive range of documents and reports, including an environmental report which comprised a draft of the EIAR now submitted with the final application.

- 4.7 Due to the public health emergency ongoing at the time, with planning timelines paused for a period of 56 days in accordance with Orders by the Minister under the Emergency Measures in the Public Interest (Covid-19) Act 2020, there was a delay in the undertaking of the formal tripartite meeting in respect of the proposed development. The meeting ultimately took place remotely on the 22nd of July 2020.
- 4.8 In the interim, the Planning Authority issued their report on the pre-application submission. The applicant and design team have reviewed the content of this report, and sought to respond to the points raised therein within the final application.
- 4.9 Following the tripartite meeting, the Board's Opinion was issued on the 31st of July 2020. The Opinion stated that the documents submitted with the request to enter into consultations constituted a reasonable basis for an application for Strategic Housing Development.
- 4.10 The Opinion went on to set out nine items of specific information which should be included in any final SHD application for the proposed development. The Statement of Response report prepared by John Spain Associates provides a concise response to each of these items of specific information, and directs the reader to the relevant documents in the application pack where the points are addressed in detail. The planning application takes cognisance of and responds to each of these items in full.
- 4.11 The Opinion of the Board also listed eight prescribed bodies, to whom a copy of the planning application must be sent. As noted in the cover letter accompanying this application and as confirmed in the SHD application form, copies of the application have been sent to each of these prescribed bodies.

5.0 DESCRIPTION OF THE PROPOSED DEVELOPMENT

Summary Description

- 5.1 The proposed development comprises a residential development of 482 no. residential units (all apartments), along with ancillary residential amenities, and provision of a childcare facility, gym, and local shop.
- 5.2 The proposed development comprises the following:

“The proposed development comprises a residential development of 482 no. units (all apartments), along with ancillary residential amenities, and provision of a childcare facility, gym, and local shop. The proposed residential units comprise 31 no. studio units, 183 no. 1-bedroom units, 229 no. 2-bedroom units, and 39 no. 3-bedroom units (including 2 no. duplex type units).

The proposed development is set out in 7 no. blocks which comprise the following:

- Block A1 comprises 62. no. apartments within a part four, part six storey building, including 10 no. studio units, 7 no. 1-bedroom units, 41 no. 2 bedroom units, and 4 no. 3-bedroom units. An ESB substation is provided at ground floor level.*
- Block A2 comprises 85 no. apartments within a part four, part eight storey building, including 25 no. 1-bedroom units, 45 no. 2-bedroom units, and 15 no. 3-bedroom units.*

- *Block A3 comprises 79 no. apartments within a part four, part twelve storey building, including 21 no. studio units, 19 no. 1-bedroom units, 28 no. 2-bedroom units, and 11 no. 3-bedroom units.*
- *Block B0 comprises 150 no. apartments and resident’s amenities within a part four, part eighteen, part twenty-one and part twenty-two storey building. The apartments include 76 no. 1-bedroom units, 68 no. 2-bedroom units, and 6 no. 3-bedroom units (including 2 no. duplex type units). An ESB substation, resident’s concierge area and amenity space (171 sq.m sq.m) are provided at ground floor level. A further resident’s amenity / event space is provided at the twentieth and twenty-first floor levels (83 sq.m).*
- *Block B1 comprises 8 no. apartments and is four storeys in height, directly abutting Block B0. The apartments include 4 no. 1-bedroom units, and 4 no. 2-bedroom units.*
- *Block C comprises 42 no. apartments and a local shop within a part five, part seven storey building. The apartments include 30 no. 1-bedroom units, 9 no. 2-bedroom units, and 3 no. 3-bedroom units. A local shop (154 sq.m) and an ESB substation are provided at ground floor level.*
- *Block D comprises 56 no. apartments, a commercial gym, resident’s concierge area, resident’s lounge, and a childcare facility in a part four, part seven storey building. The apartments include 22 no. 1-bedroom units, and 34 no. 2-bedroom units. The resident’s concierge area (99 sq.m), commercial gym (340 sq.m), and childcare facility (300 sq.m) units are located at ground floor level. The resident’s lounge (292 sq.m) is located at first floor level.*

Two basement levels are proposed, providing car parking spaces (299 no.), bin stores, plant rooms, bicycle parking (1,000 no. spaces), and circulation areas. A further 240 no. bicycle parking spaces and 4 no. car parking spaces are provided at ground level. The proposed development includes landscaping, boundary treatments, public, private and communal open space (including roof terraces), two cycle / pedestrian crossings over the stream at the western side of the site, along with a new pedestrian and cycle crossing of Glenamuck Road South at the west of the site, cycle and pedestrian facilities, play facilities, and lighting. The proposed buildings include the provision of private open space in the form of balconies and winter gardens to all elevations of the proposed buildings. The development also includes vehicular, pedestrian, and cycle accesses, drop off areas, boundary treatments, services, and all associated ancillary and site development works.”

- 5.3 The proposed development comprises a residential element of 482 apartments along with associated residents’ amenities and support facilities, a childcare facility, a gym, a neighbourhood shop, and public, communal and private open spaces. The scheme is set out over 7 blocks (among which blocks A 1-3 and B/B1 are conjoined), which present strong frontages to the surrounding streets and internal site areas, allowing for a series of generous courtyards within the internal portion of the site.
- 5.4 The heights of the proposed buildings graduate upward from a lower element of six storeys to the southwest (Block A1), stepping upward to eight and then twelve storeys in blocks A2 and A3 respectively. Each of these elements of the overall Block A are interlinked with 4 storey connecting elements, which unify the frontage of the overall block, with the main block elements orientated along an east – west axis so as to present a slender profile to the roadway to the west, whilst creating visual interest via the stepping up and down of heights across block.
- 5.5 Further to the north of Block A, Block B0 is a landmark architectural element. This building presents as a slender built form which steps up to a maximum height of 22 storeys toward

the M50 motorway. The stepping in the height of this building maximises the slenderness of its appearance, avoiding an overly bulky presence, while allowing for the delivery of an instantly recognisable landmark building along the important route to the north of the subject site, assisting with wayfinding both along the M50 and within the area surrounding the development. Block B1 steps out from the frontage of Block B0, towards the M50 to the north, providing for a modulating of the scale of the development at lower levels.

- 5.6 Blocks C and D are located in the eastern portion of the site, and comprise of four and seven storey elements, with a neighbourhood shop located at ground floor level of block C, on the eastern side of the building in order to activate the adjoining public realm, while providing an important local facility for the proposed development and the immediately adjoining residential areas. Block D includes a commercial gym element at ground floor level, and a childcare facility. These elements also provide activation of the building frontage and the public realm, turning the corner of the building to provide activity and passive surveillance at the main vehicular entrance to the site and onto the internal communal open spaces.



Figure 5.1: View of the public plaza adjacent to Block B0, looking toward Block A3

Layout

- 5.7 The documentation submitted herewith illustrates how the site layout has evolved following consideration of key site features, constraints and opportunities, including land use zonings, planning policy objectives, site topography, mature trees, surrounding land uses and access. The final layout also takes account of the specific information requested by An Bord Pleanála, providing for enhanced legibility of the proposed pedestrian / cycle routes, promoting connectivity and permeability through the site, with an easily indefinable and welcoming entrance provided from Glenamuck Road.

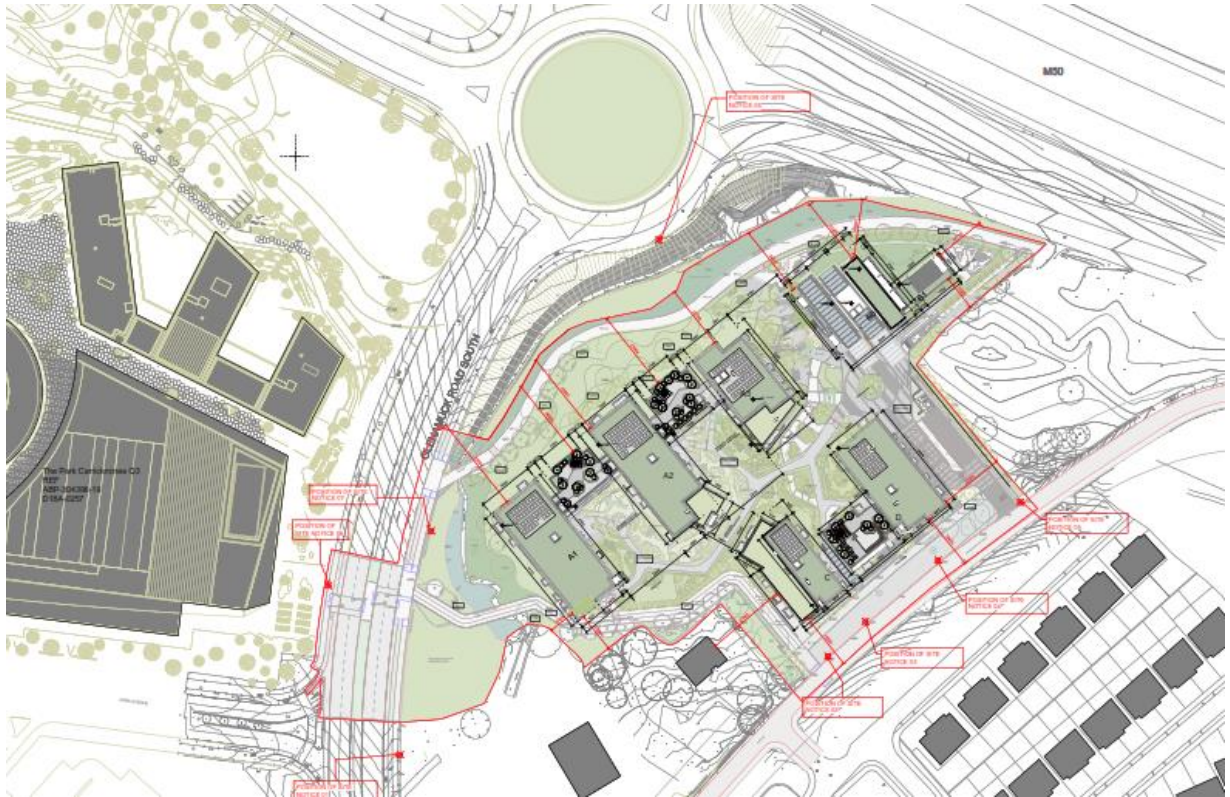


Figure 5.2 Extract from HJL Site Layout Plan

- 5.8 The interior of the subject site provides for a series of protected public and communal spaces, which will benefit from passive surveillance from the residential, residential amenities, and commercial uses within the scheme.



5.3: View of courtyard open space within the proposed development

- 5.9 The layout provides for taller buildings towards the north of the site, in proximity to the M50 corridor, in accordance with the requirement for a landmark building at that location, with scale reducing towards the southern end of the site, responding sensitively to the prevailing context and ensuring a good level of separation from adjacent properties to the subject site.
- 5.10 The layout ensures permeability through the development with a range of route options available to cyclists and pedestrians, both around the perimeter of the scheme, and within the centre of the site, linking existing communities to the east and southeast with the existing retail / commercial / café and restaurant facilities in The Park, and the permitted neighbourhood centre mixed use development at Quadrant 3 in The Park, Carrickmines.
- 5.11 The location of ancillary residential amenities and of the commercial elements within the scheme has been carefully considered, with such uses distributed between blocks, ensuring maximum activation of the routes and spaces within the overall development.
- 5.12 The access arrangements for the development favour cyclists and pedestrians, with regular vehicular access restricted to a small portion of the site, allowing for general access, deliveries, creche drop-off, and access to the underground car park. The scheme provides generous spaces for people to pass through on
- 5.13 Within the main central spine of the site, with its broad paved pathways set between areas of high-quality landscaping, no vehicular access will be allowed, save for emergency access. Vehicular access will be filtered out of this area via retracting bollards between Blocks D and A3.
- 5.14 The layout of the scheme respects the future road objective to the east / south east of the site as set out in the Cherrywood SDZ Planning Scheme, ensuring that the development will not prejudice the future delivery of important road infrastructure.

Landscape and Open Space

- 5.15 A detailed and comprehensive landscape design for the proposed development has been prepared by Cameo Landscape Architects and a full-scale landscape masterplan and detailed landscape drawings accompanies this cover letter.
- 5.16 The landscape design has been predicated on the layout of the scheme, which creates a range of different spaces and routes within the site, including a pedestrian and cycle route around the perimeter of the site, the location and design of which steps back from and respects the stream which flows through the site, which will be safeguarded by a broad riparian corridor, with supplemental planting to be provided, including watermeadow planting in the vicinity of the new bridge, which will carry the pedestrian and cycle way across the stream to link in with the greenway to be delivered from The Park Carrickmines to Clay Farm, via the park to be delivered on the former Ballyogan Landfill Site (Jamestown Park).
- 5.17 An area of hard landscaping with a water feature and specimen tree planting is provided between Blocks D and B0, which provides for a shared surface podium space, allowing for pick up and drop off from the Creche, and drop off to the apartment buildings at ground floor level (as opposed to the main access route to the residential units via the basement car pack, with lift and stair cores).

- 5.18 From this podium plaza area, a series of landscaped terraces step down towards the stream between blocks A3 and B0, providing access to the perimeter pedestrian and cycle route.



Figure 5.4: Terraced landscaped treatments within the scheme

- 5.19 Elsewhere within the scheme, play facilities are provided primarily via ‘play on the way’ features, which are provided along the main internal spine of the development, allowing for multiple opportunities for play which integrate effectively with the wider landscape design.
- 5.20 This main route through the scheme features broad landscaped areas, with adjacent areas of soft landscaping, a main lawn space, social seating areas, and a significant level of tree planting. The paved footpath / pedestrian circulation through the main central courtyard spaces has been narrowed since the pre-application submission, in order to maximise the level of greenery and soft landscaping. Reinforced grass to either side of the footpath provides for an appropriate surface to allow emergency / fire tender access within the site in the event of an emergency via the emergency gate from the public plaza between Blocks D and A3.
- 5.21 The landscape proposals include the integration of mitigation measures to ensure a good level of pedestrian comfort in the scheme via the reduction of wind speeds and the provision of shelter. A full wind / microclimate assessment has been undertaken for the proposed development, which involved several iterations of modelling, assessment, design-based mitigation and re-modelling. The tree planting, provision of covered outdoor areas, and the placement of landscape features has played a key role in the achievement of a design which will ensure the comfort of the users of these open spaces.

- 5.22 The landscape design for the proposed development is described and illustrated in detail (including numerous CGIs) within the accompanying Design and Access Statement prepared by Cameo Landscape Architects. A further report (entitled ‘Tree Design Strategy’) deals in detail with the proposals to protect and retain certain existing trees on site, while mitigating the loss of existing trees via the provision of a greater number of trees as part of the landscaping scheme, resulting in a net uplift in the number and quality of trees on site. The arboricultural package forming part of the application includes a full tree impact report, which outlines that the quality of the trees to be removed on site is generally relatively poor. A site meeting was undertaken between the project Arborist and the Dun Laoghaire Rathdown Parks Department prior to the lodgement of the application.



Figure 5.5: Courtyard space within the scheme

- 5.23 The landscape scheme also provides for buffer zones around the site boundary, where additional planting will bolster the existing tree and plant screening to boundaries with adjoining properties, helping to ensure that the amenity of surrounding dwellings are maintained.

Residential Units

- 5.24 The proposed development includes 482 residential units in total, all of which are apartments. The proposed unit mix breakdown is as follows:
- 31 no. studio units (6%)
 - 183 no. one bed units (38%)
 - 229 no. two bed units (48%)
 - 39 no. three bed units (8%) (includes 2 no. 3-bed duplex units)
- 5.25 The majority of the residential units proposed will exceed the minimum standards for unit areas set out within the 2018 Apartment Guidelines by 10% or more. The generous size of these apartments, in addition to their high-quality materiality, considered internal layout, and access to good quality private and communal open space will ensure an excellent level of residential amenity within the scheme for a range of occupants – importantly to include families.
- 5.26 The layout and orientation of the blocks themselves seek to maximise privacy within the residential units, with the placement and orientation of fenestration and private balconies and winter gardens also playing an important role in this regard. Meanwhile, the scheme

seeks to maximise ‘eyes on the street’ or passive overlooking of internal routes and open spaces, and adjoining streets, thereby providing for a sense of security and safety for occupants and passers-by. The enclosure provided by taller built elements will also assist with this feeling of security throughout the development.

- 5.27 As is set out in further detail below, the residential units within the scheme has been designed so as to accord with, and in many cases exceed, the standards set out within the 2018 Apartment Guidelines (the Specific Planning Policy Requirements of which supersede any conflicting standards set out in the County Development Plan). The HQA prepared by HJL Architects demonstrates quantitative compliance with these standards.

Ancillary Residents’ Amenities

- 5.28 Notwithstanding the fact that the proposed development does not seek to rely on any of the derogations available to purpose built ‘Build to Rent’ developments, the current proposal still incorporates a range of resident’s facilities and amenities, which will augment the high standard of amenity delivered in the residential units themselves.
- 5.29 Residents amenities are focused in Block B0 and Block D. Within Block B0, a concierge / lounge area is provided at ground floor level. A further multi-purpose amenity room is also provided at ground floor. Further to these, a key resident’s amenity is provided at the top of this landmark building, comprising an event space set out over two levels (GFA of 83 sq.m), which will benefit from panoramic views of the surrounding area, including Dublin Bay and the Dublin and Wicklow Mountains.
- 5.30 Within Block D, a concierge area is provided at ground floor level, adjacent to the commercial gym and childcare facility. The concierge area has a floor area of c. 99 sq.m. At first floor level, a large multipurpose resident’s amenity room is provided with a gross floor area of 292 sq.m. The room will provide for flexible uses, including home working, events, and exercise.
- 5.31 When combined with the generous size of the residential units themselves, the bespoke architectural design of the development, the high quality landscape scheme proposed (discussed further below), and the location of the scheme in close proximity to facilities, amenities, and public transport, it is submitted that the result is a scheme which delivers best-in-class levels of amenity, which will enhance the living experience of future residents and benefit the wider area also.

