

**Statement of Response to An Bord Pleanála's Opinion
in relation to Reg. Ref.: ABP-307010-20**

In respect of

A Proposed Strategic Housing Development

at

Golf Lane, Carrickmines, Dublin 18

Prepared for

Bowbeck DAC

Prepared by

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December 2020



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1.0 INTRODUCTION

This Statement of Response report seeks to address the issues raised within the Opinion of An Bord Pleanála, issued following pre-application consultation in respect of the proposed development. The Opinion of the Board was issued on the 31st of July 2020.

This Statement will refer to other documentation which forms part of the final planning application pack, where more detailed and specific responses are provided to the issues dealt within this Statement by the relevant experts / design team members and consultants.

This Statement demonstrates that the issues raised in the Board's Opinion have been fully and satisfactorily responded to in the Strategic Housing Development planning application.

2.0 RESPONSE TO AN BORD PLEANÁLA OPINION

The Opinion of An Bord Pleanála on the pre-application stage for the proposed development noted that *"the documents submitted with the request to enter into consultations constitute a reasonable basis for an application for strategic housing development."*

The Opinion set out nine items of specific information that should be submitted with any SHD planning application. The following sections of this report set out these specific items and summarises how these items have been addressed in the final application.

ITEM 1 – HEIGHT AND DESIGN STRATEGY

The first item of specific further information relates to the height and design strategy for the proposed development. This item of the Board's Opinion was as follows:

"Further consideration and/or justification of the documents as they relate to the height and design strategy. In this regard, the prospective applicant should satisfy themselves that the design strategy for the site as it relates to height, in the context of the concerns raised by the PA in relation to the 12-storey element (Block A3), provides the optimal architectural solution for this site and should submit a rationale/justification for the heights/setbacks proposed. Further justification/consideration of the documents as they relate to the overall block structure and the relationship between the blocks (height/scale/massing/proportions) should also be submitted.

CGIs, visualisations and cross sections, as necessary, should be submitted which clearly show the relationship between the proposed development and existing development in the immediate and wider area; from strategic viewpoints within the Cherrywood SDZ and from strategic viewpoints along the M50, and which illustrates the topography of the area.

The proposed development shall have regard to inter alia, national policy including the National Planning Framework and Sustainable Urban Housing: Design Standards for New Apartments (March 2018) and local planning policy, the site's context and locational attributes.

Furthermore, the applicant is advised that an appropriate statement in relation to section 8(1)(iv) of the Planning and Development (Housing) and Residential Tenancies Act 2016, that outlines consistency with the relevant development plan and that specifically addresses any matter that maybe considered to materially contravene the said plan, if applicable, should be submitted."

Response to Item 1

Height Rationale

In response to the first part of the above item of specific information requested, the final application is accompanied by an Architectural Design Statement prepared by Henry J Lyons Architects, which includes a detailed section relating to the height rationale and design strategy for the proposed development. The Design Statement reflects the further consideration undertaken by the design team in relation to the height and scale of the development, including the height of the 12 storey element to the south of the proposed landmark building, which was specifically highlighted in the Planning Authority's Opinion at pre-application stage.

The Design Statement details the consideration which was undertaken to inform the design of the development in terms of its scale, proportions, and relationships between the various individual blocks proposed.

The response provided within the Design Statement concludes that the range and location of heights proposed are appropriate in architectural and design terms.

The overall height strategy for the development must be considered in the context of the planning history pertaining to the subject site, and in particular the reasoning provided by the Board for the refusal of the previous Strategic Housing Development application on the subject site (Reg. Ref.: PL06D.302336). In that case, the reason for refusal was as follows:

“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.”

The Board's Inspector's Report further stated:

“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 proposed development and its architectural design have been predicated on the need to respond to this previous reason for refusal, and to provide for a significant landmark on the subject site of exceptional architectural quality. The landmark element of the scheme is delivered on in the form of a tower rising to 22 storeys in the northern portion of the site, closest to the M50 motorway. Each built element proposed has been designed specifically to respond to its location and orientation within the site, avoiding any sense of monotony.

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 clear architectural statement at this important location.

With regard to the further consideration undertaken in relation to the scale of the individual blocks and their inter-relationships, the Design Statement prepared by HJL Architects sets out how the design team undertook detailed scale and massing studies to situated the proposed development within its surrounding context to assist in determining the correct scale for the various built elements.

In this regard, one important aspect was the undertaking of a review of the scheme in the context of other existing and permitted development (in particular the permitted development at Quadrant 3 to the west). The topography of the surrounding landscape was also taken into account in this regard.

This exercise revealed that, when viewed in the context of surrounding development and topography, the shoulder height set by the permitted Quadrant 3 development (DLR Reg. Ref.: D18A/0257 and ABP Reg. Ref.: 304369-19) corresponds with the height set by Block A2, C and D within the proposed development at Golf Lane. This height comparison informed and is considered to form part of the justification for the height of these elements of the proposed development.

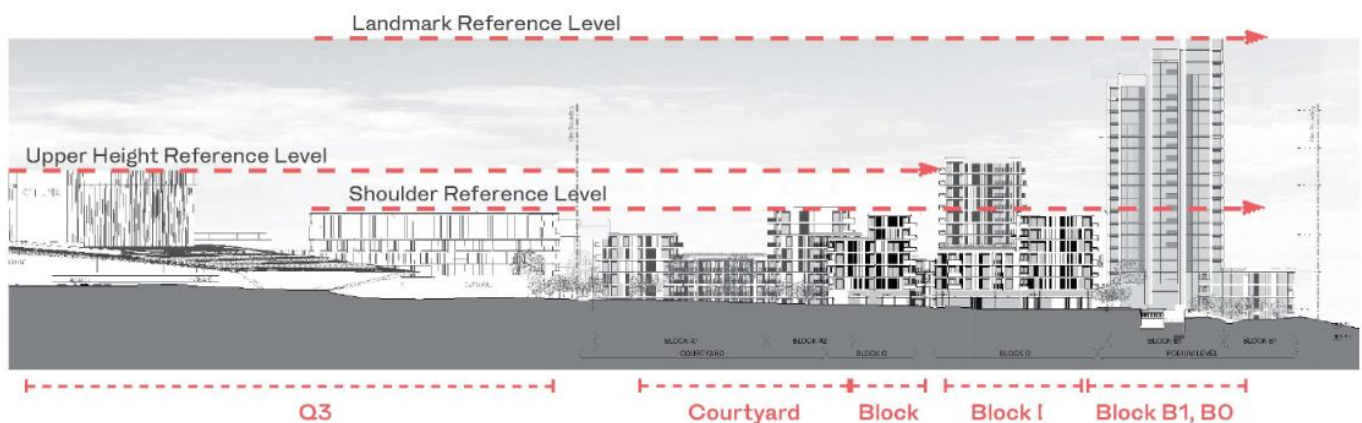


Figure 1: Extract from HJL Design Statement illustrating the height context analysis

When the nearby height precedent of the top level of the permitted Quadrant 3 scheme is taken into account while accounting for topography, the overall height of that development corresponds closely to the 12 storey element of the proposed development (Block A3).

