
Statement of Consistency & Planning Report

Carmanhall Road SHD

**Former Avid Technology International Site,
Carmanhall Road, Sandyford Industrial Estate,
Dublin 18.**

Atlas GP Ltd.

April 2021



Hughes Planning & Development Consultants

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1.0 Introduction

Hughes Planning and Development Consultants, 70 Pearse Street, Dublin 2, have prepared this statement of consistency and planning report on behalf of our client, Atlas GP Ltd., to accompany a planning application to An Bord Pleanála for a proposed Strategic Housing Development at Former Avid Technology International, Carmanhall Road, Sandyford Industrial Estate, Dublin 18. The proposed development, as per the description contained within the statutory planning notices, provides for:

'(i) construction of a Build-To-Rent residential development within a new part six, part eight, part nine, part eleven storey rising to a landmark seventeen storey over basement level apartment building (40,814sq.m) comprising 428 no. apartments (41 no. studio, 285 no. one-bedroom, 94 no. two-bedroom & 8 no. three-bedroom units) of which 413 no. apartments have access to private amenity space, in the form of a balcony or lawn/terrace, and 15 no. apartments have access to a shared private roof terrace (142sq.m) at ninth floor level;(ii) all apartments have access to 2,600sq.m of communal amenity space, spread over a courtyard at first floor level and roof terraces at sixth, eighth and ninth floor levels, a 142sq.m resident's childcare facility at ground floor level, 392sq.m of resident's amenities, including concierge/meeting rooms, office/co-working space at ground floor level and a meeting/games room at first floor level, and 696sq.m of resident's amenities/community infrastructure inclusive of cinema, gym, yoga studio, laundry and café/lounge at ground floor level. The café/lounge will primarily serve the residents of the development and will be open for community use on a weekly/sessional basis; (iii) provision of 145 no. vehicular parking spaces (including 8 no. mobility parking spaces, 2 no. club-car spaces and 44 no. electric charging spaces), 5 no. motorcycle parking spaces, bin stores, plant rooms, switch room and 2 no. ESB sub-stations all at ground floor level; provision of bicycle parking (752 no. spaces), plant and storage at basement level; permission is also sought for the removal of the existing vehicular entrance and construction of a replacement vehicular entrance in the north-western corner of the site off Carmanhall Road;(iv) provision of improvements to street frontages to adjoining public realm of Carmanhall Road & Blackthorn Road comprising an upgraded pedestrian footpath, new cycling infrastructure, an increased quantum of landscaping and street-planting, new street furniture inclusive of bins, benches and cycle parking facilities and the upgrading of the existing Carmanhall Road & Blackthorn Road junction through provision of a new uncontrolled pedestrian crossing; and, (v) All ancillary works including provision of play equipment, boundary treatments, drainage works - including SuDS drainage, landscaping, lighting, rooftop telecommunications structure and all other associated site services, site infrastructure and site development works. The former Avid Technology International buildings were demolished on foot of Reg. Ref. D16A/0158 which also permitted a part-five rising to eight storey apartment building. The development approved under Reg. Ref. D16A/0158, and a subsequent part-seven rising to nine storey student accommodation development permitted under Reg. Ref. PL06D.303467, will be superseded by the proposed development.'

The purpose of this report is to provide background information on the site, a description of the proposed development, the planning rationale and justification for the proposed development and the required information set out in the Application Form for a Section 5 Consultation in Respect of a Strategic Housing Development. This report has been prepared in accordance with the requirements of the Planning and Development (Strategic Housing Development) Regulations 2017. This report should be read in conjunction with the enclosed documentation prepared by the following design team members:

Design Team Member

Burke-Kennedy Doyle Architects
AECOM
Niall Montgomery & Partners
Golder Associates
Aramark
IN2 Engineering Design Partnership

Archaeology & Built Heritage
Digital Dimensions
Independent Site Management
Maurice Johnson & Partners

Documentation Provided

Architectural Drawing Pack & Associated Documents
Engineering Drawing Pack & Associated Documents
Landscape Drawing Pack & Associated Design Statement
EIAR & Environmental Pack
Building Lifecycle & Property Management Strategy Reports
Sunlight & Daylight, Energy Analysis, Site Lighting and
Utilities Reports & Associated Documents
Archaeological Impact Assessment
Photo-Montage Imagery
Telecommunications Assessment Letter
Preliminary Fire Safety and Access & Use Strategy

1.1 Pre-Planning Consultation

1.1.1 Consultation with Dún Laoghaire-Rathdown County Council PAC Number PAC/SHD/91/20

We note that a Section 247 Consultation meeting took place with the Planning Authority in relation to this application on 30th April 2020.

The attendees of this meeting were as follows:

Attendees	<u>Dún Laoghaire-Rathdown County Council</u>	
	Naoimh Fleming	Acting Senior Executive Planner
	Eoin Kelliher	Executive Planner
	Ger Ryan	Senior Planner
	Bernard Egan	Senior Executive Engineer
	Claire Casey	Senior Executive Engineer
	Donal Kearney	Assistant Parks Superintendent
	<u>Prospective Applicant & Design Team</u>	
	Shaun Thorpe	Atlas Gp (Applicant)
	Niall O'Byrne	Atlas Gp (Applicant)
	Rory O'Brien	Atlas Gp (Applicant)
	Kevin Hughes	Hughes Planning & Development Consultants
	Paul Quinn	Burke-Kennedy Doyle Architects
	Paola Garcia	Burke-Kennedy Doyle Architects
	Simon Ronan	Niall Montgomery & Partners
	Clodagh Holmes	AECOM

This pre-planning meeting revolved around a pre-planning pack circulated prior to the meeting. Burke-Kennedy Doyle Architects and Hughes Planning and Development Consultant gave a presentation on the proposed development, including the site's planning history; the site context; and the zoning applying to and planning policy context for the subject site. It is noted that the Planning Authority was supportive of the re-development of the subject site.

We note the below response to the principal meeting notes/points of discussion raised by the Planning Authority at this meeting. It is considered prudent to note that the response provided to the following meeting notes/points of discussion reflects that which was submitted to An Bord Pleanála as part of the Section 5 Pre-Application Consultation Request.

The approach to the Carmanhall & Blackthorn Road frontages was queried in relation to the provision of cyclist infrastructure so as to be in accordance with the Sandyford Urban Framework Plan (UFP) and ensure no conflict with pedestrian movements.

In response to the above, indicative plans for the development of cyclist infrastructure were presented on drawings and associated reports provided by the applicant as part of the request for a Section 5 Pre-Application Consultation. These documents illustrated the intent to provide a cycle path along Blackthorn Road, on lands outside the ownership of the applicant.

Prior to application stage, a letter of consent was to be requested from Dún Laoghaire-Rathdown County Council to allow these works to be incorporated into the scheme. The cycle path would include an area of tactile paving where it crosses the existing pedestrian crossing so as to ensure no conflict with future pedestrian movements.

The provision of 0.3 parking spaces per unit was raised as a concern with the Planning Authority considering a provision of c. 1 no. space per unit to be appropriate. The Authority noted the Build-To-Rent nature of the development with regards to parking management and was supportive of this element. The Planning Authority noted that a low-speed environment exists on the Carmanhall and Blackthorn Roads and sought to ensure that the development would not result in conflict with the street.

In response to the above, it was noted that the provision of parking spaces per unit had risen slightly to 0.31 spaces per unit and it remained contended that this provision was appropriate in the context of existing public transport services within the immediate area, which include Luas, Dublin Bus, Go-Ahead Ireland Bus Services and Aircoach links, the site's urban location and the associated guidance provided by the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018) in relation to the reduction of vehicular parking for apartment developments. The intended provision of vehicular access to the ground floor level carpark via a signalised junction off Carmanhall Road and the associated request for a letter of consent for associated works to lands within the ownership of Dún Laoghaire-Rathdown County Council to achieve this was reiterated.

The provision of cycle parking below the minimum standards of the Dún Laoghaire-Rathdown Development Plan was raised as a concern with the Planning Authority seeking additional cycle spaces given the reduced number of vehicular parking spaces. The Planning Authority noted their preference for Sheffield stands in place of double-stacking stands and sought to ensure a mix of ground floor/basement level cycle parking to ensure such parking is highly accessible.

In response to the above, it was noted that the quantum of bicycle parking to be provided had rose significantly from the documentation submitted to the Planning Authority, wherein a pre-planning consultation was initially requested. This initial provision of 539 no. cycle parking spaces had increased to 772 no. spaces, with these spaces provided at basement level. Whilst the applicant acknowledged that the design of the development did not lend itself to the provision of ground floor level cycle parking, it was noted that there was intent to provide additional surface level cycle parking, to serve visitors, at application stage within the immediate public realm.

Again, it was noted that a letter of consent would be sought from Dún Laoghaire-Rathdown County Council in this regard as it was intended to provide these facilities on lands outside the ownership of the applicant.

Improvements in relation to the public areas, specifically the footpath, surrounding the ramp access to the building would be necessary.

In response to the above, it was noted that the proposal includes improvements to the immediate public realm along both Carmanhall Road and Blackthorn Road. It was again stated that a letter of consent would be sought from Dún Laoghaire-Rathdown County Council prior to the lodgement of a formal application so as to allow for the proposal of improvement works on lands outside the applicant's ownership.

Impact of wind along the Blackthorn & Carmanhall Roads was raised as an issue with guidance provided regarding appropriate planting to address this issue at public seating areas.

In response to the above, a Wind Desktop Study, as prepared by B-Fluid, was presented to the Board. The findings of this report were duly considered and credited with guiding the development of all public seating areas within the scheme.

The provision of electric charging spaces for vehicles was queried and it was instructed that it would be necessary to carry out a traffic impact assessment.

In response to the above, it was noted that the proposal would provide for 44 no. electric charging parking spaces with this point reflected in the Traffic Impact Assessment Report prepared by AECOM.

The Planning Authority noted its preference for a 1 tank/storage system in basement, and noted the standard requirements regarding the provision of green roofs.

In response to the above, it was noted that 4 no. attenuation tanks would be provided at basement level, and approximately 56% of the total roof area would comprise green roof/planting. Whilst this was below the 60% set out within the Dún Laoghaire-Rathdown County Development Plan, the majority of runoff from the impermeable roof area was to drain to green roof area whilst balconies would drain to the bioretention/herbaceous planting areas via downpipes.

The provisions of Specific Local Objective 113, regarding community infrastructure, were raised with the proposal noted as only providing ancillary BTR amenities. It was requested that this be reviewed and additional public facilities and a more active ground floor street frontage be provided.

In response to the above, it was noted that the development provided for an active frontage at ground floor level comprising a commercial café (270sq.m) and a range of ancillary BTR facilities including a gym, café/lounge library/study and a games room. This range of uses was considered appropriate in the context of Specific Local Objective 113 in that it provided a definitive range of active uses at ground floor level such that the eastern elevation of the building along Blackthorn Road would be sufficiently animated.

The rationale for the non-provision of a creche facility would need to be outlined.

In response to the above, the development was revised to incorporate a resident's childcare facility (167sq.m). This was considered appropriate given the number of 2+ bedroom units within the scheme at this stage (99). It was also noted that there would be scope to increase the size of this facility ahead of the lodgement of a formal application.

The separation distance from the adjoining office block to the south was noted with the Planning Authority indicating their preference for the scheme to provide an open-ended courtyard with no direct facing windows, and associated overlooking impact, towards Ravenscourt due to the concern of amenity impacts in the office block. It was requested that the potential impacts would be studied. The separation distance from the site to the west was also noted with the design team asked to be conscious of the future development potential of this site.

It was considered, in response to the above, that the achieved separation distance between the proposed building and the southern site boundary, which ranged from 8.96-9.82m, represented an appropriate distance so as to ensure the protection of amenities on this adjoining commercial site. A separation distance of 6.52-6.76m was achieved between the proposed building and the adjoining site to the west, and this was considered appropriate in the context of the urban landscape within which the site is situated.

The mix of units was noted with the Planning Authority requesting a revised unit mix that could cater for family-sized units in accordance with the applicable zoning objective which seeks to provide for sustainable communities.

The proposed mix of units, which then included 35 no. studio units, 304 no. one-bedroom and 99 no. two-bedroom units, was considered to be appropriate on the basis of the demand for rental accommodation within the immediate area which was derived from its proximity to educational facilities and the local employment centre of Sandyford Industrial Estate.

The height of the proposed development was considered substantial in the context of the Urban Framework Plan which seeks 8 storey height at this location. In order to support the height, the Planning Authority reiterated the importance of meeting all associated residential standards including daylight, aspect and open space. The Planning Authority considered the site to be unencumbered and, as such, should be providing 50% dual aspect units rather than 33%.

It was noted that all residential units within the scheme meet the required internal standards as set by the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (April 2018). Moreover, and notwithstanding the fact that as a BTR scheme the development is exempt from the requirement for the majority of all apartments in a proposed scheme exceed the minimum floor area standards by a minimum of 10%, it was noted that 385 (87.9%) of the, then proposed, 438 no. apartments provided for in excess of 10% of their required minimum floor area. In addition, 98% of the proposed units complied with the required standards for daylight levels.

It is noted that the scheme, as initially presented to the Planning Authority, provided 38.8% of proposed units as representative of dual-aspect form. Whilst this did not achieve the 50% sought by the Planning

Authority, it was considered appropriate given the density achieved on the site, the standard of accommodation being provided and the site's location within a central/accessible area to which a reduced standard for dual-aspect units, of 33.3%, is guided by the aforementioned apartment guidelines. In addition, it was noted that no single-aspect units would be north facing.

The intention to assess all individual apartments for daylight access was welcomed. The Cornelscourt scheme was referenced as a 'poor scheme' to be aware of in this regard.

It was noted that the scheme refused at Cornelscourt, Reg. Ref. ABP-306225-19, presented a figure that 95% of tested rooms would achieve the Average Daylight Factor. However, it was noted by the Inspector assessing the proposal that a number of apartments which had the worst-case scenario in terms of siting and potential access to daylight were not included within the test to which the figure of 95% was derived. In contrast to this scheme, the provisions of the Sunlight & Daylight Analysis, as prepared by IN2, were noted. This analysis determined that 98.5% of all rooms within the development were in excess of the BRE guidelines for average daylight factors (ADF).

The issue of level changes across the building was raised with reference made to the Frascati Shopping Centre scheme which has several routes through landscaping which are unused. It was noted that there is potential to look at a split-level ground floor to ensure the activation of footpaths with the ground floor matching the topography of the site more closely.

The proposed building was designed so as to ensure that the level changes across the site were assimilated into its design and would have no undue impact on the streetscape. It was considered that the concentration of resident's facilities and the café at ground floor level would provide for the effective activation of the footpaths along Carmanhall Road and Blackthorn Road so as to provide for an animated frontage.

It was requested that a clear differentiation between public and communal open space, which are both necessary for this development, be provided and that the treatment and percentage provision of open space be reviewed.

As illustrated in the Landscape Design Report prepared by Niall Montgomery & Partners, there would be a clear separation between public and communal amenity space within the proposed scheme. Public communal space would comprise the entirety of the pocket park and the balance of land within the public realm of Carmanhall Road and Blackthorn Road, whilst communal open space was provided throughout the variety of resident's facilities, the first-floor level courtyard and the roof terrace spaces.

The provision of play areas for children at the first-floor level courtyard was queried.

In response to the above, it was noted that 2 no. children's play areas were to be provided within the proposed development at both the first-floor level courtyard and the 6th floor level roof terrace. The courtyard would comprise a mix of play areas including a nature trail, stepping stones and an area of play equipment, whilst the roof terrace provides an expanse of informal playing area. Both spaces would allow appropriate surveillance through both the proximity of seating areas and the visibility of each space in the context of the wider scheme.

The importance of plant-selection for communal spaces was referenced with the Planning Authority seeking to ensure that there is enough growing medium to survive. It was requested that the impacts of pre/post development be assessed and clear topographical drawings of level differences be presented with examples of similar schemes, where plants have survived, be included. A maintenance regime would also be necessary in this context.

In response to the above, it was noted that the proposed development would include a significant palette of soft landscaping with a variety of grasses, shrubs, flowers and trees all intended to provide for a highly aesthetic scheme both internally within the courtyards and terraces, and externally along the streetscape of Carmanhall Road and Blackthorn Road. Appendix 3 of the Landscape Design Report, prepared by Niall Montgomery & Partners, provided information on the maintenance of both soft and hard landscaping within the scheme.

Further to the above, we note the Planning Authority's final comments on the scheme as follows:

A refusal of permission would be recommended if vehicular parking is provided at below 0.6 spaces per unit, however, the proposal would be supported in broad terms should a basement level parking area be provided. Whilst the scheme was considered representative of overdevelopment, the design, which achieves in excess of 400 units per hectare, was considered to be of high quality.

The provisions of the Building Heights Guidelines were taken into account; however, it was reiterated that the Urban Framework Plan should not be ignored as it requires heights to taper down in the immediate area wherein which the subject site lies.

Vehicular parking was to be provided at a figure of 0.31 spaces per unit with this provision considered to be appropriate on the basis of the sites central and accessible location, the provision of numerous public transport services in the immediate vicinity and the site's proximity to employment and educational facilities. A basement level was incorporated into the scheme to provide for a significant quantum of cycle parking which exceeds the required standard set by the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (April 2018).

Upon review of the Planning Authority's opinion that the scheme was representative of overdevelopment, it was noted that the density of the proposed scheme increased from 430 units to 600 units per hectare. This increase in density was wholly based on the reduction in site area to reflect the applicant's ownership of 0.73 hectares and it was noted that a request would be made for a letter of consent from the Planning Authority to allow for the inclusion of lands, extending to 0.3 hectares, under the ownership of Dún Laoghaire-Rathdown County Council to be included within the application site in the event that the scheme proceeded to a formal application.

The extension of the site area to 1.03 hectares, as was the case with the previous SHD application (Reg. Ref. PL06D.303467) on site, would thus reduce the density of development to 425 units per hectare. This reduced figure, whilst remaining in excess of the guidance provided by the Sandyford Urban Framework Plan, was considered appropriate in the context of recently introduced national policy regarding the achievement of increased density within existing urban areas. As the density of development was considered excessive by the Council, it was considered prudent to note the density and bedspace (occupancy) figures associated with the student accommodation development previously approved under Reg. Ref. PL06D.303467, in comparison to the current scheme as per the below table.

The revised proposal, whilst providing a density 363% higher than the previously approved development, provided only a 27% increase in the maximum number of bedspaces on the subject site. It was contended that whilst a student accommodation development would seek to ensure that the maximum occupancy is achieved so as to be profitable, this would not be the case with a Build-To-Rent development where the likelihood would be that a significant number of units would not be fully occupied at all times, e.g. a single person living in a one-bedroom apartment or a couple living in a two-bedroom apartment, thus meaning the true occupancy figure lied within a range of 438-1,039 bedspaces.

Scheme	Density	Maximum Bedspaces
Reg. Ref. PL06D.303467 - Student Accommodation	165 units per hectare	817
Proposal – as per Section 247 Consultation with Planning Authority	600 units per hectare*	1,039

Figure 1.0 Table comparing density and maximum bedspaces provided between the development previously approved under Reg. Ref. PL06D.303467 and the development proposed at the Section 247 Consultation with Dún Laoghaire-Rathdown County Council. * denotes increased residential density based on applicant's ownership – 0.73 hectares.

Finally, and noting the Planning Authority's comment regarding the tapering down of heights in the immediate area, it was noted that the proposed apartment development had been designed in accordance with the topography of the immediate area and sought to maximise the site's prominent position so as to provide for a landmark building of unique aesthetic quality.

1.1.2 Consultation with An Bord Pleanála

We note that a Section 5 Pre-Application Consultation meeting took place with An Bord Pleanála, in conjunction with the Planning Authority, in relation to this application on 23rd November 2020.

The attendees of this meeting were as follows:

Attendees An Bord Pleanála

Rachel Kenny	Director of Planning
Karen Hamilton	Senior Planning Inspector
Ciaran Hand	Executive Officer

Dún Laoghaire-Rathdown County Council

Gormla O'Corrain	Senior Executive Planner
Eoin Kelliher	Executive Planner
Ger Ryan	Senior Planner
Bernard Egan	Senior Executive Engineer
Claire Casey	Senior Executive Engineer
Donal Kearney	Assistant Parks Superintendent

Prospective Applicant & Design Team

Niall O'Byrne	Atlas Gp (Applicant)
Patrick Crean	Atlas Gp (Applicant)
Kevin Hughes	Hughes Planning & Development Consultants
Paul Quinn	Burke-Kennedy Doyle Architects
Paola Garcia	Burke-Kennedy Doyle Architects
Simon Ronan	Niall Montgomery & Partners
Clodagh Holmes	AECOM

This pre-planning meeting revolved around discussion on the following 5 no. key points:

1. *Development Strategy, inter alia, height, design and layout and open space provision;*
2. *Impact on Residential Amenity;*
3. *Site Specific Objective SLO 113;*
4. *Traffic and Transport; and,*
5. *Drainage Matters*

We shall now provide a response to the key points raised, the closing comments and the requirements sought by An Bord Pleanála in respect of each of the above discussion points:

Development Strategy, inter alia, height, design and layout and open space provision

The need to address any potential material contravention of the plan, including inter alia, height and density.

It is acknowledged that the proposal represents a material contravention of the Sandyford Urban Framework Plan, which is noted to be an appendix of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, in relation to both the height and density of the proposed apartment building. As guided by An Bord Pleanála, a Statement of Material Contravention has been prepared in respect of the subject proposal and is enclosed with this application.

Section 3.2 of the height guidance includes development management criteria for taller buildings.

The subject proposal has considered Section 3.2 ‘Development Management Criteria’ of the Urban Development and Building Heights: Guidelines for Planning Authorities (2018) and provides a response in respect of this criteria in Section 5.3.2 of this report and Section 4.2.3 of the enclosed Statement of Material Contravention.

Justification of the proposed height and density.

As is presented in the enclosed Statement of Material Contravention, it is considered that the height (8 no. storeys) and density (175 no. units per hectare) limits contained within the Sandyford Urban Framework Plan, a document in excess of 10 no. years old, are outdated and do not reflect evolving national policy with regards to compact and sustainable development within existing built-up areas. It is considered that the subject site is appropriately located in a prominent position within a mature employment/residential area in close proximity to existing high-quality public transport services and, as guided by national policy, is a direct example of a site for which high density development is appropriate.

Whilst the enclosed Statement of Material Contravention presents a justification for the height and density of the proposal, it is noted that, as per the Section 5 Pre-Application Consultation meeting, An Bord Pleanála considered that the originally presented elevations did not achieve a landmark building and suggested that this be achieved by increased height. The proposal has thus been refined, through the dropping of the adjoining shoulders of the eastern elevation and the increased height of the central tower feature to provide a landmark tower element.

In this regard we note the below images which present comparisons of the elevations submitted for pre-application consultation and as currently proposed.



Figure 2.0 Contextual south-east elevation as submitted for pre-application consultation (l) and as revised for the subject application (r).



Figure 3.0 Contextual north-east elevation as submitted for pre-application consultation (l) and as revised for the subject application (r).

As will be presented in a review of local precedents, it is considered that the landmark height achieved under the current proposal is appropriately located within the centre of Sandyford Industrial Estate at a significant distance from existing development which could be considered sensitive to the impact of a tall building.

Submit a rationale for the quantum proposed for dual aspect. Care should be given to actual dual aspect rather than only projecting elements.

The proposed development achieves 35.05% dual-aspect units and, as such, is in compliance with the required standard of 33.3%, as guided by the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (April 2018). It is noted that no single-aspect unit is north-facing and all single-aspect units exceed their required floor areas by a minimum of 10%.

Outline the quality and quantum of open space.

The proposed development provides a total quantum of 2,746sq.m of public open space, thus providing 1,716sq.m in excess of the required provision of 1,030sq.m (10% of site area). This public open space is principally provided in the form of an improved adjoining public realm which blends naturally into the internal courtyard via a public pocket park situated at the entrance to the internal courtyard off Carmanhall Road. It is considered that the pocket park will represent a unique and positive contribution to placemaking in the immediate area and will set a precedent for similar amenities in the wider area.

Detail all daylight/sunlight analysis for open space. Explain if there is any impact on adjoining buildings.

As detailed in Section 2.0 'Sight Sunlighting and Shading' of the enclosed Sunlight & Daylight Analysis, as prepared by IN2 Engineering Design Partnership, 79% of proposed communal amenity space serving the development will be compliant with the relevant criterion of the BRE Site Layout Planning for Daylight and Sunlight Design Guide 209. This percentage is far in excess of the minimum requirement of 50% and, as such, confirms the quality of the provided external amenity space.

With regards to potential impacts on neighbouring buildings, we would note the provisions of Appendix B 'Impact on Neighbouring Buildings' of the aforementioned report which notes that there are no residential schemes adjoining the subject site. It is considered that the subject development will present no undue impact on the internal amenity of existing and future adjoining commercial development.

Courtyards and pocket parks have circulation space which is not considered useable space or compliance with standards.

It is considered that the circulation space within the courtyard and pocket park significantly contributes to the principal function of these areas as semi-private and informal meeting areas.