Proposed Non-Residential Uses

- 5.32 The proposed development incorporates small scale commercial uses – namely a childcare facility and a commercial gym (located in Block D) and a retail unit to accommodate a local shop (which is located in Block C).
- 5.33 The inclusion of a childcare facility, which is intended to comprise a floor area of c. 300 sq.m, has regard to the requirements of the 2001 guidelines pertaining to childcare facilities, and to the requirements regarding childcare facilities set out within the Ballyogan and Environs LAP, whilst taking cognisance of the significant level of existing provision in the area as described further below. The childcare facility has been designed and sized to accommodate the full likely childcare demand for the development (c. 72 places). The size of the facility has been increased since the pre-application submission to meet this

requirement. The social infrastructure audit report submitted herewith provides further detail.

- 5.34 The inclusion of a small local retail unit within the scheme is considered appropriate having regard to the scale of the proposed development, the pattern of existing adjoining development, and the benefits which the inclusion of a retail unit could engender in terms of community building and the activation of the public realm within the scheme and on adjoining routes. The inclusion of this use will also serve to reduce trip generation from the proposed development, as essential items will be available to purchase on the doorstep of the significant number of residential units within the scheme and in surrounding developments off Golf Lane. The inclusion of such a minor local shop will have no material impact on the primacy and success of the nearby permitted neighbourhood centre development at Quadrant 3, The Park.

Access and Connections

- 5.35 The main vehicular access to the subject site is to the basement car park area, with an entrance and ramp provided off Golf Lane on the eastern side of the subject site. An access is also provided here to the podium plaza area, which includes a shared surface allowing for pick-up and drop-off associated with the ancillary residents' amenities, creche, and residential units. The access arrangements avoid prejudicing the future delivery of the Kiltiernan link road which will replace Golf Lane in due course, as provided for under the Cherrywood SDZ Planning Scheme.
- 5.36 The proposed development is also highly accessible via bike and on foot, given the strong connections and new infrastructure provided for within the scheme. The site is proximate to high quality, high capacity public transport infrastructure as noted previously.
- 5.37 The proposed development includes the provision of new routes crossing the stream along the site's western boundary, linking the new pedestrian and cycle infrastructure encircling the scheme with the Glenamuck Road and the facilities thereon, and also to The Park, via a new crossing. These works are on lands in the ownership of the Local Authority for which a letter of consent has been provided for the inclusion of the lands within the application site.



Figure 5.6: View of new pedestrian and cycle linkage through the proposed development

Parking

- 5.38 Given the highly accessible location of the subject site (as set out within the DBFL Consulting Engineers input within the accompanying TTA), it is intended to provide for car parking at a rate below the maximum standards set out within the County Development Plan. The proposals include c. 303 car parking spaces. 10 of these spaces will be allocated to the non-residential elements of the proposed development. This equates to a ratio of c. 0.62 spaces per residential unit. 12 no. car parking spaces will be accessible car parking spaces. It is also intended that 7 no. car share spaces will be allocated within the scheme. 12 no. motorcycle parking spaces are provided.
- 5.39 The level of parking proposed is considered appropriate having regard to the site's highly accessible location in close proximity to a Luas stop and other public transport services.
- 5.40 The TTA submitted herewith includes a full car parking analysis, including a strong evidence base predicated on parking demand surveys and analysis of census data on car ownership patterns.
- 5.41 1,000 cycle parking spaces are provided at Basement -1 level, while 240 cycle spaces will be provided at basement level. This level of provision will exceed the minimum standards set out within the DLR cycle manual document, and meets the requirements of the 2018 Apartment Guidelines.

Plot Ratio and Site Coverage

- 5.42 The proposed development results in a plot ratio of c. 1.65 and a site coverage level of c. 20%, based on the site area of c. 2.56 hectares. When only the developable / net site area is considered, the plot ratio is c. 2.2 and the site coverage is c. 27 %. The Dun Laoghaire Rathdown County Development Plan and the Ballyogan and Environs Local Area Plan do not prescribe plot ratio or site coverage for the subject site.

Response to Previous Refusal on Subject Site

- 5.43 The Board, in its consideration of the previous application on the subject site, noted that certain elements of the previous scheme were positive, with the main concern relating to the potential this site had to accommodate significant height and a landmark architectural solution, which the current proposal seeks to deliver. In addition, the current proposal has incorporated certain features which were considered acceptable previously, to ensure that these positive elements are not lost in the updated proposal. These include:
- The Inspector noted that the pedestrian permeability of the previous scheme was positive, and the current proposal seeks to deliver and augment these pedestrians and cycle links.
 - The provision of a footbridge across the stream from the DLRCC lands was noted as a positive aspect of the design – this is incorporated into the current scheme.
 - The Inspector welcomed the provision of residents’ amenity space – the current proposal incorporates a significant range and extent of residents’ amenities.
 - The Inspector welcomed the provision of a linear park along the stream, which is now also incorporated into the current development design.
- 5.44 The issues set out in the table below were raised in the Inspector’s Report (which were not reflected in the Board’s Order, dealt with above) and we have set out below how the most pertinent issues raised on the previously refused SHD on site will be dealt with in the forthcoming application.

Item	Issue	Proposed Response
Height and Density – Section 10.3	The Inspector highlights the inappropriate design of the previous proposal lacking sufficient density and a landmark element.	As set out above, the development now promotes higher density and includes a statement landmark building.
EIA – Section 10.8	The Inspector noted that the development did not require mandatory EIA, and would not result in any likely significant effect requiring undertaking of sub-threshold EIA.	The current proposal includes a greater number of residential units on the subject site, with 482 units proposed. As this is just below the relevant EIA threshold (500 residential units), a precautionary approach has been adopted and an EIAR is submitted

		with the planning application to the Board.
Interaction with Road Objective – Section 10.6.2	The Inspector noted that the proposal would encroach on the road reservation for the Kiltiernan Link Road.	The current proposal has been designed to be set back ensuring that it does not encroach on the future link road corridor, thereby ensuring that the development will not prejudice the delivery of this infrastructure.
Landscaping and Trees – Section 10.4.5	The Inspector recommended that if the Board were minded to grant permission, a condition should be attached requiring submission of a revised landscape scheme to include a significant number of trees to offset tree removal.	The landscape proposals now submitted incorporate significant elements of tree planting, to offset loss of trees on site, which is a consequence of providing a high density residential scheme with associated basement car parking.

Design

- 5.45 Design Statement document prepared by Henry J Lyons Architects provides a detailed description and rationale for the design of the proposed development and should be referred to for further details and illustrations of the proposed development.
- 5.46 The design of the proposed development has been informed by the planning history of the subject site, the surrounding context, and the planning policy context contained within the County Development Plan, LAP, and national and regional planning policy.
- 5.47 The scheme takes the form of distinctive residential blocks, which benefit from a site specific and bespoke design by HJL architects, with central areas of good quality open space which includes active play areas forming a clear break between the blocks. The facades of the proposed buildings are animated by a mix of uses at ground floor level in some blocks, focusing on adjoining routes, with variations in parapet height ensuring a sense of visual rhythm throughout the scheme. The design responds effectively to the context onto the M50 by stepping up at the site's northern side toward a landmark building.
- 5.48 This landmark building presents a strong composition when viewed in the context of the other proposed buildings, and can be viewed as a slender, modulated, and sculptural form when seen in closer and more distant views of the site. The landmark building will mark a sense of arrival on the important M50 corridor, while also enhancing the legibility of the surrounding area and generally having a positive visual impact as set out within the visual impact assessment forming part of the Environmental Report. This element of height directly responds to local planning policy (within the BELAP) which designates the site for higher buildings, while also seeking to address the previous reason for refusal on the subject site.

- 5.49 The facades of the buildings are modulated to break down the massing of the buildings to form an effective architectural composition. The provision of entrances to the ground floor commercial units and the residential elements of the development ensure a level of activity on all frontages, while passive surveillance is maximised on external routes and internal open spaces as mentioned previously.
- 5.50 The proposed buildings will be executed in high quality, durable materials befitting the prominent location of the subject site. As set out within the accompanying HJL Architectural Design Statement, the design of the proposed development has been given a significant level of consideration, with a meticulous design development process resulting in the form and materiality of the resulting scheme. The materials used are strong, honest, and aesthetically pleasing, befitting the architectural statement made by the development.
- 5.51 Within the proposed development, the design of individual residential units seeks to maximise their utility and amenity for future occupants, by providing generous apartment sizes and associated areas of private open space in the form of balconies and terraces. The scheme also seeks to maximise sunlight and daylight access for the proposed residential units, while including a strong ratio of dual aspect units within the development.



Figure 5.7: View of the proposed landmark building from the northern side of the M50 Corridor facing south



Figure 5.8: View of the scheme from Golf Lane, the scale and height of development steps down to avoid overbearing and amenity impact on the adjacent properties along Golf Lane

6.0 CONSISTENCY WITH NATIONAL AND REGIONAL PLANNING POLICY

6.1 The key provisions of national (including relevant Section 28 guidelines) and regional planning policy context relating to the proposed development are set out in the following sections. The policy and guidance documents of relevance to the proposed development are listed below:

- The National Planning Framework (2018)
- Rebuilding Ireland – Action Plan for Housing and Homelessness 2016
- Regional Spatial & Economic Strategy for the Eastern & Midland Regional Assembly 2019
- Sustainable Urban Housing: Design Standards for New Apartments (2018)
- Urban Development and Building Heights Guidelines 2018
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), and accompanying Urban Design Manual (2009)
- Guidelines for Planning Authorities on ‘The Planning System and Flood Risk Management (November 2009)’
- Design Manual for Urban Roads and Streets (2013)
- Transport Strategy for the Greater Dublin Area 2016 - 2035
- Guidelines for Planning Authorities on Childcare Facilities (2001)
- Birds and Habitats Directive – Appropriate Assessment

- 6.2 An evaluation of the consistency of the proposed development in the context of the relevant policies and objectives set out in the above-referenced documents is included within each section.

The National Planning Framework (NPF) – Ireland 2040

- 6.3 Project Ireland 2040 National Planning Framework was published on the 16th February 2018. The National Planning Framework (NPF) is the Government's high-level strategic plan for shaping the future growth and development of Ireland out to the year 2040. The plan will guide national, regional and local planning opportunities together with investment decisions for at least the next two decades.
- 6.4 The companion to this document is the National Development Plan, a ten-year strategy for public capital investment of almost €116 billion. The NPF notes the documents align *'our investment strategy with our strategic planning documents to, for the first time in the history of our State, create a unified and coherent plan for the country'*.
- 6.5 It is stated that the NPF will be given *'full legislative support within the planning system'*, including regular review with the future potential to make adjustments where necessary. Each of the three regions will prepare their own strategy in accordance with the Framework set by the NPF, known as Regional Spatial and Economic Strategies (RSES). County and City Development Plan review cycles will then fall in to line with their respective regional strategies, ensuring alignment between the hierarchy of plans.
- 6.6 The National Strategic Outcomes set out in the NPF are:
- Compact Growth
 - Enhanced Regional Accessibility
 - Strengthened Rural Economies and Communities
 - High-Quality International Connectivity
 - Sustainable Mobility
 - A Strong Economy, supported by Enterprise, Innovation and Skills
 - Enhanced Amenities and Heritage
 - Transition to a Low Carbon and Climate Resilient Society
 - Sustainable Management of Water, Waste and other Environmental Resources
 - Access to Quality Childcare, Education and Health Services
- 6.7 In relation to residential development the plan states:
- 'A major new policy emphasis on renewing and developing existing settlements will be required, rather than continual expansion and sprawl of cities and towns out into the countryside, at the expense of town centres and smaller villages. The target is for at least 40% of all new housing to be delivered within the existing built up areas of cities, towns and villages on infill and/or brownfield sites'*.
- 6.8 A core objective of the NPF is achieving compact growth and the Framework targets a *'significant proportion of future urban development on infill/brownfield development sites within the built footprint of existing urban areas'*. The proposed development provides for the delivery of a significant residential scheme on a site which was formerly occupied by low density residential development, at a location within the existing built up area. The development is therefore consistent with this principle.

- 6.9 The NPF seeks to achieve *‘better use of under-utilised land and buildings, including ‘infill’, ‘brownfield’ and publicly owned sites and vacant and under-occupied buildings, with higher housing and jobs densities, better serviced by existing facilities and public transport’*.
- 6.10 National Policy Objective 2a is that *“a target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs”*. The proposed development is consistent with this objective, by providing for residential accommodation to respond to population growth in Dublin.
- 6.11 National Policy Objective 3a targets the delivery of at 40% of future housing development to be within the footprint of built-up footprint of existing settlements. The proposed development accords with this objective as the proposed development via the delivery of housing within an existing built up area.
- 6.12 National Policy Objective 3b is to *“deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints”*. The proposed development is located within the existing built up area of Dublin and accords with this objective.
- 6.13 National Policy Objective 4 aims to *‘ensure the creation of attractive, liveable, well designed, high urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being’*. The proposed development accords with this objective via the provision of a high quality new residential development which will promote diversity and integration via an appropriate range of unit types and sizes, adding to the level of choice and housing availability at a suitable location.
- 6.14 National Policy Objective 5 is to *“Develop cities and towns of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity”*. The proposed development will deliver a significant number of residential units which will assist in the realisation of a critical mass of population at an accessible location, thereby according with this objective.
- 6.15 National Policy Objective 6 seeks to *‘Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area’*. The proposed development will accommodate the increasing residential population in the area, within a scheme of considerable architectural merit. Therefore the proposed development accords with this policy.
- 6.16 National Policy Objective 7 seeks to promote a tailored approach to urban development linked to the URDF. A particular emphasis is placed on Dublin, and the need to encourage population growth in strong employment and service centres. The proposed development will accord with this objective, via the delivery of additional residential accommodation to accommodate the growing population of the Dublin Area, at a location which is accessible and proximate to significant employment opportunities.
- 6.17 National Policy Objective 11 states: *‘In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth’*. The

- proposed development will encourage more people, and also generate an element of long term employment, within an existing urban area, thereby according with this objective.
- 6.18 The NPF advocates compact urban development and focuses maximising existing uses onsite and maximising potential with respect to connections to transport links.
- 6.19 National Policy Objective 13 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.’* The proposed development accords with the performance based criteria set out within the relevant guidance, as discussed in further detail below.
- 6.20 National Policy Objective 27 seeks to *‘Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages’*.
- 6.21 The proposed development is located at an accessible location with access high frequency, high capacity public transport in the form of the nearby Luas Green Line. The scheme also provides access to existing cycle facilities in the area and new pedestrian and cycle linkages within the scheme and crossing Glenamuck Road. The site is also accessible by bus. The proposed development, by virtue of its accessible location and the ratio of car and bicycle parking provided will encourage the use of sustainable transport modes, minimising the use of private cars to the greatest degree possible.
- 6.22 National Policy Objective 33 seeks to *‘Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location’*. The proposed development will deliver significant quantum of residential development at a location which is well suited to the delivery of the proposed level of density and accommodation, thereby according with this objective.
- 6.23 National Policy Objective 34 is to *“Support the provision of lifetime adaptable homes that can accommodate the changing needs of a household over time.”*. The proposed development incorporates units that are inherently adaptable due to their flexible internal layout. The inclusion of resident’s amenities and support facilities, including concierge services, within the scheme will enhance its attractiveness for a wide range of age groups, including the elderly.
- 6.24 Objective 35 of the National Planning Framework aims to: *‘Increase residential density in settlements through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area of site-based regeneration and increased building heights.’* The proposed development represents the regeneration of an underutilised site within an existing built up area, thereby according with this objective.
- 6.25 It is considered that the current use of the subject lands constitutes an underutilisation of an urban space at a highly accessible location. The site is currently unoccupied, with the previous dwellings on site having been demolished several years ago. The development of the site for the purposes of residential use will deliver a high-quality scheme of an appropriate scale and density which is sensitive to existing surrounding properties. This

will optimise the use of the site and ensure sustainable development at an appropriate location in close proximity to a range of services and public transport facilities.

- 6.26 In summary, the NPF shows broad policy support for residential development as proposed in an existing settlement area on appropriately zoned land, within the metropolitan area of the GDA and in close proximity to good quality public transport. The proposals will achieve compact growth and densification of urban areas and ensure efficient use of zoned land under which residential development is permissible and constitutes effective land and transport planning.
- 6.27 The NPF also states that *“to avoid urban sprawl and the pressure that it puts on both the environment and infrastructure demands, increased residential densities are required in our urban areas”*.
- 6.28 The NPF continues to state that:

“Although sometimes necessary to safeguard against poor quality design, planning standards should be flexibly applied in response to well-designed development proposals that can achieve urban infill and brownfield development objectives in settlements of all sizes.

This is in recognition of the fact that many current urban planning standards were devised for application to greenfield development sites and struggle to take account of evolved layers of complexity in existing built-up areas.

In particular, general restriction on building height or universal standards for car parking or garden size may not be applicable in all circumstances in urban areas and should be replaced by performance based criteria appropriate to general locations e.g. city/ town centre, public transport hub, inner suburban, public transport corridor, outer suburban, town, village etc”.