Furthermore, the height of Blocks A1, C, and D were also informed by the content of the An Bord Pleanála Inspector's Report on the previous SHD application refused on the subject site. The Inspector's Report noted the acceptability of Blocks B and D in the refused scheme (which were located in the southern and eastern areas of the subject site), 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 2: Extract from site layout plan of Reg. Ref. PL06D.302336.

The HJL design statement goes on to outline a series of massing studies and volumetric analyses which informed the height relationships and massing proposed within the development.

In conclusion, it is submitted that the heights proposed, including the 12 storey element (Block A3) and the landmark tower are robustly justified and reflect a logical design rationale which informed both by the previous decision on the subject site and a detailed appraisal of the site context.

The CGIs and photomontages prepared and submitted with the application clearly demonstrate the effective use of variations in height and scale across the site, delivering a pleasing composition which steps up sequentially across the site, before rising significantly into a landmark architectural feature. In this regard, the height of Block A3 (12 storeys) forms part of the overall composition, allowing for the landmark Block B0 to be comfortably situated within the development, while still providing for a marked difference in height between the landmark building and the next highest element within the scheme.



Figure 3: View of the development from the south, demonstrating the composition and height transitions proposed

In the absence of an appropriate stepping upward of height across the site (for example if the height of Block A3 were to match Block A2 at 8 storeys), the landmark element of the scheme could appear less integrated, reducing the coherence of the composition of the development.

This approach, including the 12 storey height of Block A3, is fundamental to the response to the design analysis conducted and the need to avoid monotony or monolithic development on this site to avoid repeating the aspects of the previously refused development on site which contributed to the Board's refusal of permission.

CGIs, Photomontages and Cross Sections (Including Relationship with Cherrywood SDZ)

In response to the second point raised in the foregoing item of specific information, the current application is accompanied by an extensive and detailed range of CGIs, photomontages, and architectural cross sections.

The CGIs submitted have been integrated into the key architectural documents, and clearly and accurately reflect the exceedingly high quality of architectural design which has been achieved in the scheme. The CGIs, photomontages, and cross-sections clearly show the relationship between the proposed development and existing development in the immediate vicinity and wider area. The photomontages prepared as part of the application include a range of strategic viewpoints along the M50 corridor, demonstrating the landmark quality of the proposed development. Views from strategic viewpoints within the Cherrywood SDZ have also been included. The topography of the site is evident and accurately illustrated within the site section drawings, the CGIs and the photomontages submitted herewith.

The CGIs include internal views of the scheme and external views both from ground level and from an aerial perspective.



Figure 4: View of the scheme facing north along Golf Lane

The CGIs assist in the demonstration of the effective relationships between the proposed buildings on site in terms of their height, materiality, detailing, and massing. We refer the Board to the Henry J Lyons Design Statement for further details and for larger scale reproductions of the CGIs.

A significant quantity of further CGI images are contained within the Design and Access Statement prepared by Cameo Landscape Architects. These CGIs are focused primarily on the public and communal open spaces within the development, demonstrating the quality of the landscape layout and the significant attention to detail reflected in the proposed planting within the open spaces.



Figure 5: CGI internal view, demonstrating the environment that will be delivered within the centrally located communal open spaces



Figure 6: Extract from the Cameo Landscape Design and Access Statement

The application is also accompanied by a comprehensive suite of visualisations / photomontage images prepared by Visual Lab. In total, 23 views are provided which allow for the assessment of the visual impact and appearance of the proposed development in its context.

In accordance with the item of specific information requested by the Board, these views include a range of views from various points along the M50 motorway to the north and south of the site, demonstrating the effective nature of Block B0 as a landmark element and wayfinding point along this key route into the Carrickmines area and Dublin.

Furthermore, the photomontages also now include additional views from relevant / strategic points within the Cherrywood Strategic Development Zone. These images demonstrate the level of visibility of the scheme within the SDZ area, although it should be borne in mind that the images do not represent the views of the scheme for the long-term, given the permitted and future development to be provided within the SDZ. The town centre area of the Cherrywood SDZ, where greater heights are focused is located c. 500 metres away from the M50 motorway. The proposed development does not compete with or conflict in any way with the Cherrywood Planning Scheme.



Figure 7: Location of the application site in relation to the Cherrywood SDZ

Importantly, the photomontage views demonstrate that the proposed development will not be visible from the town centre area of the SDZ, which is located beyond the brow of a ridge that separates the town centre areas in the SDZ from the M50 motorway.

It is noted that the Planning Authority's Opinion on the pre-application submission included references to the Cherrywood SDZ. Concerns were raised both within the body of the Planning Authority's report and within an appended report prepared by the Cherrywood Development Agency Project Team.

The report expressed the view that the proposed development (and in particular the landmark building) had not suitably considered the settlement status of the Cherrywood SDZ lands, which are located to the 'north east and south east' of the site. It was argued that the SDZ lands were not taken cognisance of.

In this regard, it is noted that the SDZ lands had in fact been taken cognisance of by the applicant and design team since the inception of the current development proposal.

In the first instance, it is noted that the subject site has been specifically identified by the Planning Authority itself as an appropriate location for higher buildings (within the Ballyogan and Environs LAP). Furthermore, the Board have unequivocally stated that the site is an appropriate location for a significant landmark. The Board had regard to the location of the site vis a vis the SDZ lands.

Furthermore, it is noted that the function of the proposed landmark is to deliver a clear landmark adjacent to the M50, marking a significant node on this major route and an entry point to Carrickmines and the capital city.

The SDZ Planning Scheme (as amended) provides a height strategy for the entire SDZ area. Generally heights are not provided for which could realistically be considered to represent landmarks. At most, 5 storeys are provided for at town centre locations, with potential for upward modifiers of a further 3 storeys. It is important to note that the locations identified for such upward modifiers are all located at the eastern side of the SDZ, beyond the brow of the hill separating the town centre areas from the M50. Thus, even the higher town centre elements of the SDZ development are located some distance from the M50 and will not provide for a significant landmark along the M50 with which the proposed development might conflict.

The areas of the SDZ Planning Scheme area located in closer proximity to the M50 envisage heights ranging from 2-3 floors to 4-5 floors.