Impact on Residential Amenity

Further elaboration and discussion are sought on sunlight/daylight standards

With regards to sunlight and daylight standards, we would note the provisions of Appendix C 'Daylight Standards' of the enclosed Sunlight & Daylight Analysis, as prepared by IN2 Engineering Design Partnership, which confirms that the development has been designed to be in accordance with the BRE 209 guide 'Site Layout Planning for Daylight and Sunlight' (2nd edition), with this document specifically referenced within Section 6.6 of The Department of Housing, Planning and Local Government document – Sustainable Urban Housing: Design Standards for New Apartments (2018).

Further to the above, we would note that the enclosed Sunlight & Daylight Analysis confirms that 96% of rooms across the subject development are in excess of the BRE guidelines for Average Daylight Factors (ADF). It is noted that all units (29 no. total) which fail to meet the required standard in relation to ADF are to be provided with individual storage rooms at basement level as a direct means of compensation.

Further elaboration and discussion are sought on communal residential support facilities

As is detailed under the following heading, the proposed development includes communal resident's amenities in the form of meeting/games rooms, meeting/concierge rooms, a co-working/office space and a café/lounge. Residents of the proposed scheme will also have direct access to a cinema, gym, yoga studio and laundry room, each of which will be available for use by local residents and employees. The café/lounge will be available for community use on a weekly/sessional basis whilst primarily serving the residents of the scheme.

Detail all areas which relate to a relaxation of standards including storage and private amenity space

As demonstrated in Section 2.0 of the Architectural Response to An Bord Pleanála Opinion, as prepared by Burke Kennedy-Doyle Architects, 15 no. units within the scheme will not have the benefit of private amenity space. All units within the scheme are served by appropriate storage space in compliance with the Apartment Guidelines 2018.

Show the extent of the facilities being provided as compensatory measures

Compensatory measures for the 15 no. units with no private amenity space include the provision of individual storage units at basement level and shared access to a private roof terrace (142sq.m) at ninth floor level. It is considered that these measures provide appropriate compensation for these units, the floor area of each of which is noted to be in excess of 10% above the required minimum standard.

Specific Local Objective (SLO) 113

The proposal included facilities for the development only and not the wider community

Examine the previously granted permission

Detail if compliance with the site-specific objective will be achieved.

Specific Local Objective 113 is a requirement contained within the Sandyford Urban Framework Plan which relates specifically to the subject site. As per this objective, Dún Laoghaire-Rathdown County Council require development at this site to provide an extent of community infrastructure at ground floor level to serve the needs of the local resident and employee population.

It is acknowledged that the proposal, as submitted in the request for a Section 5 Pre-Application Consultation, initially provided only resident's amenities and a commercial café. Whilst the provision of these facilities was considered appropriate in activating the ground floor level for the benefit of the public realm it is understood that they did not allow for the mixing of the local community.

The final proposal has considered the permission granted previously, under Reg. Ref. PL06D.303467, for student accommodation on this site which was revised by condition to provide a previously proposed resident's gym and laundrette for shared use between residents and local residents/employees and a previously proposed resident's gym for weekly/sessional use by local community groups.

The currently proposed development has thus revised the ground floor level to provide an increased quantum of facilities which will be open to both residents of the scheme and the local community. These facilities include a laundrette, yoga studio, gym and cinema for active shared use by residents and local resident/employees and a resident's café which will be made available a weekly/sessional basis for local community groups.

It is considered that the extent of facilities provided in the context of community infrastructure is acceptable and will duly contribute to the animation of the immediate public realm and the creation of a sustainable local community.

Traffic and Transport

Further elaboration and discussion are sought on the quantum of vehicular and cycle parking

As is discussed in the enclosed Traffic and Transport Assessment, as prepared by AECOM, the proposed provision of 145 car parking spaces, inclusive of 8 mobility impaired spaces, 44 electric vehicle spaces and 2 car club spaces, and 5 motorcycle spaces is considered appropriate given the proximity of the subject site to public transport and local employment. The provision of 752 no. cycle parking spaces is compliant with the requirements of the Apartment Guidelines 2018.

Outline GoCar and car sharing

It is proposed to provide 2 no. car club or shared spaces within the ground floor level carpark. As it is noted that there is no specific guidance in the Dún Laoghaire-Rathdown County Development Plan 2016-2022 in respect of standards for such provision, this quantum is considered appropriate.

Explain management / mobility/ car sharing etc.

We would ask the Board to have regard for Section 7 'Mobility Management Plan' of the enclosed Traffic and Transport Assessment, as prepared by AECOM, in respect of the assessment which has been undertaken to support the proposed vehicular and cycle parking provision.

Drainage Matters

Address any outstanding issues with Irish Water feasibility and surface water.

We would ask the Board to have regard for the provisions of the enclosed Infrastructure Report, as prepared by AECOM, which provides confirmation of Irish Water feasibility and surface water drainage proposals.

An Bord Pleanála subsequently issued a notice of Pre-Application Consultation Opinion on 7th December 2020, which identified 2 no. items to be addressed, in order for the application to constitute the reasonable basis for a Strategic Housing Application. These 2 no. items were as follows:

1. *Development Strategy*

Further consideration and/or justification of the documents as they relate to the height strategy and design approach of the proposed development and the potential for any negative impact to the adjoining sites and surrounding environs. The further consideration/ justification should address the proposed design and massing, inter alia the visual impact along the Carmanhall Road and Blackthorn Road and relate specifically to the justification for any material contravention of the height strategy in the development plan and compliance with Section 3.2 of the Urban Development and Building Heights: Guidelines for Planning Authorities (2018). The further consideration of these issues may require an amendment of the documents and/or design proposal submitted.

2. *Residential Amenity*

Further consideration and/or justification of the documents as they relate to impact of on the residential amenity of the future occupants of the proposed development, having regard, inter alia to the following:

- *The quantum and quality of communal open space including the availability of sunlight and daylight to the courtyard and gardens terraces and the functionality of the pocket park.*
- *The provision of and/or access to public open space.*
- *The design, layout and quantum of the dual aspect units and compliance with SPPR 4 of the Sustainable Urban Housing Design Standards for New Apartments, 2018.*

- *The potential for overlooking into the apartments from the existing building to the west and the permitted scheme north of the site.*

The Board also requested, pursuant to article 285(5)(b) of the Planning and Development Act 2000 (As amended by the Residential Tenancies Act 2016), the provision of the following specific information:

1. *A quantitative and qualitative assessment which provides a breakdown of the number of proposed bed spaces and the details for the provision of residential support facilities and amenity areas used to offset the standards and/or compensatory measures proposed. The submitted information should demonstrate compliance of those details with the various requirements of the 2018 Guidelines on Design Standards for New Apartments including its specific planning policy requirements, in particular SPPR 9.*
2. *Detailed consideration of proposals for upgrade of public realm for the around the ground floor onto Carmanhall Road and Blackthorn Avenue and integration of these requirements of the Council into any proposed development.*
3. *A specific impact assessment of the micro-climatic effects such as down-draft which shall include measures to avoid/ mitigate such micro-climatic effects.*
4. *A Traffic and Transport Assessment including, inter alia, a rationale for the proposed car parking provision should be prepared, to include details of car parking management, car share schemes and a mobility management plan.*
5. *An updated sunlight and daylight analysis to include an assessment of the available sunlight and daylight to the communal areas, bedrooms and open spaces with reference to the BRE Guidance on the subject site, as well as the impact of the proposed development on the adjoining sites.*
6. *A Social and Community Audit.*
7. *A report detailing any compliance proposed for Site Specific Local Objective 113.*
8. *A detailed Phasing Plan.*
9. *Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective (s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format.*

A Statement of Response to Pre-application Consultation Opinion has been prepared by Hughes Planning and Development Consultants, detailing how each of the items outlined in the pre-application consultation opinion from An Bord Pleanála have been addressed in full by the applicant and design team prior to lodgement of this application.

2.0 Site Location and Description

The application site is comprised of approximately 1.03 hectares. The applicant owns 0.73 hectares of the site whilst the balance of 0.3 hectares is in the ownership of Dún Laoghaire-Rathdown County Council, with a consent letter enclosed for inclusion of this land within the application site boundary. The application site is located on the south-western corner of the intersection of Carmanhall Road and Blackthorn Road. The site was previously occupied by a double storey office building and associated carpark (recently demolished). Carmanhall Road abuts the site's northern boundary and Blackthorn Road abuts the site's eastern boundary. The site immediately south of the subject site is occupied by a four-storey office building and the site immediately west is occupied by a double storey office building. Vehicular access is provided in the north-western corner of the site via a crossover to Carmanhall Road. The site slopes from south to north towards Carmanhall Road.



Figure 4.0 Existing views of the site, which is unoccupied at present.

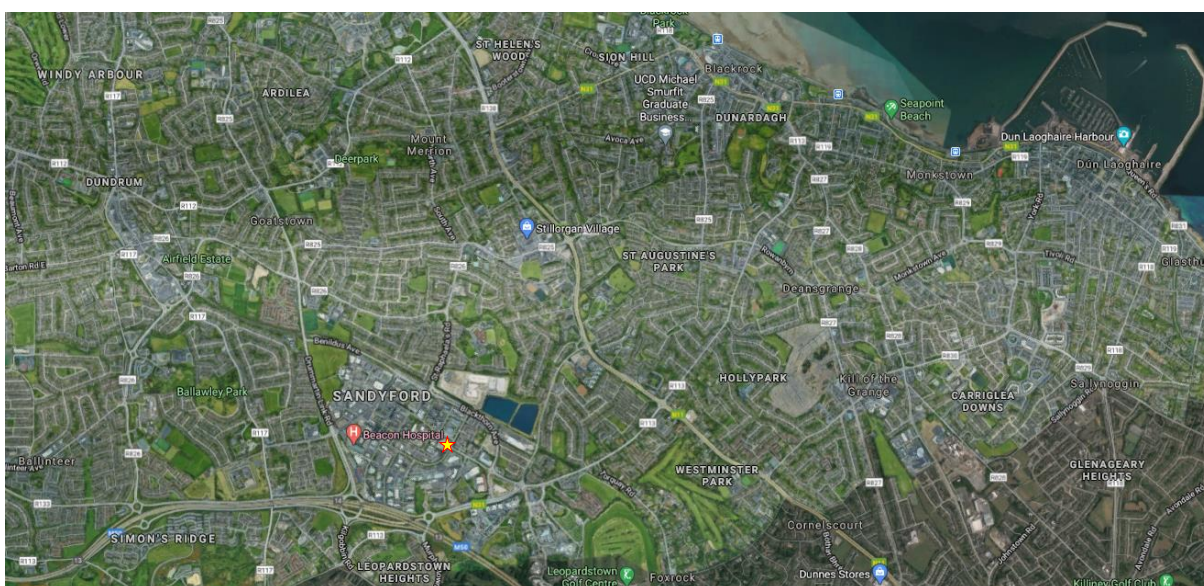


Figure 5.0 Aerial view, showing wider locational context of the subject site (red star).

The site has a prominent location at the T-Junction of Burton Hall Road and Blackthorn Road. It is located within the Sandyford Industrial Estate which is located just off the M50, accessible from Junctions 13 and 14. The site is well serviced by public transport. It is located approximately 350 metres to the south-west of the Sandyford Luas stop which is located on Blackthorn Avenue and Bus Route Nos. 11, 47, 75, 114 and 116 all operate via Blackthorn Road.



Figure 6.0 Aerial view, showing immediate locational context of the subject site (red outline).

3.0 Planning History

3.1 Subject Site

A review of the Dún Laoghaire-Rathdown County Council planning register revealed the following historical planning applications pertaining to the subject site.

Reg. Ref. D05A/0239 Permission granted by Dun Laoghaire-Rathdown County Council on 28th July 2005 for a development comprising the demolition of existing buildings and the construction of 265 no. apartments and 2,175sq.m of ground level retail/commercial floorspace in 4 blocks of 3-13 storey height with 337 no. vehicular and 348 no. cycle parking spaces.

Reg. Ref. D16A/0158 Permission granted by Dun Laoghaire-Rathdown County Council on 1st September 2016 for a development comprising the demolition of existing buildings and the construction of 147 no. apartments with associated resident's facilities (inclusive of 216 sq.m. crèche; 46 sq.m. gymnasium; 93 sq.m. media suite; and 141 sq.m. café) in 2 no. blocks of 5-8 storey height with 151 no. vehicular and 158 no. cycle parking spaces.

A request for further information was made on 29th July 2016. The issues which arose through the planning process are discussed as follows:

Density

At pre-planning, the planner advised that the maximum density allowed on the site was 175 units per hectare. The application lodged proposed a density of 182 dwellings per hectare. The Planning Authority considered the departure from the maximum density allowed to be acceptable given the building height permitted on the site together with the site's prominent, corner location within the framework plan area.

Layout

The overall layout was considered acceptable, of particular note being the height, building lines, provision of landscaping to the public realm, undercroft level car parking and block formation allowing southern aspect.

Car Parking

The application, as lodged, proposed 151 no. car parking spaces. The development plan required 214 no. spaces. A request for further information sought the applicant to address this shortfall. The applicant subsequently amended the proposal to omit 3 no. apartments at ground floor to make provision for 7 no. additional car spaces, bringing the number to 158 no. spaces, being a shortfall of 56 no. spaces. The Planning Authority was satisfied with this response, noting the location of the site proximate to the Luas and also noting the national housing crisis.

Traffic

Traffic flows and road safety were given due attention based on the extent of development of the Sandyford area and the additional traffic generated by the provision of 158 no. car parking spaces. Access to the undercroft car parking was provided via Carmanhall Road, with fire tender and bicycle access provided via Blackthorn Road. The access arrangements were deemed acceptable by the planning authority.



Figure 7.0 Depiction of approved development permitted under Ref. D16A/0158.



Figure 8.0 North-west elevation approved under planning application Ref. D16A/0158.

Reg. Ref. PL06D.303467 Permission granted by An Bord Pleanála on 30th April 2019 for a student accommodation development comprising the construction of 122 no. apartments, providing 817 no. student bed spaces, with associated resident's facilities (inclusive of 101sq.m entrance/reception; 297sq.m gym; 119 sq.m café/lounge and 85sq.m a laundrette) in 1 no. block of 7-9 storey height with 57 no. vehicular and 586 no. cycle parking spaces.

In assessing the above application, the Board Inspector had due regard for factors including the principle of development, building height and quantum of development, interaction with the public realm and relationship with adjoining sites, visual impact and traffic and transport. We note and respond to comments made by the Inspector, in relation to these factors in the context of the current proposal:

Principle of Development

'the proposed student accommodation, community facilities and café are considered to be acceptable in principle under the A2 zoning objective and to be generally in accordance with the vision of the SUIP for the Carmanall Road neighbourhood, as well as the requirements of SLO 113, subject to the recommended conditions.'

The current proposal differs from the previous application in that private residential accommodation is now proposed in place of student accommodation. Notwithstanding this, the principle of residential development at this site has been approved by both Dún Laoghaire-Rathdown County Council under Reg. Ref. D16A/0158 and An Bord Pleanála under Reg. Ref. PL06D.303467. The current proposal retains the provision of ancillary communal facilities, with an extent of shared communal/community infrastructure facilities, to present a range of active uses at ground floor level to the adjoining streets.

Building Height and Quantum of Development

'I am generally satisfied that the development adequately addresses the issues of proximity to high quality public transport connectivity; contribution to the character and public realm of the area, to place-making, to the urban streetscape, to legibility and to the mix of uses in the area. The proposed 9 storey building height is considered acceptable on this basis.'

The current proposal comprises a 6-17 storey over basement building and is considered appropriate on the basis of the aforementioned accessibility to high-quality public transport links. The building is to be sited within a prominent location in the context of Sandyford Industrial Estate and will duly contribute to the urban character and public realm quality of the immediate area through attractive visual design and the creation of a unique pocket park.

Interaction with the Public Realm and Relationship with Adjoining Sites

'The topography of the site is such that there is a level change between the ground floor level and the road level at both frontages. There are existing herbaceous planting beds along both road frontages as planted by DLRCC.'

As alluded to above, the proposed development will allow for the creation of a unique pocket park which has considered the topography of site and utilised the level changes in its design to create an attractive space accessible directly off Carmanhall Road.

'While I accept that the subject application does not include any assessment of overshadowing, wind and microclimate on adjoining sites, I consider that, overall the proposed development will not result in any significant undue impacts on the site to the west such as would warrant a refusal of permission or necessitate major modifications to the proposed scheme.'

The current proposal is accompanied by shadow, wind and microclimate studies and has been designed to ensure there is no undue impact on adjoining sites as a result of the development of the site as detailed in Section 4.0 of this report.

Visual Impact

'The proposed 9 storey scheme extends for the full length of both road frontages. The 9-storey height is broken at intervals by breaks in the top 2 floors. The design includes active frontages at ground level, as well as works to the public realm, which are generally considered to be satisfactory. The proposed development is considered acceptable overall in terms of visual impacts with regard to the mixed and evolving character of the surrounding area.'

The height of the proposed building as it addresses Blackthorn Road has been designed to maximise the prominent viewpoint within which the site commands along Burton Hall Road, with the building rising to its maximum height at this junction before stepping down as one moves south/north along Blackthorn Road.

A break in the building and additional reduction in height is accommodated as the site extends to the north-west along Carmanhall Road, this factor reduces the massing of the building and allows for the creation of a recessed public entrance which serves as a pocket park space. This pocket park is to be adjoined by active uses at ground floor level within the development so as to provide an informal meeting space which is considered appropriate in the context of the character of the immediate area.

Traffic and Transport

'The development site has a highly accessible location close to the Luas stop at Blackthorn Avenue, as well as several bus routes and an objective to provide a bus priority route on Blackthorn Road. The proposed car park provides 57 no. car parking spaces. The development provides 560 no. bicycle parking spaces at basement level and 26 no. surface bicycle parking spaces. I am satisfied that the development will not result in undue adverse traffic impacts such as would warrant a refusal of permission.'

The current proposal provides 147 no. car parking spaces and 772 no. bicycle parking spaces. This provision is considered appropriate in the context of existing and future public transport services serving Sandyford Industrial Estate.



Figure 9.0 Computer generated image of student accommodation development approved under Reg. Ref. PL06D.303467.

It is considered that the subject proposal allows for the increased efficiency of the subject site which is situated at a prominent location within Sandyford Industrial Estate and we contend that the proposed development will provide a high standard of accommodation and amenity for future occupants.

3.2 Planning History of the Adjoining Land

It is considered useful to examine the planning history associated with sites in the wider vicinity of the subject site. A review of the Dun Laoghaire-Rathdown County Council planning register found the following planning applications relating to sites within the surrounding area.

Site at Burton Hall Road, Sandyford Business Estate, Dublin 18

Reg. Ref. D16A/0076 Permission granted for the site south-east of the subject site, on the opposite side of Blackthorn Road, on 29th July 2016 for a development comprising the demolition of existing buildings and the construction of 27,751sq.m of office accommodation (with gf level café) in 4 blocks of 6storey height with 277 no. vehicular and 168 no. cycle parking spaces. This development included the provision of a public plaza with 80. Cycle parking spaces.



Figure 10.0 Approved site layout under planning application Ref. D16A/0076

Innovation House, 3 Arkle Road, Sandyford, Dublin 18

Reg. Ref. D15A/0827

Permission granted for the site north of the subject site, on the south-western corner of the intersection of Blackthorn Road and Blackthorn Avenue on 6th July 2016 for a development comprising the demolition of existing buildings and the construction of 21,099sq.m of office accommodation (with gf level café/restaurant) in 1 block of 6 storey height with 168 no. vehicular and 82 no. cycle parking spaces.

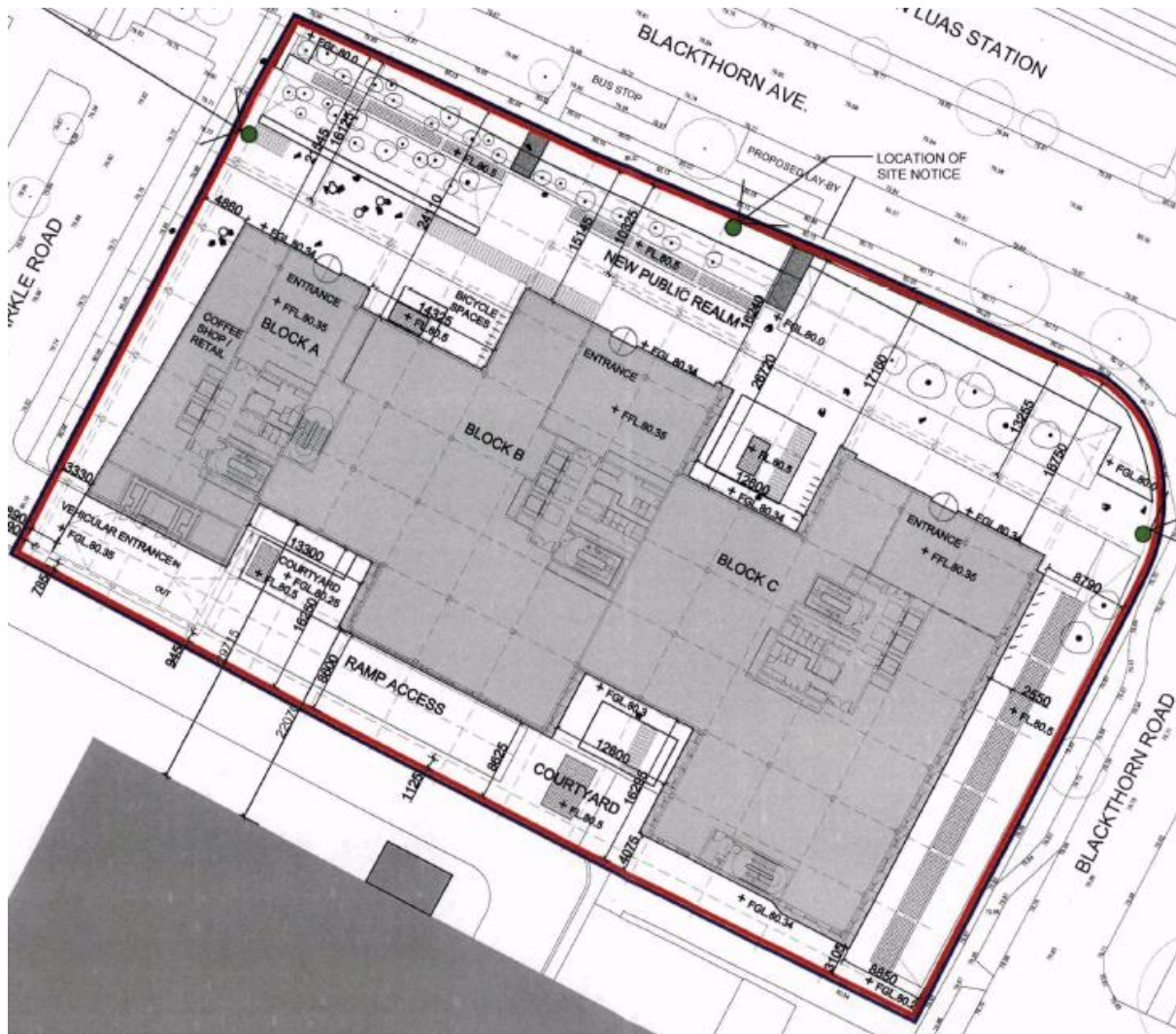


Figure 11.0 Site layout plan approved under planning application Ref. D15A/0827.

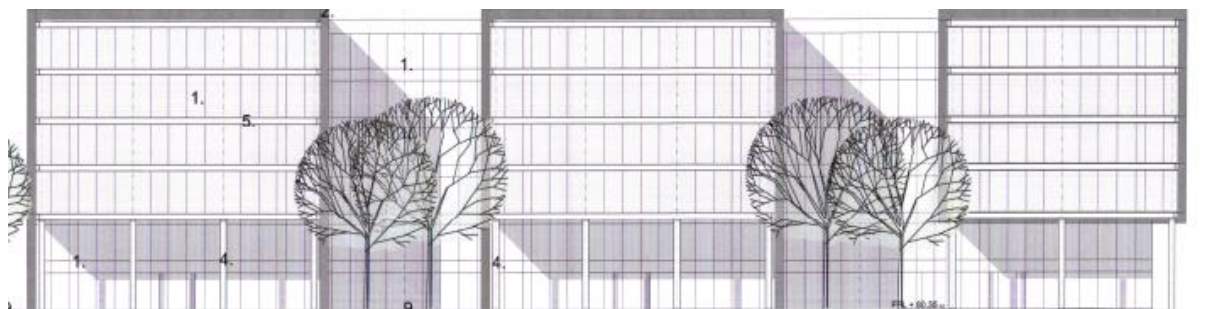


Figure 12.0 Northern elevation approved under planning application Ref. D15A/0827.

Further to the office developments identified above, we note 2 no. sites situated within 450m of the subject site which have both been recently approved for strategic housing developments. Figure 0.0, below, presents the location of these sites relative to the subject site whilst additional commentary is provided in respect of each application.