- 6.29 The existing site is underutilised and presents a key opportunity site as identified in the NPF for redevelopment as a residential scheme. The proposed building heights vary across the scheme, from elements of four storey development up to a landmark building which reaches a height of twenty-two storeys. The proposed density and height of the development is considered appropriate for the location of the site and the availability of public transport facilities, and responds to the reason for refusal for a previous SHD application on the subject site, which explicitly referenced the appropriateness of the site for a landmark building to mark the entrance to the area of Carrickmines, and the capital city of Dublin on the M50.
- 6.30 Thus, having regard to the above, it is respectfully submitted that the proposal is a suitable form, design and scale of development for this strategically located underutilised site and is consistent with the objectives of the NPF.

Rebuilding Ireland – Action Plan for Housing and Homelessness

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

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

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

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

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

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

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

6.33 The proposed development is consistent with Pillar 3. The proposed development provides for 482 no. new apartment units, which will substantially add to the residential accommodation availability in the area and cater for the increasing housing demand in a sustainable manner.

Regional Spatial and Economic Strategy for the Eastern and Midlands Regional Assembly

6.34 The Regional Spatial and Economic Strategy (RSES) is a strategic plan and investment framework to shape the future development of the eastern regional to 2031 and beyond. The RSES was adopted at the meeting of the Eastern and Midland Regional assembly on the 5th of May 2019 and was published / came into effect on the 28th of June 2019.

6.35 The Eastern and Midland Regional assembly (EMRA) was established in 2015 as part of the regional tier of governance in Ireland. The region covers nine counties, Longford, Westmeath, Offaly, Laois, Louth, Meath, Kildare, Wicklow, and Dublin. The principle function of the assembly is the delivery of a Regional Spatial and Economic Strategy (RSES), a new concept in Irish planning where not only the spatial but also the economic factors that go into the future of the region are brought together into one all-encompassing strategy.

6.36 The vision for the RSES is to *'create a sustainable and competitive region that supports the health and wellbeing of our people and places, from urban to rural, with access to quality housing, travel and employment opportunities for all'*.

6.37 The RSES supports the consolidation and re-intensification of infill and brownfield sites to provide high density and people intensive uses within the existing built up area of Dublin city and suburbs and ensure that the development of future development areas is co-ordinated with the delivery of key water infrastructure and public transport projects.

6.38 The subject development seeks to provides for residential development on a key urban infill site to increase densities, heights and urban consolidation in this strategic location adjacent to high frequency public transport. The proposed development therefore is compliant with the overall policies and objectives of the RSES in this regard.

6.39 Regional Policy Objective 4.3 is as follows:

“RPO 4.3: Support the consolidation and re-intensification of infill/brownfield sites to provide high density and people intensive uses within the existing built up area of Dublin City and suburbs and ensure that the development of future development areas is co-ordinated with the delivery of key water infrastructure and public transport projects.”

6.40 The proposed development will promote the intensification of development on an accessible and serviced infill site within the existing built up area, thereby supporting the achievement of the foregoing objective.

6.41 Section 5.3 of the RSES sets out the key guiding principles for the growth of the Dublin Metropolitan Area. Of relevance to the current proposals, this section of the RSES states:

“Compact sustainable growth and accelerated housing delivery – To promote sustainable consolidated growth of the Metropolitan Area, including brownfield and infill development, to achieve a target of 50% of all new homes within or contiguous to the built-up area of Dublin City and suburbs, and at least 30% in other settlements. To support a steady supply of sites and to accelerate housing supply, in order to achieve higher densities in urban built up areas, supported by improved services and public transport.”

6.42 The proposed development is consistent with this key guiding principle as it will achieve increased housing provision within the existing built up area of Dublin on an infill site. The proposed development will accelerate housing supply at an appropriate location which is well served by public services and public transport.

6.43 The proposed development is located on the Luas Green Line corridor identified in Table 5.1 of the RSES. The RSES document notes that new residential communities at Ballyogan and Environs will play a part in the realisation of growth along this major public transport corridor, which is targeted for additional population capacity of 28,000 in the short term, 25,000 in the medium term, and a further 18,000 in the long term.

6.44 RPO 5.3 is states that *“Future development in the Dublin Metropolitan Area shall be planned and designed in a manner that facilitates sustainable travel patterns, with a particular focus on increasing the share of active modes (walking and cycling) and public transport use and creating a safe attractive street environment for pedestrians and cyclists.”* The proposed development accords with this objective, via the delivery of significant new pedestrian and cycling infrastructure, strong provision of bicycle parking, and proximity to high frequency, high capacity public transport services.

6.45 Regional Policy Objective 5.4 is that *“Future development of strategic residential development areas within the Dublin Metropolitan area shall provide for higher densities and qualitative standards as set out in the ‘Sustainable Residential Development in Urban Areas’13, ‘Sustainable Urban Housing: Design Standards for New Apartments’ Guidelines and ‘Urban Development and Building Heights Guidelines for Planning Authorities’”*. The proposed development is consistent with this objective due to its compliance with the guidance documents referenced therein. Consistency with these relevant planning policy documents is set out below.

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

- 6.46 The Sustainable Urban Housing Design Standards for New Apartment were published in March 2018. The guidelines provide for updated guidance on apartment developments in response to the National Planning Framework and Rebuilding Ireland.
- 6.47 Specific Planning Policy Requirements of the Apartment Guidelines 2018 supersede Section 8 Development Management Criteria of the Dun Laoghaire Rathdown County Development Plan.
- 6.48 Housing Quality Assessment (HQA) document prepared by HJL Architects which is submitted herewith outlines compliance of the proposed apartments with the relevant quantitative standards required under the 2018 Apartment Guidelines. The drawings have also been prepared with regard to the requirements of Section 6 of the Guidelines.
- 6.49 A summary of how the proposed development complies with the relevant requirements of the Apartment Guidelines 2018, in addition to that set out in Section 5 above, is outlined below.

Location

- 6.50 The ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’, identify a number of locations suitable for apartment development primarily ‘Intermediate Urban Locations’ and ‘Central and / or Accessible Urban Locations’.

- 6.51 Central and/or Accessible Urban Locations are defined as follows:

“Such locations are generally suitable for small- to large-scale (will vary subject to location) and higher density development (will also vary), that may wholly comprise apartments, including:

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

- 6.52 The subject site falls into the category of ‘Accessible Urban Locations’, given that the site is well served by public transport and located within 500 metres of the Ballyogan Luas Green Line stop. Via the new pedestrian crossing proposed in the current application, the walking distance to the Luas stop from the centre of the subject site will be c. 650 metres – well below the upward range (800-1000m) in the Guidelines. In addition to the proximate Luas stop, the site is also located in close proximity to bus routes operating along Ballyogan Road and Glenamuck Road. The 63 bus route provides services from Dun Laoghaire to Kiltiernan, with c. 20 minute frequencies. Glenamuck Road is well served by existing pedestrian and cycle facilities, with Ballyogan Road also benefiting from good quality facilities. The nearby Luas stop provides an opportunity to avail of high capacity,

high frequency services between Brides Glen to the City Centre and onwards to Broombridge in the north of the city.

- 6.53 In a similar context, the Board considered the Glencairn House SHD scheme under ABP Ref.: 302580-19 to be an accessible urban location for a SHD development, having regard to the Apartment Guidelines 2018 because of the site's proximity to LUAS. In this regard the subject site at Golf Lane is considered to be within the category of 'Accessible Urban Locations' and suitable for high density and greater heights.
- 6.54 Furthermore, the previous refusal of a SHD application on the subject site provides an insight into the consideration by the Board of greater heights on the subject site. In recommending refusal, the Board's Inspector (as set out above) noted that the site was appropriate for the delivery of a more site specific scheme with a landmark design approach. This has been reflected in the design which is now put forward for pre-application consultation.
- 6.55 The Board's reason for refusal of the previous scheme on site also heightened the suitability of the site for landmark, higher development. The proposed development responds to this planning history context.

SPPR 1- Unit Mix

- 6.56 Specific Planning Policy Requirement 1 (SPPR1) states that '*Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s)*'.
- 6.57 The proposed unit mix breakdown is as follows:
- 31 no. studio units (6%)
 - 183 no. one bed units (38%)
 - 229 no. two bed units (48%)
 - 39 no. three bed units (8%) (includes 2 no. 3-bed duplex units)
- 6.58 This unit mix is consistent with the guidance set down in SPPR1, as the percentage of studios and 1 beds does not exceed 50%. There is no requirement for 3 bed units under SPPR 1, however 8% has been provided to provide a good range of unit types within this substantial development. We also note that no Housing Need and Demand Assessment has been undertaken by the Planning Authority for this area of the County, and it is therefore submitted that the proposed unit mix is consistent with the relevant planning policy requirement for Unit Mix. The BELAP has been prepared in the interim, however, it does not include unit mix standards which would supersede the Apartment Guidelines.

SPPR 2- Small Urban Infill Sites

- 6.59 Does not apply to the subject site.

SPPR 3- Floor Areas

- 6.60 As outlined in Section 5 above, the proposed apartment size accord with the Guidelines in terms of unit size, units per stair core, storage areas and private amenity spaces, as illustrated in the HQA. The proposed unit sizes exceed the minimum standards set out in the Apartment Guidelines 2018 and comply with SPPR3 as illustrated below.
- 6.61 Section 3.8 of the Apartment Guidelines state *“The majority of all apartments in any proposed scheme of 10 or more apartments shall exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3 bedroom unit types, by a minimum of 10% (any studio apartments must be included in the total, but are not calculable as units that exceed the minimum by at least 10%)”*. As demonstrated in the HQA, the majority of units within the proposed development will exceed the minimum apartment size by at least 10% thereby complying with this requirement.

SPPR 4- Aspect / Orientation

- 6.62 The proposed scheme provides 246 dual or triple aspect apartments, or 51% of the total development of 482 no. units. The quantum of dual aspect units proposed exceeds the requirements under the Apartment Guidelines of 33% for accessible areas, which the subject site would fall within. The provision of dual and triple aspect units also exceeds the 50% standard for intermediate locations. Detailed appraisal of the level of dual aspect provision, and the methodology for identifying these units is set out within the HJL HQA document. A conservative approach has been adopted in the identifying of units as dual aspect, having regard to recent decisions of the Board, including Reg. Ref.: ABP-305982-19 at Knocknacarra, Galway, and Reg. Ref.: ABP-306225-19 at Cornelscourt Village, Dublin 18. In this regard, it is noted that all the units identified as such in the current application are ‘true’ dual aspect units.
- 6.63 A small percentage of the units within the scheme (4% or 20 in total) have been identified as having a primarily north facing orientation. However, the HQA document prepared by HJL Architects confirms that these units either overlook large garden areas and / or panoramic longer-distance views. These units also meet the requirements of the BRE guidance in terms of access to light. The 2018 Guidelines confirm that north facing units can be considered where they a significant amenity such as a public park, garden or formal space, or a water body or some other amenity feature. This is the case with any north facing units within the development, which will benefit from attractive outlooks, many with excellent panoramic views and all with good access to light.

SPPR 5- Floor to ceiling height

- 6.64 The proposed scheme includes minimum floor to floor heights at ground floor level of 2.7m. The floors above exceed the minimum of 2.4m (as per the standards outlined in the apartment guidelines under SPPR5), with greater heights found in most open plan living areas.

SPPR 6 - Apartments to stair/lift core ratios

- 6.65 As outlined in above, the apartment to stair/lift core ratio varies per floor plate. The maximum number of units per stair/lift core is 12 no. units and therefore complies with the requirements under SPPR6, which allows for a maximum of 12 apartments per floor per core.

Other Relevant Standards from the Apartment Guidelines 2018

Living Dining Kitchen Area

- 6.66 The drawings and HQA prepared by HJL illustrate the manner in which the minimum living dining kitchen area requirements are met for all the units as per Appendix 1 of the 2018 Apartment Guidelines. The minimum aggregate floor areas and widths for kitchen/living/dining areas are set out in the Guidelines as per the extract below:

Apartment type***	Width of living/dining room	Aggregate floor area of living / dining / kitchen area*
Studio	4m**	30 sq m**
One bedroom	3.3 m	23 sq m
Two bedrooms (3 person)	3.6m	28 sq m
Two bedrooms (4 person)	3.6 m	30 sq m
Three bedrooms	3.8 m	34 sq m

** Note: An enclosed (separate) kitchen should have a minimum floor area of 6.5 sq. metres*

*** Note: Combined living/dining/bedspace, also includes circulation*

**** Note: Variation of up to 5% can be applied to room areas and widths subject to overall compliance with required minimum overall apartment floor areas*

Figure 6.1: Extract from the 2018 Apartment Guidelines regarding minimum standards for Kitchen/Living/Dining areas

- 6.67 The HQA tables submitted herewith include a column demonstrating the compliance of the proposed units with the aggregate floor area requirements. Furthermore, detailed apartment drawings are included within the HQA document which demonstrate the widths of the living/kitchen/dining areas.

Storage space

- 6.68 The drawings and HQA prepared by HJL illustrate the manner in which the minimum storage area requirements are met for all the of units as per Appendix 1 of the 2018 Apartment Guidelines. The minimum areas prescribed in the Guidelines are as follows:

- Studio – 3 sq.m
- One Bedroom – 3 sq.m
- Two Bedroom (3 peron) – 5 sq.m
- Two Bedroom (4 person) – 6 sq.m
- Three or more Bedrooms – 9 sq.m

- 6.69 The HQA document prepared by HJL Architects includes a column demonstrating the compliance of all units within the applicable standards for each unit type. Detailed apartment drawings are also included within section 5 of the HQA document which demonstrate the compliance of each apartment type.

Private Amenity Space

6.70 As outlined above the proposed units have access to private amenity space which exceeds the minimum requirements as per Annex 1 of the 2018 Apartment Guidelines. Many of the proposed units significantly exceed the minimum requirements in this regard. The minimum areas applicable are as follows:

- Studio – 4 sq.m
- One Bedroom – 5 sq.m
- Two Bedroom (3 person) – 6 sq.m
- Two Bedroom (4 person) – 7 sq.m
- Three or more Bedrooms – 9 sq.m

6.71 The HQA includes an individual column within the tables to demonstrate that the proposed units meet these requirements.

Communal Amenity Space

6.72 The quantum of public and communal open space for the proposed apartment scheme is significantly in excess of Development Plan and Apartment Guidelines standards and is also considered to be of a high quality. Further details on the quantum and quality of the open space is included in the Landscape Masterplan and report prepared by Cameo Landscape Architects and the HJL Design Statement.

6.73 The proposed communal open space for the development consists mainly of a large complex of central courtyard spaces between the building blocks as illustrated within the Landscape Design Statement. Further communal open spaces are provided in the form of roof terraces. A total of 4,264 sq.m of high quality communal open space is provided in the scheme. This meets and exceeds the minimum requirement for the scheme which would be 2,993 pursuant to the quantitative standards set out within Appendix 1 of the 2018 Apartment Guidelines.

6.74 When only communal areas which exceed the BRE minimum of 2 hours of sunlight are considered, the scheme still exceeds the minimum requirements. Of the overall 4,264 sq.m communal open space provision, it has been calculated that 3,030 sq.m of it exceeds this standard for sunlight access.

6.75 A total of 5,742sq.m of public open space is proposed included within the area of subject site (excluding the lands in the ownership of the Local Authority) which will be maintained and supplemented to provide for open space and walkways connecting the scheme with the surrounding area in a linear park setting. This excludes the landscaped areas which will be provided on DLR lands adjoining the scheme. The scheme significantly exceeds the minimum 10% standard and in fact provides c. 30% public open space on the lands within the applicant's ownership.

Children's Play

6.76 As outlined above, the proposed development includes more than 100 units with two or more bedrooms. An adequate series of play spaces within the communal courtyards accords with the Guidelines requirement for a younger children and toddler play area (85-100sqm), and a natural play area within the public open space accords with the Guidelines requirement of play areas (200 – 400 sq. metres) for the specific needs for older children and young teenagers, in a scheme that includes 100 or more apartments with two or more

bedrooms. The Landscape Design Statement outlines that c. 604 sq.m of play space is provided, which is distributed throughout the scheme, providing for 'play on the way' for children and young teenagers residing within the scheme. The play spaces are immersed in the landscape of the proposed development, providing opportunities for active recreation for the younger residents, without designating a segregated area – the enclosed central courtyard and garden areas of the scheme are ideal for play space of this nature, as they are removed from vehicular routes, and are overlooked providing for passive surveillance.

Car Parking

6.77 The 2018 Apartment Guidelines note that *'quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of location in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria'*.

6.78 The Guidelines state the following in relation to Central and/or Accessible Urban Locations:

*'In larger scale and higher density developments, comprising wholly of apartments in more central locations that are **well served by public transport**, the default policy is for car parking provision **to be minimised, substantially reduced or wholly eliminated in certain circumstances**. The policies above would be particularly applicable in highly accessible areas such as in or adjoining city cores or at a confluence of public transport systems such rail and bus stations located in close proximity'*.

6.79 The development proposal provides 311 no. car parking spaces located at basement level with access provided from Golf Lane. Given the 482 no. units within the proposed development this results in a car parking ratio of c. 0.65 spaces per apartment. The proposal provides a reduced overall car parking standard when compared to Development Plan standards, which in the context of the 2018 Apartment Guidelines is considered to be justified by the proximity of the proposed residential development to high quality public transport.

6.80 We refer the Board to the Traffic and Transport Assessment prepared by DBFL, and submitted with the planning application, for further justification of the parking provision for the proposed development.

Cycle Parking

6.81 The standard set out under the 2018 guidelines is for one bicycle parking space per bedroom, and one visitor space for every two units.

6.82 On this basis, 761 bicycle spaces would be required as a minimum for secure long term storage, with a further 240 visitor spaces required.

6.83 In this regard, it is noted that 1,000 cycle parking spaces are provided in secure areas at basement level, with a further 240 spaces provided at surface level. The level of provision therefore fully meets the requirements of the 2018 guidelines.