Having regard to this policy context within the SDZ Planning Scheme, it is evident that the provision of a landmark building on the subject site at Golf Lane does not conflict with any provision of (and will in fact complement development under) the Cherrywood SDZ Planning Scheme.

Landscape and Visual Impact Assessment

The significant range of visualisations / photomontages prepared have informed a detailed landscape and visual impact assessment which forms part of the EIAR submitted with the application (Chapter 6 refers). The landscape and visual impact assessment has been undertaken by Chris Kennet, and provides an in-depth review of the impact which the proposed development will precipitate on landscape character and views in the vicinity of the development and in the wider area. The LVIA deals in detail with both the construction and the operational phases of the proposed development in terms of their landscape and visual impact.

The Landscape and Visual impact chapter notes that the proposals will have a positive impact on views along the M50 motorway, conveying a distinct character and provide a focal point and destination for this route. The chapter also notes the relatively low value of views from within the Cherrywood SDZ, and confirms that while the development will be more visible in the short term, the duration of any impact is likely to be short due to the planned development within the SDZ itself which will substantially screen the proposed development from view within many areas of the SDZ.

In relation to the view from the parkland area within the Cherrywood SDZ, the LVIA chapter states:

“Block B0 stands tall as the main focal point, with its distinct roofscape, slender form and vertical grain distinguishing it from the lower buildings within the remainder of the proposed development, where the uppermost floors of most buildings are visible just above the intervening trees. The lighter coloured materials of the lower buildings allow them to blend little more into the sky surrounding them, while the contrasting darker

materials framing the elevations of Block B0 lend it a distinct character, reinforcing its role as a landmark building. While these buildings comprise the principle urban forms visible in this view, they do not interrupt views of the Dublin Mountains and provide a complementary backdrop to the park. While a prominent urban feature in the landscape, its position lies comfortably at the junction between the sweeping uplands to the left and the low-lying urban plain beyond and to the right. The future framing of this view with residential development surrounding the park will reinforce a layered landscape, comprising parkland foreground, urban middle-ground incorporating the proposed development, and an open upland landscape as a background to the left. Visual impacts arising from the proposed development will be slight and neutral.”

Thus the LVIA chapter supports the conclusion that the development will not have any significant impact on the Cherrywood SDZ, nor will it undermine the role or function of the SDZ.

In analysing the impact of the development on the broad range of visualisation views prepared, the LVIA notes a positive impact on many of the views. A short term negative impact might occur from viewpoint 14 (from the Dublin Mountains), however the chapter predicts that with the ongoing and permitted development of the immediate surrounding area, the longer term impact will be slightly positive.

We refer the Board to the LVIA chapter (Chapter 6) of the EIAR for further details.

Compliance with National and Local Planning Policy

The next element of the first item of specific information requires that the application demonstrate consistency with national policy including the National Planning Framework and Sustainable Urban Housing: Design Standards for New Apartments (March 2018) and local planning policy, the site's context and locational attributes.

In this regard, we refer the Board to the detailed Planning Report and Statement of Consistency prepared by John Spain Associates, which details the consistency of the development with the relevant planning policy context. That report also provides an assessment of the site's context and locational attributes which have informed the proposed development and which support the proposals. Further analysis of the site context and locational attributes is provided within the Architectural Design Statement prepared by Henry J Lyons Architects.

Material Contravention

Further consideration has been undertaken in relation to the potential that the proposed development could constitute a material contravention of policies or objectives within the County Development Plan or the Ballyogan and Environs Local Area Plan (other than objectives in relation to the zoning of land).

In this regard, a Material Contravention Statement has been prepared by John Spain Associates which provides a justification for the proposed development under the criteria set out at section 37(2)(b) of the Planning and Development Act 2000, as amended. This statement provides a justification for a material contravention of the Dun Laoghaire Rathdown County Development Plan 2016-2022 in circumstances where the Board determines that the proposed unit mix contravenes Section 8.2.3.3 (iii) of the Development Plan and / or that the height of the proposed development contravenes Policy UD6 of the Development Plan. The statement also provides a justification for a material contravention of the Ballyogan and Environs Local Area Plan 2019-2025 in circumstances where the Board determines that the density of the proposed development contravenes policy BELAP RES2.

The Public Notices for the application include the following wording, which is required in the event that such a material contravention arises:

“The application contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in Section 37(2)(b) of the Planning and Development Act, 2000, as amended, notwithstanding that the proposed development materially contravenes a relevant development plan or local area plan other than in relation to the zoning of the land.”

Having regard to the robust justification provided within the Material Contravention Statement, the Board can and should proceed to grant permission for the proposed development in the event the Board determines that a material contravention does occur.

ITEM 2 – PERMEABILITY AND CONNECTIVITY

The second item of specific information requested in the Board’s Opinion relates to the layout of the proposed development and how it provides for permeability through the site and as legible pedestrian / cycle route through the site from Glenamuck Road through to Golf Lane.

This item of specific information was set out as follows within the Board’s Opinion:

“Further consideration of documents as they relate to the layout of the proposed development particularly in relation to permeability and the criteria set out in the Urban Design Manual relating to ‘Connections’ which accompanies the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the Design Manual for Urban Roads and Streets. The configuration of the layout particularly as it relates to the creation of a legible pedestrian/cycle pathway from the Glenamuck Road through to Golf Lane should be given further consideration. Proposals for pedestrian access across the Glenamuck Road should also be examined.”

Response to Item 2

In response to this item of specific information, further detailed consideration has been undertaken in relation to permeability within and through the proposed development. This has resulted in changes to the design of the proposed development to enhance its permeability.

The Design Statement prepared by Henry J Lyons Architects includes further detail in relation to the design consideration and updates which have arisen in order to promote and improve permeability as part of the proposed design.

The design of the proposed main cycle and pedestrian route through the site between Glenamuck Road and Golf Lane has been substantially updated since the pre-application submission to make this route more useable, inviting and legible for all users.