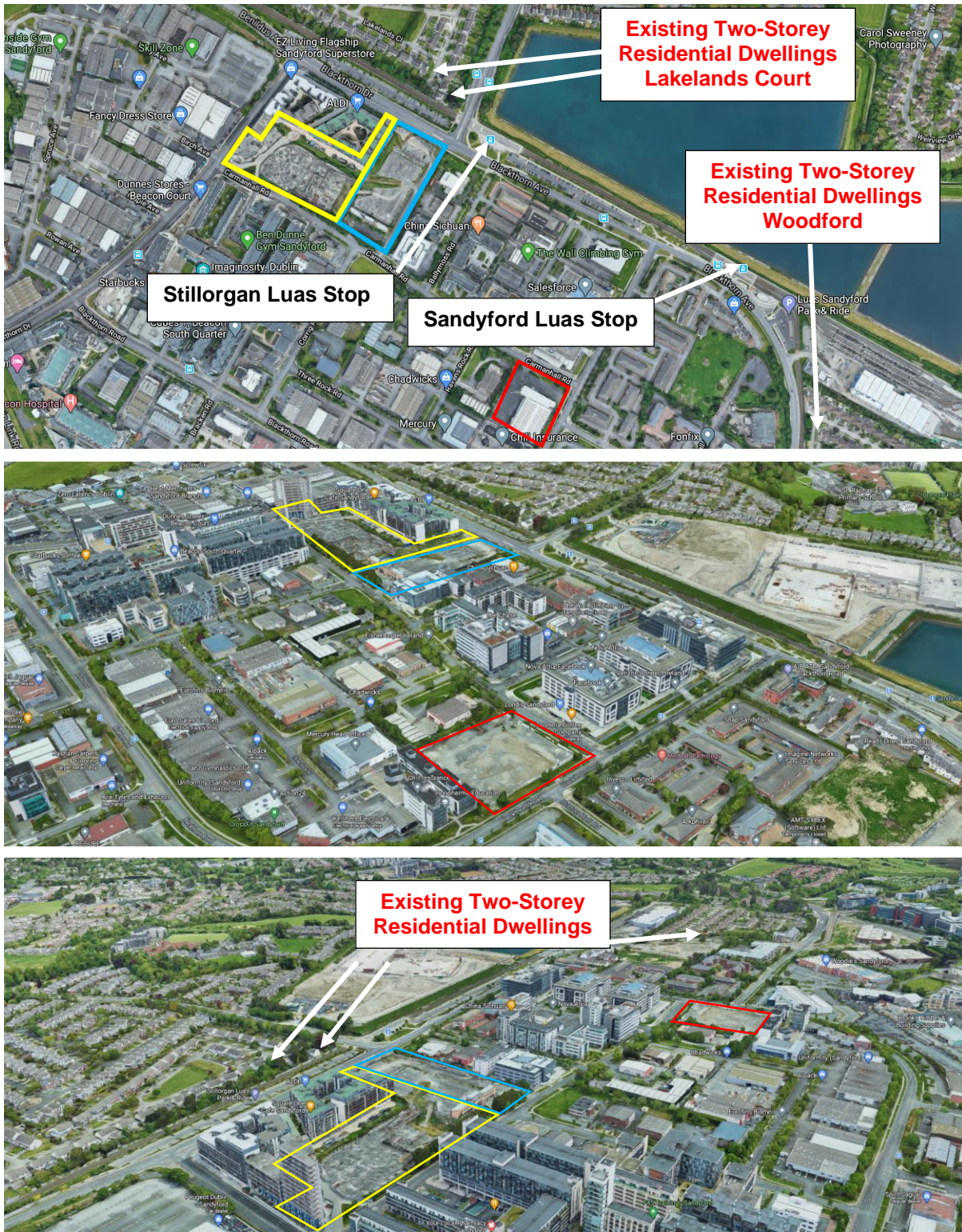


Figure 13.0 Site of strategic housing developments approved under Reg. Ref. PL06D.304405, (yellow outline) and Reg. Ref. Nos. PL06D.301428, which was subsequently superseded by PL06D.305940, (blue outline) relative to the subject site (red outline).

Having regard for the aerial images presented above, it is considered prudent to note that the subject site is situated within similar proximity to local Luas services as the identified SHD application sites. It is also noted that the site is situated at a far greater distance from existing two-storey residential dwellings, moreover, the site does not directly oppose existing two-storey residential units.

Rockbrook, Carmanhall Road, Sandyford Business District, Sandyford, Dublin 18

Reg. Ref. PL06D.304405 Permission granted by An Bord Pleanála on 19th August 2019 for a strategic housing development comprising site clearance works and the construction of 428 no. apartments with associated resident's facilities (inclusive of 486sq.m creche; 184sq.m multi-purpose space; 97sq.m laundry/community co-working area and 653sq.m of space accommodating residents' exercise area, break-out/meeting areas, book and media sharing areas, reading/seating areas, play area and TV/games area located at various levels throughout the proposed development) in 2 no. blocks of 5-14 storey height with 508 no. vehicular and 593 no. cycle parking spaces.

This proposal provided for 428 no. apartments accommodated within two blocks ranging in height from five to fourteen storeys and included an extent of ancillary communal facilities. The development achieved a residential density of 255 units per hectare with site coverage and plot ratio figures of 29.8% and 3.13 respectively. We note the following commentary from the Board Order to grant permission:

'The Board considered that, subject to compliance with the conditions set out below that the proposed development would constitute an acceptable quantum and density of development in this accessible urban location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.'

We would contend that the subject proposal is located within a more prominent position within Sandyford Industrial Estate, relative to the site of the above application, and, as such, increased building height and residential density is justified. Moreover, the location of the building, within the center of the wider industrial estate, ensures increased separation distance from any sensitive amenities in the immediate area. In this regard, we would note that the site of Reg. Ref. PL06D.304405, upon which a maximum height of fourteen storeys was approved, is located within 180m of the rear elevation of the closest traditional two-storey dwelling to the north-east within the Lakelands Close residential estate. By comparison, the site of the subject application is located in excess of 360m from the side elevation of the closest traditional two-storey dwelling to the east within the Woodford residential estate. It is noted that the subject site is not directly opposed by any existing residential units within a radius exceeding 360m (Beacon South Quarter Apartments).



Figure 14.0 CGI image of development approved under Reg. Ref. PL06D.304405 presenting aerial view looking north-eastwards from the northern extent of Corrig Road.



Figure 15.0 Aerial CGI image of development approved under Reg. Ref. PL06D.304405.



Figure 16.0 CGI image of development approved under Reg. Ref. PL06D.304405 looking westwards from the junction of Carmanhall Road and Blackthorn Drive.

The former Aldi site, Carmanhall Road, Sandyford Business District, Dublin 18

Reg. Ref. PL06D.301428 Permission granted by An Bord Pleanála on 17th July 2018 for a strategic housing development comprising demolition of existing buildings and the construction of 460 no. apartments with associated resident's facilities (inclusive of 150sq.m gymnasium; 85sq.m yoga/spin studio (with associated changing rooms and toilets: 69 square metres); 64sq.m movie room 232sq.m creche; 33sq.m meeting/events room; 76sq.m reception area/entrance lounge; 153sq.m lounge/café; 18sq.m bar/kitchen; 40sq.m games room; 59sq.m communal meeting room) in 6 no. blocks of 5-14 storey height with 454 no. vehicular and 516 no. cycle parking spaces.

The above development provided for 460 no. apartments accommodated within six blocks ranging in height from five to fourteen storeys and included an extent of ancillary communal facilities. The development achieved a residential density of 309 units per hectare with site coverage and plot ratio figures of 34.7% and 2.93 respectively. We note the following commentary from the Board Order to grant permission:

'It is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable residential density in this accessible urban location, would not seriously injure the residential or visual of the area, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.'

It is noted that a subsequent application for development on the above site was lodged under Reg. Ref. PL06D.305940, this application is discussed below.

Reg. Ref. PL06D.305940 Permission granted by An Bord Pleanála on 12th March 2020 for a build-to-rent SHD comprising demolition of existing buildings and construction of 564 no. apartments with 1,095sq.m of resident's facilities, a 354sq.m creche and a 141sq.m café in 6 no. blocks of 5-17 storey height with 285 no. vehicular and 1,178 no. cycle parking spaces.

The above development provided for an increase of 104 no. apartments relative to the previous application, approved under Reg. Ref. PL06D.301428, to allow for a total of 564 no. units. The range of building height was increased by three storeys to a maximum height of seventeen storeys, thus providing the same maximum height as the subject application. The development achieved an increased residential density of 366 units per hectare with site coverage and plot ratio figures of 34.7% and 3.19 respectively. We note the following commentary from the Board Order to grant permission:

'It is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable residential density in this urban location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, height and quantum of development, would be acceptable in terms of pedestrian and traffic safety and would not result in a significant flood risk at the development site or upstream or downstream of the site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.'

In similar manner to Reg. Ref. PL06D.304405, we would contend that the subject proposal is more prominently located within Sandyford Industrial Estate, relative to the site of the above application, and, as such, increased building height and residential density is justified. The development approved under Reg. Ref. PL06D.305940 provides the seventeen-storey element within c. 80m of the side elevation of No. 129 Lakelands Close to the immediate north with this building height directly opposing and situated within a distance ranging from c. 120-150m from the rear elevations of Nos. 116-126 Lakelands Close. We would reiterate that the development proposed under the current application is located in excess of 360m from the closest traditional two-storey dwelling to the east, within the Woodford residential estate, and is not directly opposed by any existing residential units within a radius exceeding 500m.



Figure 17.0 CGI image of development approved under Reg. Ref. PL06D.305940 looking south-eastwards from the luas tracks to the immediate east of St. Raphaela's Road. This elevation will be situated within c. 120-150m from Nos. 116-126 Lakelands Close and will directly oppose the rear elevations of these existing two-storey dwellings.

Further to the above, it is noted that the site of Reg. Ref. PL06D.305940, and namely the seventeen-storey element approved under this application, is situated to the immediate west of a site situated opposite the Stillorgan luas stop, on the southern side of Blackthorn Avenue, which is marked in the Sandyford Urban Framework Plan to accommodate the development of a 'Building of Notable Design'. The site of this building of notable design is limited to 6 storey height under the provisions of the Sandyford Urban Framework Plan. We would note and respond to the following commentary from the Inspector's Report prepared in respect of Reg. Ref. PL06D.305940 as it considers the development in the context of the Planning Authority's intention for the future development of the adjoining site:

I note that concerns have been raised by the PA that the proposal will potentially compete and detract from the proposal to develop a 'Building of Notable' design at the junction of Ballymoss Road and Blackthorn Drive as required under SLO 109 of the SUFP. It is however, acknowledged by the PA that given the spacing between the two buildings including the northern plaza area, the development will not restrict the development of a 'Building of Notable Design' at the corner of Blackthorn Drive and Ballymoss Road.

We would contend that the height of the approved seventeen storey element would compete and detract from the proposal to develop a 'Building of Notable Design' if this building was developed in line with the six-storey height guided by the Sandyford Urban Framework Plan. Moreover, it is considered that the development approved under Reg. Ref. PL06D.305940 provides a direct precedent for such a notable building, given its proximity to a landmark luas stop in terms of usage, to construct a building of further increased height so as to ensure prominence on this key development site.

I consider that each application must be considered on its own merit. The subject proposal, in my view is a marked improvement from that previously permitted and will enhance the overall architectural quality of the Block D. There is a strong case in planning and architectural terms to permit a high building at this location and for it to act as a key landmark improving legibility and wayfinding immediately adjacent to the Luas public transport interchange. I am satisfied that the height proposed is appropriate and in accordance with the proper planning and sustainable development of the area.

In line with the Inspector's assessment, we would ask that the height of the subject proposal is considered on the merits of the subject site and the design quality of the subject scheme. We would consider that there is a similarly strong case in planning and architectural terms to permit a high-level building on the subject site due to its prominent position in the centre of Sandyford Industrial Estate, its proximity to public transport services and its notable separation from sensitive residential amenities.

We would consider that the height proposed under the subject application is appropriate and in accordance with the proper planning and sustainable development of Sandyford Industrial Estate having regard to strategic housing developments previously approved in the immediate locality.

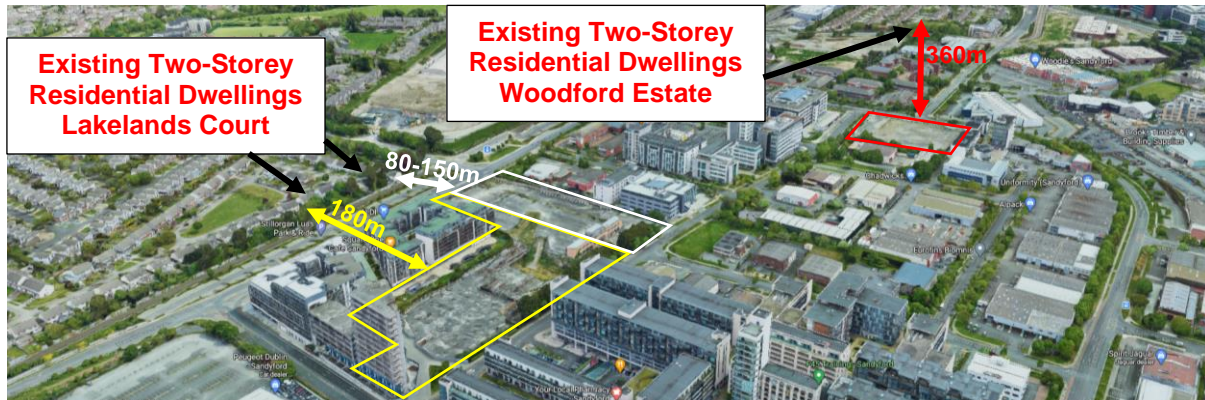


Figure 18.0 Aerial image presenting the separation distance of approved developments for 5-17 storey height (Reg. Ref. PL06D.305940 - white outline) and 5-14 storey height (Reg. Ref. PL06D.304405 - yellow outline) from two-storey dwellings in Lakelands Court and the separation distance of the subject site from two-storey dwellings in Woodford Estate.

Further to the above, it is considered prudent to note the below application for development at a site situated c. 700m south of the subject site on lands at Murphystown Way.

Reg. Ref. PL06D.308227 Permission granted by An Bord Pleanála on 14th January 2021 for a strategic housing development comprising the construction of 249 no. apartments and a 463sq.m creche in 3 no. blocks of 6-13 storey height with 195 no. vehicular and 493 no. cycle parking spaces.

The above development provided for 249 no. apartments accommodated within three blocks ranging in height from six to thirteen storeys and included an extent of ancillary communal facilities. The development achieved a residential density of 254 units per hectare. We note the following commentary from the Board Order to grant permission:

'The Board considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable residential density, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.'

It is noted that the site of the above application is situated 650m south-east of the subject site, on the opposite side of the M50, within close proximity, c. 50m, of existing two-storey dwellings. It is considered prudent to note and respond to the below comments from the Inspector's Report prepared in respect of this application:

'Given the scale of the site and separation distances involved, I am of the opinion that the site is capable of determining its own character and built form without detriment to the character of the surrounding area and does not need to replicate existing development formats, either that of the two storey houses or of the existing/permitted apartment developments in the area. I consider the site can take the additional proposed height of 13 storeys at the location specified, with the staggered height, bulk, scale and design adopted ensuring the proposal, while being visible from the surrounding area, will not, in my opinion, detract from the character of the area, but add to increased legibility and variety of design with its contemporary form and finishes, which are of a high quality.'

It is considered that the recent permittance of the above application provides further justification for the subject proposal for a part-seventeen storey apartment block within the centre of Sandyford Industrial Estate. The above application confirms the willingness of An Bord Pleanála to grant permission for tall buildings within close proximity to existing two-storey development and, in this context, we would again reiterate that the subject proposal is not directly opposed by any existing residential units within a radius exceeding 360m, and we would clarify that the closest opposing residential units are those within the ten-storey height Beacon South Quarter Apartments.

'The proposed development represents in my opinion an appropriate balance between the provision of higher residential densities and the protection of the existing amenities and established character of the area, and provides for the sustainable and efficient use of land along a public transport corridor.'

It is considered that the subject site, which is located in similar proximity to Luas services and provides for enhanced connectivity to bus services relative to the above application, also allows for the sustainable and efficient use of land situated along a public transport corridor. The current proposal is considered appropriate in the context of the evolving character of the immediate area to accommodate a growing live-work community.

Further to the above, we note computer generated imagery of the development approved under Reg. Ref. PL06D.308227 as follows:



Figure 19.0 CGI image of development approved under Reg. Ref. PL06D.308227 looking south-westwards from R113 bridge over M50.



Figure 20.0 CGI image of development approved under Reg. Ref. PL06D.308227 looking eastwards from the Leopardstown Heights Playground.

4.0 Proposed Development

The proposed development comprises the construction of a 'build-to-rent' scheme, accommodating a total of 428 no. residential apartments, in a six to seventeen storey apartment building with maximum height provided within the north-east of the site at furthest proximity from adjoining sites. The proposed scheme has a housing density of 416 dwellings per Ha, a plot ratio of 3.96 and a site coverage of 56% at ground floor level. These figures are calculated based on the application site area of 1.03 hectares. More specifically, the 'build-to-rent' housing development will comprise the following mix of units:

- Studio Apartment 41 No. Units
- One-Bedroom Apartment 285 No. Units
- Two-Bedroom Apartment 94 No. Units
- Three-Bedroom Apartment 8 No. Units

413 no. apartments will have associated private open space in the form of a terrace or balcony whilst the remaining 15 no. apartments with no direct access to private amenity space will have access to a shared private roof terrace (142sq.m) at ninth floor level directly accessible via their core. All apartments will include a kitchen/dining/living area, bathroom and storage area and will have access to 2,600sq.m of external communal amenity space, spread over a first-floor level courtyard and roof terraces at sixth, eighth and ninth floor levels, a 142sq.m resident's childcare facility, 392sq.m of resident's amenities and 696sq.m of resident's amenities/community infrastructure. The breakdown of internal amenity spaces is presented on the below table.

Internal Amenity Space	Sq.m	Clarification of Use
Concierge & Meeting Rooms	159sq.m	For use by Residents only
Meeting/Games Room	66sq.m	For use by Residents only
Office Space (Co-Working)	167sq.m	For use by Residents only
Childcare Facility	142sq.m	For use by Residents only
Café/Lounge	278sq.m	For use by Residents (with Local Community Access provided on Weekly/Sessional Basis)
Cinema	105sq.m	For use by Residents and Local Community
Gym	214sq.m	For use by Residents and Local Community
Yoga Studio	77sq.m	For use by Residents and Local Community
Laundry Room	22sq.m	For use by Residents and Local Community

Figure 21.0 Table presenting breakdown of internal communal amenities on site.

As per the above table, the scheme will accommodate a concierge & meeting rooms, a meeting/games room, co-working office space, a childcare facility, a café/lounge, cinema, gym, yoga studio and laundry room. The extent of facilities provided will allow residents a range of on-site facilities with such a strong variety of uses considered particularly important in light of the current Covid 19 climate. In addition to the amenities provided on site, it is also worth noting that the subject development is in close proximity to the Dundrum Shopping Centre which also features a variety of amenities and services. With regards to vehicular parking, the proposed development is to be served by a ground level carpark, accessible via a new entrance off Carmanhall Road, providing a total of 145 no. spaces (including 44 no. electric-charging, 2 no. club/share and 8 no. mobility impaired user parking spaces). The development will be served by 752 no. bicycle parking spaces at basement floor level with 22 no. cycle parking spaces provided within public realm areas.

The adjoining public realm is also to be improved to provide for an upgraded pedestrian footpath, an increased quantum of landscaping and street-planting, the provision of new cycling infrastructure, the provision of new street furniture comprising bins, benches and cycle parking spaces and the upgrading of the existing Carmanhall Road / Blackthorn Road junction through provision of a new uncontrolled pedestrian crossing. A pocket park has been incorporated into the design of the principal entrance to the scheme, off Carmanhall Road, to provide a strong transitional area between the private and public areas of communal amenity. It is noted that pocket parks are highly successful in urbanized areas, such as Sandyford Industrial Estate, and present a viable option for the provision of public spaces without large-scale redevelopment. Such spaces provided greenery, a place to sit outdoors and, as illustrated in the enclosed documentation, can work well when associated with a café space.

Please refer to the Architectural Design Statement and drawings, prepared by Burke Kennedy-Doyle Architects, for further details regarding the above. The subject application has been prepared having regard to the feedback received from An Bord Pleanála and Dún Laoghaire-Rathdown County Council during pre-planning consultations. The proposed development has been designed having due regard to the prominent central position of the subject site in the context of the wider Sandyford Industrial Estate and the significant vista to which the site commands along Burton Hall Road.

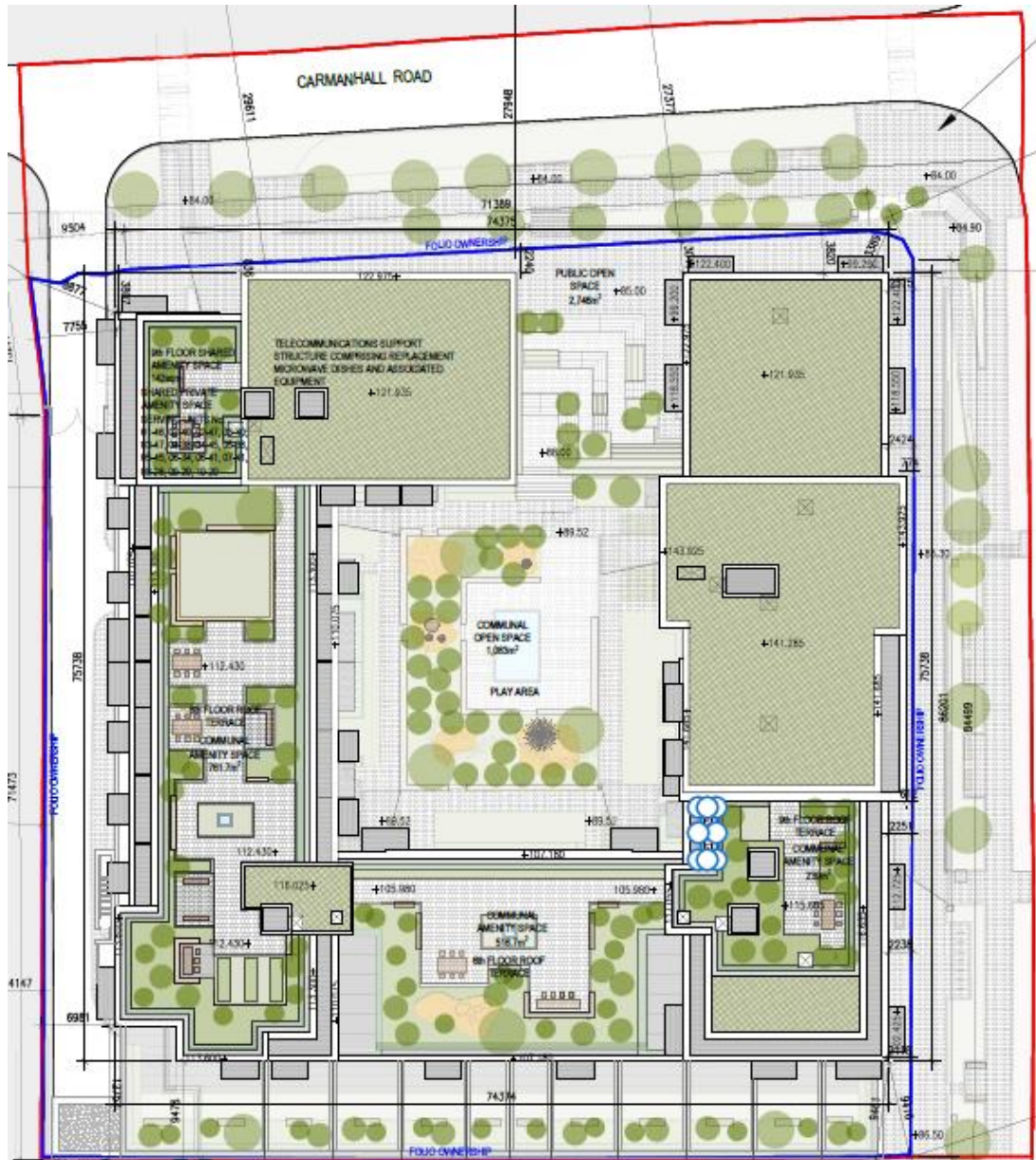


Figure 22.0 Site layout plan. We note the provision of communal amenity space at 1st, 6th, 8th and 9th floor levels, the principal pedestrian access to the scheme off Carmanhall Road via the public pocket park, the principle vehicular access to the scheme via Carmanhall Road and the improvements to the adjoining public realm of Carmanhall Road and Blackthorn Avenue.

Further to the site layout plan, we note Figures 23.0-44.0, below and overleaf, which contain extracts from the floor plans and elevations of the proposed development, as prepared by Burke-Kennedy Doyle Architects. The proposed development has been designed having regard to the amenity of adjoining sites, the topography of the immediate area and the urban character of Sandyford Industrial Estate. The scale and massing of the building have been organised to both maximise the viewpoint which the prominent site commands and allow for the creation of an attractive contemporary building which meets the aesthetic of the immediate landscape.