- 6.84 The ‘short term’ bicycle parking at podium level will be in close proximity to each of the blocks pedestrian entrance / access points whilst all ‘long term’ bicycle parking will be located in the development’s basement facility.

Bin Storage

- 6.85 As noted above, a specific Operational Waste Management Plan for the proposed development has informed the quantum of bin storage areas proposed within the basement as identified on HJL drawings. The report illustrates that the proposed bin storage is sufficient to cater for the needs of proposed residents.

SPPR 7, 8 and 9- Build to Rent and Shared Accommodation

- 6.86 The above SPPR’s do not apply to the proposed development, as the proposed development is not a Built to Rent or shared accommodation development.

Urban Development and Building Height Guidelines 2018

- 6.87 The Building Height Guidelines were published on the 7th of December 2018 under Section 28 of the Planning and Development Act 2000, as amended. Therefore, the Strategic Planning Policy Requirements (SPPRs) in these Guidelines take precedence over local planning policy including Development Plans, including in the consideration of a planning application made in respect of strategic housing development (*per* subsection 9(3) of the 2016 Act. Development Plans and Local Area Plans are to be reviewed to reflect the new Guidelines.
- 6.88 The Building Height Guidelines espouse a move away from blanket caps on building heights and seek to encourage greater height in central and/or accessible urban locations, such as the subject site, to encourage compact urban form and the delivery of housing and employment at accessible urban locations.
- 6.89 The Guidelines emphasise the policies of the NPF to greatly increase levels of residential development in urban centres and significantly increase building heights and overall density.
- 6.90 In relation to redevelopment and enhancement of Dublin City, the guidelines state that *“to meet the needs of a growing population without growing out urban areas outwards requires more focus in planning policy and implementation term on reusing previously developed “brownfield” land, **building up urban infill sites** (which may not have been built on before) and either reusing or redeveloping existing sites and buildings that may not be in the optimal usage or format taking into account contemporary and future requirements”*.
- 6.91 The Guidelines also place significant emphasis on promoting development within the existing urban footprint utilising the existing sustainable mobility corridors and networks.

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

- 6.92 In addition, the Guidelines states that *“the preparation of development plans, local areas plans, and Strategic Development Zone Planning Schemes and their implementation in the city, metropolitan and wider urban areas must therefore become **more proactive and more flexible in securing compact urban growth through a combination of both facilitating increased densities and building heights**”*.
- 6.93 The subject site presents the opportunity to provide a higher density, taller form of development at a location which has been specifically identified by the Board as a suitable location for a landmark building in their decision on the previous SHD application on the subject site.
- 6.94 Under SPPR3 it is a specific planning policy requirement that the Board may approve a development where an applicant demonstrates compliance with development management criteria for height. The assessment of the planning authority or the Board must take account of the wider strategic and national policy parameters set out in the National Planning Framework and the Building Height Guidelines.
- 6.95 The proposed development seeks to provide elements of higher development, including a landmark building of 22 storeys in the north of the site, introducing a high-quality piece of statement architecture at a major junction on the M50, acting as an entrance point to the Carrickmines Area and to the capital city on this major thoroughfare.
- 6.96 In relation to Building Heights the Ballyogan and Environs LAP states the following:
- “Policy BELAP RES4 – Locations for Higher Buildings: The locations identified as ‘RES4’ in **Glencairn North**, Kilgobbin South, Mimosa-Levmoss, Racecourse South, The Park Carrickmines, and Old Glenamuck Road are **considered as suitable locations for higher buildings within the BELAP area (see Figure 11.1)**. It is anticipated that all bar one of these locations would be suitable for residential buildings, consistent with the prevailing zoning objective. The designation at The Park Carrickmines is subject to ‘E’ Zoning Objective, where residential is ‘open for consideration’ under the County Development Plan and as such, any proposed use mix would need to display compliance with this zoning objective.”*
- 6.97 Thus, the BELAP provides for increased height on the subject site. Notwithstanding the BELAP provisions and the previous recommendations of ABP in the refused SHD application, we have also demonstrated how the proposed development meets the criteria required under SPPR3 below.
- 6.98 SPPR 3 (a) states:
- “It is specific planning policy requirement that where:*
- 1. an applicant for planning permission sets out how a development proposal complies with the criteria above; and*
 - 2. the assessment of the planning authority concurs, taking account of the wider strategic national policy parameters set out in the National Planning framework and these guidelines;*
- Then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise”*.

- 6.99 Compliance with the relevant criteria set out in the Building Height Guidelines is demonstrated in detail below. The Material Contravention Statement also includes clear justification for the Board to grant permission for the proposed development in the event that it considers the proposed development to materially contravene Policy UD6 of the County Development Plan which refers to the height strategy in Appendix 9 of the Development Plan.

Compliance with Development Management Criteria

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

At the scale of the relevant city/town

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

- 6.101 The subject lands are highly accessible, located in close proximity (500 metres) to an existing Luas stop at Ballyogan providing links with the city centre and other centres, providing high frequency, high capacity public transport service in close proximity to the proposed development. The site is also within close proximity (less than 250 metres) to existing bus services. Thus, the site has access to high quality, high capacity, and high frequency public transport services. The site is therefore considered to benefit from a high level of accessibility in respect of public transport.

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

- 6.102 The scale of the proposed development is considered to integrate appropriately with its surroundings, whilst introducing an element of increased height, with a higher landmark element and development along the perimeter with adjoining roads to define a strong urban edge to the M50 and the other adjoining streets at this important location. This strong urban edge provided by the development steps up towards the north of the site, culminating in a 22 storey tower. This sculptural and slender architectural piece seeks to provide for enhanced legibility along the M50 corridor, providing for an appropriate proportional framing of this wide transport corridor.

- 6.103 The proposal will provide for a strong sense of place and a public realm which will be more comfortable and inviting for pedestrians due to improved enclosure, and permeability around and through the scheme. The scheme responds both to its existing and permitted / planned context, which will see the wider develop as a new urban district, including the permitted neighbourhood centre and mixed-use development at Quadrant 3, the Park, on the opposite side of Glenamuck Road.

- 6.104 The height of the proposed scheme steps down from north to south, and where the scheme adjoins other properties. Setbacks and landscape buffer areas are provided along such frontages in order to ameliorate impacts on the amenities of adjoining properties, while also allowing for higher buildings and higher residential densities on the site.

- 6.105 The accompanying contiguous elevations and sections provided by HJL illustrate the proposed building height in the context of the existing urban environment.
- 6.106 The visual impact of the proposals are discussed in greater detail in the accompanying Townscape and Visual Impact Assessment by Kennett Consulting, which is included as part of the Environmental Impact Assessment Report. The TVIA sets out that the impact of the proposed development will be significant, but positive, as it forms part of the wider changes to the landscape and visual context as provided for under the Development Plan and the LAP for the area.



Figure 6.2: Extract from distant view of the proposed development, highlighting the high quality design of the landmark building

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.

- 6.107 The proposed development site extends to approximately 2.6 ha and is therefore not considered as a 'larger urban redevelopment site'. Notwithstanding this, the proposals are considered to make a positive contribution to place-making through a high quality development which integrates with the existing development pattern and enhances the public realm along adjoining routes, whilst also providing a landmark development on the important M50 corridor, signalling an entrance point to the area and to Dublin on this major route.
- 6.108 The proposals also promote pedestrian linkages through the development with attractive public realm and open space surrounding the proposed buildings. This promotes public movement through the site and facilitates pedestrian desire lines through the site to access The Park Carrickmines, the nearby Luas stop, and the permitted Quadrant 3 neighbourhood centre development.

- 6.109 The development creates visual interest at the site through a high quality design which responds to the surrounding pattern of development.
- 6.110 The proposals introduce a higher built element into the existing urban landscape along the M50, with a maximum height of c. 71 metres where the building steps up to its maximum height. The scale and massing of this higher element has been carefully considered in terms of width and depth in order to appear in balance within the existing context while appropriately responding to the site context on a wide roadway, at a location which demands a landmark architectural response.
- 6.111 In this respect, the proposals are considered to be of an appropriate scale, height and massing to complement the existing urban form whilst successfully introducing a high-quality element of architecture to the site, making optimal use of the strategic, prominent location.

At the scale of district / neighbourhood / street

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

- 6.112 The proposed development will form a landmark in views along the M50, Glenamuck Road, and Golf Lane, positively contributing to its urban neighbourhood and streetscape by virtue of its context sensitive and carefully considered design. It will provide for high quality contemporary design at an appropriate location and make a significant positive contribution to the existing urban neighbourhood and streetscape at this location.
- 6.113 It is considered that the proposal introduces a high-quality development at an underutilised site within a setting which is swiftly developing and which is destined for significant planned further growth. The proposed development responds appropriately to the surrounding urban pattern and scale, with higher built elements situated along the M50 and Glenamuck Road frontages, falling in height moving south and east, towards Golf Lane and existing properties to the south.
- 6.114 The proposals constitute the sustainable development of these underutilised lands and will enhance the appearance of the site, providing integration with the existing context and enhancing the urban realm at this location through the introduction of high-quality landscaping and commercial uses which are accessible to the public. This will add positively to the quality and aesthetic appearance of the area, allowing for vibrancy within the public realm, and a range of building heights and formulations that avoid any sense of monotony or monolithic design. The landmark building in the scheme is a sculptural, slender and vertically emphasised foil to the lower-rise, more horizontally emphasised elements of the scheme.



Figure 6.3: View of the high quality landscaping proposed within the scheme – this view shows the perimeter cycle and pedestrian route, with courtyard spaces in the background

The proposal avoids long, uninterrupted walls of building in the form of perimeter blocks or slab blocks with materials / building fabric well considered.

- 6.115 The proposal introduces a series of residential apartment buildings constructed with high quality materials which relate well to the site's location and the style and palette of neighbouring properties and the wider existing and permitted context, including Quadrant 3 in The Park. The extensive use of glazing throughout the scheme provides continuity with the architectural design of the Quadrant 3 scheme, while the choice of infill panelling and materials for the building 'fins' will result in a high standard of finish and texture within the development. The design of the buildings and the materials used serve to express the architectural intent of the scheme, with floorplates expressed on the facades, and fins to the landmark building accentuating its slenderness and sculptural quality when viewed from the surrounding area. This approach also breaks up the scale and massing of the scheme, ensuring that it will be pleasing to the eye when viewed from a distance, as much as within the scheme itself. The final application is accompanied by a detailed materials and finishes brochure, in response to specific information item 3 of the Board's Opinion.
- 6.116 The layout and siting of the development has been sensitively chosen to create attractive new streetscapes along surrounding routes, giving the area a more urban feel, and imbuing it with a greater sense of place. Elevations have been carefully designed and introduce varied aspects, through recessed styles and elements stepped out from the dominant building lines. This provides variety and visual interest to the buildings. This is complemented by a high quality hard and soft landscaping scheme which further enhances the visual appeal of the proposals, as well as attracting public use and animation long the street frontages and within the internal courtyard and garden spaces. No long, uninterrupted walls are proposed in the form of perimeter or slab blocks, as the scheme effectively varies in height, and steps to avoid any sense of monotony.

The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/ marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of "The Planning System and Flood Risk Management – Guidelines for Planning Authorities" (2009).

- 6.117 The proposed development will significantly enhance the existing M50, which is a key thoroughfare in the area and for the city at large. It will provide for a high-quality contemporary development at an appropriate location and make a significant contribution to the existing streetscape, providing for an enhanced sense of scale and enclosure, in proportion to the scale of the adjoining road.
- 6.118 The proposal introduces a development which is compatible with its land use zoning and adjacent residential development. The scheme introduces public areas of landscaping adjacent to the commercial elements of the development onto Golf Lane, including a neighbourhood shop and a gym, with a creche located more internally within the scheme. A significant high-quality open space is provided in the centre of the scheme for communal use. A landscaped pedestrian pathway along the western, southern and northern boundaries facilitates new pedestrian and cycle connections, across new crossings of the stream which traverses the site, and onwards via a new pedestrian and cycle crossing of Glenamuck Road to the Quadrant 3 scheme at the Park Carrickmines and the parkland which will be provided therein. That parkland within Quadrant 3 will ultimately link up with a linear park running to the new Ballyogan park, and then to the linear park within the Clay Farm scheme to the north west.
- 6.119 The additional height proposed makes optimal use of an underutilised area of land which benefits from a strategic location. The layout of the residential blocks contributes to the creation of a central courtyard / garden space which will function as a managed open space. This contributes to a sense of place and benefits from passive surveillance from the residential buildings. The Site Specific Flood Risk Assessment prepared by DBFL Consulting Engineers demonstrates the compliance of the scheme with “The Planning System and Flood Risk Management – Guidelines for Planning Authorities” (2009).

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.

- 6.120 The proposed development will add interest and articulation to the M50, Glenamuck Road, and Golf Lane, while effectively breaking down the scale and massing of the scheme to ensure that it sits comfortably in its setting. It will make a positive contribution to the legibility of the area, in particular via the provision of a landmark building, acknowledging the site’s prominence.



Figure 6.4: The proposed landmark element will enhance the legibility of the area and improve wayfinding, including on the M50

- 6.121 The development will introduce a new residential population at the location who will benefit from the site's accessibility in terms of public transport and existing and proposed pedestrian links. The development will also attract footfall through the introduction of commercial elements and a childcare facility. This will integrate successfully with the site's location and increase pedestrian movement and activity in the area.

At the scale of the site/building

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

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

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

- 6.122 The proposed scale, massing and height of the development has been informed by the existing, planned and emerging built environment in the surrounding area. The development introduces a higher built element to the urban environment which seeks to optimise the site's location and position on a key thoroughfare. The scale and height of the proposed residential blocks take cognisance of the surrounding urban form, stepping down in height moving to the south and east, towards existing properties to the south, and the more modest scale of development on Golf Lane. This is seen to integrate successfully with the urban environment whilst introducing an element of height which effectively responds to the site's prominent location.
- 6.123 A Sunlight / Daylight Analysis and Shadow Analysis have been carried out by JAK in the preparation of this request, which indicates good daylight access for the proposed development, with no significant impact on surrounding properties.
- 6.124 The planning application is accompanied by an EIAR incorporating noise and air quality assessment chapters, which include mitigation measures to ensure a healthy and comfortable environment for residents and visitors to the scheme. A wind assessment has also been undertaken, with design-based mitigation to avoid any negative microclimate impacts arising from the taller built elements. The design of the scheme has followed an iterative approach, with repeated modelling of wind and noise impacts allowing for the incorporation of extensive design-based mitigation via changes to the building and landscape design of the development since the pre-application stage.

- 6.125 It should be acknowledged that the proposals will enable the redevelopment of a site in a prominent and highly accessible location which is significantly underutilised at present, with a high-quality development, the introduction of a residential population in close proximity to good quality public transport, as well as providing publicly accessible commercial uses and landscaped public open space.
- 6.126 It is clear that there is a strong emphasis towards increased density and building height in appropriate locations within existing urban centres and in close proximity to public transport links within existing and emerging Government policy.

Specific Assessments

- 6.127 The Guidelines note that to support proposals at some or all of these scales, specific assessments may be required, and these may include:

1) *Specific Impact assessment of the micro-climatic effects such as down-draft. 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.*

Response

- 6.128 The application is accompanied by a Wind & Microclimate Assessment which is included as Chapter 11 of the EIA. The assessment utilised detailed and repeated modelling of the scheme, with mitigation and design updates utilised to address instances of uncomfortable windspeeds wherever these were identified. Following the implementation of design-based mitigation, the model was updated and re-run, with further mitigation then introduced in any remaining instances of uncomfortable windspeeds, then remodelled and assessed further to ensure the efficacy of these measures.
- 6.129 The proposed development represents a landmark development, which is not adjoined by any other cluster of higher development. The scheme itself however represents a cluster of higher development, which has been thoroughly assessed via robust modelling and assessment methods in the wind / microclimate assessment included as part of the EIA.

2) *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.*

Response

- 6.130 This SHD application is accompanied by a AA Screening Report prepared by Scott Cawley and an EIA, including Chapter 5 Biodiversity, which demonstrates that the proposed building heights do not have the potential to adversely impact on the biodiversity of the area. As outlined in the AA Screening, the development site does not provide suitable habitat for ex situ bird species. Also, no bat roosts have been identified on site and mitigation is provided within the Biodiversity chapter of the EIA to ensure that no significant impact on bats will arise.
- 6.131 The EIA Biodiversity chapter states the following in relation to the interaction of the development with bats:

Regarding the proposed buildings' height and the potential for this to pose a collision risk to local bats, the proposed development site is not considered to be a particularly sensitive site for bats- it is not part of any important migratory route used by bats and, based on the results of bat surveys undertaken, it supports low numbers of common bat species only. Recent studies, investigating the cause of bat collisions with buildings found that building material is an important factor to be considered (Greif et al., 2017) and that smooth vertical surfaces such as glassy exteriors and windows can be particularly problematic (Timm, 1989; Greif et al., 2017). Whilst the design of the facades of the proposed buildings does include large areas of glazing, it should be noted other materials are also proposed on the external surfaces of the buildings. For example, in Block BO, the tallest building in the proposed development, large expanses of glazing are proposed but the mullions and transoms of these windows will be composed of natural anodized aluminium. Pale bricks will also form part of the external finish of the building. The inclusion of these other materials will help to break up the glazing, making the building more detectable to bats. Irish bat species navigate largely by echolocation calls, and fixed structures such as those proposed as part of the proposed development present a low risk in terms of collision. In the absence of mitigation there could be a low level of mortality attributable to bat collision with glazing of the proposed building, however this impact is unlikely to cause any significant effect at a local scale.