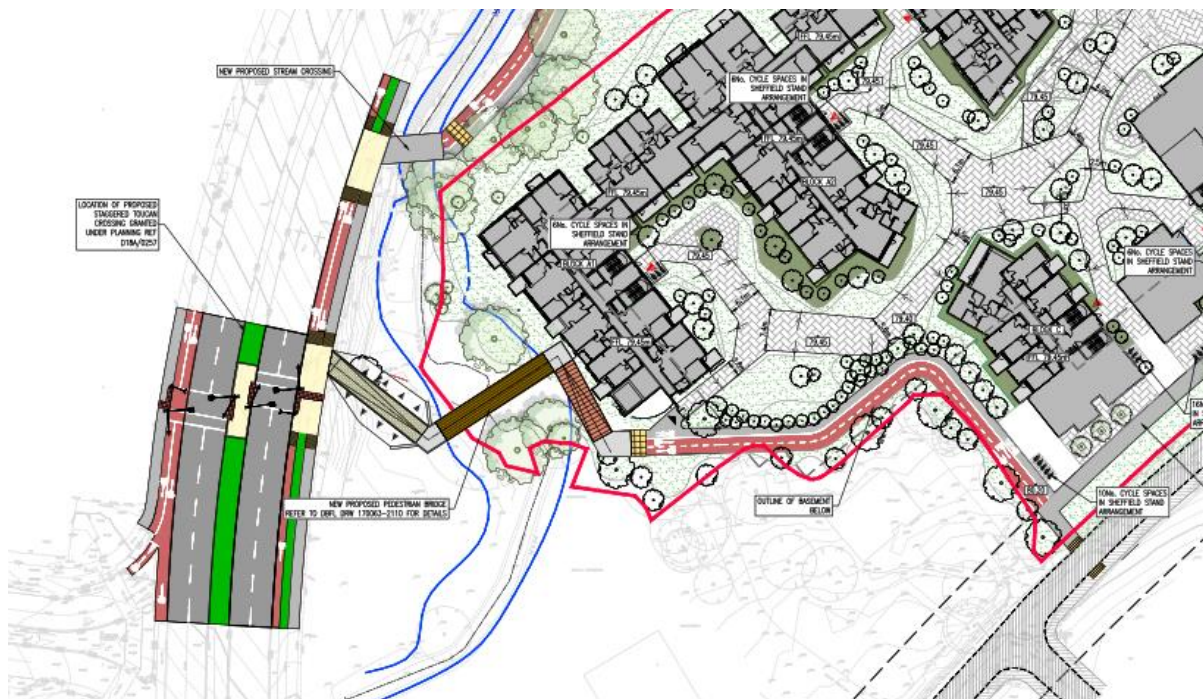


Figure 8: Extract from layout of east-west pedestrian/cycle route from pre-application stage

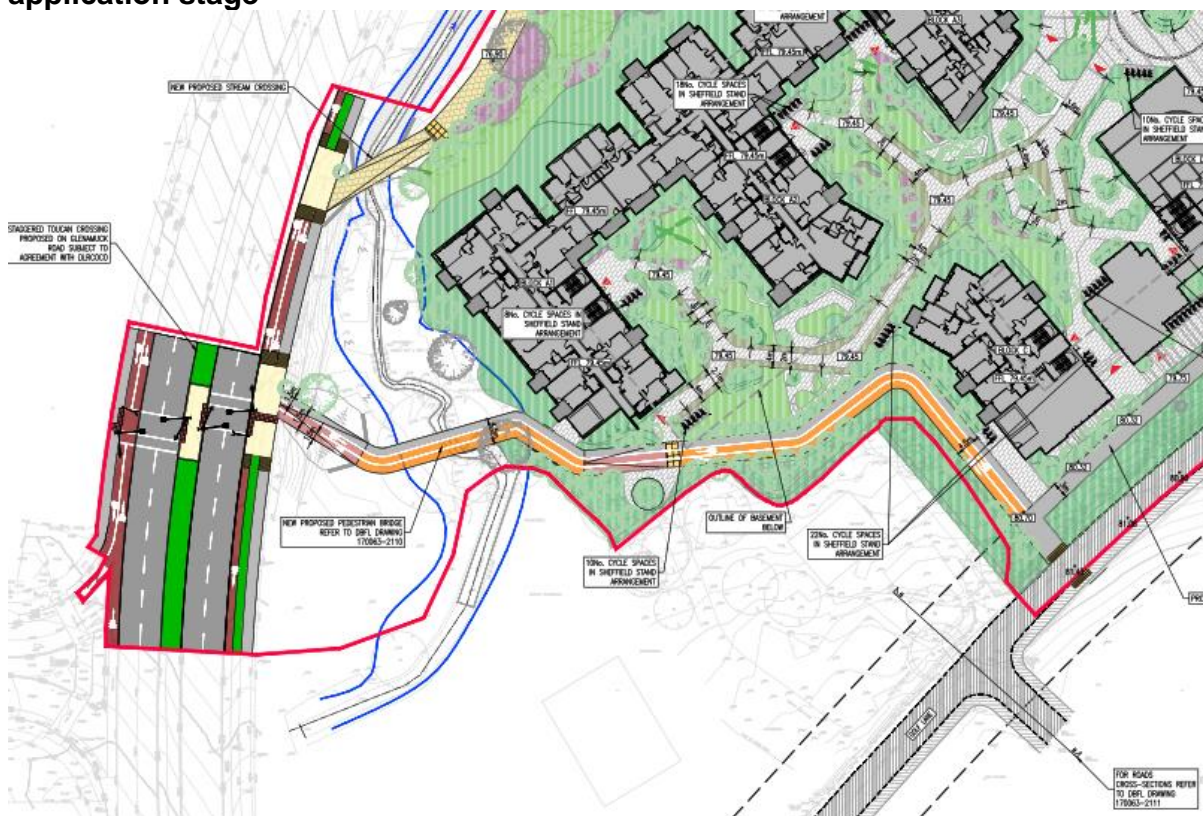


Figure 9: Extract from the final layout for the main east-west pedestrian/cycle route

The alignment of this route has been modified to make it significantly more direct. The amended layout has realigned the route to avoid the inclusion of a sharp turn to the southwest of Block A1. The revised layout allows for a significantly more legible route which turns more gently within the site, allowing for good visibility along the route for pedestrians and cyclists.

The entrances to the main east-west pedestrian / cycle route across the site, and the north-south route from Glenamuck Road have been given further consideration. It is now proposed to provide clear entry points at both locations, which will signal to pedestrians

and cyclists the location of these routes. The entrances will be marked with an upstanding pillar on a steel plinth, with signage noting the entrance to the public routes. The entrance arrangements are illustrated on Cameo Landscape Architects drawing no. L402.



Figure 10: Extract from Cameo Landscape Architects drawing illustrating the proposed pillars to clearly denote the entry to the site for pedestrians and cyclists from Glenamuck Road

Within the site, the crossings of the Golf stream within the site have been designed in further detail, and have been realigned to ensure an optimal alignment onwards where they meet the pedestrian / cycle facilities beyond.

On the east-west route, the cycle route and pathway have been carefully considered in terms of the landscape and boundary treatments to either side, providing for appropriate planting and fencing that allows for a clear route for those using the proposed infrastructure.