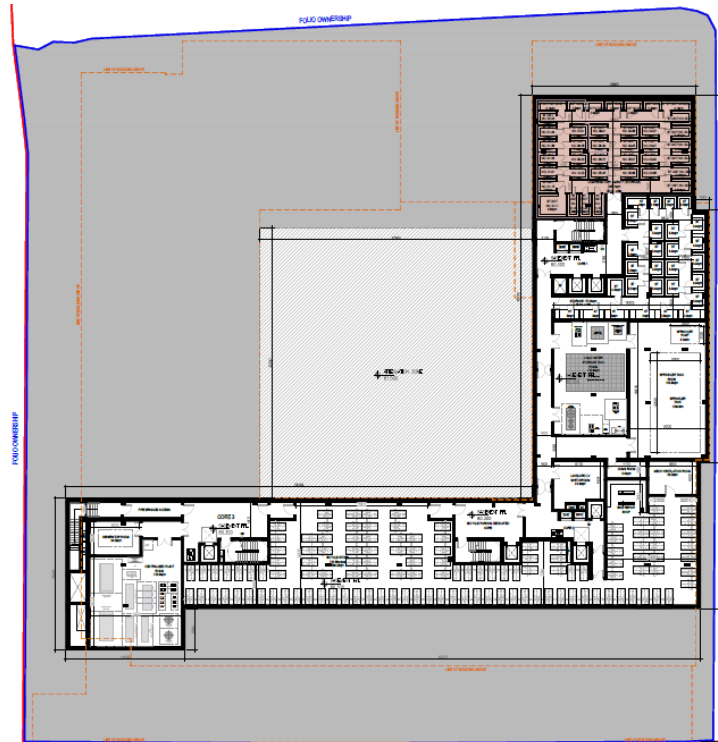


Figure 23.0 Basement plan. We note the provision of bicycle parking and general plant at this level with individual storage units provided for use by residents. The area of brown fill denotes storage units provided as a means of compensation for apartments without private amenity space and/or deficient with regards to ADF (Average Daylight Factor) standards whilst additional storage units are available for general residents.

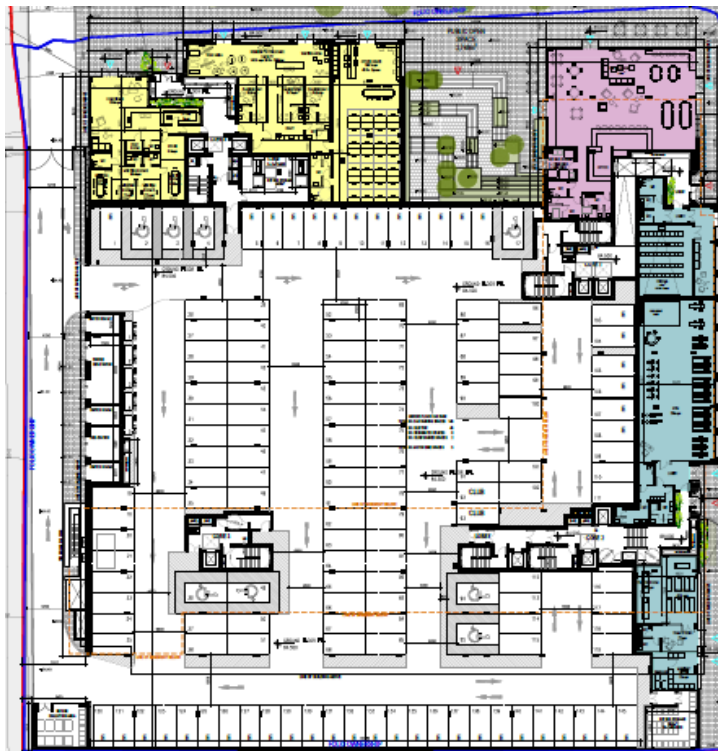


Figure 24.0 Ground floor plan. We note provision of vehicular parking via the access off Carmanhall Road in the north-western corner of the site. This plan also illustrates resident's amenities (yellow fill) resident's amenities with weekly/sessional community use (pink fill) and shared amenities for resident/community use (blue fill).

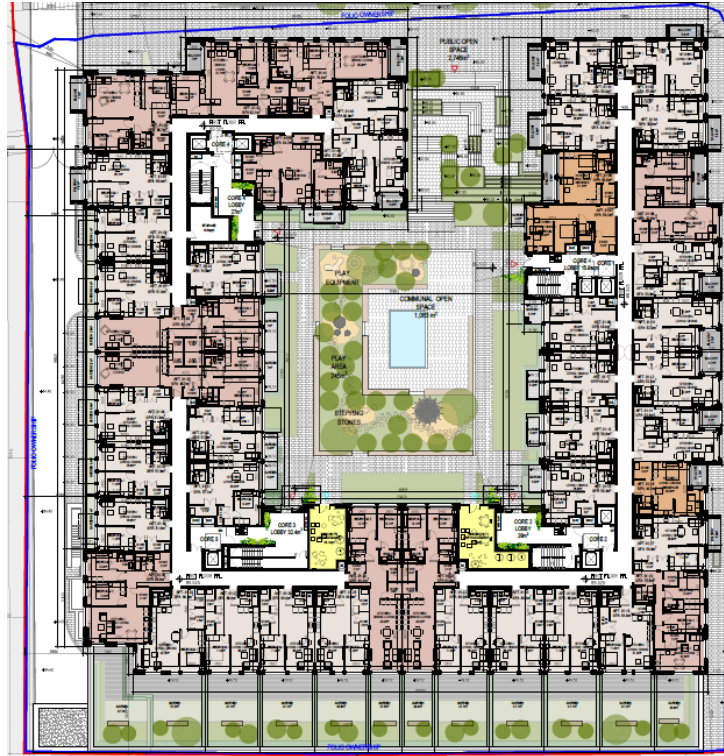


Figure 25.0 First floor plan. We note principal access to the scheme off Carmanhall Road via the public pocket park which leads to the communal courtyard. Access to the 4 no. cores can be achieved from the courtyard which will function as an informal meeting place and play area. 3 no. studio apartments, 32 no. one-bedroom apartments and 11 no. two-bedroom apartments are provided at this level.

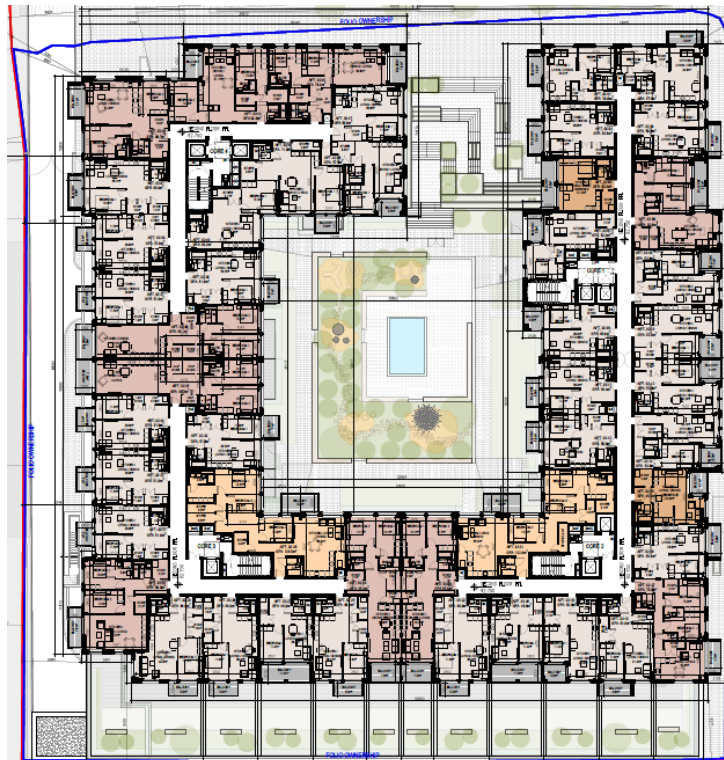


Figure 26.0 Second floor plan. 2 no. studio apartments, 33 no. one-bedroom apartments, 10 no. two-bedroom apartments and 2 no. three-bedroom apartments are provided at this level.

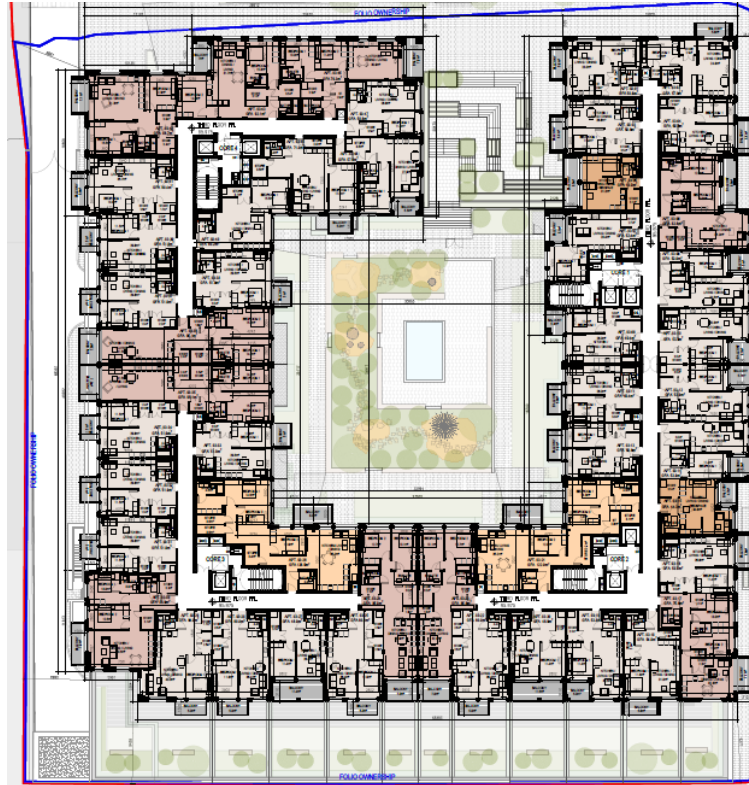


Figure 27.0 Third floor plan. 2 no. studio apartments, 33 no. one-bedroom apartments, 10 no. two-bedroom apartments and 2 no. three-bedroom apartments are provided at this level.

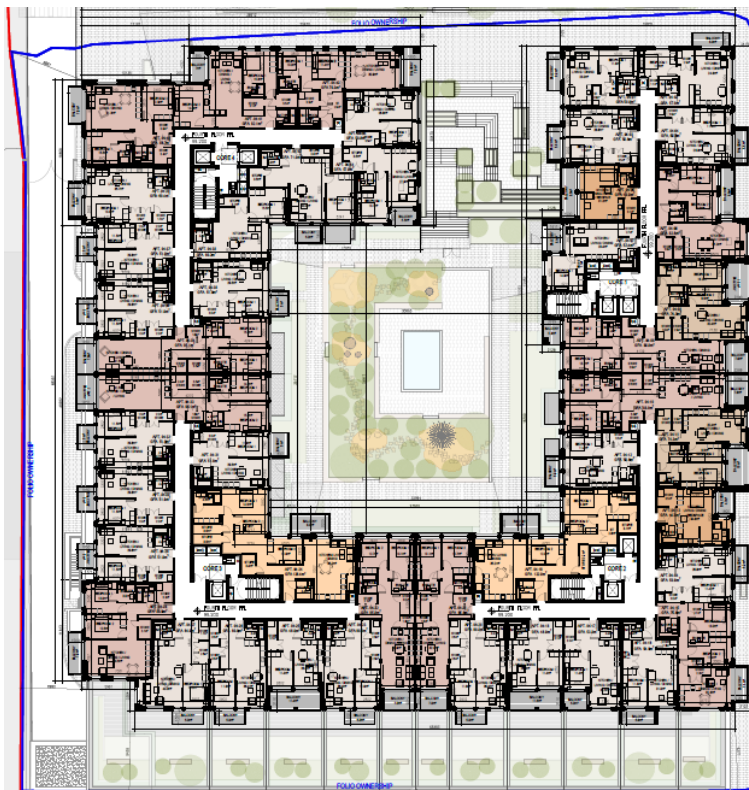


Figure 28.0 Fourth floor plan. 2 no. studio apartments, 27 no. one-bedroom apartments, 14 no. two-bedroom apartments and 2 no. three-bedroom apartments are provided at this level.

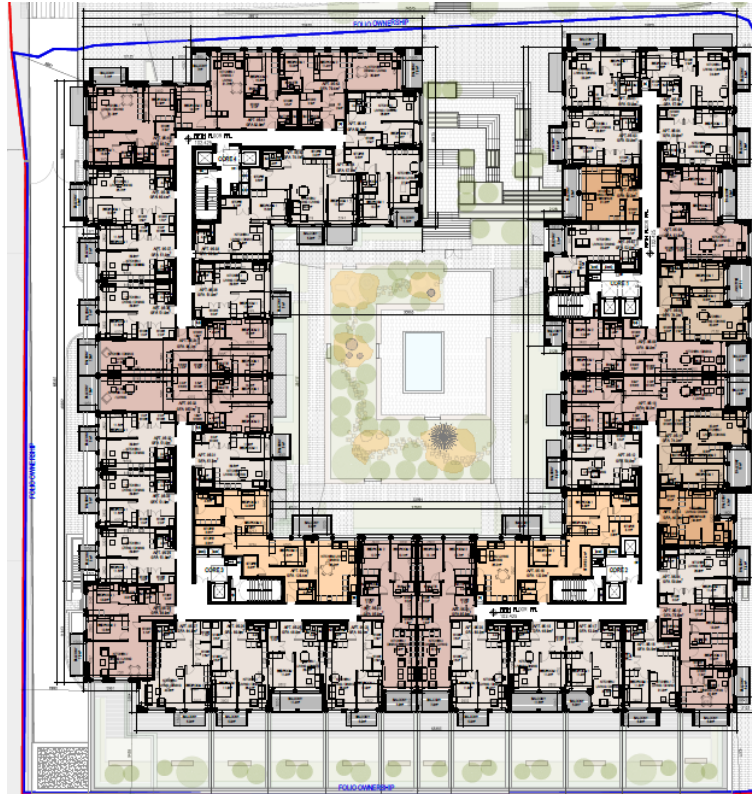


Figure 29.0 Fifth floor plan. 2 no. studio apartments, 27 no. one-bedroom apartments, 14 no. two-bedroom apartments and 2 no. three-bedroom apartments are provided at this level.

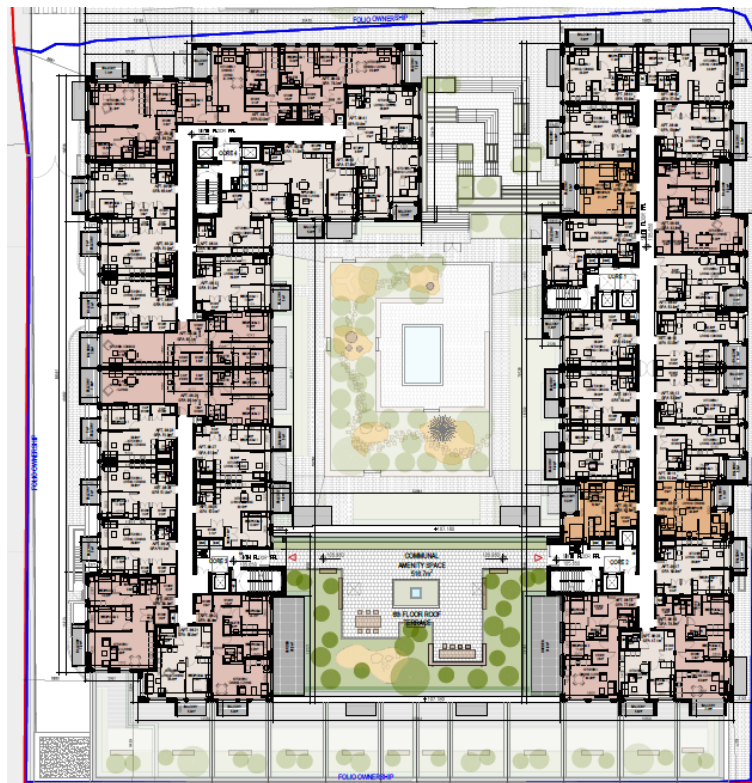


Figure 30.0 Sixth floor plan. We note the provision of a communal roof terrace at this level. 3 no. studio apartments, 28 no. one-bedroom apartments and 10 no. two-bedroom apartments are provided at this level.

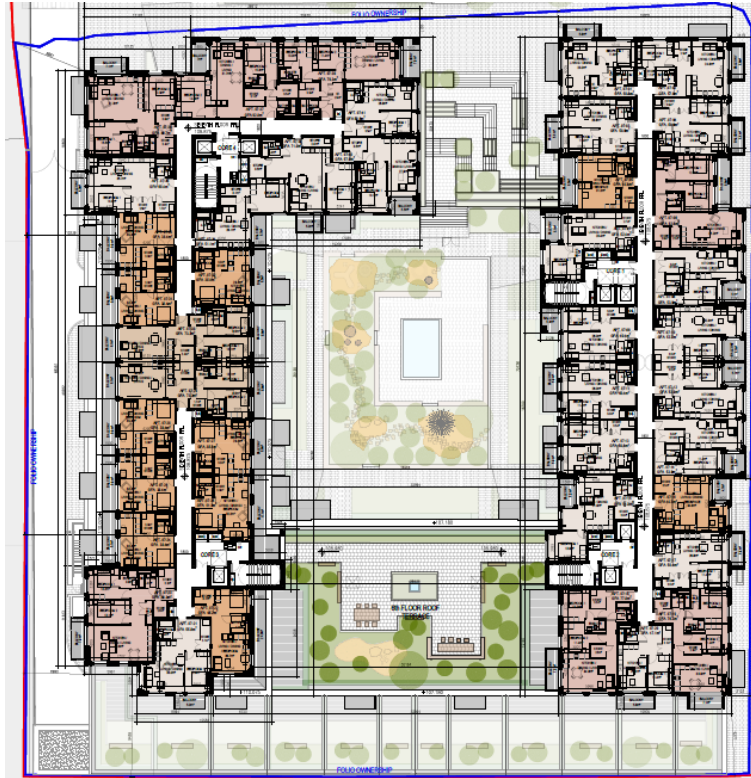


Figure 31.0 Seventh floor plan. 11 no. studio apartments, 21 no. one-bedroom apartments and 9 no. two-bedroom apartments are provided at this level.

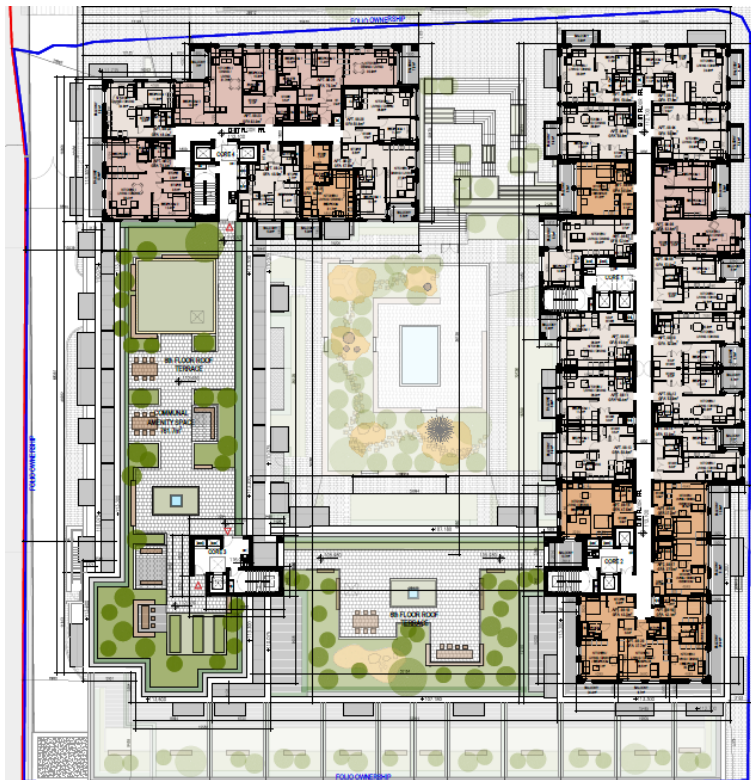


Figure 32.0 Eight floor plan. We note the provision of a communal roof terrace at this level. 8 no. studio apartments, 16 no. one-bedroom apartments and 4 no. two-bedroom apartments are provided at this level.



Figure 33.0 Ninth floor plan. We note the provision of a communal roof terrace at this level and a shared private roof terrace for the 15 no. units not served by private amenity space. 2 no. studio apartments, 15 no. one-bedroom apartments and 3 no. two-bedroom apartments are provided at this level.

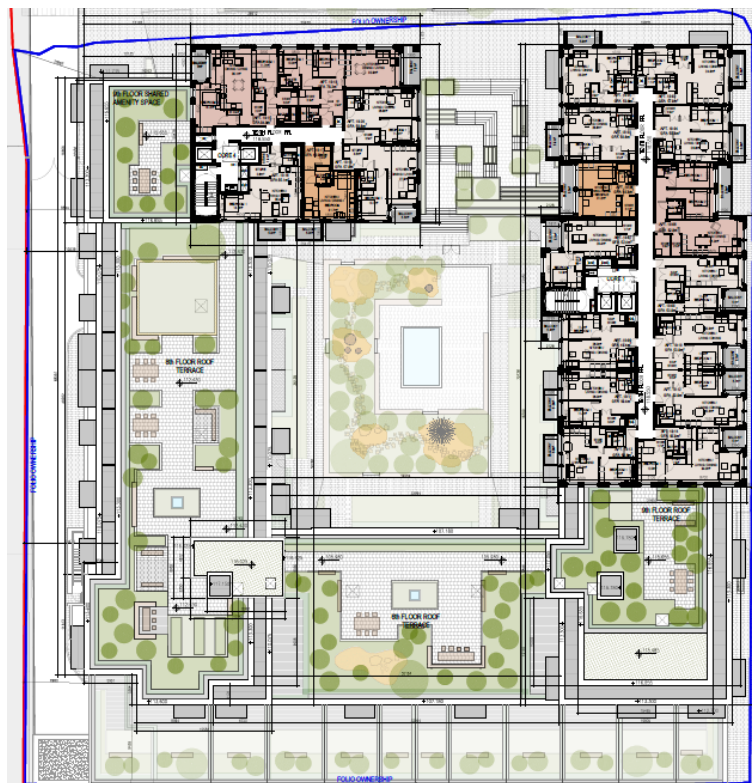


Figure 34.0 Tenth floor plan. 2 no. studio apartments, 15 no. one-bedroom apartments and 3 no. two-bedroom apartments are provided at this level.

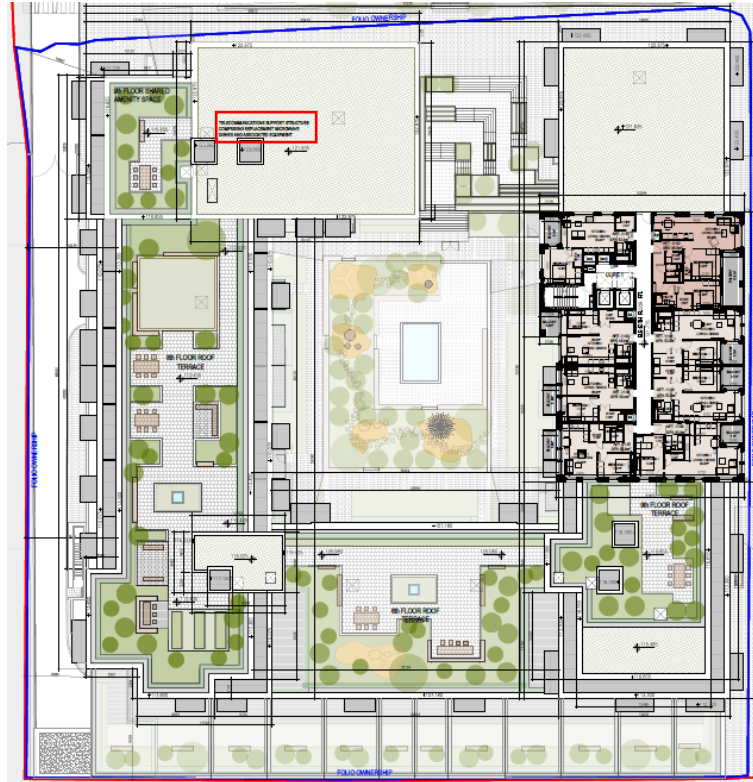


Figure 35.0 Eleventh floor plan. We note the provision of telecommunications equipment at this level, see annotation inside red outline. 7 no. one-bedroom apartments and 1 no. two-bedroom apartment are provided at this level.



Figure 36.0 Twelfth floor plan. 7 no. one-bedroom apartments and 1 no. two-bedroom apartment are provided at this level.



Figure 37.0 Thirteenth floor plan. 7 no. one-bedroom apartments and 1 no. two-bedroom apartment are provided at this level.



Figure 38.0 Fourteenth floor plan. 7 no. one-bedroom apartments and 1 no. two-bedroom apartment are provided at this level.