- 6.132 With regard to the interaction of the proposed development with bird flight, the EIAR Biodiversity chapter prepared by Scott Cawley states:

"With regards to the height and location of the buildings, the site is not regarded to be a particularly sensitive site for breeding birds - based on the surveys undertaken, the site supports low numbers of common passerine species only. It is not located along an important migratory route for bird species, and the proposed development does not pose a significant collision risk for bird species. From a review of available literature on the subject, bird collisions with man-made structures are common and well documented (Banks, 1979; Klem, 1990; Jenkins et al., 2010; Erickson et al., 2005; and; Erickson et al., 2001) with migratory passerine species the most prevalent collision victims (Bing et al., 2012; and; Longcore et al., 2013). Bird collision with buildings is generally associated with reflective material such as windows or large surfaces of glass which create a mirror and appear to show the continuation of the sky or surrounding landscape, an effect that can be exacerbated by lighting (Sheppard & Phillips, 2015). Whilst the design of the facades of the proposed buildings does include large areas of glazing, it should be noted other materials are also proposed on the external surfaces of the buildings. For example, in Block BO, the tallest building in the proposed development, large expanses of glazing are proposed but the mullions and transoms of these windows will be composed of natural anodized aluminium. Pale bricks will also form part of the external finish of the building, As well as creating a strong architectural identity, the use of different materials here interrupts the glazing, making the building more detectable to birds. In the absence of mitigation there could be a low level of mortality attributable to bird collision with glazing on the lower levels of the proposed building, however this impact is unlikely to cause any significant effect at a local scale."

6.133 Having regard to the foregoing, notwithstanding that the proposed development is not in close proximity to sensitive bird / bat locations, the impact of the proposed development, and the height of the proposed development has been considered in terms of its impacts on birds and bats, including their flight paths and risk of collision. As confirmed above, the impact of the proposed development is not likely to be significant in this regard.

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

Response

6.134 We refer the Board to the telecommunications assessment prepared by Charterhouse which forms part of the current application. The assessment notes that any blockages to existing telecommunications channels will not impact on the retention of such channels, as these channels can be simply triangulated around the sites having regard to the location of other telecommunications arrays in the vicinity. Consultation with operators confirmed that there would be one blocked link for Vodafone and one for EIR. However, the report confirms that the development will not result in any meaningful disruption to microwave link connectivity between nearby telecommunications base stations. Where disruption occurs, the report confirms that the effect will be minor and can be rectified at negligible cost.

- 4) *An assessment that the proposal maintains safe air navigation.*

Response

6.135 The application site is not located in proximity to any airports or airfields and it is considered that the proposed development does not have the potential to impact on air navigation as a result of the height increase proposed on site. A technical note has been prepared by DBFL which notes that the proposed development does not fall within any obstacle free zone associated with any airport or airfield. Measures are set out to ensure that the development adheres to the requirements of the Irish Aviation Authority Act. On this basis the proposal will maintain safe air navigation.

- 5) *An urban design statement including, as appropriate, impact on the historic built environment.*

Response

6.136 As set out above, the application is accompanied by the following documentation of relevance to this requirement:

- 1) Architectural Design Statement prepared by HJL Architect
- 2) Landscape and Visual Impact Assessment prepared by Chris Kennett and Photomontage Views Brochure, included in Chapter 6 of the EIAR, prepared by Visual Lab
- 3) Archaeological and Cultural Heritage Chapter included within the EIAR
- 4) Landscape Report prepared by Cameo Landscape Architects

6.137 As outlined in the Design Statement and Statement of Consistency / Planning Report, the surrounding area is characterised by a mix of uses. The proposed development has been

designed to respect and enhance the surrounding character of the area. The proposed layout of the development appropriately responds to the site's context and character. There are no historic buildings or protected structures in the vicinity of the proposed development.

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

Response

- 6.138 As noted above, this SHD application is accompanied by an AA Screening Report and EIAR. The EIAR was prepared / coordinated by JSA with an experienced environmental consultancy team, with the AA Screening Report prepared by Scott Cawley.
- 6.139 The site is well placed to absorb a high-density development which is appropriately scaled and designed in the context of its urban surroundings, whilst introducing an element of increased building height which defines a landmark location on the M50 corridor, responding to the scale and width of the adjacent roadway and providing for an appropriate sense of enclosure along other adjacent routes.
- 6.140 The site benefits from excellent public transport links and a plethora of services and amenities within the area, both existing and permitted including the wide range of retail and services provision within The Park Carrickmines adjacent to the site. There is also a significant existing and planned element of employment provision within The Park Carrickmines, including within the permitted Q3 development at that location. Employment locations within Dublin city centre, and the Docklands are also easily accessible from the subject site via public transport.
- 6.141 The proposals make optimum use of this underutilised area of land which is zoned for residential development, under which residential development and the other associated uses are permitted in principle and open for consideration. The proposals are therefore considered compatible with adjacent existing land use. The scheme integrates appropriately with the urban environment and enhances public open space provision and pedestrian permeability without compromising the amenity of existing adjacent properties.
- 6.142 The development will deliver significant planning gain, in the form of new routes which match pedestrian desire lines from residential development to the east and southeast, through the subject site and onward to The Park Carrickmines and the Ballyogan Luas stop.

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

- 6.143 The role of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas is to ensure the sustainable delivery of new development throughout the country. The Guidelines focus on the provision of sustainable residential development, including the promotion of layouts that:
- Prioritise walking, cycling and public transport, and minimise the need to use cars;
 - Are easy to access for all users and to find one's way around;
 - Promote the efficient use of land and of energy, and minimise greenhouse gas emissions;

- Provide a mix of land uses to minimise transport demand.
- 6.144 The Guidelines also provide guidance on the core principles of urban design when creating places of high quality and distinct identity. The Guidelines recommend that planning authorities should promote high quality design in their policy documents and in their development management process. In this regard, the Guidelines are accompanied by a Design Manual discussed below which demonstrates how design principles can be applied in the design and layout of new residential developments, at a variety of scales of development and in various settings.
- 6.145 These Guidelines support a plan-led approach to development as provided for in the Planning and Development Act 2000. Section 2.1 of the Guidelines note that *'the scale, location and nature of major new residential development will be determined by the development plan, including both the settlement strategy and the housing strategy'*.
- 6.146 The Guidelines reinforce the need to adopt a sequential approach to the development of land and note in Section 2.3 and *'the sequential approach as set out in the Departments Development Plan Guidelines (DoEHLG, 2007) specifies that zoning shall extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference, encouraging infill opportunities...'*
- 6.147 The subject site is zoned for residential development, adjacent to a new permitted neighbourhood centre, and adjacent to an existing public transport corridor. The proposed development is therefore appropriate as it seeks to make the most efficient use of the subject site, increasing the housing stock in an existing urban area and providing for high density residential development in a strategic location which is well served by existing public transport and local services. The proposed development is therefore compliant with the guidelines in terms of the sequential approach to development.
- 6.148 Sustainable neighbourhoods require a range of community facilities, and each district/neighbourhood will need to be considered within its own wider locality, as some facilities may be available in the wider area while others will need to be provided locally. The proposed development is located adjacent to The Park Carrickmines and the permitted new neighbourhood centre and mixed use development at Quardant 3 in The Park. The proposed development does also provide for a mix of uses in the form of a commercial gym, a childcare facility and a local shop, to serve the development itself and the adjacent existing residential area without challenging the role or primacy of the adjacent neighbourhood centre.
- 6.149 The subject lands are located adjacent to 'Public Transport Corridors' in the context of the density recommendations of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009).
- 6.150 Section 5.8 of the Guidelines recommends that *'in general, minimum net densities of 50 dwellings per hectare, subject to appropriate design and amenity standards, should be applied within public transport corridors, with the highest densities being located at rail stations / bus stops, and decreasing with distance away from such nodes'*. The proposed development provides for a density of 268 no. units per hectare. It is considered that given the location of the site in close proximity to a number of surrounding services, including public transport links, existing local facilities and education and employment centres that the proposed density on site is appropriate in this instance.

- 6.151 In addition to recommending appropriate densities, the Guidelines focus on the provision of sustainable residential development, including the promotion of layouts that:
- Prioritise walking, cycling and public transport, and minimise car use;
 - Easy to access for all users and to find one's way around;
 - Promote the efficient use of land and of energy, and minimise greenhouse gas emissions; and
 - Provide a mix of land uses to minimise transport demand.
 - Reduce traffic speeds in housing developments
- 6.152 The layout is highly accessible for future occupants as well as the existing community with a permeable layout within the site.
- 6.153 The Guidelines also provide advice on the core principles of urban design when creating places of high quality and distinct identity. The Guidelines are accompanied by a Design Manual which demonstrates how design principles can be applied in the design and layout of new residential developments, at a variety of scales of development and in various settings.
- 6.154 The proposed development also has regard to the advice set down in the 'In Practice' section of the Urban Design Manual (2009), which recommends the following approach in progressing scheme up to full application stage:
- *Development Brief:* An analysis of the site has been carried out which includes reviewing the existing pattern of development in the vicinity and an analysis of the surrounding land uses and site context including the the M50 motorway, Glenamuck Road, and Golf Lane to the west. The proposed development has been designed to ensure that the development responds effectively to the surrounding context, while achieving an appropriate density of development with landmark qualities on the subject site. The proposed development has also had regard to the existing site conditions such as access and egress and the provision of services and utilities. For further details in relation to the site analysis undertaken, please refer to the HJL Design Statement.
 - *Site Analysis:* The characteristics of the subject lands and surrounding context has been established and potential linkages and vistas to adjoining lands has been analysed.
 - *Concept Proposals:* This application is accompanied by an Architectural Design Statement which outlines the concept design proposal. The Design Statement outlines the progression of the scheme design in terms of land use and density range, boundary conditions and connections which is discussed in greater detail below.
 - *Pre-planning:* Pre-application discussions were held with Dun Laoghaire Rathdown Council (the relevant Planning Authority) as part of the SHD process and with An Bord Pleanála. Details of the consultation are outlined in Section 4 this Statement of Consistency.
- 6.155 The Design Manual sets out a series of 12 criteria which it recommends should be used in the assessment of planning applications and appeals. The Architectural Design Statement, prepared by HJL Architects, demonstrates how the proposed development has

regard to and has been developed in accordance with best practice in respect to urban design. The Design Statement should be read in conjunction with this Statement of Consistency and with the plans and particulars accompanying this application.

Urban Design Manual (2009)

- 6.156 The Urban Design Manual is a companion document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas. The Manual sets out 12 criteria for sustainable residential development.
- 6.157 Having regard to the Design Statement prepared by HJL Architects which is submitted herewith, the proposed development is considered to meet the Manual's 12 criteria for sustainable residential development. These criteria are set out below, and a brief response is provided to confirm that each of the criteria is met.

Context: How does the development respond to its surroundings?

Response:

- 6.158 The Urban Design Manual sets out that new developments should perform effectively as part of its surroundings, and increases in density should respect the form of surrounding buildings. The Manual also recommends that developments should present appropriate responses to the nature of specific boundary conditions.
- 6.159 The layout of the Strategic Housing Development scheme has been predicated on the need to integrate the development with its surroundings and to provide for a suitably urban development which creates a landmark on the M50 motorway. The development design has taken cognisance of surrounding uses, providing for adequate setback and buffering from adjacent residential properties, and ameliorating risk of impact on the residential amenity of adjacent housing developments via the inclusion of generous separation distances.
- 6.160 The development effectively links with its surroundings, and includes the provision of new pedestrian and cycle links to benefit the wider area.
- 6.161 The boundary treatments for the subject site have been carefully considered and consultation has been undertaken with the owners of adjoining property to ensure the provision of acceptable boundaries to the subject site.

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

- 6.162 The Urban Design Manual notes that successful neighbourhoods 'tend to be well connected to places, facilities and amenities that help to support a good quality of life.' The Urban Design Manual further notes that the quality and sustainability of a neighbourhood can be measured by 'how well it is connected to important amenities, and how pleasant, convenient and safe those links are to use.' Positive indicators include attractive routes for pedestrians and cyclists; proximity to a mixed-use centre, layout facilitating a bus service, easy links to adjoining areas, and appropriate densities aiding the efficient provision of public transport.

Response:

- 6.163 The proposed development provides for excellent levels of connectivity and accessibility. The development includes the provision of new linkages for pedestrians and cyclists and provides for well-designed access arrangements which ensure that the future upgrading of Golf Lane will not be prejudiced. A pedestrian and cycle link is provided for through the site between Glenamuck Road and Golf Lane, allowing for connectivity between existing residential areas to the east and The Park Carrickmines and the nearby Luas stop to the west.
- 6.164 The proposed development seeks to promote cycling through the provision of cycling facilities. Quality cycle facilities are provided within the development and cyclists will be able to access the surrounding networks using safe and attractive links which will provide connectivity within the site but also to the wider area Carrickmines.
- 6.165 The proposed development will benefit from strong connectivity and permeability, thereby encouraging active transit and incentivising more sustainable modal choices.

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

- 6.166 According to the Urban Design Manual, inclusive design is defined as *‘that which meets the needs of all users, regardless of age, gender, race or sensory and mobility abilities. In its broadest sense, it also means creating places that can be enjoyed by people from all cultural and socio-economic backgrounds.’*

Response:

- 6.167 The proposed development includes units which are suitable for mobility impaired persons. Landscape design and detailing of roads and footpaths provide for movement throughout the development by mobility impaired persons, in compliance with Building Regulations Part M.
- 6.168 The proposed development also includes the provision of social housing as required under Part V. These units will provide for ease of access for future residents, thereby adding to the variety and suitability of the social housing stock in the county.
- 6.169 With regard to the provision of access for all, it is confirmed that the design of the proposed development complies with the requirements of Part M of the Building Regulations— Access for People with Disabilities.

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

- 6.170 The Urban Design Manual states that *‘most successful and sustainable communities are ones that contain a good variety of things to do, see and enjoy. For large scale developments, this means providing a good mix of uses, housing facilities and amenities to engender a successful community.’*

Response:

- 6.171 The proposed development provides for a mixture of uses within the overall scheme with a childcare facility, a gym, and a local shop provided at ground floor level. The primarily residential nature of the scheme is complemented by the inclusion of these uses.

6.172 The development also includes provision for a range of high quality public open spaces, communal open spaces, and new pedestrian and cycle routes. A high standard of residential amenity is ensured through these aspects of the scheme, in addition to the internal resident's amenity spaces provided within the buildings.

6.173 The residential component of the development comprises of a mix of unit types and sizes. The variety of unit sizes to be provided, in conjunction with the other ancillary uses and open space within the development will ensure a good mix of uses, and ample facilities and amenities to ensure the creation of a successful neighbourhood and a cohesive community. This level of variety will be further enhanced by permitted development adjacent to the site at Quadrant 3 of The Park.

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

Response:

6.174 The proposed development provides for a net residential density of c. 268 no. units per hectare (based on the application site area minus the lands in the ownership of the Local Authority). This density will ensure the efficient use of these valuable residential zoned lands and includes an appropriate quantum of public open space which will link to the wider green network in this area of the Town and beyond.

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

6.175 The Urban Design Manual recognises that successful communities often have a distinct and special character, which is derived from elements contained within the other 11 questions. The Urban Design Manual notes that *'interesting urban design and architecture will also have a role in helping an area to form a strong identity.'*

Response:

6.176 As set out in the accompanying design statement, and the plans and drawings prepared by HJL Architects, the layout of the proposed scheme has been devised to provide a legible, permeable layout with a range of building heights which, together with a varied use of materials and finishes, engender a definitive sense of place in a new residential community. The development exhibits a considered architectural response to the site location and context, allowing for a significant landmark on the M50 corridor.

6.177 The sense of place will be strengthened by the inclusion of areas of active and passive green space for the enjoyment of residents and others, all of which will benefit from enhanced passive surveillance from surrounding residential units to encourage a safe sense of place, discourage anti-social behaviour and facilitate effective community policing. Strong visual and physical connections are prioritised between the proposed residential units and the proposed recreational areas, open spaces and other uses, while secondary connections will link the scheme with the surrounding areas.

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

6.178 The Urban Design Manual states that *'how the site is laid out is one of the key determinants of successful places'*, and that *'the layout of a neighbourhood can help to*

determine an area's character and sense of place. Positive indicators include a permeable interconnected series of routes that are easy and logical to navigate around, active street frontages with front doors directly serving the street, traffic speeds controlled by design and careful location of public and communal open spaces.

Response:

- 6.179 The layout of the proposed development recognises the need to provide for a permeable, easily navigable network of streets and spaces which will provide for ease of access and make for comfortable spaces to use for pedestrians and cyclists.
- 6.180 The layout plan provides for a legible, permeable layout, as well as the provision of a range of building heights and designs together with a varied use of materials and finishes, engender a definitive sense of place in a new residential community. The scheme includes the provision of active street frontage along Golf Lane, and accesses to the proposed buildings are directly from the communal and public areas, ensuring a good level of activity throughout the day.

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

- 6.181 The Urban Design Manual notes the importance of high quality open spaces within new developments and that *"the most successful neighbourhoods contain streets, squares, parks and public gardens that are as good quality – if not better, than the private buildings and spaces within the neighbourhood."* The Guidelines recommend that open spaces are suitably proportioned and overlooked by surrounding homes so that amenities are safe to use; and that roads and car parking areas should be considered as an integral landscaped element in the design of the public realm.

Response:

- 6.182 The proposed development includes a high-quality series of public open spaces, including new greenways running north-south and east-west through the site, a new public plaza at the main entrance to the scheme, and a linear park environment along the stream.
- 6.183 The open spaces will benefit from passive surveillance and overlooking from adjacent residential units, and will be accessible for all future residents of the development. The Landscape Design Drawings and Statement prepared by Cameo Landscape Architects which are submitted herewith clearly demonstrate the design rationale for the quality open space proposed.
- 6.184 The proposed open spaces and public realm will be safe, secure and comfortable for the use of future residents.