Both the east-west and north-south routes will benefit from a high level of passive surveillance from the proposed residential units which have views of the routes.

The updates to the significant new pedestrian and cycle infrastructure proposed has had regard to the guidance provided in relation to 'Connections' within the 2009 Urban Design Manual.

The main east-west route seeks to recognise pedestrian and cyclist desire lines, which is reflected in the revised alignment which delivers a more direct route when compared to the pre-application stage proposals.

The Design Manual notes that care should be taken that new routes will not negatively impact on either residents within a proposed development or existing residents in the area. In this regard, the design of the routes within the site has taken cognisance of the need to provide for an element of buffering and a clearly defined boundary between public open space / routes and the communal / private open spaces proposed. The routes avoid direct disturbance to future residents, while maintaining a good level of passive surveillance to ensure safety and security.

With regard to existing neighbours, the applicant has consulted in detail with the owners of adjoining property to the south. An appropriate boundary treatment (comprising a stone wall for security and an attractive appearance) has been agreed and incorporated along the southern boundary of the site where it is bound by adjoining residential property. This will ensure that nuisance or negative impact on amenity will not arise due to the operation of the new public east-west route through the subject site.

The Urban Design Manual states:

“When designing a new neighbourhood – or considering an insertion into an existing area, the core objective should be the provision of high quality, direct, safe and secure routes that connect with existing movement networks and follow key desire lines.”

Having regard to the quality and design of the proposed public routes through the site and the improvements and updates made since pre-application stage, it is considered that the proposed development is fully in accordance with the above. Public routes have also been designed to allow ease of access for all, including those with limited mobility.

In terms of the compliance of the routes and connections through the scheme with DMURS, the application is accompanied by a statement prepared by DBFL Consulting Engineers, to confirm that the principles of DMURS have been reflected in the scheme design. Section 4.3 of DMURS relates to pedestrian and cycle facilities. In accordance with the principles of DMURS, routes through the development have been amply sized and provide for appropriate space for passing. The scheme incorporates landscape mitigation to maximise the comfort of users of routes in terms of wind and microclimate.

To conclude, it is considered that the proposed development will deliver a significant enhancement in the permeability and accessibility of the site and the wider area for pedestrians and cyclists. A new east west route through the site will provide a direct link between Glenamuck Road and Golf Lane, thus realising a new route along a desire line through a currently impermeable parcel of land. This will benefit residents of the future development, in addition to residents in existing residential areas to the south and east. The route along the western and northern boundary of the site (north-south route) adds a further route which will be provided up to the boundary of the site in the north, allowing for further onward connection in the future.

The proposed development allows for a continuation of pedestrian and cycle permeability from Golf Lane, across the subject site, and onward across Glenamuck road to the pedestrian and cycle infrastructure incorporated into the permitted development at Quadrant 3 of the Park, Carrickmines.

In relation to the provision of pedestrian and cycle access across Glenamuck Road, the final application proposes the provision of a new crossing of this road adjacent to the subject site and tying directly into the proposed new routes within the site. This new crossing point aligns with that which was previously permitted under the Quadrant 3 development (DLR Reg. Ref.: D18A/0257 and ABP Reg. Ref.: 304369-19).

The crossing point and all works located on lands in the control of the Local Authority have been included within the red line boundary of the application site, and the Local Authority have provided a letter of consent for the inclusion of these lands in the application site.

ITEM 3 – MATERIALS AND FINISHES

The third item of specific information requested related to the proposed materials and finishes of the development, including both the buildings and open spaces proposed. The wording of this item of specific information is as follows:

“A Materials Strategy that specifically addresses the proposed materials and finishes for buildings, open spaces, paved areas and boundaries, having regard to the requirement to provide high quality and sustainable finishes and details. This strategy shall include details of the colour, tone and texture of materials and the modelling and profiling of the materials (including any cladding or framework system) on each block. Particular attention is required in the context of the strategic location and visibility of

the site and to the long term management and maintenance of the proposed development.

A Building Lifecycle report should also be submitted in this regard, which includes an assessment of the long term running and maintenance costs associated with the development in accordance with Section 6.13 of the 2018 Guidelines on Design Standards for New Apartments.”

Response to Item 3

In response to the first part of this item of specific information, the final application is accompanied by a detailed response document in relation to materials and finishes. The document illustrates the materials and finishes of the buildings on site and furthermore provides details in relation to the landscaping (hard and soft), and boundary proposals. The Design and Access Statement provides greater detail in relation to the open spaces, paved areas, and boundary treatments in terms of their materiality and finishes.

High quality, hard wearing materials have been utilised throughout the buildings and the landscape elements. This will assist in the reduction of maintenance and upkeep costs as confirmed in the accompanying Building Lifecycle report. The boundary treatments for the site and internal boundaries have been carefully selected also in terms of their materials and finishes.

The materials and finishes report provided by Henry J Lyons Architects provides details of the proposed materials and finishes for the proposed buildings on site, which are also reflected within the CGIs and photomontages prepared for the final application. Each of the proposed buildings reflects a carefully considered approach to the detailing and finish of the development, incorporating high quality, durable materials which will result in lower maintenance requirements for the proposed development.

In response to the second part of this item of specific information, the final application is accompanied by a building lifecycle report prepared by JAK Consulting Engineers. The Building Lifecycle report has been prepared in accordance with section 6.13 of the 2018 Apartment Guidelines and provides details in relation to the long term running and maintenance costs associated with the proposed development.

ITEM 4 – RESIDENTIAL AMENITY, SUNLIGHT AND DAYLIGHT, AND WIND

The fourth item of specific information requested relates to the demonstration of the existing and future residential amenity based on the proposed development. The item relates in particular to the demonstration of sunlight and daylight access, and the assessment of wind / microclimate and noise impacts associated with the scheme. This item states the following:

“A report which address existing and future residential amenity and which includes matters such as daylight/sunlight analysis, micro-climate/wind impacts and noise impacts, together with proposals to address any such impacts, if necessary. A Daylight/Sunlight analysis, showing an acceptable level of residential amenity for future occupiers and neighbours of the proposed development, should include details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. A month-by-month assessment of average daylight hours within the public open space should be provided within the Daylight and Sunlight Analysis document to allow for a full understanding of the year round level of overshadowing of the primary outdoor recreation areas for the development should be submitted.”

Response to Item 4

The current application is accompanied by an EIAR which includes a chapter pertaining to wind and microclimate. This detailed assessment has followed an iterative approach to the analysis and improvement of the environment within and surrounding the proposed development in terms of useability and amenity for residents and visitors.