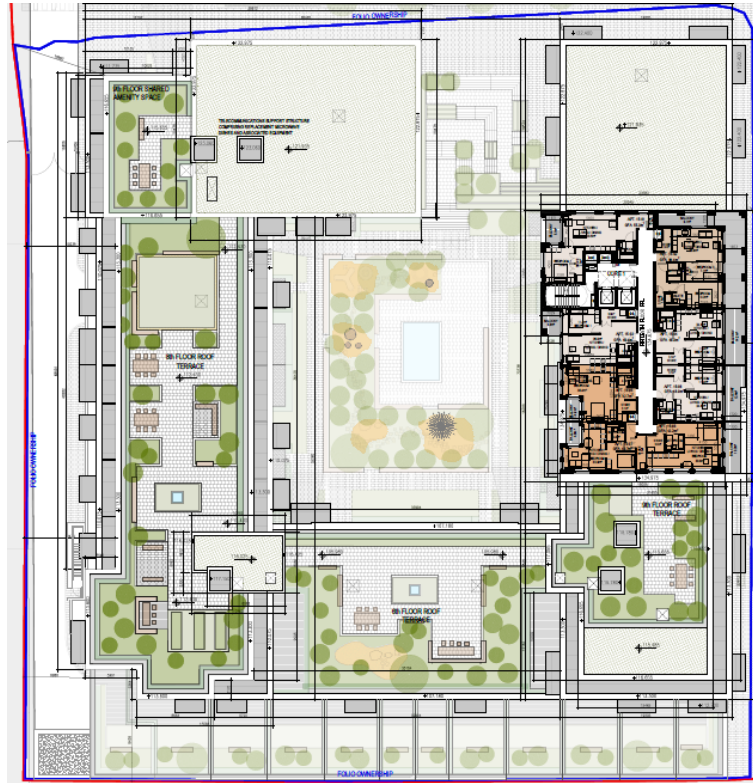


Figure 39.0 Fifteenth floor plan. 3 no. one-bedroom apartments and 5 no. two-bedroom apartments are provided at this level.



Figure 40.0 Sixteenth floor plan. 1 no. one-bedroom apartment and 7 no. two-bedroom apartments are provided at this level.



Figure 41.0 Contextual north-east elevation presenting the site as it addresses Carmanhall Road.



Figure 42.0 Contextual south-east elevation presenting the site as it addresses Blackthorn Road and Burton Hall Road.



Figure 43.0 Contextual south-west elevation presenting the site as it addresses the adjoining site to the immediate north-west and the wider Blackthorn Road.



Figure 44.0 Contextual north-west elevation presenting the site as it addresses the adjoining site to the immediate south and Ravens Rock Road.

Further to the indicative architectural drawings, we note the following extracts from the enclosed Landscape Design Report, as prepared by Niall Montgomery & Partners, which provides an indicative view of the communal areas within the proposed development.



Figure 45.0 Indicative views of the internal courtyard at first floor level.

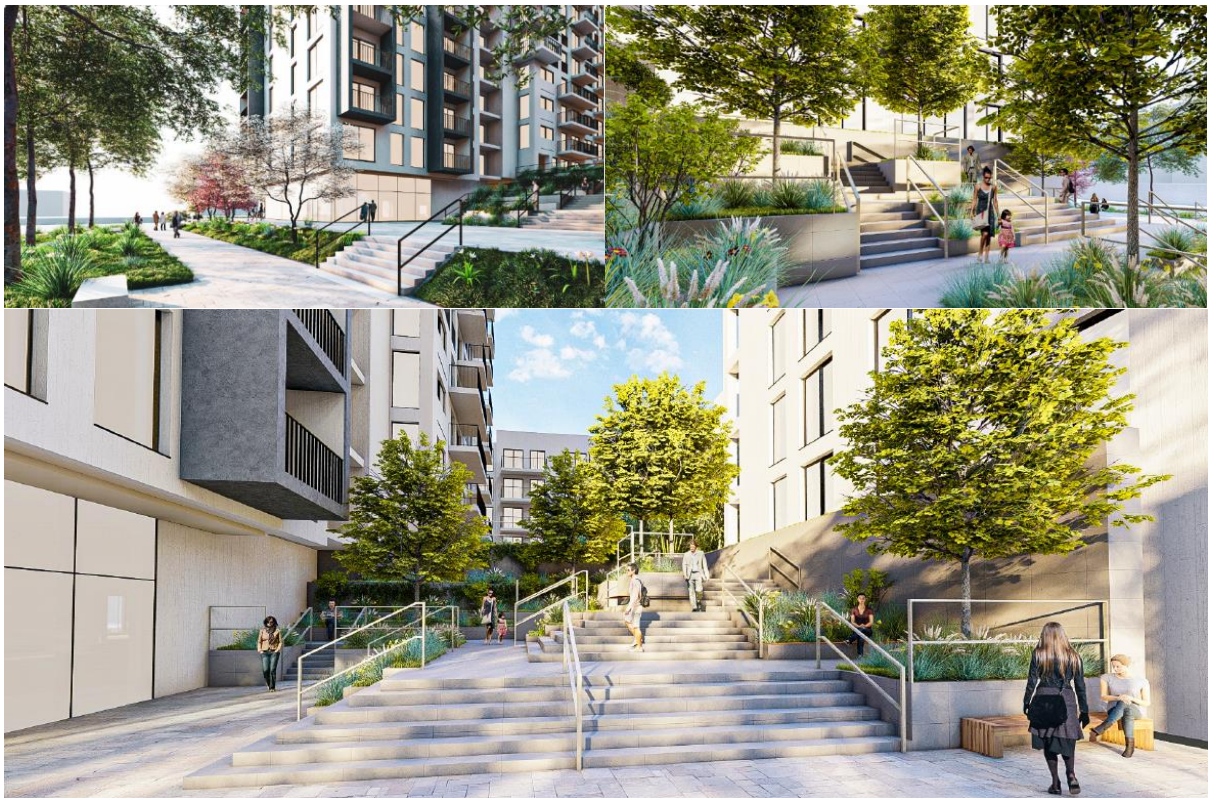


Figure 46.0 Indicative views of the pocket park which will provide pedestrian access via Carmanhall Road.



Figure 47.0 Indicative view of the communal roof terraces.

Lastly, we would note the following computer generated images of the proposed development which provide an indicative view of the development as seen from the immediate and wider area of Sandyford Industrial Estate.



Figure 48.0 Indicative view of the proposed development looking south-westwards from Blackthorn Road.



Figure 49.0 Indicative view of the proposed development looking south-eastwards from Arkle Road.



Figure 50.0 Indicative view of the proposed development looking north-westwards from Blackthorn Road.



Figure 51.0 Indicative aerial view looking eastwards towards the proposed development.



Figure 52.0 Indicative aerial view looking westwards towards the proposed development.

5.0 Planning Context

This section of the statement will examine the planning framework, including national, regional and local, that informs the use and development of the subject land. Documents of note are as follows:

- Ireland 2040 - Our Plan National Planning Framework;
- Project Ireland 2040 National Development Plan 2018—2027;
- Urban Development and Building Heights - Guidelines for Planning Authorities (2018)
- Rebuilding Ireland - Action Plan for Housing and Homelessness (2016);
- Quality Housing for Sustainable Communities - Guidelines for Planning Authorities;
- Sustainable Residential Development in Urban Areas- Guidelines for Planning Authorities (2009);
- Urban Design Manual - A Best Practice Guide 2009;
- Regional Spatial and Economic Strategy (RSES) for Eastern and Midland Regional Assembly (2019);
- Dún Laoghaire-Rathdown Development Plan 2016-2022 including Sandyford Urban Framework Plan 2016-2022;
- Draft Dún Laoghaire-Rathdown Development Plan 2022-2028 including Draft Sandyford Urban Framework Plan 2022-2028;
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018-2020); and,
- Guidelines for Planning Authorities on Childcare Facilities (2001).

5.1 Project Ireland 2040 - National Planning Framework (2018)

Project Ireland 2040 - National Planning Framework seeks more balanced and concentrated growth, particularly within the five major cities in Ireland. We note the below target in relation to national growth:

'We have five cities in Ireland today in terms of population size (>50,000 people): Dublin, Cork, Limerick, Galway and Waterford. In our plan we are targeting these five cities for 50% of overall national growth between them, with Ireland's large and smaller towns, villages and rural areas accommodating the other 50% of growth.'

More specifically, strategies are included in Chapter 2.2 of the Planning Framework which seek to target a greater proportion (40%) of future housing development to be within and close to the existing 'footprint' of built-up areas. This target is to be achieved by making 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. A key element of national growth is the more efficient use of underutilized sites within existing built-up areas, such as Sandyford as per the following commentary from Project Ireland 2040 document:

'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. The rest of our homes will continue to be delivered at the edge of settlements and in rural areas.'

Moreover, we would note the following national policy objectives as per Project Ireland 2040:

- National Policy Obj. 3a** Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.
- National Policy Obj. 3b** Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.
- National Policy Obj. 35** Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

The proposed development is consistent with the above as it involves the re-development of brownfield land within a growing live/work district situated in close proximity to third level education.

5.2 Project Ireland 2040 National Development Plan 2018—2027

The National Development Plan 2018-2027 sets out the investment priorities that will underpin the successful implementation of the National Planning Framework, including the development of the necessary housing stock set out therein.

'By 2040 the population of Ireland is expected to reach almost 6 million with a need for 550,000 more homes and the creation of 660,000 additional jobs to achieve and maintain full employment. The need to provide in excess of half-a- million more homes over the period to 2040 corresponds to a long-term trend of 25,000 new homes every year.'

The proposed infill development is considered to reflect the type of sustainable development which is sought throughout National Policy in regards to the appropriate development of under-utilised sites. Moreover, the National Development Plan demonstrates the Government's commitment to meeting Ireland's infrastructure and investment needs over the next ten years, through a total investment estimated at €116 billion over the period.

This includes investment in high quality integrated public and sustainable transport systems. Sandyford forms part of the metro line proposed for introduction over the lifetime of the development plan in the Greater Dublin Area Public Transport Network 2027 plan included at Figure 5.3 in the Development Plan.

5.3 Urban Development and Building Heights - Guidelines for Planning Authorities (2018)

These guidelines as published by the Minister under Section 28 of the Planning and Development Act 2000 (as amended) following a period of public consultation, is intended to set out national planning policy guidelines on building heights in relation to urban areas, as defined by the census, building from the strategic policy framework set out in Project Ireland 2040 and the National Planning Framework. These guidelines outline that there is significant scope to accommodate anticipated population growth and development needs, whether for housing, employment or other purposes, by building up and consolidating the development of our existing urban areas. The rationale for consolidation and densification to meet our accommodation needs applies in relation to locations that development plans and local area plans would regard as city and town centre areas as well as areas in and around existing urban areas and suburban areas.

This policy encourages the facilitation of increased levels of residential development in our urban centres and significant increases in the building heights and overall density of development through the planning process, particularly at local authority and An Bord Pleanála levels. Increasing prevailing building heights is deemed to have a critical role to play in addressing the delivery of more compact growth in our urban areas, particularly our cities and large towns through enhancing both the scale and density of development. In particular, increased density and height of development within the footprint of developing sustainable mobility corridors and networks, where substantial investment in public transport infrastructure has been made as part of Project Ireland 2040. Specific Planning Policy Requirement 1 and 4 goes on to outline the following in relation to this:

'In accordance with Government policy to support increased building height in locations with good public transport accessibility, particularly town/city cores, planning authorities shall explicitly identify, through their statutory plans, areas where increased building height will be actively pursued for both redevelopment and infill development to secure the objectives of the National Planning Framework and Regional Spatial and Economic Strategies and shall not provide for blanket numerical limitations on building height.'

'It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure: 1. the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled "Sustainable Residential Development in Urban Areas (2007)" or any amending or

replacement Guidelines; 2. a greater mix of building heights and typologies in planning for the future development of suburban locations; and 3. avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.'

It is important to note that these Specific Planning Policy Requirements contain national planning policy requirements which take precedence over the Council's own Development Plan in an aim to break height limitations on development, and allow for the introduction of taller buildings into the landscape of Ireland.

5.3.1 Development Management Principles

Section 3.1 of the Urban Development and Building Heights Guidelines states that planning authorities must apply the following broad principles in considering development proposals for buildings taller than prevailing building heights in urban areas:

- *Does the proposal positively assist in securing National Planning Framework objectives of focusing development in key urban centres and in particular, fulfilling targets related to brownfield, infill development and in particular, effectively supporting the National Strategic Objective to deliver compact growth in our urban centres?*
- *Is the proposal in line with the requirements of the development plan in force and which plan has taken clear account of the requirements set out in Chapter 2 of these guidelines?*
- *Where the relevant development plan or local area plan pre-dates these guidelines, can it be demonstrated that implementation of the pre-existing policies and objectives of the relevant plan or planning scheme does not align with and support the objectives and policies of the National Planning Framework?*

It is noted that the design of the proposed development has been informed by policies and objectives of both national and local planning policy. The development complies with the policy provided and positively contributes to the development of the area. The subject site is located in close proximity to a large number of public transport routes, particularly the Sandyford Luas Stop and Heuston Station, which results in the site being highly accessible and creates a stronger argument for the positioning of this development at the subject site.

5.3.2 Development Management Criteria

Section 3.2 'Development Management Criteria' of the guidelines state that applicants shall demonstrate to the satisfaction of the Planning Authority/An Bord Pleanála, that proposed development satisfy the criteria for development at a set of relevant scales. We note the subject proposal's compliance with these specified scales as follows:

5.3.2.1 At 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.

As stated previously, the site benefits from an excellent public transport network which includes 5 no. Bus services (Nos. 11 & 47 - Dublin Bus, Nos. 75a & 114 - Go-Ahead Ireland & No. 700 - Aircoach) available via stops situated within c. 900m and Luas services available via the Stillorgan and Sandyford Luas stops situated within 600m of the site. These services provide strong access links to Dublin City Centre, wider employment/recreational centres within Dublin, links to inter -county rail services (at Connolly Station) and Dublin Airport. In addition, we note that the accessibility of the subject site has been extensively detailed in the Traffic and Transport Assessment prepared by AECOM as is submitted with this application.

Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having regard to topography, its cultural context,

setting of key landmarks, protection of key views. Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.

In response to the above item, we note the Architect's Design Statement prepared by Burke-Kennedy Doyle Architects as is submitted with this application. This document details the manner in which the design of the proposed building has considered the surrounding context of the immediate area. We note that the subject site is not located within an architecturally sensitive area and is not surrounded by an unique locational characteristics. Moreover, the positioning of the seventeen-storey element, which represents the maximum height of the proposal, has been arranged to offer visual interest akin to the site's prominent position in the wider landscape. A Landscape and Visual Impact Assessment has been prepared by Macroworks and is submitted with this application

On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape.

The positioning of the seventeen-storey element, which represents the maximum height of the proposal, has been arranged to offer maximum separation from any adjoining amenities which could be considered sensitive. This height is concentrated in the eastern section of the site with the building's height tapering down as it moves to the west, north and south. The Architect's Design Statement prepared by Burke-Kennedy Doyle Architects, as is submitted with this application, provides further discussion on this aspect of the development. The proposed development includes upgrades to the immediate public realm on Blackthorn Avenue and Carmanhall Road comprising improvements to footpaths, the provision of cycling infrastructure and street furniture including benches, bins and bicycle stands along with the relocation of existing landscaping and provision of additional planting.

Further to the aesthetic and functional improvements of the adjoining public realm, it is proposed to provide a pocket park within the transitional area between the Carmanhall Road footpath and the central courtyard. This pocket park will centre around the external staircase into the courtyard from the footpath and will comprise a mix of terraces accommodating seating pockets with raised planters and tree planting providing an attractive backdrop. The pocket park will present an attractive space for informal conversations with the set-back from the street ensuring reduced noise. It is considered that the pocket park will represent a unique and positive contribution to placemaking in the immediate area and will set a precedent for similar amenities in the wider area. Additional discussion, in respect of both the public realm works and the pocket park, is provided in detail in the Landscape Design Statement prepared by Niall Montgomery + Partners.

5.3.2.2 At Scale of the District / Neighbourhood / Street

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

The high standard of architectural design achieved in the current proposal has had due regard to the guidance contained within national planning policy in relation to the densification of brownfield sites. The proposal has been designed so as to ensure no undue impacts on existing residential amenity will occur as a result of the development, having regard to the results of the various analysis documents prepared in respect of this application, including Daylight/Sunlight Assessment, Wind & Microclimate Report and the Landscape Visual Impact Assessment. The improvement of the immediate public realm is considered to represent a clear planning gain for the immediate area, whilst the extent of communal amenity spaces provided within the scheme, for future residents, allows variation in the day-to-day life of residents.

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

A comprehensive Architect's Design Statement, prepared by Burke-Kennedy Doyle Architects, demonstrates the rationale for the design of this high-quality scheme of contemporary architecture.

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

The scheme ensures active surveillance of public and communal open spaces throughout the development with a variety of both communal and community uses accommodated at ground floor level to provide animated daytime uses. It is considered that the scale of the proposal is appropriate in the context of its location, as discussed in the Statement of Consistency and Planning Report prepared by Hughes Planning and Development Consultants and we would note the Flood Risk Assessment prepared by AECOM with regards to the requirements of “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.

The proposed development includes upgrades to the immediate public realm and provides a high standard of contemporary architectural design. It is considered that the height in conjunction with the materials of the proposed building together result in the creation of a landmark building which will add legibility to the immediate area and act as a focal point on the Carmanhall Road, Burton Hall Road and Blackthorn Avenue junction.

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

The development of the subject site, with regards to providing a mix of uses, is restricted by the extent of uses permitted on the site by the applicable A2 zoning objective. Notwithstanding this, it is considered that the extent of residential accommodation achieved under the subject proposal allows for the efficient use of the site with the associated amenities provided at ground floor level providing an active frontage for the benefit of the adjoining public realm along Carmanhall Road and Blackthorn Avenue. With regards to dwelling typology, it is considered that the provision of apartment units is the only means of achieving a sufficient density on this well-serviced site and the BTR residential model ensures the swift occupation of the development once approved and constructed for the benefit of the quickly evolving landscape of Sandyford as a live-work neighbourhood.

5.3.2.3 At 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.

In response to the above, we note the enclosed Daylight & Sunlight Report, as prepared by IN2, which confirms that the subject development has been designed to ensure appropriate access to daylight for existing residents in the immediate area and future residents of the scheme. It is considered that the massing and form of the scheme has been appropriately organised to minimise impacts to views, with the subject proposal considered to allow for the creation of a landmark viewpoint in its own right.

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.

As per the above, the Daylight & Sunlight Report prepared by IN2 concludes that no material impacts will occur on neighbouring properties. The proposal contributes to comprehensive urban regeneration of the wider Industrial Estate allowing for the succinct and contemporary upgrade of a prominent central site which commands a significant viewpoint. As detailed under the heading 'Sunlight and Daylight' of Section 5.13 of this report, all units (29 no. total) which are deficient in the context of ADF (Average Daylight Factor) standards are provided with compensatory storage space at basement floor level.

5.3.2.4 Specific Assessments

Specific impact assessment of the micro-climatic effects such as downdraft. Such assessments shall include measures to avoid/ mitigate such micro-climatic effects and, where appropriate, shall include an assessment of the cumulative micro-climatic effects where taller buildings are clustered.

A Wind and Microclimate Report has been prepared by B-Fluid and is submitted with this application.

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.

Section 5.9 'Baseline Results: Fauna Assessment' of the enclosed Environmental Impact Assessment Report (EIAR), as prepared by Golder Associates, confirms that the site footprint is urban and largely devoid of any natural or semi-natural features of ecological interest including buildings that may support bat roosts. The presence of two immature silver birch trees within the site footprint can most closely be classified as scattered trees. These trees are relatively young and lack any significant structure such that may offer roosting or nesting potential to bats or birds respectively. Furthermore, Section 5.9 of the EIAR identifies that the site does not support suitable nesting, foraging and shelter habitat for birds. An absence of woodland, hedgerows, trees or even unmanaged grasslands dictates that the site is relatively sterile for bird species. The subject site is also not located proximal to relevant EU Birds Directive (2009/147/EC) designated Special Protection Areas (SPAs). The site is located 3.6km to the South of the Dublin Bay and River Tolka Estuary SPA, 6.7km from the Wicklow Mountains SPA and 7.5km from the Dalkey Islands SPA. Further SPAs are located greater than 8km from the Proposed Development Site.

With regards to artificial lighting, the embedded general design mitigation is considered in the EIAR (Section 5.12) and proposed site lighting scheme described by IN2 (2021) in the Site Lighting Report is described as 'maintaining safe levels of illumination to circulation areas while minimising light overspill on the neighbouring properties and mitigating the residual impacts that the proposed lighting scheme may have on existing habitats within the Site'.

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

A letter has been prepared by Independent Site Management in respect of the above criteria and is submitted with this application. This letter notes that the subject proposal will have an effect on 3 no. telecommunications channels within the immediate area and recommends mitigation of this impact through the provision of telecommunications equipment at roof level. This mitigation measure has been adopted as illustrated on the submitted architectural drawings.

An assessment that the proposal maintains safe air navigation.

All requirements of the Irish Aviation Authority (IAA) will be complied with during the construction and operation phases of the proposed development and consultation with the IAA will continue as required during these phases to ensure proper implementation of any measures.

An urban design statement including, as appropriate, impact on the historic built environment

An architectural Design Statement has been prepared by Burke-Kennedy Doyle Architects and is submitted with this application

Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate

An Environmental Impact Assessment has been carried out for the Proposed Development as opposed to a Strategic Environmental Assessment (SEA). SEA is an alternative process used to evaluate the environmental effects of proposed policies, plans and programmes. A SEA Report was undertaken for the implementation of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, to which the Proposed Development is subject to, and which has been referenced where appropriate in the EIAR. An Environmental Impact Assessment Report (EIAR) has been prepared by Golder Associates and is submitted with this application. The EIAR includes an Ecological Impact Assessment (EclA) as Chapter 5 'Ecology and Biodiversity'. An AA Screening report has also been prepared by Golder Associates for submission with this application.

5.4 Rebuilding Ireland – Action Plan for Housing and Homelessness, July 2016

The 'Action Plan for Housing and Homelessness' was published in July 2016 as part of the Government's Rebuilding Ireland initiative. This is a Government plan seeks to double residential construction output to 25,000 homes per year by 2020; deliver 47,000 units of social housing by 2021; make the best use of existing housing stock; and lay the foundations for a stronger, more stable private rented sector. The Action Plan seeks to address existing issues of housing supply and homelessness in Ireland through five 'Pillars'. The proposed development responds to a recognised need, at national level, for residential accommodation and is consistent with policy in this regard.

5.5 Quality Housing for Sustainable Communities – Guidelines for Planning Authorities

The purpose of these Guidelines is to assist in achieving the objectives for Delivering Homes, Sustaining Communities contained in the Government Statement on Housing Policy which focuses on creating sustainable communities that are socially inclusive by promoting high standards in the design and construction and in the provision of residential amenity and services in new housing schemes. The guidelines set out the minimum standards for new housing, which the proposed development considerably exceeds. The site is located in close proximity to a significant quantum of recreational amenities, including both sports clubs/facilities and community centres, and is centrally located in respect of 6 no. retail centres including Dundrum Shopping Centre which is situated approximately 3.2km north-west of the site. Furthermore, the site is also situated less than 500m from Sandyford Luas Stop and the Sandyford Blackthorn Road bus stop which provides access to Dublin City Centre.



Figure 53.0 Aerial image showing location of site (red outline) in context of local retail centres (as shown), sports facilities (red/black stars) and community centres (blue/white stars),

In addition, the proposed development provides for a number of residential amenities on site, including concierge/meeting rooms, office/co-working space, cinema, gym, yoga studio, laundry and café/lounge at ground floor level along with a meeting/games room at first floor level in addition to on-site communal spaces in the form of landscaped courtyards and roof terraces. The scheme also provides a childcare facility at ground floor level which will primarily serve residents of the proposed development.

5.6 Sustainable Residential Development in Urban Areas – Guidelines for Planning Guidelines (2009)

The Sustainable Residential Development in Urban Areas – Guidelines for Planning Guidelines (2009) updated and revised earlier guidance of 1999. These statutory guidelines, which were brought forward to improve the quality of homes and neighbourhoods, set out best practice design criteria and provide a robust framework in which proposals for residential development should be considered. They establish a series of high level aims for successful and sustainable development in urban areas. The proposed development has been designed to address these guidelines, as set out hereunder:

- The design of the proposed development responds appropriately to its locational context in terms of its scale, massing and architectural treatment. It will provide an appropriate form of redevelopment along Carmanhall Road and Blackthorn Road, in accordance with the objectives and policies of both the Dun Laoghaire Rathdown Development Plan 2016-2022 and the Sandyford Urban Framework Plan. The proposal provides for the regeneration of a brownfield site in a sustainable manner;
- The location of the proposed development within a mature public transport corridor, in close proximity to existing bus/rail stops, ensures good connectivity and provides a strong justification for the density proposed. Its location adjacent to existing and proposed cycle/walking routes promotes walking and cycling to and from the scheme and minimises the need for regular car use;
- The proposed development, by reason of its location on a brownfield site, together with its density and layout, will promote the efficient use of land and of energy, including in relation to transport, and thereby minimise greenhouse gas emissions; and,
- The proposed development is formed around a landscaped centralised courtyard, with additional landscaped areas provided in the form of roof terraces, revised street planting/furniture and a new pocket park off Carmanhall Road. By its nature, in terms of layout, the provision of communal facilities will facilitate significant levels of interaction between residents;

Having regard to the foregoing, it is considered that the proposed development would be consistent with the Sustainable Residential Development in Urban Areas Planning Guidelines (2009).