Adaptability: How will the buildings cope with change?

- 6.185 The Guidelines recommend that new homes are energy efficient and equipped for challenges anticipated from a changing climate; homes should be capable of subdivision and adaptation with space available in the roof or garage for easy conversion into living accommodation.

Response:

- 6.186 Each of the proposed dwellings meets or exceeds the minimum standards for residential unit size. The development provides a mix of 1, 2, and 3-bedroom units that benefit from an open plan layout which makes it possible to adapt to the changing life cycles and personal needs of each resident.
- 6.187 The overall architectural style is contemporary and reflects the modern requirements to balance a high standard of design with the need to satisfy energy reducing objectives.

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

- 6.188 The core objective set out in the Urban Design Manual is to create homes *“that people are proud to call home and which encourage people to continue living in the development and contributing towards a strong, sustainable community”*. The Urban Design Manual highlights the increasing importance which the level of storage available in homes plays in making a liveable home.

Response:

- 6.189 Each dwelling is provided with an area of useable private open space which meets or exceeds the requirements of the 2018 Apartment standards. All of the dwellings meet or exceed the Section 28 Guidelines unit size requirements. The design of dwellings has also had due regard to the siting and orientation of the development in order to maximise the solar gain and natural light aspect of each dwelling.
- 6.190 The development provides for adequate separate distances between dwellings and in instances where blocks are proximate to each other, windows have been carefully orientated and location to avoid any direct overlooking. This maintains a high level of privacy and amenity obtained by residents, and reduced the level of overlooking.

Parking: How will the parking be secure and attractive?

- 6.191 The Guidelines seek to ensure that appropriate car parking is on-street, and within easy reach of front doors; that parking is provided communally to maximise efficiency and accommodate visitors; and that materials used for parking areas are of similar quality to the rest of the development. Adequate, secure facilities are required for bicycle storage.

Response:

- 6.192 The parking within the development is primarily located within the basement, with 4 spaces provided at surface level for drop off and collection purposes. The parking at basement level is highly accessible for all residents and visitors to the scheme, via the stair and lift cores from each of the proposed buildings. The small element of surface parking is fully integrated into the design of the central public plaza within the scheme.
- 6.193 The location of the car parking at basement level reduces clutter and ensures an environment which encourages walking and cycling. The proposed development delivers a high level of bicycle parking, with 1,000 spaces for secure storage at basement level, and a further 240 spaces located at ground level.

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

- 6.194 The Urban Design Manual notes that the finished quality of a scheme can have a significant effect on a development's character sense of place and legibility and that the quality in the detail of the architecture and landscape design *'will help all of the previous eleven questions to meet their full potential.'*

Response:

- 6.195 The proposed development reflects a significant level of consideration of the proposed materials and finishes for the buildings and landscape areas. The quality of the scheme has been addressed in detail within the accompanying Architectural and Landscape Design reports.

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

- 6.196 *The Planning System and Flood Risk Management* Guidelines were published by the Minister for the Environment, Heritage & Local Government in November 2009 under Section 28 of the Planning & Development Act 2000 (as amended). The Planning System And Flood Risk Management Guidelines require the planning system at all levels to avoid development in areas at risk of flooding, particularly floodplains, unless there are proven wider sustainability grounds that justify appropriate development and where the flood risk can be reduced or managed to an acceptable level without increasing flood risk elsewhere; adopt a sequential approach to flood risk management when assessing the location for new development based on avoidance, reduction and mitigation of flood risk; and incorporate flood risk assessment into the process of making decisions on planning applications and planning appeals.
- 6.197 In order to comply with these Guidelines a Site Specific Flood Risk Assessment has been prepared DBFL Consulting Engineers. The DBFL Consulting Engineers Flood Risk Assessment Report concludes as follows:

"The following was concluded:

- *The residential development is located outside the 0.1%AEP Flood Zone B extents i.e. within low risk Flood zone C.*
- *All residential dwellings FFLs are located above the 0.1% AEP flood level with minimum freeboards of 500mm.*
- *Flood mitigation measures are incorporated into the design which includes the northern elevation to be flood resilient with ventilation grill levels set at 73.65m minimum to ensure the lower basement car park is protected.*
- *Block A western elevation will be protected by the use of existing and proposed ground levels in the open space thus maintaining separation of flood extents from the proposed development."*

Design Manual for Urban Roads and Streets (DMURS) (2019- as updated)

- 6.198 The Design Manual for Urban Roads and Streets (DMURS), 2019- as updated, sets out design guidance and standards for constructing new and reconfiguring existing urban roads and streets in Ireland. It also outlines practical design measures to encourage more sustainable travel patterns in urban areas. The Transportation Assessment and associated appendices prepared by DBFL Consulting Engineers provides further detail in

respect of the compliance of the proposed development with DMURS and having regard to the surrounding road / street network. A stand-alone technical note setting out the compliance of the scheme with DMURS has also been prepared by DBFL consulting engineers and is also submitted herewith.

- 6.199 In addition, this Statement of Consistency sets out how the proposal will positively contribute to the public realm, noting that the adjacent roads will significantly benefit from the delivery of the proposed development, providing for eyes on the street / passive surveillance, a mix of uses at ground floor level to promote activity, and additional pedestrian and cycle facilities and linkages both around and through the scheme.
- 6.200 The design of the scheme has been specifically considered so as to not prejudice the delivery of the road objective forming part of the Cherrywood SDZ along the existing Golf Lane.

Greater Dublin Area Transport Strategy 2016 – 2035

- 6.201 This strategy has been prepared by the National Transport Authority. The Vision of this strategy is for Dublin to be a competitive, sustainable city-region with a good quality of life for all by 2030.
- 6.202 The Strategy includes five overarching objectives to achieve the vision which are as follows:
- Build and strengthen communities
 - Improve economic competitiveness
 - Improve the build environment
 - Respect and sustain the natural environment
 - Reduce personal stress
- 6.203 The Strategy sets out measures to achieve the vision and objectives for the GDA. These include better integration of land use planning and transportation, consolidating growth in identified centres, providing more intensive development in designated town and district centres and control parking supply.
- 6.204 The Strategy builds on previous strategies and investment programmes, and for this reason several major infrastructure schemes that are included in the government's Transport 21 investment framework are included in all of the strategy options.
- 6.205 The proposed residential development, which provides for a density in the order of 268 units per hectare and located adjacent to existing good quality public transport is considered to be consistent with the vision and objectives of the Transport Strategy for the GDA.

Guidelines for Planning Authorities on Childcare Facilities (2001)

- 6.206 The Guidelines for Planning Authorities on Childcare Facilities (2001) indicate that Development Plans should facilitate the provision of childcare facilities in appropriate locations. These include larger new housing estates where planning authorities should require the provision of a minimum of one childcare facility with 20 places for each 75 dwellings. The threshold for provision should be established having regard to existing location of facilities and the emerging demography of the area where new housing is

proposed. The Guidelines advise that sites should be identified for such facilities as an integral part of the pre-planning discussions.

6.207 The following definition of Childcare is included in the Guidelines:

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

6.208 The proposed scheme includes the provision of a creche and associated play area at ground floor level. The proposed creche has a GFA of c. 300 sq.m, providing space for c. 72 children based on the necessary space allocation per child, staff members and based on back of house and ancillary space requirements. Please refer to the social infrastructure audit report for further details. The size of the proposed facility has been increased since the pre-application submission, to ensure it can cater for the demand arising from the development.

6.209 The recommendations of the 2001 Childcare Facility Guidelines must also be considered in the context of the Sustainable Urban Housing: Design Standards for New Apartments; Guidelines for Planning Authorities 2018 which state that:

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

6.210 The Apartment Guidelines also state that *“One bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms”.*

6.211 On this basis, the proposed development would require provision of c. 72 childcare spaces, based on the combined provision of 270 no. 2 and 3-bedroom units. This need will be met within the facility proposed as part of the development.

6.212 We also note that the subject site is located in an area with several childcare facilities in proximity to the site. Thus, it is considered that the childcare provision in the area of the development, including the significant childcare facility proposed within the development, is adequate to meet the existing needs of the area and the needs of the residents of the proposed development itself.

7.0 CONSISTENCY WITH LOCAL PLANNING POLICY

7.1 This section of the Planning Report and Statement of Consistency provides an account of the relevant local planning policies contained within the Dun Laoghaire Rathdown County Development Plan 2016 – 2022 and the Ballyogon and Environs LAP 2019-2025.

Dun Laoghaire Rathdown County Development Plan 2016 – 2022

7.2 The site is located within the administrative area of Dun Laoghaire Rathdown County Council and is therefore subject to the land use policies and objectives of the County Development Plan 2016-2022.

Core Strategy

7.3 The Planning and Development (Amendment) Act 2010 introduced the requirement for an evidence-based “Core Strategy” (CS) to be incorporated as part of County Development Plans. The purpose of a Core Strategy is to articulate a medium-to-longer term quantitative-based strategy for the spatial development of the area of the Planning Authority, and, in so doing, to demonstrate that a Development Plan and its policies and objectives are entirely consistent with National and Regional planning policy framework, as discussed in Section 6 above.

7.4 The central focus of the Core Strategy is on ‘residential development and in ensuring that there is an acceptable equilibrium between the supply of zoned, serviced land for residential development and the projected demand for new housing, over the lifetime of the Plan’.



Figure 7.1: Core Strategy Map (approximate site location circled)

- 7.5 A key strand of the overall Settlement Strategy focuses on the ‘*continued promotion of sustainable development through positively encouraging consolidation and densification of the existing urban/suburban built form – and thereby maximizing efficiencies from already established physical and social infrastructure*’.
- 7.6 The Strategy seeks to focus higher density development in suitable strategic nodes along existing or planned public transport corridors. The subject lands occupy a primarily undeveloped greenfield and part brownfield landholding located in the south-western area of the County in very close proximity to a high frequency public transport corridor (the Luas Green Line).
- 7.7 Section 2 of the County Development Plan contains the Sustainable Communities Strategy. The vision of the Strategy is ‘*To develop sustainable and successful communities across the County both through the continuing consolidation and redevelopment of the established built up areas, and the promotion of new, compact mixed-use urban villages optimally located in greenfield areas well served by existing or planned public transport networks and where residents will be within walking distance of supporting social and community infrastructure – including shops, services, employment opportunities, schools and leisure facilities*’.
- 7.8 The Sustainable Communities Strategy notes that one of the two models to be used to accommodate future growth will be ‘*The creation of new residential/mixed-use sustainable communities at already identified greenfield growth nodes proximate to planned strategic public transport corridors*’.
- 7.9 The proposed residential development, which provides for a net density of c. 268 units per hectare in close proximity to high quality public transport infrastructure and existing social and community infrastructure is considered to be consistent with the vision and strategies outlined above.

Zoning and Site-Specific Objectives

- 7.10 This site is primarily zoned objective ‘A’ in the Dun Laoghaire-Rathdown Development Plan 2010-2016. The objective of this land use zoning is “*to protect and / or improve residential amenity*”. Residential development is permitted in principle under this zoning objective. Childcare Facility, Sports Facility (which includes a gym), and Neighbourhood Shop uses are also open for consideration under this zoning objective. Thus, the proposed development accords with and does not materially contravene the zoning objective for the subject site.
- 7.11 The northern portion of the lands are within the zone of archaeological potential associated with Carrickmines Castle (Ref. No. 026-005 on the RMP). There is a site-specific objective associated with Carrickmines Castle under the Development Plan (No. 161), which is to “*conserve and protect Carrickmines Castle site and to proceed to implement the Carrickmines Castle Conservation Plan 2015-2025*”. There are two tree protection objectives identified on the zoning map in the vicinity of the site, however it was noted by the Board’s Inspector in assessing the previous application on site, these objectives do not pertain to the subject site. The current application is accompanied by a comprehensive suite of documents which deal in detail with tree loss and retention on site, with existing trees being retained where possible (and where the tree is of merit for retention) and a significant level of proposed tree planting forming part of the proposals throughout the site.

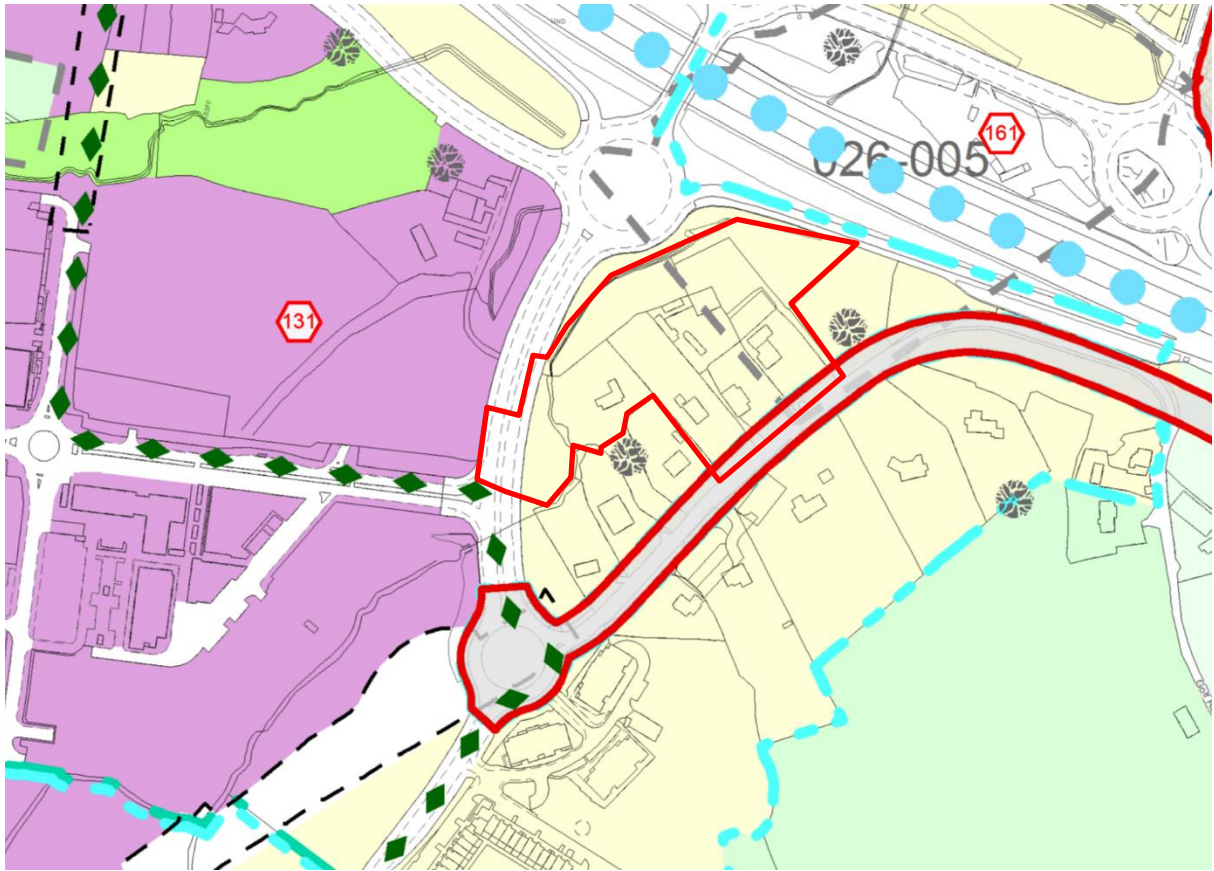


Figure 7.2: Extract from Development Plan Zoning Map 9 with approximate site boundary shown in red

- 7.12 To the east / southeast of the site, along Golf Lane itself, there is a linear stretch of land which falls within the boundary of the Cherrywood Strategic Development Zone (SDZ), which is therefore subject to the Cherrywood Planning Scheme. There is an objective under the Planning Scheme to provide an upgraded link road along Golf Lane adjacent to the subject site (the Kiltiernan Link Road). The proposed scheme has been designed to cater for the future delivery of this link road.

Design Principles

- 7.13 Policy UD1 states that *“It is Council policy to ensure that all development is of high quality design that assists in promoting a ‘sense of place’. The Council will promote the guidance principles set out in the ‘Urban Design Manual – A Best Practice Guide’ (2009), and in the ‘Design Manual for Urban Roads and Streets’ (2013) and will seek to ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design.”*
- 7.14 Policy UD3 states that *“It is Council policy that all development proposals, whether in established areas or in new growth nodes, should contribute positively to an enhanced public realm and should demonstrate that the highest quality in public realm design is achieved.”*
- 7.15 As set out above, and demonstrated in the HJL Design Statement, the proposed development has been guided by the principles within ‘Urban Design Manual – A Best

Practice Guide’ (2009), and in the ‘Design Manual for Urban Roads and Streets’ (2013). A variety of housing and building typologies (including a high quality landmark element), built form and amenity space adds to the quality of the public realm.

Density

7.16 Development Plan policy RES3 states that:

‘It is Council policy to promote higher residential densities provided that proposals ensure a balance between the reasonable protection of existing residential amenities and the established character of areas, with the need to provide for sustainable residential development’.

7.17 As noted above, the site is located on a high capacity transport corridor, adjacent to the Luas Green line and the M50 motorway. Therefore, the scale and height of the proposed development is considered appropriate. In design terms, the scheme strikes an appropriate balance between achieving higher densities and landmark architecture, while stepping down, and setting back development to boundaries with adjoining properties.

7.18 Having regard to the above, it is submitted that the proposed development of 482 no. units at a density of 268 no. units per hectare is appropriate for the subject site.