In the intervening period since the pre-application meeting with the Board, the wind and microclimate analysis has comprised of repeated modelling of the microclimate and wind environment, with additional design-based mitigation implemented before further re-running of the wind model.

The result, as demonstrated within Chapter 11 of the EIAR, is that the development will provide for overall for an high level of performance in terms of safety and amenity in terms of wind and microclimate, particularly having regard to the relatively exposed nature of the subject site.

It is noted that the residential units within the taller elements of the proposed development have been designed to incorporate winter gardens as an alternative to balconies which would be more open to the elements. Paragraph 3.36 of the 2018 Apartment Guidelines confirms that winter gardens are an acceptable form of private open space in certain circumstances. In this instance it is considered that due to the scale and design of the proposed development, the incorporation of winter gardens for some units is the most appropriate form of open space provision to ensure a good level of residential amenity for all of the proposed residential units.

In relation to daylight and sunlight assessment, a detailed report has been prepared by IES and is submitted as part of the application.

The report demonstrates a good level of sunlight and daylight access for the proposed units within the development. The report presents an analysis of the worst-case units within the proposed development, and confirms that the units, and consequently the development at a whole will achieve strong levels of sunlight and daylight access. The report confirms that the development meets the requirements of the BRE guidance in relation to light access for the proposed residential units on site.

The report also includes an assessment on a month-by-month basis of the open spaces within the scheme and surrounding the proposed buildings as required under the above item of specific information. It is confirmed that the proposed open spaces exceed the BRE standards. Furthermore, as noted within the Landscape Design and Access Statement prepared by Cameo Landscape Architects, even when only the open space receiving in excess of two hours sunlight is taken into account, the minimum standards for communal open space within the proposed development are still exceeded.

In relation to impact on nearby properties, the report sets out a detailed analysis of all relevant proximate development. Only one existing dwelling has been identified in which there would be a slight exceedance of the recommended impact parameters on some windows. However, based on a detailed analysis of the dwelling it is determined that the overall impact would be slight, due to the fact that the main living spaces within the dwelling will not be materially affected by the proposed development, with only bedrooms exhibiting a slight exceedance.

A noise impact assessment is provided as part of the EIAR which provides a detailed analysis of the noise environment both in terms of internal and external noise sources.

On this basis, it is confirmed that the proposed development will provide for a high level of amenity in terms of microclimate, sunlight, and daylight, and noise. The development will not result in any significant impact on existing dwellings in the vicinity. Further detail in relation to light, aspect, and wind / microclimate is provided within the Design Statement prepared by HJL Architects (Section 6 refers).

ITEM 5 – HOUSING QUALITY ASSESSMENT

The fifth item of specific information requested relates to the provision of a detailed housing quality assessment which demonstrates compliance with the requirements of the 2018 Apartment Guidelines. This item states the following:

“A housing quality assessment which provides specific information regarding the proposed apartments and which demonstrates compliance with the various requirements of the 2018 Guidelines on Design Standards for New Apartments, including its specific planning policy requirements. This should also include a schedule of floor areas for all proposed units, clearly setting out the aspect (single, dual, triple) of each unit.”

Response to Item 5

The current application is accompanied by a detailed Housing Quality Assessment (HQA) document prepared by Henry J Lyons Architects. The HQA analysis the proposed development in the context of the SPPRs and quantitative standards set out within the 2018 Apartment Guidelines. The Planning Report and Statement of Consistency prepared by John Spain Associates provides a written summary of the compliance of the proposed development with the relevant SPPRs of the 2018 Guidelines. The Statement of Consistency confirms compliance with all relevant standards.

A detailed analysis of the aspect of all apartments is provided that confirms that 51% of all units within the proposed development will be dual aspect. Thereby exceeding the higher 50% standard provided for within the Guidelines. In addition, the HQA document incorporates a series of detailed diagrams which demonstrate the units which have been identified as single aspect and dual aspect. In this regard, a conservative approach has been adopted having regard to recent precedents and SHD decisions which referred in detail to the consideration of aspect classification.

In addition to the 51% dual aspect units provided for within the development, the development incorporates c. 3% ‘L aspect’ units. These are units which turn the internal corners of several of the courtyards within the scheme. While these units will benefit from views and light access from two directions, based on a conservative approach these have been separately identified in the aspect diagrams and the tables within the HQA.

ITEM 6 – LANDSCAPING PLAN AND OPEN SPACE

The sixth item of specific information requested relates to the provision of further details in relation to landscaping and open space. This item states the following:

“A detailed landscaping plan for the site which clearly differentiates between areas of public, communal and private open space and which details exact figures for same. Details should also include proposals for hard and soft landscaping including street furniture, where proposed, which ensures that areas of open space are accessible, usable and available for all. Pedestrian permeability through the site should be outlined. Details of the interface between private, public and communal areas should also be detailed. Additional cross sections, CGIs and visualisations should be included in this regard.”

Response to Item 6

The current application is accompanied by a significantly augmented landscape design package prepared by Cameo Landscape Architects. A response to the above item of specific information is provided at the outset of the Design and Access Statement prepared by Cameo Landscape Architects, which responds to the constituent parts of the above item.

In relation to the breakdown and delineation of the public and communal open space provided, pages 5-7 of the Design and Access Statement provide clear diagrams which correspond to the landscape layout plans prepared.

In relation to the communal open space provision proposed, two key figures are outlined within the Design and Access Statement. The first is the overall proposed provision of communal open space, including centrally located open spaces within the development and roof terraces provided for communal use. In this regard, the total level of provision is 4,264 sq.m. However, having regard to the other items of specific information requested, a detailed analysis of the sunlight access to the open spaces within the development has been undertaken. This analysis demonstrated that some areas of communal open space within the scheme would not receive the recommended 2 hours of daily sunlight access under the BRE guidance.

Following the undertaking of this sunlight access study, a further figure has been provided within the Design and Access Statement to confirm the quantum of communal open space proposed which would fully meet and exceed the minimum sunlight access requirement. This would equate to 3,030 sq.m of communal open space.

On the basis that the required level of communal open space provision for the proposed development would be 2,993 pursuant to the quantitative standards set out within Appendix 1 of the 2018 Apartment Guidelines, it is confirmed that the overall communal open space provision significantly exceeds this standard with a total area of 4,264 sq.m provided.

Furthermore, even in the event that areas of communal open space receiving less than the minimum recommended sunlight access were excluded for the purposes of assessing compliance, the resulting quantum of communal open space would still meet and exceed the minimum requirements. While the area which will receive less than the recommended 2 hours of sunlight is not relied on to achieve compliance, it is considered that this additional area will contribute to the overall achievement of a high standard of communal open space within the development that will ensure that a good level of amenity is achieved for all future residents.