5.7 Urban Design Manual – A Best Practice Guide 2009

The '*Urban Design Manual – A Best Practice Guide 2009*' is based around the following twelve questions that have been drawn up to encapsulate a full range of design considerations for residential development such as that proposed on the subject site.

- (i) *Context - How does the development respond to its surroundings?*
- (ii) *Connections - How well connected is the new neighbourhood?*
- (iii) *Inclusivity - How easily can people use and access the development?*
- (iv) *Variety: - How does the development promote a good mix of activities?*
- (v) *Efficiency - How does the development make appropriate use of resources, including land?*
- (vi) *Distinctiveness - How do the proposals create a sense of place?*
- (vii) *Layout - How does the proposal create people friendly streets and spaces?*
- (viii) *Public Realm - How safe, secure and enjoyable are the public areas?*
- (ix) *Adaptability - How will the buildings cope with change?*
- (x) *Privacy and Amenity - How does the scheme provide a decent standard of amenity?*
- (xi) *Parking - How will the parking be secure and attractive?*
- (xii) *Detailed Design - How well thought through is the building and landscape design?*

These questions are '*a distillation of current policy and guidance and tried and tested principles of good urban design*'. The Architectural Design Statement prepared by Burke-Kennedy Doyle Architects.

reviews the proposed development in the context of the twelve questions presented above in and addresses the key issues of design, scale, massing and integration with the fabric of the area while respecting the amenity of adjacent properties. It is considered that the design of the proposed scheme has duly considered the guidance provided within the Urban Design Manual so as to contribute to the establishment of a well-designed sustainable neighbourhood that will stand the test of time.

5.8 Regional Spatial and Economic Strategy (RSES) for Eastern and Midland Regional Assembly

The Regional Spatial and Economic Strategy for the Eastern and Midland Region (RSES) was published in 2019. A Regional Spatial & Economic Strategy (RSES) is a strategic plan which identifies regional assets, opportunities and pressures and provides appropriate policy responses in the form of Regional Policy Objectives. At this strategic level it provides a framework for investment to better manage spatial planning and economic development throughout the Region. The principal statutory purpose of the RSES is to support the implementation of Project Ireland 2040 and the economic policies and objectives of the Government by providing a long-term strategic planning and economic framework for the development of the Regions.

The Greater Dublin Area incorporates seven local authority areas, including the geographical area of Dún Laoghaire-Rathdown. These Guidelines aim to consolidate a coordinated pattern of settlement and continue to direct growth into compact, sustainable urban forms. The Settlement Strategy for the Regional Planning Guidelines (RPG's) is focused on achieving key principles contained within the RPG vision:

- *Achieving the potential of the GDA as an international Gateway*
- **Consolidated and sustainable cities and towns**
- *Supporting high quality public transport, and increase opportunities for walking and cycling*

Sandyford is identified as a growth centre and a driver within the core of the Greater Dublin Area, for sustained international and regional economic development, in Section 3.7.1 of the regional planning guidelines. Section 4.6 of the regional planning guidelines includes the following recommendations for Development Plans & Core Strategies associated with Dun Laoghaire Rathdown:

'As mostly a metropolitan county, housing delivery should focus on strengthening the urban form of the county through building up town and district centres at public transport nodes; continuing sensitive infill to counteract falling population and declining services, and supporting new housing growth along the key new public transport services of the Luas extension from Sandyford to Bray/Fassaroe (in two phases) and upgrades to the DART route through the County.'

The proposed development contributes to the consolidation of land, as is sought within developed urban areas, and makes efficient use of land in close proximity to a Luas stop and a number of bus routes. It is noted that Regional Policy Objective No. 4.3 'Consolidation and Re-Intensification' supports the proposed development as follows:

'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.'

The proposed development is consistent with the above as it will provide housing to accommodate the population increase expected in South-West Strategic Corridor, and Tallaght more specifically, moving forward.

5.9 Dun Laoghaire-Rathdown Development Plan 2016-2022

5.9.1 Core Strategy

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'. As per Section 1.2.5 'Phasing, Prioritisation and Infrastructure Delivery' of the Development Plan, 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'.

The core strategy seeks to focus higher density development in suitable strategic nodes along existing or planned public transport corridors. The subject lands are located within a defined District Centre and thus appropriate for the scale and form of development proposed.

5.9.2 Zoning

The site is zoned 'A2' in the Dun Laoghaire-Rathdown Development Plan 2016-2022, the objective of which is to: *'provide for the creation of sustainable residential neighbourhoods and preserve and protect residential amenity.'* This zoning objective applies to Sandyford Urban Framework Plan area only.



Figure 54.0 Extract from Sheet 6 of the Dun Laoghaire-Rathdown Development Plan 2016-2022, with subject site outlined in red. The land is zoned Objective 'A2' and is subject to Specific Local Objective 113.

The zoning matrix of Chapter 8 of the Development Plan indicates 'permitted' and 'open for consideration' uses in various zones. Permitted in principle uses are generally acceptable subject to the normal planning process and compliance with the relevant policies, objectives, standards and requirements set out in the Plan. We note the permitted in principle uses for the 'A2' zoning as follows:

*'Assisted Living Accommodation, Open Space, Public Services, **Residential**, Residential Institution, Community Facility, Childcare Service.'*

It is considered that the proposed development, would be consistent with the zoning matrix which applies to the future development of the subject site.

5.9.2.1 Specific Local Objective (SLO 113)

The subject site is marked with a red hexagon on Sheet 6 of Dún Laoghaire-Rathdown Development Plan 2016-2022. This indicates that a specific local objective outlined in Chapter 9 of the development plan relates to the site, more specifically Specific Local Objective 113 (SLO 113).

Specific Local Objective 113 states that it is an objective to:

'Facilitate the provision of community infrastructure at ground floor along the eastern outer edge of the Carmanhall residential neighbourhood along Blackthorn Road, to create active street frontage and to ensure the appropriate provision of social and community infrastructure to serve the needs of the resident and employee population.'

It is considered that the proposed development would be consistent with the aim of SLO 113 which, as an aside, is noted, with the same wording, as SLO 52 in the Draft Dún Laoghaire-Rathdown Development Plan 2022-2028. In this regard, we would consider it prudent to note the below extract from the ground floor plan submitted under the recent SHD application, Reg. Ref. ABP-303467-19, on the subject site:



Figure 55.0 Ground floor plan approved by An Bord Pleanála under Reg. Ref. ABP-303467-19. We note the provision of a laundrette (blue fill) gym (green fill) and café (red fill) at this level.

Further to the above, we note the following commentary from the Inspector's Report prepared in respect of Reg. Ref. ABP-303467-19 as follows:

'I consider that the laundrette and the reception area will primarily be used by residents of the scheme and would not act as community facilities under the above definition. The gym and café will provide active frontages and serve residents and employees of the wider area, achieving the desired transition between the residential and employment zones as per SLO113. Conditions can be imposed requiring that they are open to non-residents

The proposed 'communal space' could provide the basis for a community facility however it appears to be primarily designed as a student support facility. DLRCC recommend that the matter be addressed by way of a condition requiring the applicant to offer the use of the café / lounge area on a regular sessional basis (minimum 6 hours per week), with one session included in the evening time, as a local community facility, to voluntary local groups on an exclusive basis for a nominal fee / low cost, as part of a Community Facilities Strategy. This suggestion is considered reasonable given the design, build and operate model proposed and the intention of the applicant to manage the development. A condition requiring same may be imposed.'

Further to the above assessment, An Bord Pleanála considered that the laundrette, gym and café could, by condition, be revised to meet the requirements of SLO 113. In this regard we note the wording Condition Nos. 7 and 8 of the Board's Order to grant permission for Reg. Ref. ABP-303467-19 as follows:

7. *In accordance with the submitted details, the proposed laundrette and the proposed café / lounge located to the ground floor of the development along Blackthorn Road shall be open to residents and employees of the wider Sandyford Business District, as well as residents of the development hereby permitted. In addition, membership of the proposed gym located to the ground floor of the development along Blackthorn Road shall be open to residents and employees of the wider Sandyford Business District, as well as residents of the development hereby permitted.*

Whilst we acknowledge the above reference to the café/lounge being made open to the residents and employees of the wider Sandyford Business District, we would also note the discussion from the Section 5 Pre-Application Consultation Request with An Bord Pleanála and the Planning Authority, on 23rd November 2020. The provision of a commercial café, which did not satisfy the permitted or open for consideration uses on the applicable zoning objective for the subject site, was not considered to be appropriate and, as such, the current application provides for a resident's café/lounge facility. We would welcome the Board to assess the merits of allowing this facility to be opened to residents and employees of the wider Sandyford Business District and, if deemed appropriate, add a condition to allow this unit to operate in similar manner to the café approved under Reg. Ref. ABP-303467-19.

8. *Prior to the occupation of the development hereby permitted, the applicant shall prepare a Community Facility Strategy for the written agreement of the Planning Authority. The Strategy shall set out how the development will be managed to offer the café / lounge space for exclusive use by local voluntary community groups or clubs on a sessional basis for a minimum of 6 hours per week, with one session scheduled for the evening time. Thereafter the café / lounge shall be offered as a community facility on a sessional basis in accordance with the agreed Community Facility Strategy. The applicant shall liaise with the community section of Dun Laoghaire Rathdown County Council prior to the preparation of the Community Facility Strategy.*

It is noted that the laundrette, gym and café approved under the previous application provided a total quantum of 501sq.m of internal amenity space presenting an active use to the adjoining public realm (principally Blackthorn Road). This quantum, upon application of Condition Nos. 7 and 8 as referenced above, was considered sufficient to meet the requirements of SLO 113. In this regard, we would note Figure 21.0 (see proposed development section) of this report which confirms that the extent of facilities offered for shared resident and local community use proposed under the current application extends to 696sq.m.

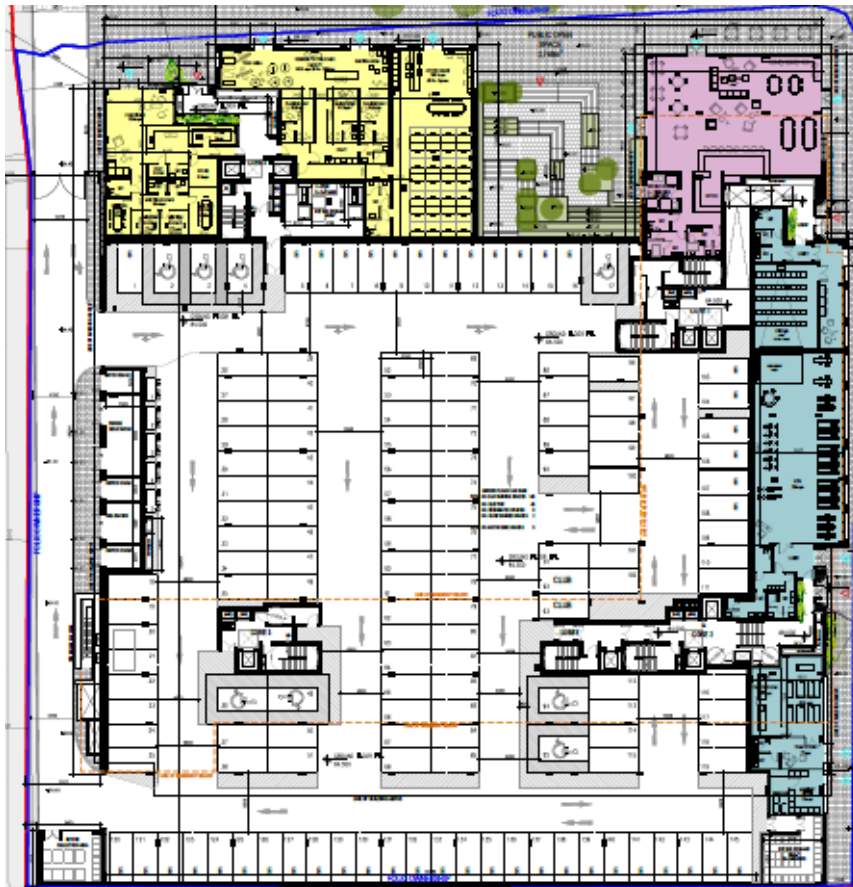


Figure 56.0 Ground floor plan. This plan also illustrates resident's amenities (yellow fill) resident's amenities with weekly/sessional community use (pink fill) and shared amenities for resident/community use (blue fill).

Application	Approved Reg. Ref. PL06D.303467	Current Proposal
Café/Lounge	119sq.m	278
Gym	297sq.m	214
Cinema	N/A	105
Yoga Studio	N/A	77
Laundry	85sq.m	22
Total	501sq.m	696sq.m

Figure 57.0 Table comparing sq.m figures of community infrastructure approved under Reg. Ref. PL06D.303467 and as currently proposed. The current application represents a 198sq.m increase in community infrastructure within a wider range of facilities.

Moreover, the current proposal, as per the extract from the ground floor plan presented in Figure 56.0 on the previous page, provides an increased variety of amenities inclusive of a laundrette, gym, café, yoga studio and cinema room so as to ensure a greater extent of interaction and integration between residents of the scheme and the local community on the subject site. To confirm, as indicated above, the café / lounge facility is to be provided primarily for use by residents of the scheme with access provided on weekly/sessional basis for local community groups and clubs.

It is thus considered that the extent of community-serving facilities offered under the current application reflects both an improved quantum of amenity space and an improved variety of amenities against the previous application, Reg. Ref. ABP-303467-19, which was deemed to provide a sufficient extent of community facilities to satisfy the provisions of Specific Local Objective 113. It is thus submitted that the current proposal is also in accordance with the aims of Dún Laoghaire-Rathdown County Council with regards to the appropriate provision of community infrastructure at ground floor along the eastern outer edge of the Carmanhall residential neighbourhood along Blackthorn Road.

5.9.3 Car Parking

The Dún Laoghaire-Rathdown County Development Plan 2016-2022 requires any new development provide car parking spaces as guided by Table 8.2.3 'Residential Land Use - Car Parking Standards'. In this regard we note the following requirements as are relevant in the context of the proposed development:

One Bedroom Apartment	1 No. Car Parking Space Required
Two Bedroom Apartment	1.5 No. Car Parking Spaces Required
Three Bedroom Apartment	2 No. Car Parking Spaces Required

Notwithstanding the requirements of the Development Plan, we note the following commentary from the Sustainable Urban housing: Design Standards for New Apartments Guidelines for Planning Authorities (March 2018):

'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. These locations are most likely to be in cities, especially in or adjacent to (i.e. within 15 minutes walking distance of) city centres or centrally located employment locations. This includes 10 minutes walking distance of DART, commuter rail or Luas stops.'

Moreover, we note the following commentary from the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (March 2018):

'Specific Planning Policy Requirement 8 - For proposals that qualify as specific BTR development in accordance with SPPR 7: (iii) There shall be a default of minimal or significantly reduced car parking provision on the basis of BTR development being more suitable for central locations and/or proximity to public transport services.

Subject to the provisions of the Dún Laoghaire-Rathdown County Council Development Plan 2016-2022, the proposed development of 41 no. studio units, 285 no. one-bedroom units, 94 no. two-bedroom units and 8 no. three-bedroom units would require a provision of 483 no. car parking spaces. It is intended to provide a total of 145 no. car parking spaces (inclusive of electric-charging, car-share and designated parking spaces) and 5 no. motorcycle parking spaces.

Upon consideration of existing public transport facilities including 5 no. Bus services (Nos. 11 & 47 - Dublin Bus, Nos. 75a & 114 - Go-Ahead Ireland & No. 700 - Aircoach) available via stops situated within c. 900m and Luas services available via the Stillorgan (600m) and Sandyford (350m) Luas stops, it is considered that this provision, in conjunction with the provisions of SPPR No. 8 (iii) as identified above, is appropriate for this scheme.

5.9.4 Bicycle Parking

Table 4.1 'Cycle Parking for Residential Development' of the Standards for Cycle Parking and associated Cycling Facilities for New Developments provides the relevant standards for bicycle parking which Dún Laoghaire-Rathdown County Council has regard to. In this respect we note the following requirements as are relevant in the context of the proposed development:

Residential Apartments	1 No. Cycle Parking Space per Apartment
Visitor Cycle Parking	1 No. Car Parking Spaces per 5 No. Apartments

Notwithstanding the requirements of the identified Standards, we note the following commentary from the Sustainable Urban housing: Design Standards for New Apartments Guidelines for Planning Authorities (March 2018):

'A general minimum standard of 1 cycle storage space per bedroom shall be applied. For studio units, at least 1 cycle storage space shall be provided. Visitor cycle parking shall also be provided at a standard of 1 space per 2 residential units.'

As per the provisions of the Dún Laoghaire-Rathdown guidance document, a cycle parking provision of 514 no. spaces is required. In contrast, the Apartment Guidelines recommends a provision of 752 no. spaces.

Having regard to both the above and existing public transport services in the immediate area, it is considered that the intended provision of 752 no. spaces represents an appropriate quantum of cycle parking to serve the proposed residential scheme, it is noted that an additional 22 no. cycle parking spaces are to be provided to serve the café (5) and the residential apartments (17) at surface level subject to the consent of the Planning Authority for the inclusion of additional lands within the subject site ahead of the lodgement of a formal application.

5.10 Sandyford Urban Framework Plan 2016-2022

The subject site is located in the heart of Sandyford Industrial Estate and therefore falls within the boundary of the Sandyford Urban Framework Plan. The Sandyford Urban Framework Plan (UFP) was adopted by way of a variation to the Dun Laoghaire-Rathdown Development Plan 2010-2016 in September 2011. The UFP was prepared to respond to the fact that development in Sandyford, had, in previous years occurred at an unprecedented pace and in an uncoordinated and piecemeal fashion.

The UFP puts forward a coherent Plan-led strategy to ensure the considered development of the Sandyford Business District - primarily as an employment area but with complementary mixed-uses including residential, commercial, retail and open space. The rationale underpinning the Sandyford Urban Framework Plan includes the following objectives:

- *To promote and facilitate employment growth in Sandyford Business District recognising its status as a primary growth centre in the Economic Development Strategy of the Regional Planning Guidelines 2010-2022.*
- *To strengthen and enhance the structure and character of the urban form through appropriate sustainable land use zoning and guidance on typology, massing, scale, height, density of the built form and by promoting excellence in design of buildings and the spaces between them.*

- To protect the residential amenity of adjoining areas and ensure that development in Sandyford Business District provides for its own infrastructural requirements.
- To encourage a diverse range of uses including employment-based uses, retail and retail services, civic, cultural, leisure, health, educational and other services appropriate in scale commensurate with the role of Sandyford Business District as a ‘Place’ to work and live.
- To encourage a range of high-quality new homes to promote choice and achieve a social mix.
- To create an environment, supported by key infrastructure and services that will attract business investment and provide for a range of employment opportunities.
- To create a hierarchy of public open spaces within Sandyford Business District providing high quality amenities and a variety of functions to serve both the resident and employee populations.
- To provide a network of ‘green’ routes and integrated streets linking the public open spaces, creating a legible and attractive environment for pedestrians and cyclists linking origins with destinations.
- To maximise the contribution of sustainable travel modes in meeting travel demand in accordance with Smarter Travel and to make a number of road improvements to cater for residual demand

The Sandyford Urban Framework Plan 2016-2022, includes the subject site within the boundary of the plan area (as illustrated in Figure 0.0 below).

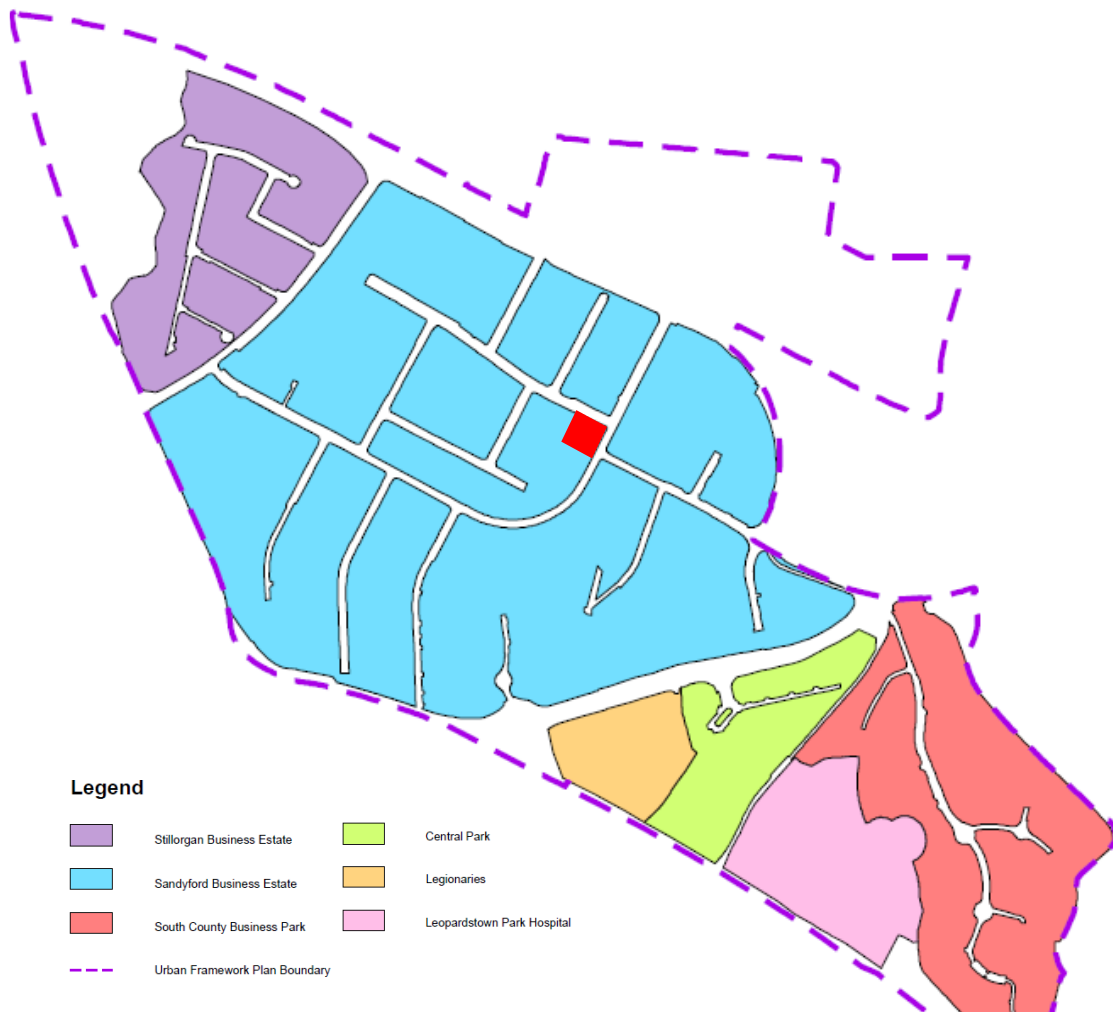


Figure 58.0 Extract from ‘Estates and Areas’ Drawing included in the Sandyford Urban Framework Plan 2016-2022, showing subject site (red fill) in the ‘Sandyford Business Estate’

The following characteristics are outlined for the Sandyford Business Estate:

'Sandyford Business Estate is at a pivotal stage of development in terms of type of business. Parts of Sandyford Business Estate are in the process of transforming from an area of low-density freestanding buildings formed around a road network, to higher density development within a tighter urban grain. This transition in form and land use has been driven primarily by and ownership rather than by a master plan for the overall area. Recent high-density developments have little spatial relationship with their neighbours and as a consequence the area has become fragmented. The current mix of uses lack co-ordination and rationale.'