7.19 The proposed development complies with Policy RES4 which states *“It is Council policy to improve and conserve housing stock of the County, to densify existing built-up areas, having due regard to the amenities of existing established residential communities and to retain and improve residential amenities in established residential communities.”*

Housing Mix

7.20 Section 2.1.3.7 of the CDP contains Policy RES7 ‘Overall Housing Mix’, which states that *“It is Council policy to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided within the County in accordance with the provisions of the Housing Strategy”.*

7.21 The proposed development provides 482 apartments comprising 31 studio units, 183 one-beds, 229 two-beds, and 39 three-beds (including 2 three-bed duplex units at the top of the landmark building). This is considered to be a good mix of units for this location and will help provide a wider variety of unit types in this area of the county which is presently well served by 3, 4 and 5 bed houses. The proposed mix also meets the SPPR1 requirement of the Apartment Guidelines.

Development Standards

7.22 Section 8.2.3.1 of the CDP states that:

“It is Council policy to promote high quality design and layout in new residential development. A core aim of land-use planning is to ensure that new residential developments offer a high quality living environment for residents, both in terms of the standard of individual dwelling units and in terms of the overall layout and appearance of schemes. In considering applications for new developments the Planning Authority will refer to Government guidelines for ‘Sustainable Residential Development in Urban Areas’, its companion document ‘Urban Design Manual’, the ‘Design Manual for Urban Roads and

Streets' (DMURS) and the 'Sustainable Urban Housing (Design Standards for Apartments)' - along with the 'Green City Guidelines' published by UCD in conjunction with Dún Laoghaire-Rathdown and Fingal County Councils. Regard will also be had to the Green Infrastructure Strategy for the County contained in Appendix 14 of this Plan, where appropriate. The objective of Dún Laoghaire-Rathdown County Council is to achieve high standards of design and layout to create and foster high quality, secure and attractive areas for living.

7.23 The Development Plan goes on to state a series of criteria, which will be considered in the context of new development proposals. These criteria are set out below, with a response provided to each one.

- *Land use zoning and specific objectives contained in this Plan and any Strategic Development Zone/Local Area Plan/Urban Framework Plan/ non-statutory planning guidance adopted by the Council.*

7.24 The proposed development complies with the zoning objective pertaining to the site. Consistency with relevant objectives applicable to the site is set out within this report.

- *Density - Higher densities should be provided in appropriate locations. Site configuration, open space requirements and the characteristics of the area will have an impact on the density levels achievable.*

7.25 The subject site is an appropriate location for higher densities, given its location in close proximity to high capacity, high frequency public transport and the abundance of facilities and amenities in the area.

- *Quality of the proposed layout and elevations, the quality of the residential environment will be of primary significance in determining the acceptability of planning applications. Layouts, elevations, and plan form must be designed to emphasise a 'sense of place' and community, utilising existing site features, tree coverage and an appropriate landscape structure.*

7.26 The scheme seeks to deliver an exceptionally high standard of architectural design. The layout, elevations, and materiality of the scheme have been carefully considered in order to achieve a sense of place is imbued in the new development. The landscape design has been formulated to keep elements of the existing tree planting on site, while also incorporating a significant uplift in overall tree planting.

- *Levels of privacy and amenity, the relationship of buildings to one another, including consideration of overlooking, sunlight/daylight standards and the appropriate use of screening devices.*

7.27 The proposed development has been subject to careful analysis in terms of privacy and sunlight / daylight. In this regard, buildings have been sited to ameliorate overlooking. Where structures are closest to each-other on site, windows have been offset or facades angles to avoid direct overlooking.

- *Quality of linkage and permeability – to adjacent neighbourhoods and facilities and the nature of the public realm/streets and spaces.*

- 7.28 The proposed development will deliver significant new connections and linkages through the site, thereby according with this criteria.
- *Accessibility and traffic safety - proximity to centres and to public transport corridors, existing and proposed.*
- 7.29 The subject site is a highly accessible location having regard to its proximity to high capacity Luas services.
- *Quantitative standards - set out in this Chapter and/or referenced in Government guidelines.*
- 7.30 Compliance with quantitative standards is set out within this report and the accompanying application documentation.
- *Safety and positive edges to the public realm - opportunities for crime should be minimised by ensuring that public open spaces are passively overlooked by housing and appropriate boundary treatments applied. A safety audit may be required.*
- 7.31 The development ensures passive surveillance to all public and communal areas, including the proposed pedestrian/cycle links. This will ensure that the scheme is a safe place for all residents and visitors.
- *Quality of proposed public, private and communal open spaces and recreational facilities.*
- 7.32 The proposed development incorporates a high standard of communal and public open space provision as set out within this report and the accompanying Cameo Design and Access Statement.
- Compliance with National Housing Policy as set out in the 'Housing Policy Statement' 2011 (e.g. lifecycle provision, size, tenure, mix, etc.)*
- 7.33 The proposed development complies with the current standards applicable to apartment development, the 2018 Apartment Guidelines.
- *Compliance with social and community infrastructure (e.g. childcare facilities, schools, local shops, facilities for the elderly etc.).*
- 7.34 The proposed development incorporates a childcare facility to meet the additional demand arising from the scheme. A full social and community infrastructure audit has been prepared and is submitted with the application.
- Quality of the pre-existing environmental sound environment.*
- 7.35 The EIAR incorporates a detailed chapter relating to Noise and Vibration, which addresses both the noise arising from the development, and inward noise from surrounding land uses including the M50 motorway.

- *Context - having regard to the setting of the site and the surrounding character and streetscape.*
- 7.36 The development has been designed via a site-specific approach which responds to the surrounding character and incorporates landmark architecture befitting its location and prominence.
- 7.37 The proposed development is sited on suitably zoned land and accords with the density requirements of the CDP by providing for a net density of c. 268 units per hectare on a highly accessible site at a location which has been identified for higher development and for a landmark architectural approach.
- 7.38 New pedestrian links through the site improve permeability to surrounding areas notably the residential areas to the east and The Park Carrickmines to the west and integrates the development into the broader landscape. The proposed development also provides for a high standard of internal pedestrian and cycle infrastructure, and the road and footpath layout is in accordance with DMURS, including the use of shared surfaces to create a pedestrian friendly environment, with pedestrians and cyclists afforded a high level of infrastructure and safety throughout. The legibility and usability of the key pedestrian and cycle routes through the site has been further considered and improved since the pre-application request to the Board, as described in the Statement of Response.
- 7.39 It should be noted that detailed consideration was given to the layout of the proposed development and the siting of apartment blocks in order to provide a high quality, permeable residential scheme, which has appropriate regard to the need to provide higher buildings and densities in a sensitive manner which is cognisant surrounding pattern of development, while responding to the permitted and planned context of this location.
- 7.40 Chapter 8 of the CDP provides detailed development management standards for residential development including those relating to apartment development; open spaces; landscape, heritage and biodiversity; archaeological heritage; travel and transport; and environmental management.
- 7.41 Section 8.2.3.2 of the Development Plan provides detailed quantitative guidance on requirements for new residential developments. The following points indicate how the proposed development complies with these requirements:
- (i) **Guidance Documents:** This application has had regard to the following key reference documents: 'Delivering Homes, Sustaining Communities' (DoEHLG, 2007); 'Sustainable Urban Housing: Design Standards for New Apartments' (DoEHLG, 2018); 'Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities' (DoEHLG, 2009); 'Urban Design Manual: A Best Practice Guide' (DoEHLG, 2009).
 - (ii) **Dwelling Size and Mix:** The HQA demonstrates compliance with the relevant quantitative size standards for apartments. As stated above there is an appropriate mix of 1, 2 and 3 bed apartments proposed in this application which accords with the 2018 Apartment Guidelines, however, as set out within the accompanying Material Contravention Statement, it is considered that the proposed development does contravene the CDP in relation to unit mix. We refer to the Material Contravention Statement for further details.

(iii) Parking Standards:

The Development Plan requires 1 space per 1 and 2 bed units and 2 spaces per 3 + bed units. The Apartment Guidelines 2018 note that a reduced overall car parking standard can be allowed in suburban / urban locations which are served by public transport, which would include the subject site.

Please see the schedules of accommodation and TTA for a detailed breakdown of the car parking provision. The proposed development provides for a total of 303 on-site car parking spaces.

(iv) **Private Open Space:** The site layout drawings and housing quality assessment prepared by HJL Architects demonstrate all the proposed apartments are provided with balconies or terraces which meet or exceed the minimum requirements in the Apartment Guidelines, as illustrated in the HQA and architectural drawings.

Open Space

- 7.29 Section 8.2.8.2 - Public/Communal Open Space Quantity of the Dun Laoghaire County Development Plan 2016-2022 states:

“(i) Residential / Housing Developments Open Space: For all developments with a residential component – 5+ units - the requirement of 15 sq.m- 20 sq.m. of Open Space per person shall apply based on the number of residential/housing units. For calculation purposes, open space requirements shall be based on a presumed occupancy rate of 3.5 persons in the case of dwellings with three or more bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms. A lower quantity of open space (below 20 sq.m per person) will only be considered acceptable in instances where exceptionally high quality open space is provided on site and such schemes may be subject to financial contributions as set out under Section 8.2.8.2 (iii) below. The Planning Authority shall require an absolute default minimum of 10% of the overall site area for all residential developments to be reserved for use as Public Open and/or Communal Space irrespective of the occupancy parameters set out in the previous paragraph.”

- 7.30 The Development Plan requires 15 to 20 sq.m per person for new residential developments, to be calculated on the basis of 1.5 persons for 1 and 2 bed units and 3.5 persons for 3+ bed units. Thus, the proposed development results in the following requirement for public open space:

	Population	15 sq.m	20 sq.m
443 no. 1 and 2 beds	665 persons	9,975	13,300
39 no. 3 beds	137 persons	2,055	2,740
Total Open Space	-	12,030 sq.m	16,040 sq.m

- 7.31 Thus, the total open space requirement for the proposed development is between 12,030 sq.m and 16,040 sq.m. Provision of public open space within the residential development comprises a total public open space provision of c. 5,742 sq.m and communal open space of 4,264 . This equates to 10,006 sq.m of communal and public open space within the part of the site within the applicant’s ownership, or c. 56% of the entire site area in the

applicant's ownership, excluding landscaped open space to be provided on DLR lands which are subject to a letter of consent.

- 7.32 Thus, the open space provision significantly exceeds the 10% minimum. The proposed open spaces are considered to be of exceptionally high quality, and it is noted that given the need to achieve a landmark development at a sustainable density, it would not be possible to provide 15-20 sq.m of open space per person. As the development significantly exceeds the minimum standard of 10% site area, the development complies with the County Development Plan requirement.
- 7.33 We note that the Guidelines on Sustainable Residential Development in Urban Areas requires a minimum of 10% open space on such residential zoned sites. The publicly accessible open space provision equates to c. 30% of the site area within the applicant's ownership.
- 7.34 The Housing Quality Assessment (HQA) prepared by HJL, and relevant layout and floor plans, outlines compliance with private open space standards for apartments, as set out within the 2018 Guidelines, that take precedence over any conflicting provisions of the Development Plan.

Sustainable Travel and Transport

- 7.35 Section 16.10 of the Development Plan sets out Council policy on sustainable travel and transport including the requirement to submit a Mobility Management Plan (MMP) and Traffic Impact Assessment (TIA) for significant developments. Accordingly, this planning application is accompanied by a Traffic and Transportation Assessment prepared by DBFL Consulting Engineers.
- 7.36 Given the proximity of the subject site to the Ballyogan Luas Stop and bus, it is considered that there will be significant opportunities for future residents to use sustainable transport modes. Furthermore, the proposed cycle and pedestrian infrastructure provides strong pedestrian and cycle infrastructure, linking with nearby amenities and facilities.

Parking

- 7.37 With regard to the design of parking bays, vehicular entrances, hardstanding areas, basement car parking and emergency access, the Traffic and Transport Assessment Report and drawings prepared by DBFL Consulting Engineers demonstrate that the proposed development is consistent with Development Plan requirements and best practice generally.
- 7.38 Section 8.2.4 of the Development Plan sets out Council policy on sustainable travel and transport including the requirement to submit a Mobility Management Plan (MMP) and Traffic and Transport Assessment (TTA) for significant developments. A TTA and MMP are submitted as part of the application.
- 7.39 Table 8.3 sets out the Parking Standards for Apartments and requires 1 space per 1 bed unit, 1.5 spaces per 2 bed unit and 2 spaces for three bed units. For the childcare facility, in general Childcare Facility 1 space per 1 staff member (including set down) is provided as a maximum standard. For the gym, 1 space per 20 sq.m is provided as a maximum standard. For retail use of the type proposed on site, 1 space per 20 sq.m is the maximum standard.

- 7.40 This results in a requirement of c. 670 no. car parking spaces, however as set out in Section 5, a reduced level of parking of 303 no. car parking spaces is considered justified in accordance with the Section 8.2.4.5 of the Plan and Apartment Guidelines 2018 given the accessibility of the site to public transport.
- 7.41 We note the residential car parking requirements are referred to as ‘standard’ parking requirements in Section 8 of the Plan and section 8.2.4.5 of the Plan specifically identifies that reduced car parking standards for any development may be acceptable depending on a number of points. It is considered the proposed development accords with the provisions of section 8.2.4.5 given the site is well serviced by public transport with the Ballyogan Luas Green Line stop located approximately 500m from the subject site, in addition to Dublin Bus services. A Mobility Management Plan is also submitted with the application to encourage sustainable travel practices for all journeys to and from the proposed development.
- 7.42 Furthermore, since the adoption of the Development Plan the Apartment Guidelines 2018 have been published, which include more up to date guidance for planning authorities on car parking provision for apartment schemes, which will be reflected in the next Development Plan. The development would be classified as being located in a ‘central / accessible location’ under the Apartment Guidelines, given the site’s proximity to a Luas stop, and the Guidelines state that ‘planning authorities must consider a reduced overall car parking standard and apply an appropriate maximum car parking standard’ for such locations. Thus, the level of provision is considered appropriate in the context of the Apartment Guidelines 2018 and given that the Development Plan standard is a recommended ‘standard’ to be adhered to, with section 8.2.4.5 setting out that reduced car parking standards may be acceptable. For these reasons, the proposed parking would not represent a material contravention of the Development Plan.
- 7.43 Provision is also made for disabled car parking, and electric vehicle charging spaces in accordance with the Development Plan standards / recommendations. We refer to the Traffic and Transportation Assessment for further details on the car parking provision.

Environmental Management and Environmental Impacts

- 7.44 Section 16.11 of the Development Plan provides guidance in relation to air, noise and light pollution as well as hours of construction, while Section 16.12 relates to the environmental impacts of new development. The current application is accompanied by an EIAR, a prepared by a team of specialist consultants.
- 7.45 In relation to the requirement for construction management plans (CMPs) for planning applications for more than three residential units, it should be noted that a comprehensive construction management plan (CMP) has been prepared and accompanies application.

Development Management Thresholds

- 7.46 The DLRCC Development Plan includes a Development Management Thresholds document as a guideline to assist applicants with submission requirements for larger development proposals. Prior to the preparation of the documentation submitted with this pre-application request, a thorough review of this document was carried out to assess what documents would be required to be submitted.

7.47 The comprehensive documentation submitted with this pre-application consultation request ensures that the relevant policies and objectives of the Dun Laoghaire Rathdown County Development Plan 2016-2022 outlined in the previous sections have been fully addressed by the proposed development, and that the application complies with the requirements of the Housing and Residential Tenancies Act 2016, the Planning and Development (Strategic Housing Development) Regulations 2017 and the Guidelines issued by An Bord Pleanála.

Ballyogan and Environs Local Area Plan 2019-2025

7.48 The subject site is located within the Carrickmines quarter of the Ballyogan and Environs LAP 2019-2025 area, which was adopted on the 1st of July 2019. The land use zoning of the subject lands remains consistent with the County Development Plan, however, a number of specific policies and objectives have been included for the subject lands and have informed the development proposals, which are summarised below.

7.49 Within the Ballyogan and Environs LAP 2019-2025, the subject site falls within the Old Glenamuck Road neighbourhood area of the LAP (Neighbourhood no. 16), as defined within Figure 1.5 of the LAP (see extract below).

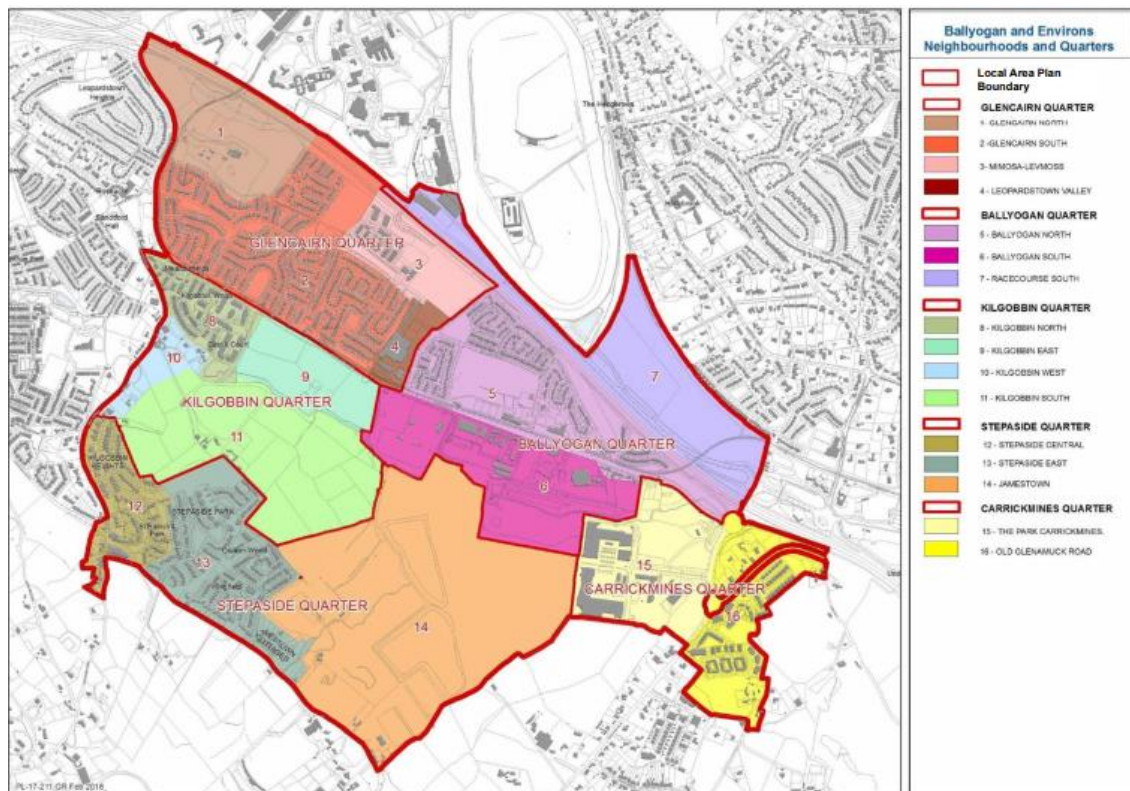


Figure 7.3: Extract of Figure 1.5 of the BELAP

Strengths, Weaknesses, Opportunities and Challenges – SWOC Analysis

7.50 At section 2.5, the BELAP sets out a SWOC analysis of the LAP area. This identifies the strong infrastructure within the LAP area (both physical and social).