The drawing pack submitted herewith includes a significant number of additional details and cross sections, while the boundary treatment plan submitted clearly illustrates the proposed boundary treatments and the interfaces between the areas of communal and public open space to be provided. The drawing package includes details and specifications for the interfaces between all public and communal areas.

The drawing package prepared by Cameo Landscape Architects also details the proposed hard and soft landscaping within the open spaces. The landscape general arrangement plans for all open spaces include details of the hard and soft landscape treatments, along with the proposed street furniture to be provided throughout the scheme.

Page 21 of the Design and Access Statement presents a series of diagrams which clearly illustrate the proposed pedestrian routes through the site, and clearly delineate which routes are fully accessible to members of the public traversing the site, and which routes are located within the communal open space areas (i.e. not public routes). The layout of the scheme has been predicated on the need to provide for clear and permeable routes through the site to enhance the accessibility of the site and the surrounding area, while the internal pedestrian routes within the communal open spaces allow for ease of circulation within the development for future resident's and visitors. It is proposed that the gated access points to the communal open space areas would be closed at night time to ameliorate the risk of antisocial behaviour, however during daylight hours it will be possible for the public to circulate along all main routes within the development.

Private open space is to be provided in the form of balconies and winter-gardens on the higher elements of the scheme. The compliance of the proposed private open space provision with

the quantitative standards of the 2018 Apartment Guidelines is set out within the accompanying HQA document.

The Cameo Design and Access Statement includes a significant number of CGIs and visualisations of the proposed landscaping within the development, and incorporates specific sections dealing with the individual open space areas to be provided.

The Design and Access Statement clearly illustrates the pedestrian routes through the proposed development and sets out exact figures for the quantum of communal and public open space to be provided.

ITEM 7 – SURFACE WATER MANAGEMENT

The seventh item of specific information requested relates to the provision of additional details having regard to the Drainage Department comments on the pre-application submission. This item states the following:

“Additional details in relation to surface water management for the site, having regard to the requirements of the Drainage Division as indicated in Appendix B of the Planning Authority’s Opinion (undated report). Any surface water management proposals should be considered in tandem with a Flood Risk Assessment specifically relating to appropriate flood risk assessment that demonstrates the development proposed will not increase flood risk elsewhere and, if practicable, will reduce overall flood risk.”

Response to Item 7

The current application is accompanied by an Engineering Services Report prepared by DBFL Consulting Engineers, which provides a significant level of detail in relation to the management of surface water within the proposed development. The surface water strategy has been subject to in-depth consultation with the Drainage Department of Dun Laoghaire Rathdown County Council at pre-application stage, and the overall strategy and detailed design of the surface water systems have been agreed in principle with the Planning Authority. This was acknowledged during the course of the tripartite pre-application meeting with the Board and the local Planning Authority.

Having regard to the comments of the Drainage Department appended to the Planning Authority’s Opinion on the pre-application submission, the DBFL Engineering Services Report includes an Appendix (Appendix H), which provides direct responses to the points raised. We refer the Board to that appendix to the Engineering Services Report for further details.

In relation to the points raised which pertain to flood risk and overland flow, a response has been provided by DBFL Consulting Engineers, contained within the Infrastructure Design Report (Appendix H refers).

ITEM 8 – ACCESS AND CIRCULATION

The eighth and penultimate item of specific information requested relates to the provision of details to respond to points raised by the Planning Authority in relation to transport and accessibility. This item states the following:

“Additional details and justification for the proposed development in relation to roads, access and circulation, having regard to the report of the Transportation Division of the planning authority (dated 05th May 2020) as detailed in Appendix B of their Opinion.”

Response to Item 8

The design team (and in particular DBFL Consulting Engineers) have reviewed the comments of the Transportation Division of the Planning Authority and a detailed response has been provided to each of the points raised therein. Please refer to the appendices of the DBFL Infrastructure Design Report for a point-by-point response.

The key points set out within the DBFL response can be summarised as follows:

- The application drawings include full detail of the proposed works to be carried out at the applicant's expense at Glenamuck Road and Golf Lane.
- The Kiltiernan Link Road reservation has been maintained free of development.
- The treatment of the land within the road reservation is as per the requirements of the Transportation Department.
- Interim arrangements and permanent arrangements for access to Golf Lane are clearly shown on drawings .
- The design of the main pedestrian and cycle route through the scheme and the greenway along the western boundary accord with the requirements of the Transportation Department.
- A detailed Quality Audit has been carried out and is submitted with the application.
- Vehicle tracking drawings have been provided to demonstrate vehicle manoeuvring required for larger vehicles to access and leave the site.
- The access to the basement car park has been designed in accordance with DLRCC requirements and IStructurE guidelines.
- Cycle parking has been included to meet the requirements of the Transportation Department.
- 12 no. motorcycle spaces have been included in the development design, along with 49 no. EV charging spaces and 12 no. accessible spaces. This is in accordance with Development Plan requirements.
- A rationale for the reduced quantity of car parking has been provided within the TTA submitted.
- A full Mobility Management Plan and a Construction Management Plan have been prepared to address the points raised by the Transportation Department.

The civil engineering drawings prepared by DBFL and the Traffic and Transport Assessment and DMURS compliance note demonstrate that the proposed development has been designed in accordance with best practice and will provide for a safe environment for pedestrians, cyclists, and drivers.

In relation to the request of the Transportation Department that the area of land to be reserved along the frontage of Golf Lane be offered to be taken in charge. It is confirmed that this is the case and that area is shown to be taken in charge on the taking in charge drawing prepared by HJL architects.

A point by point response to the items raised within the Transportation Division report has been prepared by DBFL Consulting Engineers, and is included as Appendix H of the Infrastructure Design Report. We refer the Board to this detailed response prepared by DBFL for further details.

ITEM 9 – PARKS AND LANDSCAPE

The ninth and final item of specific information requested relates to the provision of further details and justification in relation to the comments of the Planning Authority Parks and Landscape Services Division on the pre-application request. This item states the following:

“Additional details and justification for the proposed development, having regard to the report of the Parks and Landscape Services Division of the Planning authority (dated 16th April 2020) as detailed in Appendix B of their Opinion.”

Response to Item 9

Having regard to the item of specific information outlined above, the design team have reviewed in detail the points raised within the Parks and Landscape Services Division report.

The report focused in particular on three distinct issues, namely the impact of the development on existing trees on site, the impact of the development on the existing landscape and soil, and the need to provide a rationale for the play facilities proposed within the development.