More specifically, the subject site is zoned 'Zone 5' of the *Sandyford Business District* (as illustrated in Figure 59.0), the objective of which is to *'provide for the creation of Sustainable Residential Neighbourhoods, and preserve and protect residential amenity in Zone 5 of Sandyford Business District.'*

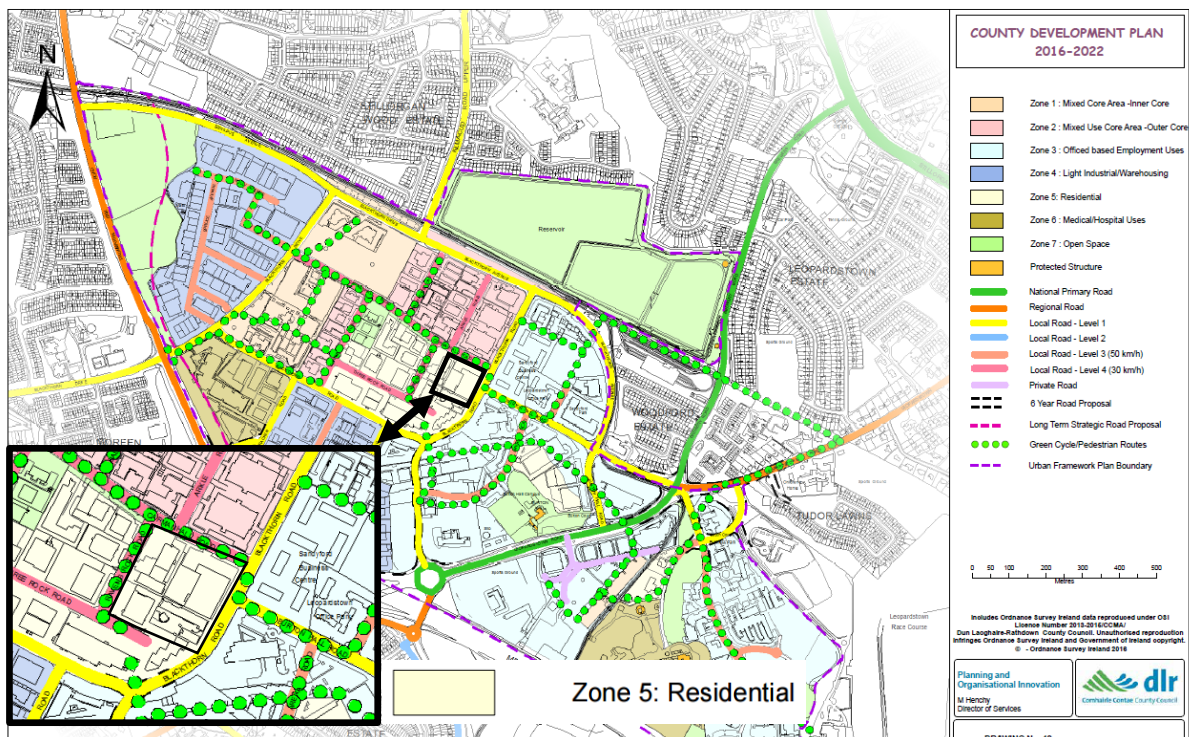


Figure 59.0 Extract from Drawing No. 12 in the Sandyford Urban Framework Plan 2016-2022, showing subject site (marked in black) zoned 'Zone 5 – Residential'

The following specific objectives in relation to development within Zone 5 (A2) of the Sandyford Urban Framework Plan area are considered to be relevant to the application site:

- Objective A2 1** It is an objective of the Council to ensure the residential neighbourhoods are developed at a density that is in accordance with the density provision set in Map 2.
- Objective A2 2** It is an objective of the Council to require the provision of indoor community facilities as part of residential development schemes and in accordance with the Land Use Zoning Objectives (Appendix 1 of this Plan).
- Objective A2 3** It is an objective of the Council to require all residential development within Zone 5 to benefit from public open space in accordance with the requirements set down in the Dún Laoghaire-Rathdown County Development Plan. The applicant shall set out clearly in any proposed development how this requirement is being addressed. Where the Planning Authority agrees that it is not possible to provide meaningful and useable public open space or where a specific local objective requires, the applicant shall provide indoor community facilities (e.g. community rooms, indoor active recreational uses for residents), or a financial contribution in lieu of open

space, the nature of which should be agreed with the Planning Authority at pre-planning stage.

Objective A2 4 It is an objective of the Council to require all residential developments to provide private open space in accordance with the requirements set down in the Dún Laoghaire-Rathdown County Development Plan.

Objective A2 5 It is an objective of the Council to require a set back of the building line along Carmanhall Road to protect the existing sylvan character and to provide a buffer from the employment uses opposite (Drawing 10).

The proposed development is consistent with the above objectives as it provides residential units with ancillary indoor community facilities and communal amenity space in the form of the first-floor level courtyard and the roof terraces. Furthermore, the building has been set back from Carmanhall Road and landscaping/seating is proposed within the setback. With regards to Objective A2 3, we note the following commentary from Section 8.2.8.2 'Public/Communal Open Space – Quantity' of the County Development Plan:

'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.'

In response to the above, we would note the extent of upgrade works proposed in respect of the public realm along Blackthorn Road and Carmanhall Road which will provide an attractive aesthetic in keeping with the contemporary architectural form of the apartment building. The adjoining public realm will benefit from the provision of upgraded base infrastructure including improved footpath, landscaping and tree-planting, new pedestrian crossings and a cycle lane, whilst street furniture will be provided inclusive of bins, benches and cycle parking spaces. This pocket park will centre around the external staircase into the courtyard from the footpath and will comprise a mix of terraces accommodating seating pockets with raised planters and tree planting providing an attractive backdrop.

It is considered that the improvement of the public realm in conjunction with the provision of a pocket park, as the principal transition area between the 1st floor level courtyard and the street level of Carmanhall Road, provides an appropriate quantum of public open space which will allow for a unique contribution to placemaking in the immediate area. Moreover, the quantum of public open space extends to a total of 2,746sq.m or 26.75% of the site area. This provision of public open space is far in excess of the default minimum requirement of 10% of site area and, as such, the development is deemed to be in compliance with the Council's standard for open space. In addition, we note that the subject site is located in Site 11 on Drawing No. 13 in the Sandyford Urban Framework Plan. The UFP states the following in relation to the Site 11 area:

- *Carmanhall Road which forms the base line for this residential neighbourhood is considered essential in enhancing connectivity and linking the different retail, commercial and residential aspects of Sandyford Business District.*
- *This residential neighbourhood shall be contained by tall buildings at either end of Carmanhall Road where the building line along the southern side of Carmanhall Road shall be set back to provide a linear greenway. This linear greenway will widen into a substantial Civic Park located at the junction of Corrig Road and the north west of Carmanhall Road. It is envisaged that the Park together with the greenway will provide high amenity open space for both the local residents and employees alike.*
- *The urban form shall provide a strong, animated and active outer edge, with commercial uses at ground floor level, to the residential neighbourhood fronting onto Blackthorn Road. This outer edge whilst promoting routes and permeability will act as a buffer to the inner residential area and the green areas of this neighbourhood.*
- *The inner 'softer centre' of the residential neighbourhood shall comprise of a number of square urban blocks in a grid pattern of suitable scale and size in order to facilitate good sun penetration to the lower floor units.*
- *To promote connectivity, the urban blocks shall be individually modelled to provide visual variety for both residents and those working within Sandyford Business District. The blocks shall be of sufficient density to sustain urban living.*

- *Street frontages shall be predominately own door access, family type units to promote active frontages with corners emphasised according to orientation.*
- *Dwelling frontages shall be specific to the dwelling's location and orientation in relation to aspect and street hierarchy. For example, level changes should be introduced where dwellings front public spaces, which would retain privacy whilst improving surveillance.*
- *Roads within the zone to be reduced in width and be tree lined to create an Avenue effect, in consultation with the Planning Authority*

The proposed development is consistent with the above objectives as it provides a 6-17 storey apartment building with a generous landscaped setback from Carmanhall Road and Blackthorn Road with resident's facilities inclusive of a concierge/meeting room, office/co-working space and childcare facility and shared resident's facilities/community infrastructure, inclusive of a café, cinema, gym, yoga studio and laundrette serving to activate these adjoining streets and contribute to the passive surveillance of the area.

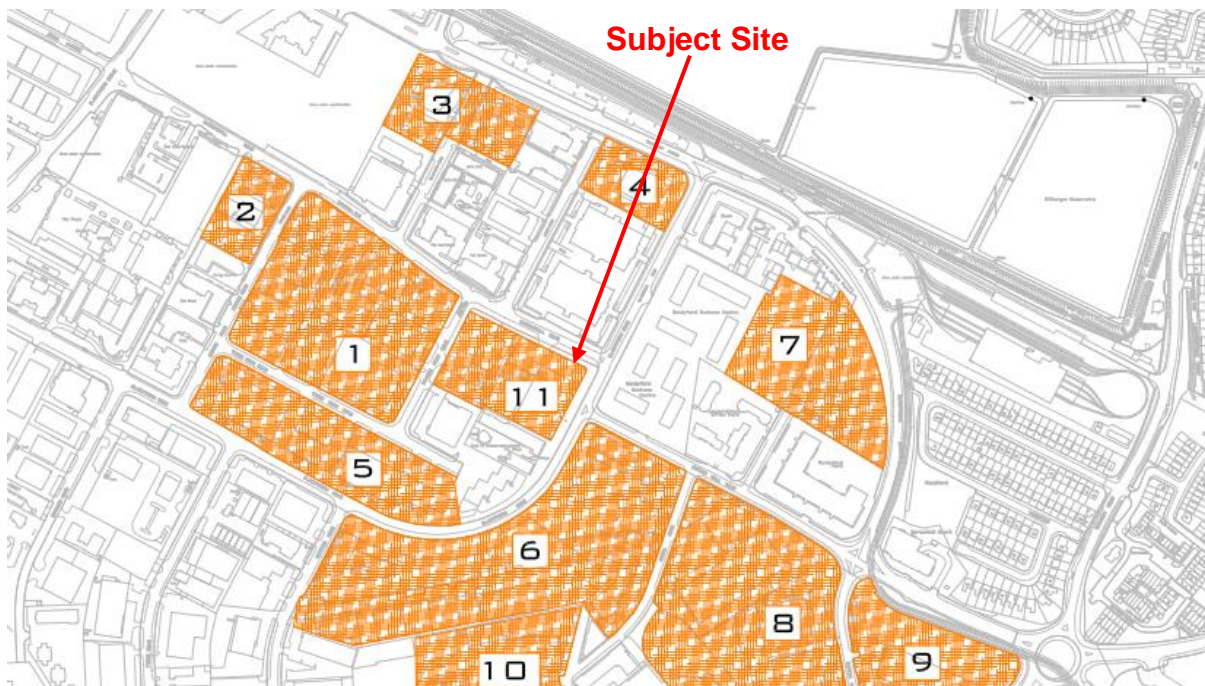


Figure 60.0 Drawing No. 13 in the Sandyford Urban Framework Plan 2016-2022, showing subject site situated in the Site 11 area

5.10.1 Building Height

Section 3.2.1 of the Sandyford Urban Framework Plan presents Policy SUFP, the wording of which is as follows:

'It is Council Policy that building height in Sandyford Business District accords with the height limits indicated on Building Height Map 3.'

This section continues to provide the following commentary,

There is a presumption that development shall be constructed to the building height limits. However, it is essential that a building makes a positive contribution to the built form of the area and shall have particular regard to the need to minimise adverse impact on residential properties. Building height shall therefore, be determined by how it responds to its surrounding environment and be informed by:

- *Location;*
- *The function of the building in informing the streetscape;*
- *Impact on open space and public realm, in particular shadow impact;*

- *Impact on adjoining properties and*
- *Views into the area*

Figure 61.0, below, presents Map 3 of the UFP which, in turn, designates the subject site as being appropriate for development of eight. storey height.

Prior to commenting on this height standard, we note the following objective from the 'Building Height Strategy' contained in Appendix 9 of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, in relation to building heights in the Sandyford Business District area, which states that is an objective of the SUFP Building Height Strategy to:

1. *Ensure that Sandyford Business District is developed in accordance with height limits set out in Map 3 of the SUFP (see page 25) subject to the building making a positive contribution to the built form as set out above.*
2. *Require applicants to include with their proposals an analysis of the impact of the height and positioning of buildings on:*
 - *Immediate and surrounding environment*
 - *Adjoining structures*
 - *Open spaces*
 - *Public realm (including impact on streets, spaces, pedestrian and*
 - *Cycle routes, identified green routes, and with particular emphasis on*
 - *Shadow impact)*
 - *Views and vistas.*
3. *Consider additional heights over the height limits as indicated in locations identified on Map 3 of the Plan. On sites other than the Blackthorn Road site, increase in building height shall be limited to one to two storeys above the height limit.*

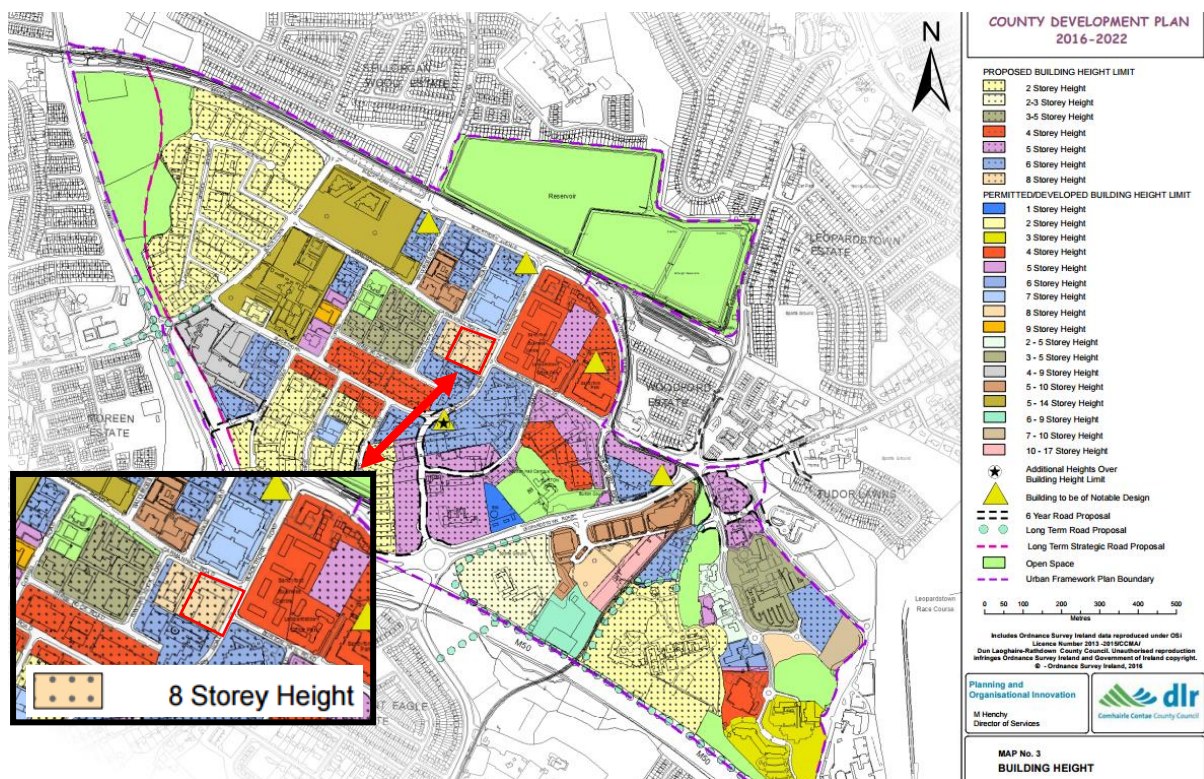


Figure 61.0 Extract from Map No. 3 of the Sandyford Urban Framework Plan 2016-2022, showing subject site (red outline) zoned for 8-storey development

Given the maximum height of seventeen storeys being proposed under the subject application, it is clear that the proposal materially contravenes the provisions of both the Sandyford Urban Framework Plan 2016-2022 and the Dún Laoghaire-Rathdown County Development Plan 2016-2022 with regards to height policy, with these documents guiding an indicative height of eight storeys for the site with associated policy allowing a deviation of one-two storeys.

Notwithstanding this contravention, it is our opinion that the proposed six-seventeen storey building, whilst non-compliant with the, now outdated, guidance of the Local Authority represents an appropriate proposal as it guarantees the efficient use of urban land on a site which is proximate to existing and future public transport services and is appropriately situated within the centre of Sandyford Industrial Estate which, in itself, is a highly urbanised landscape.

This opinion is supported by the approval of An Bord Pleanála for similar developments of proportionate height and density in the immediate locality of Sandyford Industrial Estate and the focus of national policy for increased height and compaction of existing urban areas as opposed to reduced height and increased sprawl. We would ask the Board to have due regard for the Statement of Material Contravention included in this application which presents a comprehensive justification for the subject proposal having regard for the aforementioned local precedent and national policy guidance. In addition, it is considered prudent to present the following aerial image which confirms existing / permitted heights within the immediate area.

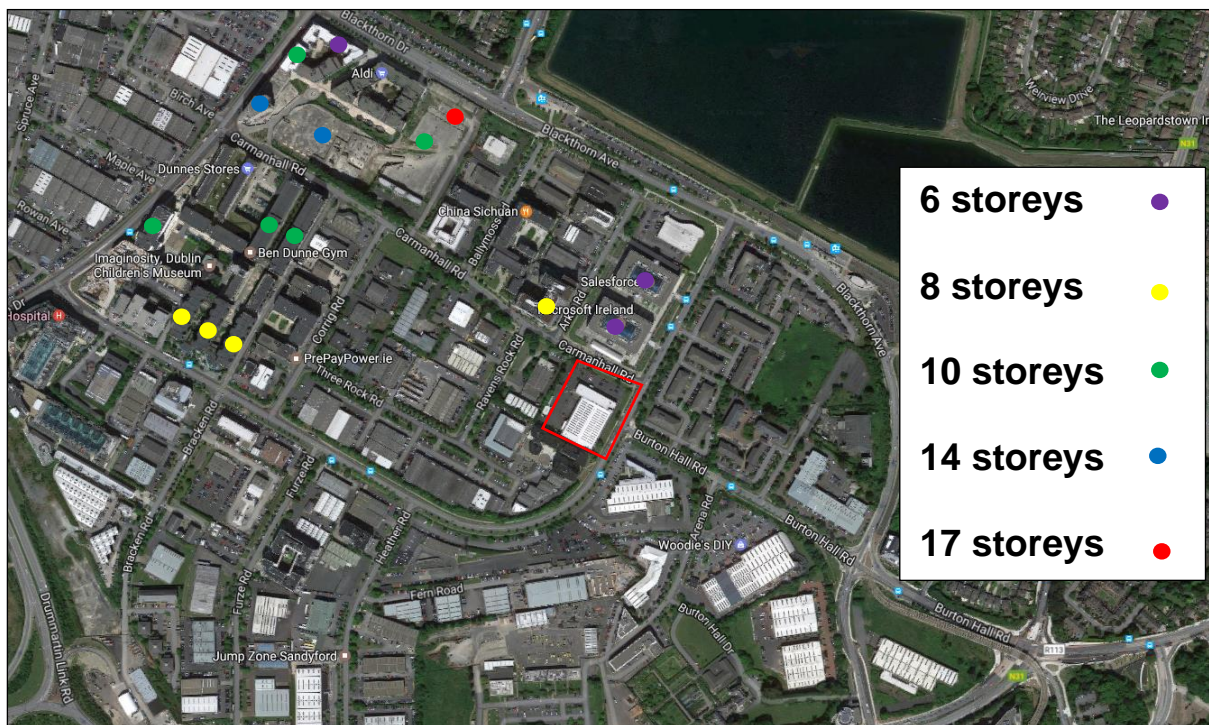


Figure 62.0 Aerial view showing subject site outlined in red and building heights in surrounding area

5.10.2 Density

Section 2.5.1 of the Sandyford Urban Framework Plan presents Policy SUFP 2, the wording of which is as follows:

'It is Council policy to ensure that Sandyford Business District develops in an orderly manner in accordance with the increase in uses set out in the objectives of this Plan and the Density and plot ratio set out in Map 2.'

Figure 63.0, overleaf, presents Map 2 'Plot Ratios/Residential Densities' of the UFP which, in turn, designates the subject site as being appropriate for development of eight. storey height.

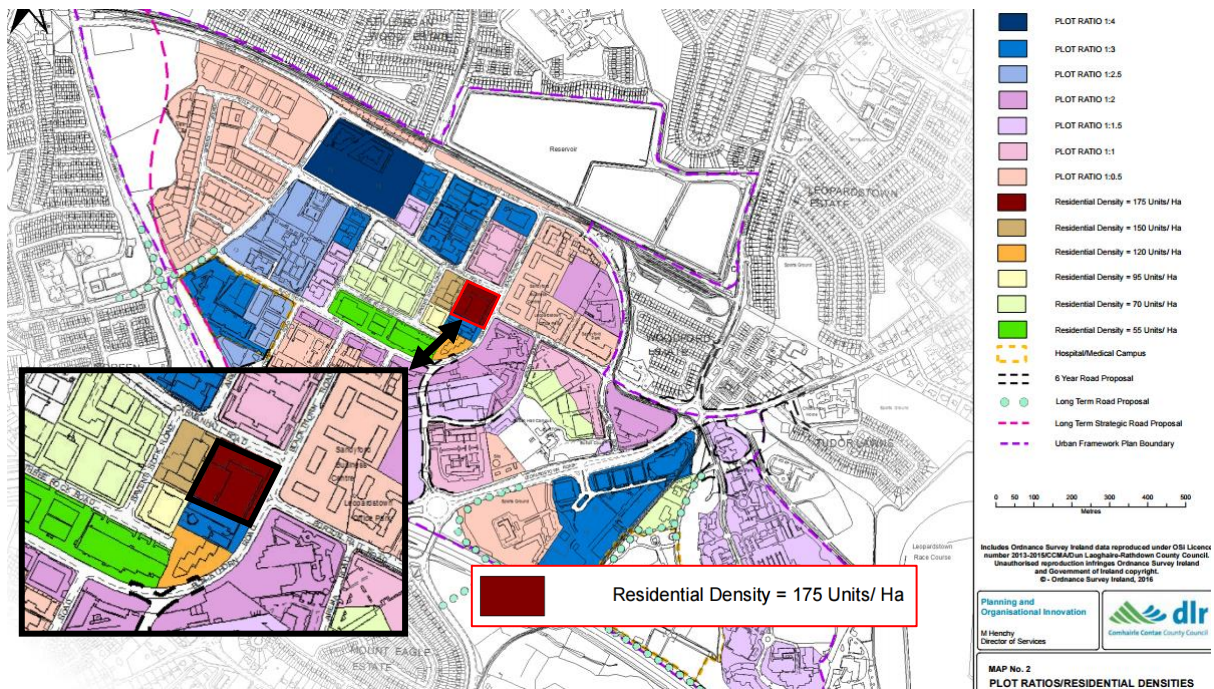


Figure 63.0 Extract from Map 2 'Plot Ratios/Residential Densities' of the Sandyford Urban Framework Plan 2016-2022, showing subject site zoned for a residential density of 175 units per hectare.

It is noted that the framework plan provides no detailed commentary, policies or objectives with regards to residential density relating to the subject site other than Objective A2 1, which relates specifically to Zone 5 – Sandyford Business District, the wording of which is as follows:

Objective A2 1 It is an objective of the Council to ensure the residential neighbourhoods are developed at a density that is in accordance with the density provision set out in Map 2.

Noting the limited extent of discussion in respect of density, we consider it prudent to note the following relevant policies from the Dún Laoghaire-Rathdown County Development Plan 2016-2022

Policy RES3 *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.*

Policy RES4 *Seeks to densify existing built-up areas. The development plan provides that density of new and infill development will generally be influenced by the sites location, its relationship with adjoining property and the character of existing development in the area.*

Policy RES7 *Ensure the provision of a wide variety of housing and apartment types, sizes and tenures.*

Material Contravention – Density of Development

The subject proposal provides for a residential density of 416 no. units per hectare and, as such, represents a material contravention of the Sandyford Urban Framework Plan with regards density, with this document indicating a residential density of 175 units per hectare on the subject site.

Notwithstanding this contravention, it is considered that the proposed residential density of 416 no. units per hectare represents an appropriate density in the context of both the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities' (2009) and the Urban Development and Building Heights - Guidelines for Planning Authorities (2018).

As a general principle, and on the grounds of sustainability, density-based policies should seek to optimise the density of development in response to type of site, location and accessibility to public transport. The subject site is located within an existing employment centre that is also situated within close proximity to educational facilities and is located less than 350m from Sandyford Luas Stop, as seen in Figure 64.0 below, which makes the site very accessible to Dublin City Centre. It is common policy to increase residential density where sites are situated within the catchment areas of rail stations, Luas lines, BRTs, Priority 1 Quality Bus Corridors, a Bus Priority Route, and/or 1 kilometre of a Town or District Centre



Figure 64.0 Aerial view, showing proximity of subject site (red outline) to Sandyford Luas Stop.

Further discussion is provided in regards to the justification of the proposed density in the enclosed Statement of Material Contravention.

5.10.3 Public Realm

It is Council policy to promote a high standard of public realm within Sandyford Business District. Section 3.3.1 of the Sandyford Urban Framework Plan outlines a number of objectives relating to public realm. They are as follows:

- Objective PR1** *It is an objective of the Council to ensure the provision of a high quality, safe, attractive and functional public realm. This shall be achieved through the appropriate and planned use of space and structure, building interface, continuous street frontages and enclosure, hard and soft surfaces, high quality materials, textures, planting, street furniture, lighting and signage and by encouraging a positive relationship between the buildings and the surrounding environment.*
- Objective PR3** *It is an objective of the Council to ensure that road design and quality of landscaping treatment reflects its role within the hierarchy of routes.*
- Objective PR9** *It is an objective of the Council to protect the mature trees and their setting at Burton Hall and along Carmanhall Road.*
- Objective PR10** *It is an objective of the Council to design sustainable urban drainage systems in accordance with best practice. A multidisciplinary design approach should be taken to integrate run off and water attenuation requirements into: -*
- *The design of a water feature in the civic park;*
 - *The design of the capacity in streetscapes for structured soils for trees;*
 - *Maximise the planting of large canopy trees in accordance with the Council's Tree Strategy; and*
 - *Maximising the use of green roof systems within new developments.*

The proposed development is consistent with the above objectives as it provides a generous setback to Carmanhall Road and Blackthorn Road and provides for improvements to the immediate public realm along both these routes. As illustrated/discussed in the wider drawings/reports included in this application, it is proposed to provide improvements to the immediate public realm through the provision of street furniture in the form of bins, benches, cycle parking space, tree-planting and landscaping.