7.51 In terms of strengths inherent in the area at present, the following are considered to be of relevance:

- *“Significant Land Bank of undeveloped, zoned and serviced lands*
- *Established Neighbourhood Centres*
- *Served by 4 stops on the Luas Green Line providing excellent linkages*
- *Majority of BELAP lands within 1km of a Luas*
- *Good Road Access with 2 motorway junctions to/from the M50*
- *Significant Retail Diversity at a local level*
- *Excellent provision of Sports and Recreation facilities*
- *Attractive Natural Environment at the foothills of the Dublin mountains*
- *High Quality of Life and an attractive setting for family living*
- *Access to Employment clusters such as Dublin City, Sandyford, Cherrywood*
- *Community facilities like Schools and the Samuel Beckett Civic Centre*
- *Capacity for Water Supply and Wastewater disposal”*

7.52 The strengths identified by the LAP are important in the context of the proposed development, which seeks to provide for new residential development in a location which is well served by these strong existing pieces of infrastructure and facilities. Many of the strengths identified in the LAP represent very significant public expenditure, in terms of developing a strong transport network, high quality social and recreational facilities, and services to enable development (including water supply). In this context, it is considered that development must proceed in a way which makes best use of these resources in the area, thereby justifying this infrastructure and supporting the continued development of the area. The proposed development is orientated towards the public transport in the immediate vicinity of the subject site, and the retail, recreational, and employment opportunities in the area.

7.53 With regard to the identified weaknesses in the LAP area, the following are considered most relevant:

- *“Existing Local Access Issues to zoned residential land*
- *Poor Permeability between areas*
- *Road-Focussed movement patterns with a high car dependency rate*
- *Low network density of Pedestrian/Cyclist Routes”*

7.54 These weaknesses are considered to be most relevant to the current proposal, as the scheme which has been designed on the subject site goes some way toward ameliorating these existing issues in the area (or at least contributing to addressing them). The proposed development represents development on zoned lands which are highly accessible by a range of transport modes. The development also seeks to promote the use of non-road-based transport modes, through the delivery of important new pedestrian and cycle linkages through the site, which will come to form part of an overall active-transit network traversing the entire LAP area, via the existing and permitted greenway elements from Clay Farm to Quadrant 3 in The Park, onwards through the subject site, and ultimately towards the Cherrywood area. The proposal improves the density of cycle and pedestrian facilities and improves permeability by introducing routes through the subject site which at present must be circumnavigated by people on foot or on bicycles.

7.55 Several opportunities are recognised within the LAP area which are of relevance:

- *“Delivery of a significant number of Residential Units to meet housing demand*
- *Scope to provide Higher Residential Densities near public transport*

- *The provision of Appropriate Housing Mix to meet the area’s needs*
- *Integration of land uses through Improved Permeability*
- *A living environment that affords a High Quality of Life to its residents*
- *Increased employment and Economic Opportunities*
- *New Neighbourhood Centre at The Park, Carrickmines*
- *Delivery of Pedestrian and Cycle infrastructure*
- *Creation of a Greenway Spine and Green Infrastructure Network”*

7.56 The current proposal actively delivers on several of these opportunities, including the provision of a significant number of high quality residential units at a highly accessible location in close proximity to public transport provision. An appropriate housing mix is provided which accords with the 2018 Apartment Guidelines, and which is cognisant of the prevailing demographics and market demand in the area. The scheme is highly permeable, with a variety of pedestrian and cycle routes through the site, and promotes strong linkages with nearby amenities and facilities at the nearby Park Carrickmines via new pedestrian and cycle infrastructure, including the new neighbourhood centre which has recently been permitted within Quadrant 3 of The Park, under Reg. Ref. D18A/0257 and ABP Reg. Ref.: ABP-304396-19.

7.57 The SWOC analysis also identifies challenges including the following:

- *“Integration of land use and transportation*
- *Delivery of Road Infrastructure required to enable development*
- *Delivering safe and vibrant Communities*
- *Reconnecting of Neighbourhoods within the Plan area*
- *Provision of Social Infrastructure in tandem with development*
- *Overcome the barrier effect of the M50”*

7.58 The current proposal helps to address these key challenges, by providing for an integrated land use and transportation response to the site location and context, providing for a compact, dense, public transport orientated scheme, which is cognisant of and will not prejudice the delivery of adjoining planned road infrastructure (i.e. the Kiltiernan Link Road). Furthermore, the development as proposed promotes safety both within the scheme and on surrounding routes, via the inclusion of active frontages with ‘eyes on the street’ or passive surveillance on all key routes and spaces. Connections are promoted with surrounding neighbourhoods and social infrastructure is built into the scheme, including residents’ amenities, a childcare facility, and a local retail space.

7.59 The architecture of the scheme makes key design moves which seek to overcome the physical and visual barrier effect of the M50, by the inclusion of a new landmark building in the north of the site, responding to the prominence of the location and the scale of the adjoining roadway. This carefully considered, slender taller element will act as a vertical visual foil to the wide horizontal plane of the motorway, helping to overcome its visual expanse via the creation of a new focal point which will draw the eye and mark an entry to the Carrickmines area.

Vision of the LAP

7.60 The LAP promotes a vision for a growing and developing district which is targeted for significant residential growth over the LAP period, in tandem with further provision in terms of neighbourhood centre and other facilities for residents. Good permeability and walking and cycling are to be promoted in the area.

7.61 In relation to the Carrickmines Quarter, which the subject site falls within, the LAP states:

“The Plan will support the delivery of a Neighbourhood Centre for the northeast Quadrant of The Park Carrickmines, while securing the overall primary use of these lands for Employment. Pedestrian and cyclist links through this Quarter and to adjacent areas will be improved. Further infill residential development of sites within this Quarter will be facilitated while ensuring successful integration with existing development.”

7.62 As noted above, a neighbourhood centre and associated leisure, commercial, and residential development has recently been granted permission at Quadrant 3, The Park, which is immediately proximate to the subject site. The current site provides an opportunity for sustainable infill development which will integrate with both the existing, permitted, and planned context, while also enhancing linkages in this quarter.

Movement and Transportation

7.63 Chapter 4 of the LAP relates to Movement and Transportation.

7.64 The following policies from this chapter relating to pedestrian and cycle policy are considered to be of particular relevance:

“Policy BELAP MOV1 – Pedestrian and Cycle Network: To provide for a new high quality pedestrian and cycle network within the LAP area which will connect existing and new communities and redefine the character of the LAP area; including (i) creation of new segregated green routes within the LAP area; (ii) improvement and upgrading of existing routes; (iii) improvement and increased number of pedestrian/cycle crossings on main roads; and (iv) connect into existing and planned networks surrounding the LAP area.

Policy BELAP MOV4 – Cycling Infrastructure: To ensure that all new cycling infrastructure be provided in accordance with the standards set out in the National Cycle Manual (2012) published by the NTA, where practicable, recognising the challenges in retrofitting infrastructure within the existing road network.”

7.65 As noted above in the context of the SWOC analysis, the proposal incorporates good quality pedestrian and cycle links, which will improve permeability through the site and the surrounding area. New segregated green routes are included in the development, which will promote connections with existing, planned and permitted infrastructure. The cycle infrastructure has been designed to the standards and specifications of the National Cycle Manual.

7.66 The following is considered relevant in relation to public transport:

“Policy BELAP MOV5 – Routes to Public Transport: To increase permeability to existing public transport routes by providing attractive, legible and direct walking and cycling links to bus and Luas stops”

7.67 The proposed development promotes improved linkages to the Ballyogan Woods Luas stop from development to the east of the subject site and from within the subject site itself, thereby promoting public transport use over private cars.

- 7.68 Table 4.6 of the LAP lists new linkages to be promoted within the LAP area, new link no. 27 relates to a new link through the subject site. This is to be delivered on within the current proposal.

Residential Development and Built Form

- 7.69 Chapter 5 of the LAP relates to residential development and the physical form of such development.
- 7.70 Section 5.1.2 sets out approximate capacities for new residential development in the LAP area (noting that these values are only indicative). A potential capacity in the region of 400 units is envisaged at Golf Lane. Noting that this figure is indicative, it is considered that the proposals are in line for the projected housing delivery on the site.
- 7.71 The LAP recognises the prevailing policy context in relation to residential development. The current proposal duly accords with the relevant policies, including in particular the 2018 Apartment Standards and Building Height Guidelines.
- 7.72 The proposed development complies with Policy BELAP RES1 (Density General) which is *“To achieve residential densities within the BELAP area sufficient to generate a critical mass of population to support and sustain commercial and community services and quality public transport infrastructure. Higher densities of population should be focused on services and not transport corridors alone.”* The proposed development will support the delivery of critical mass at a strategic location to support nearby existing and permitted services and public transport infrastructure. As confirmed in the Social and Community Infrastructure Audit report, the subject site is served well by existing and permitted services, in addition to being highly accessible by public transport.
- 7.73 The subject site is recognised at Table 5.4 of having potential for a target density of at least 55 units per hectare. The proposed development delivers a net density of c. 268 units per hectare, with a gross density of c. 188 units per hectare if the overall site area, including the area of land in DLR ownership is taken into account. The net density of the scheme is somewhat exaggerated by the piece of public open space / infrastructure serving the wider area comprising of the new cycle and pedestrian ways). A higher density of development on the subject site is considered to be an inevitable outcome of the achievement of higher development on the lands, which is supported under the LAP as set out below.
- 7.74 Noting that the target density expressed for the subject site in the LAP is 55 units per hectare, and the proposed net density of c. 268 units per hectare, it is considered that the Board may consider that the proposed development represents a material contravention of the following policy:
- “Policy BELAP RES2 – Density by Neighbourhood: Any residential scheme within each of the Neighbourhoods shall as a general rule have a target net density as set out in Table 5.4, subject to the provisions of any Site Development Frameworks, where applicable. Within the site boundary, any major and local distributor roads; primary schools, churches, local shopping etc.; open spaces serving a wider area; and significant landscape buffer strips shall be deducted from gross site area to give a figure for net site area.”*
- 7.75 The proposed development provides for a sustainable density which exceeds the target of 55 units per hectare provided for the subject site. Given the level of density proposed

at a net density of 268 units per hectare, it is considered that the Board might consider that the density of the scheme represents a material contravention of the foregoing policy. Therefore, justification is provided within the accompanying Material Contravention Statement to demonstrate that the Board can grant permission for the proposed development, even in the event that a material contravention of Policy BELAP RES2 is considered to occur.

7.76 In relation to Building Heights the BELAP states the following:

“Policy BELAP RES4 – Locations for Higher Buildings: The locations identified as ‘RES4’ in Glencairn North, Kilgobbin South, Mimosa-Levmoss, Racecourse South, The Park Carrickmines, and Old Glenamuck Road are considered as suitable locations for higher buildings within the BELAP area (see Figure 11.1). It is anticipated that all bar one of these locations would be suitable for residential buildings, consistent with the prevailing zoning objective. The designation at The Park Carrickmines is subject to ‘E’ Zoning Objective, where residential is ‘open for consideration’ under the County Development Plan and as such, any proposed use mix would need to display compliance with this zoning objective.”

7.77 Table 5.5 of the LAP states the following in relation to building heights at the subject site:

“The M50 corridor gives capacity for higher buildings in this Neighbourhood.”

7.78 Noting the capacity of the subject site for higher buildings as expressly recognised in the LAP and having regard to the planning history pertaining to the site, the current proposal includes a higher landmark element.

7.79 The proposal also accords with LAP policies RES6 and RES7, with an appropriate mix of unit sizes, and a strong sense of place achieved within the development.

Consistency with Cherrywood SDZ Planning Scheme (as amended)

7.80 The provisions of the Cherrywood SDZ Planning Scheme (as amended) have been reviewed in the context of the current application, and it is confirmed that the proposed development is consistent with the scheme in as far as it is relevant to the proposed development. Given that the only element of the proposed development located within the SDZ area is the frontage along Golf Lane, where a setback and passive provision for a future roads scheme has been designed-in, the large majority of the objectives of the Planning Scheme are not of relevance to the current application. However, the objectives considered relevant are set out below in accordance with the requirements of the SHD application form.

7.81 As noted previously, a small portion of the proposed development site falls within the boundary of the Cherrywood Strategic Development Zone, along Golf Lane. There is an objective under the Planning Scheme to provide an upgraded link road along Golf Lane adjacent to the subject site (the Kiltiernan Link Road).

7.82 Section 4.2 of the Planning Scheme includes the following policy which is of relevance to the proposed development:

“Specific Objective PI 14: It is an objective to implement the road infrastructure (including segregated pedestrian / cycle routes) proposed in this Planning Scheme to facilitate access to and within the area by all travel modes (see Map 4.5).”

7.83 The proposed development is consistent with this relevant objective in that it makes passive provision for the realisation of the Kiltiernan Link Road. The development also provides for new pedestrian and cycle linkages through the subject site which will link in with the future Kiltiernan Link Road. This is considered to ensure the accordancy of the proposed development with the following relevant objective:

“Specific Objective PI13: It is an objective to develop and support a culture of sustainable travel into and within the Planning Scheme.”

7.84 As set out within the accompanying Engineering Services Report prepared by DBFL, this planned road under the SDZ is a 50km route (refer to Map 4.5 of the Planning Scheme document) which will tie into Barrington’s Road within the main SDZ area. The SDZ sets out that the new link road will connect the SDZ to Carrickmines and Kiltiernan / Glenamuck. A cross section of the relevant road type is provided within Chapter 4 of the Planning Scheme document, which deals with physical infrastructure.

7.85 As set out within the Engineering Services Report and TTA, the extent and necessary reserve for this link road has been clarified by the Planning Authority. The design of the development takes account of the reserved land and also ensures the access to the development is easily adjustable to the proposed Kiltiernan Link Road to minimise works to the development when the road is constructed. Please note the proposed levels are an approximation only and were not received from DLRCoCo. It can be expected that due to several access points onto Golf Lane that the proposed road levels will be similar to the existing Golf Lane levels.

7.86 The proposed development will not prejudice the delivery of this future link road and will not encroach on its reservation with any permanent structure.

7.87 The junction for the proposed development has been designed to ensure it can be easily modified to suit the proposed Kiltiernan Link Road.

7.88 On this basis, the proposed development accords with the Planning Scheme as it applies to the small portion of the overall development site which is located within the SDZ area.

8.0 CONCLUSION

8.1 This demonstrates the consistency of the proposed development with the relevant national, regional and local planning policy context.

8.2 At a national and regional level, this statement and accompanying submission documentation has demonstrated the consistency of the proposed development with the following:

- The National Planning Framework (2018)
- Rebuilding Ireland – Action Plan for Housing and Homelessness
- Regional Spatial & Economic Strategy for the Eastern & Midland Regional Assembly
- Sustainable Urban Housing: Design Standards for New Apartments (2018)
- Urban Development and Building Heights Guidelines 2018

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), and accompanying Urban Design Manual (2009)
 - Guidelines for Planning Authorities on 'The Planning System and Flood Risk Management (November 2009)'
 - Design Manual for Urban Roads and Streets (2013)
 - Transport Strategy for the Greater Dublin Area 2016 - 2035
 - Guidelines for Planning Authorities on Childcare Facilities (2001)
 - Birds and Habitats Directive – Appropriate Assessment
- 8.3 The proposal is considered consistent with the relevant policies, objectives and development management standards outlined in the County Development Plan and BELAP, as demonstrated above, with the exception of the 3 no. policies / objectives which are identified within the accompanying Material Contravention Statement. These relate to the proposed unit mix within the development, the density of the proposed development, and the height of the proposed development.
- 8.4 It is respectfully submitted that the proposed development will provide an appropriate form of high-quality residential development for this under-utilised, residential zoned site, while responding sensitively to the features and constraints associated with the subject site, including adjoining properties. The development will deliver a high-quality landmark architectural scheme on this prominent site which has been specifically identified by the Board and by the local Planning Authority for higher development.
- 8.4 This Planning Report and Statement of Consistency, accompanying this planning application demonstrates that the proposed development is consistent with the national, regional and local planning policy framework and that the proposal will provide for an effective and efficient use of this primarily greenfield site which is highly accessible and well served by public transport, having regard to its close proximity to the Ballyogan Luas stop and several bus routes.
- 8.6 In conclusion, it is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area, and with all relevant national and regional and local planning policies (with the limited exceptions identified) and guidelines.