Impact on Trees

The impact of the proposed development on trees has been a consideration from the outset of the scheme design process. The pre-application documentation submitted to the Board included an initial tree survey and impact assessment, and the layout of the scheme sought to preserve existing trees where possible.

In the intervening period since the issuing of the Board's Opinion, considerable further consideration and detailed assessment has been given to the impact on existing trees.

The final application is accompanied by the following key documents which fully examine and assess the impact of the development on existing trees, and the proposed offsetting of tree loss as part of the development proposals:

- Tree impact assessment report (including tree protection measures), tree survey, impact, and protection drawings prepared by CMK Arborists;
- Trees Landscape Report prepared by Cameo Landscape Architects;
- Design and Access Statement prepared by Cameo Landscape Architects
- Biodiversity chapter of the EIAR prepared by Scott Cawley.

In addition to the preparation of these documents, following the tripartite meeting with the Board and the Planning Authority, a site visit and walk was undertaken with Dun Laoghaire Rathdown County Council on the 11th of November 2020. This site meeting was attended by Donal Kearney, Assistant Parks Superintendent of the Parks and Landscape Department within DLR.

This site meeting allowed for a review and examination of the existing trees on the subject site. The feedback received at this site meeting has informed the detailed documentation now submitted in relation to tree retention on site and the extensive replacement tree planting proposed on site. In principle, the trees to be removed on site are primarily of poor quality, with the final layout providing for the retention of several existing trees which were considered worthy of retention in the areas of the site outside the proposed built elements of the SHD development.

It should be noted at the outset that to achieve a sustainable density and scale of development on the subject site (including a landmark element) while allowing for sufficient space for car and bicycle parking, bin stores etc., it is necessary to provide a basement below the proposed buildings on site. Fundamentally, the necessity to provide a basement on site renders it impossible to retain the majority of trees proposed for removal. However, it should also be noted that the extent of basement proposed has been reduced in the southern portion of the subject site since the pre-application submission, which has allowed for a greater element of tree retention and reducing impacts on adjoining properties.

The detailed tree survey undertaken identified 205 trees on site in total. Of these, the majority of trees were of poor condition / quality (over 70% fall within categories C and U). The tree impact assessment report states that

“All category U trees will need to be removed on the basis of their condition. Low value trees category C trees would only be suitable for retention within any re-development of the site in circumstances where their poor form or deteriorating condition would not constitute a potential hazard.”

In total, the proposed development will result in the removal of 182 trees, the large majority of which are of lower quality or poor condition (categories C and U). 24 trees will be retained which comprise better quality Category B trees, along with Category C trees where their incorporation was considered beneficial. Noting that category U trees would require removal in any event, 17% of the Category B and C trees are retained. It is further noted that no Category A trees are located on site (trees of particularly high value).

The Arboricultural Impact Assessment presented in section 2 of the CMK report notes that the current tree population is dominated by large coniferous species, which are unsuitable for retention within the built urban environment.

In terms of mitigation, it is noted that the proposed development entails the planting of 234 new trees on site (in addition to the 24 retained trees), providing for an overall uplift of 53 trees when compared to the existing condition on site.

The accompanying Cameo Landscape Architects documentation includes a significant level of detail which reflects the tree impact assessment prepared by CMK, and sets out the proposed landscaping scheme which will offset and augment the level of tree planting on site. Details are provided of the tree species and sizes which are proposed. The scheme will include a large quantity of larger, more mature tree planting to deliver a leafy, sylvan environment from the completion of the development.

The Biodiversity chapter of the EIAR (Chapter 5) addresses the impact of tree and hedgerow removal on site, determining that due to the provision of replacement planting as part of the proposed landscape scheme, no significant impact is envisaged at any geographic scale.

Landscape and Soil Impacts

The second element of the Parks and Landscape Services report related to existing landscape and soil, and the impact of the development on same. It was stated that the landscape design should seek to reduce impacts on the existing landscape.

In this regard, it is noted that the landscape design has been progressed and refined significantly since the pre-application stage. The landscape proposals now provide for a scheme which will effectively integrate the development into its setting, while providing for a high level of amenity both for future residents and for the wider public accessing and passing through the subject site. The Design and Access Statement prepared by Cameo Landscape Architects incorporates detailed consideration of the existing landscape character and the setting of the site, with the design rationale that follows having been informed by the existing character of the landscape.

It was also stated that the development would require assessment of hydrological impacts arising in particular from the basement extent and design associated with the proposed development. This element of the report has been reviewed in detail by DBFL Consulting Engineers. The final application is accompanied by a full EIAR which includes a chapter pertaining to Soils and a further chapter relating to Water (Chapters 7 and 8 respectively). These chapters provide a robust assessment of the development's impact on soils and water and take account of the final design of the proposed development, including the nature and extent of the basement levels proposed. The application is also accompanied by a detailed flood risk assessment report, which includes detailed modelling of the impact of the proposed development in terms of flood risk and the adjoining stream.

Furthermore, a point by point response to this element of the Parks and Landscape Services report is provided as Appendix H to the Infrastructure Design Report prepared by DBFL Consulting Engineers, to which we refer the Board for further details.

Play Rationale

The final item raised by the Parks and Landscape Services Division related to the play proposals within the proposed development. It was noted that a play rationale and layout plan should be submitted.

The Design and Access Statement prepared by Cameo Landscape Architects includes a detailed section relating to play rationale / play strategy. The proposed play areas and proposed furniture are detailed on the landscape layout plans and general arrangement plans. It is noted that these identify and specify all play provision within the scheme. The Design and Access Statement provides a series of details and diagrams / layouts which define the nature and extent of the play areas proposed within the scheme. While the recommendation within the Parks and Landscape Services Division report that a stand alone play layout plan should be submitted was noted, it was considered that a greater level of detail and analysis would be possible via the inclusion of detailed diagrams within the Design and Access Statement submitted.

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.

3.0 CONCLUSION

In conclusion, all the issues raised by An Bord Pleanála in its opinion dated 31 July 2020 have been comprehensively addressed in the planning application submitted to the Board as set out within this statement of response and the accompanying documentation.

The proposed development provides for a significant number of high-quality residential units across a range of sizes and tenures and within a range of building typologies of varying scale and height, with associated childcare facility and open space, in a scheme which effectively responds to the characteristics and constraints of the subject lands with a considered and site-specific design. The development provides for a range of connections to adjacent areas and adjoining permitted and existing development, including a new pedestrian and cycle link across the site to enable a major new linkage that ties in with existing and permitted linkages across Glenamuck Road and onward through The Park Carrickmines to the Ballyogan Luas stop.

The application documentation now submitted takes cognisance of and responds to the reason for refusal of the previous application on site and the points raised by the Board in its Opinion.