5.11 Draft Dún Laoghaire-Rathdown Development Plan 2022-2028

As of the 12th of January 2021, the Draft Dún Laoghaire-Rathdown Draft County Development Plan 2022-2028 has been published for public consultation until the 16th of April 2021. Following this public consultation period, within which the Office of the Planning Regulator will also review and provide recommendations for the revision of the development plan, it is expected that the Draft Development Plan will be adopted by Dún Laoghaire-Rathdown County Council in late 2021. It is considered prudent that the subject proposal should have regard for the provisions of this document which incorporates a revised Urban Framework Plan for Sandyford.

5.11.1 Core Strategy

The central focus of the Core Strategy, as is contained within the Draft Dún Laoghaire-Rathdown Draft County Development Plan 2022-2028 is 'residential development' with the commentary provided on same being consistent with the current development plan. It is noted, whilst updated to reflect the introduction of the National Planning Framework, the Regional Spatial and Economic Strategy, that the commentary provided in respect of the sustainable growth of residential housing is generally consistent with the current development plan as per Section 2.4.6 'Phasing' of the Draft Dún Laoghaire-Rathdown Draft County Development Plan 2022-2028:

'The NPF, RSES and the Dublin MASP all place particular emphasis, including a specific compact growth target, on the physical consolidation of Dublin City and Suburbs, in line with its status as the first tier in the settlement hierarchy for the Region. The vast majority of lands identified for development in DLR fall within or contiguous to this geographic area. For the purpose of the Core Strategy lands identified for growth are thus considered suitable to be in the first phase of development subject to being served by the requisite enabling and supporting infrastructure to support development.'

The core strategy contained within the Draft Dún Laoghaire-Rathdown Draft County Development Plan 2022-2028 seeks to focus higher density development on existing and future transport corridors and align the delivery of new residential schemes with associated social infrastructure. The updated strategy provides an increased focus on 'healthy place-making and liveability factors'. It is considered that the quantum of social infrastructure, both within the internal and external areas of the proposed scheme, which is provided by the subject development at Carmanhall Road, will contribute to the dynamic environment of Sandyford Industrial Estate as a sustainable live-work community.

5.11.2 Zoning

The site is zoned 'A2' in the Draft Dún Laoghaire-Rathdown Development Plan 2022-2028, the objective of which is to: 'provide for the creation of sustainable residential neighbourhoods and preserve and protect residential amenity.'



Figure 65.0 Extract from Sheet 6 of the Draft Dún Laoghaire-Rathdown Development Plan 2022-2028, with subject site outlined in red. The land is zoned Objective 'A2' and is subject to Specific Local Objective 52.

The zoning matrix of Chapter 13 of the Development Plan indicates 'permitted' and 'open for consideration' uses in various zones. Permitted in principle uses are generally acceptable subject to the normal planning process and compliance with the policies, objectives, standards and requirements set out in the Plan. We note permitted in principle uses for the 'A2' zoning objective as follows:

*'Assisted Living Accommodation, Community Facility, Childcare Service, Education, Open Space, Public Services, **Residential**, Residential Institution.'*

Further to the above, we note the open for consideration uses for the 'A2' zoning objective as follows:

*'Bring Banks/Bring Centres, **Build to Rent**, Carpark (ancillary), Cultural use, Doctor/Dentist etc., Home Based Economic Activities.'*

It is considered prudent to note that whilst the list of permitted in principle uses for the subject site remains consistent, save for the inclusion of 'education', the open for consideration list applicable to the A2 zoning objective has been revised to include 'build to rent'. Section 4.3.2 'Housing Choice' of the Draft Plan provides the following commentary with regards to build to rent in the context of tenure mix:

'In order to mitigate against undue segregation of tenure type, new developments should avoid an over proliferation of a single housing tenure by providing a balanced mix of private, build-to-rent and social housing to accommodate the needs of a mixed and balanced community. In this regard, a developer shall be required to have regard to both the existing and permitted house types and tenures within the surrounding and adjoining neighbourhoods and/or district and clearly demonstrate how their proposed development will add to the housing mix of the area.'

Whilst it is noted that such commentary is not present in the current development plan due to the only recent introduction of build-to-rent as a residential model for apartment developments, it is acknowledged that other than the applicable quantum of social housing units, the subject proposal is wholly comprised of build-to-rent (BTR) accommodation. It is noted that the build-to-rent residential model was effectively introduced in the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities document, in 2018, with the model being defined as

'Purpose-built residential accommodation and associated amenities built specifically for long-term rental that is managed and serviced in an institutional manner by an institutional landlord.'

The Apartment Guidelines noted that this residential model:

'Can provide a viable long term housing solution to households where home-ownership may not be a priority, such people starting out on their careers and who frequently move between countries in the pursuance of career and skills development in the modern knowledge-based economy.'

Moreover, the Apartment Guidelines make reference to increased future demand for rental accommodation, as based on census data, as follows:

'The 2016 Census indicates that 1-2 person households now comprise a majority of households and this trend is set continue, yet Ireland has only one-quarter the EU average of apartments as a proportion of housing stock. Dublin as a whole has approximately one-third the rate of apartments as comparable cities in Europe, with which it competes for investment and talent to secure continued growth and prosperity.'

As per Specific Planning Policy Requirement (SPPR) No. 7 of the Apartment Guidelines, grants of permission for BTR developments are, via condition, must include a *'requirement that the development remains owned and operated by an institutional entity and that this status will continue to apply for a minimum period of not less than 15 years and that similarly no individual residential units are sold or rented separately for that period'*. As such, a grant of permission for BTR development results in a fixed time period for rental accommodation on a site. Again, referring to the Apartment Guidelines, the key aspect of the BTR residential model is:

'its potential to accelerate the delivery of new housing at a significantly greater scale than at present. For traditional housing, the pace of development is largely determined by the rate at which individual homes, including apartments, can be sold. With BTR, once constructed, the overall scheme is available to the rental sector over a much shorter timescale on completion and the investment model is therefore capable of delivering a much higher volume of housing than traditional models.'

It is considered that the subject proposal will allow for the accelerated provision of high-quality and high-density rental accommodation within an area that is evolving to accommodate an increased provision of residential units in close proximity to mature employment centres. The proposal provides for an improved public realm and community infrastructure which will together contribute to the growing identity of the immediate area. Furthermore, having regard for the tenure type of both recently permitted and long-established apartment developments in Sandyford Industrial Estate, it is considered that the subject proposal will result in no undue over-provision of build-to-rent tenure type in the immediate area.

5.11.2.1 Specific Local Objective (SLO 52)

In similar fashion to the current Development Plan, the subject site is marked with a red hexagon on Sheet 6 of the Draft Dún Laoghaire-Rathdown Development Plan 2022-2028. This indicates that a specific local objective, more specifically Specific Local Objective 52 (SLO 52), relates to the site. Specific Local Objective 52 states that it is an objective to:

'Facilitate the provision of community infrastructure at ground floor along the eastern outer edge of the Carmanhall residential neighbourhood along Blackthorn Road, to create active street frontage and to ensure the appropriate provision of social and community infrastructure to serve the needs of the resident and employee population.'

It is noted that the wording of SLO 52 is unchanged from the existing SLO (SLO 13) which relates to the subject site. As previously discussed, and in response to the Board's Opinion, in Section 0.0 of this report, it is our opinion that the subject site has provided an appropriate quantum of community infrastructure, notably in excess of that which was considered sufficient in respect of the recently approved application (Reg. Ref. PL06D.303467) at this site. It is thus submitted that the current proposal is in compliance with the Draft Dún Laoghaire-Rathdown Development Plan 2022-2028 in relation to the fulfilment of SLO 52

5.11.3 Car Parking

The Draft Dún Laoghaire-Rathdown County Development Plan 2022-2028 requires any new development provide car parking spaces as guided by Table 12.6 'Car Parking Zones and Standards' in accordance with Supplementary Map T2 'Parking Zones'. In this regard we note the location of the subject site, within Zone 2 as per the below extract from Map T2 of the Draft Development Plan:

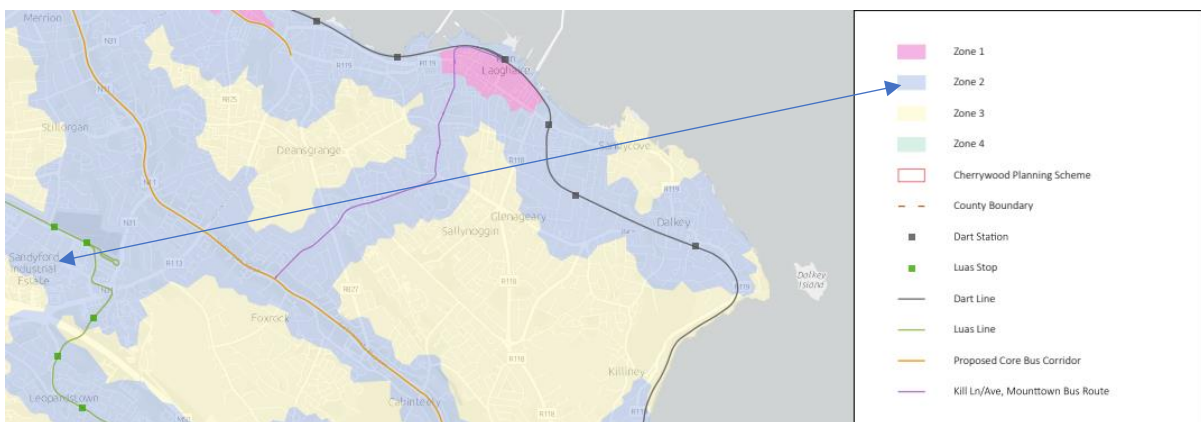


Figure 66.0 Extract from Map T2 of the Draft Dún Laoghaire-Rathdown Development Plan 2022-2028, with subject site identified as being situated within Zone 2 in relation to car parking.

We note, as per subsection ii of Section 12.4.5.1 Parking Zones, the following criteria which typically defines Zone 2 areas:

- Access to a good level of existing or planned public transport services.
- A good level of service accessibility, existing and planned, by walking or cycling.
- A capacity to accommodate a higher density of development than surrounding areas

As per the provisions of the aforementioned Table 12.6 'Car Parking Zones and Standards', residential apartment development on the subject site is required to meet the following standards in respect of car parking:

One Bedroom Apartment	1 No. Car Parking Space Required
Two Bedroom Apartment	1 No. Car Parking Space Required
Three Bedroom Apartment	2 No. Car Parking Spaces Required

We acknowledge that, having regard for the above standards, the subject proposal would provide a shortfall of 337 no. spaces (145 no. spaces provided in contrast to 483 no. spaces required) against the requirements of the Draft Dún Laoghaire-Rathdown Development Plan 2022-2028. Notwithstanding this, we would again note the following commentary from the Sustainable Urban housing: Design Standards for New Apartments Guidelines for Planning Authorities (March 2018):

'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. These locations are most likely to be in cities, especially in or adjacent to (i.e. within 15 minutes walking distance of) city centres or centrally located employment locations. This includes 10 minutes walking distance of DART, commuter rail or Luas stops.'

We would contend, having regard for the above commentary, that the Draft Dún Laoghaire-Rathdown Development Plan 2022-2028 has failed to acknowledge the default policy of minimising, substantially reducing or wholly eliminating car parking provision for apartment developments in urban locations. Whilst the subject site, and much of the immediate area of Zone 2 wherein it is located, is situated within c. 350m or 3 minutes easy walking distance from a Luas stop, it is still required to provide a considerable and unsustainable quantity of vehicular parking. As such, the provisions of the Draft Dún Laoghaire-Rathdown Development Plan 2022-2028, in respect of car parking, are considered inappropriate and outdated.

Notwithstanding the above opinion, we would again note the following Standards for New Apartments Guidelines for Planning Authorities (March 2018), in specific relation to build-to-rent developments:

'Specific Planning Policy Requirement 8 - For proposals that qualify as specific BTR development in accordance with SPPR 7: (iii) There shall be a default of minimal or significantly reduced car parking provision on the basis of BTR development being more suitable for central locations and/or proximity to public transport services.'

Upon consideration of existing public transport facilities including 5 no. Bus services (Nos. 11 & 47 - Dublin Bus, Nos. 75a & 114 - Go-Ahead Ireland & No. 700 - Aircoach) available via stops situated within c. 900m and Luas services available via the Stillorgan (600m) and Sandyford (350m) Luas stops, it is considered that the proposed provision of 145 No. car parking spaces is appropriate for this scheme.

5.11.4 Bicycle Parking

We note the following commentary from Section 12.4.6 'Cycle Parking' of the Draft Dún Laoghaire-Rathdown County Development Plan 2022-2028 in relation to bicycle parking standards

'Cycle parking should accord with the Council published – 'Standards for Cycle Parking and Associated Cycling Facilities for New Developments' (2018) or any subsequent review of these standards. These are minimum cycle parking standards. In car parking

Zones 1 and 2 these minimum standards should be exceeded. It is intended that the next review of the Council's cycle parking standards would be aligned with the 4 parking zones set out in Section 12.4.5.1 above.'

As per the above, the provisions of Table 4.1 'Cycle Parking for Residential Development' of the Standards for Cycle Parking and associated Cycling Facilities for New Developments continues to provide the relevant standards for development proposals. In this respect we note the following requirements as are relevant in the context of the proposed development:

Residential Apartments	1 No. Cycle Parking Space per Apartment
Visitor Cycle Parking	1 No. Car Parking Spaces per 5 No. Apartments

As per Section 5.9.4 'Bicycle Parking' of this report, the proposal would require 514 no. cycle parking spaces on the basis of the existing development plan. Notwithstanding this, we would contend that the Draft Dún Laoghaire-Rathdown Development Plan 2022-2028 has failed to have regard for the introduction of recent policy and we would note the following commentary from the Sustainable Urban housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018-2020):

'A general minimum standard of 1 cycle storage space per bedroom shall be applied. For studio units, at least 1 cycle storage space shall be provided. Visitor cycle parking shall also be provided at a standard of 1 space per 2 residential units.'

The subject proposal has provided a significant quantum of cycle parking, 752 no. spaces - excluding public realm cycle parking, so as to ensure compliance with the aforementioned document specifically prepared in respect of apartment developments. It is considered, that this provision provides for cycle parking far in excess of the requirements of the Draft Dún Laoghaire-Rathdown County Development Plan 2022-2028 and thus ensures increased usage of cycling infrastructure and improved quality of cycle storage space.

5.12 Sandyford Urban Framework Plan 2022-2028

In preparing the Draft Dún Laoghaire-Rathdown County Development Plan 2022-2028, the County Council has also updated the Sandyford Urban Framework Plan (UFP). It is noted that the rationale which underpins the preparation of the Sandyford Urban Framework Plan has remained almost entirely unchanged from the original document save for the revision of the initial point to reflect the National Planning Framework and the Regional Spatial and Economic Strategy, as opposed to the Regional planning Guidelines 2010-2022, as follows:

- *To develop Sandyford as a strategic high density and people intensive employment location that is accessible to public transport, served by suitable amenities and infrastructure within the existing built-up area of Dublin in accordance with NSO1, NPO 11 of the NPF and RPO 4.3 of the RSES.*

It is noted that NSO 1 of the National Planning Framework relates to Compact Growth with this point addressed in Section 5.8 'Regional Spatial and Economic Strategy (RSES) for Eastern and Midland Regional Assembly' of this report, as there are 10 no. National Strategic Outcomes (NSOs), the Draft UFP's reference to NSO 11 cannot be confirmed. It is considered, as per Section 5.8 of this report, that the current proposal is compliant with RPO 4.3 of the Regional Spatial and Economic Strategy for Eastern and Midland Regional Assembly (RSES). As per the current UFP, the subject site remains located in Sandyford Business Estate area under the Draft Sandyford Urban Framework Plan 2022-2028. We note the revised description of this area as follows:

'Sandyford Business Estate is in the process of transforming from an area of low-density freestanding buildings formed around a road network, to higher density development within a tighter urban grain. Since 2011, proposed developments have been informed by the Urban Framework Plan.'

It is noted that the Draft UFP has regard for the increasing density and associated compaction of the Sandyford Business Estate area. It is further noted that the subject site remains situated in 'Zone 5' of the Sandyford Business District (as illustrated in Figure 0.0) with the objective of this zone unchanged from the current UFP as follows:

'provide for the creation of Sustainable Residential Neighbourhoods, and preserve and protect residential amenity in Zone 5 of Sandyford Business District.'

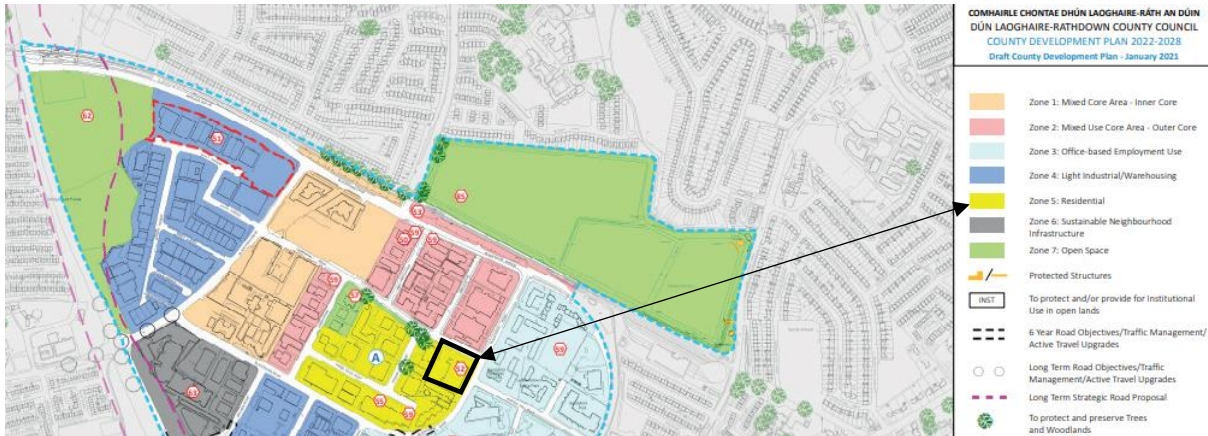


Figure 67.0 Extract from Map No. 1 'Land Use Zoning' in the Sandyford Urban Framework Plan 2022-2028, showing subject site (black outline) zoned 'Zone 5 – Residential'.

The specific objectives relating to development within Zone 5 (A2) of the Sandyford Urban Framework Plan area have remained consistent save for the slight revision of Objective A2 4 to include reference to the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities” (2018) as follows:

Objective A2 4 It is an objective of the Council to require all residential developments to provide private open space in accordance with the requirements set down in the Dún Laoghaire-Rathdown County Development Plan and the “Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities” (2018).

The proposed development, having had regard for the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities” (2018) throughout the design process, is thus considered to be consistent with the objectives for development within Zone 5, as set out within the Draft Sandyford Urban Framework Plan 2022-2028

In addition, we note that the subject site remains located in Site 11 on Drawing No. 13 'Reference Site' of the Draft Sandyford Urban Framework Plan 2022-2028, as shown in Figure 0.0 below.



Figure 68.0 Drawing No. 13 'Reference Site' in the Draft Sandyford Urban Framework Plan 2022-2028, showing subject site (black outline) situated in the Site 11 area.

It is noted that the guidance provided within the Draft UFP in relation to development within Site 11 remains unchanged from the current UFP and, as such, the current proposal is considered to remain consistent with the applicable objectives as per Section 5.10 ‘Sandyford Urban Framework Plan 2016-2022’ of this report.

5.12.1 Building Height

It is noted that the wording of Policy SUFF 3 has been revised under the Draft Sandyford Urban Framework Plan 2022-2028 to read as follows:

‘It is Council Policy that building height in Sandyford Business District accords with the height limits indicated on Building Height Map 3, subject to policy objectives BH1 and BH2 of the Dun Laoghaire Rathdown County Development Plan 2022-2028. (consistent with NP0 35 of the NPF, SPPR 3 of the ‘Urban Development and Building Height: Guidelines for Planning Authorities’ (2018)).

Figure 69.0, below, presents Map 3 ‘Building Heights’ of the UFP which, in turn, designates the subject site as being appropriate for development of seven to nine storey height. The wording underlined in the above commentary represents the alterations to Policy SUFF 3.

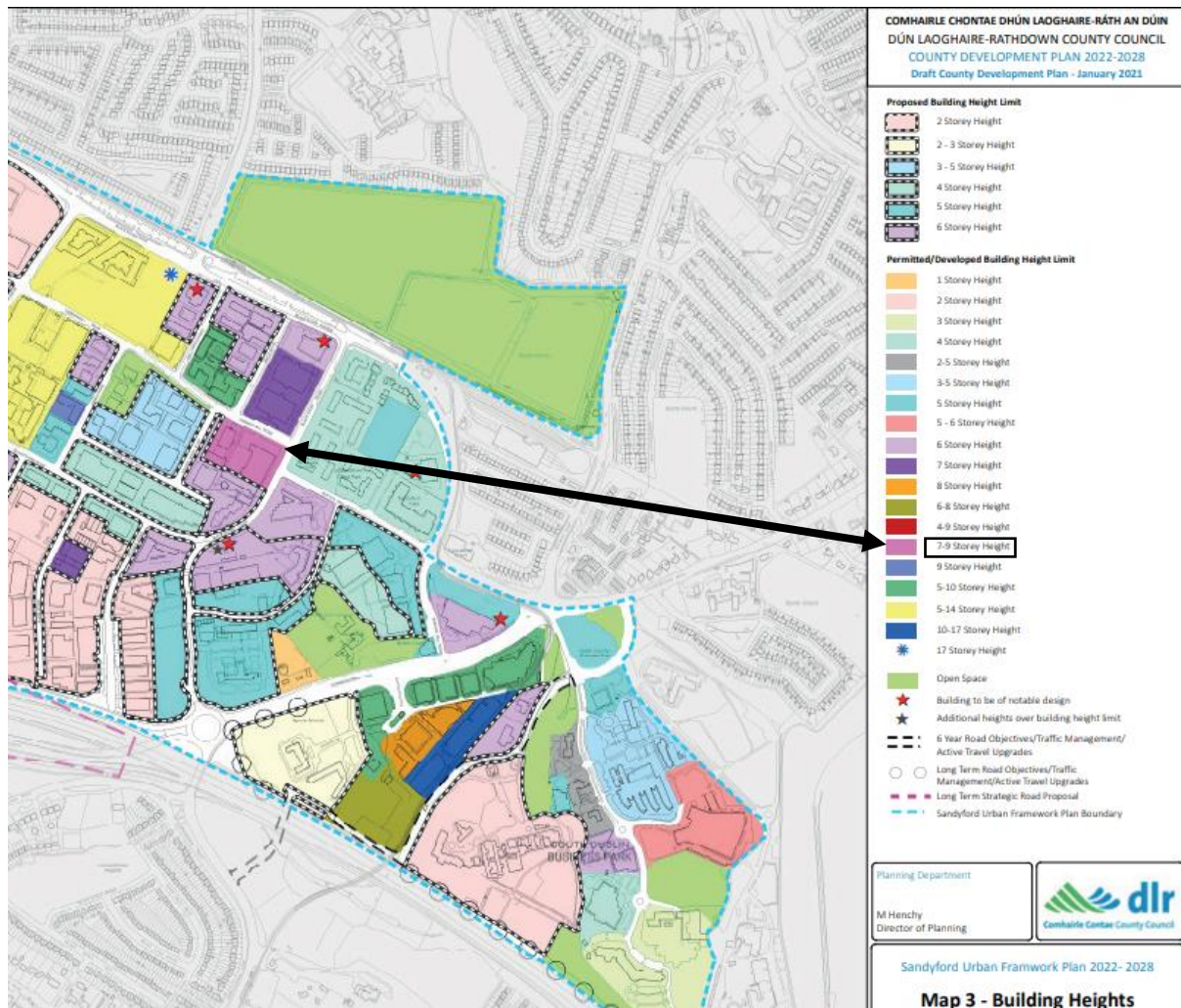


Figure 69.0 Extract from Map No. 3 ‘Building Heights’ of the Draft Sandyford Urban Framework Plan 2022-2028, showing subject site as identified zoned for 7-9 storey development

Following from the above, we note the referenced policy objectives of the Draft Dun Laoghaire Rathdown County Development Plan 2022-2028 as follows:

BHS 1 *It is an objective of the Council to ensure that Sandyford Business District is developed in accordance with height limits set out in Map 3 Building Height subject to the building making a positive contribution to the built form as set out above.*

BHS 2 *It is an objective of the Council to require applicants to include with their proposals an analysis of the impact of the height and positioning of buildings on:*

- *Immediate and surrounding environment;*
- *Adjoining structures;*
- *Open spaces;*
- *Public realm (including impact on streets, spaces, pedestrian and cycle routes, identified green routes, and with particular emphasis on shadow impact);*
- *Public realm (including impact on streets, spaces, pedestrian and cycle routes, identified green routes, and with particular emphasis on shadow impact);*
- *Views and Vistas; and*
- *Impacts on micro climates (such as wind funnels and overshadowing)*

It is noted that Draft Dún Laoghaire-Rathdown County Development Plan 2022-2028 comprises a 'Building Height Strategy' in Appendix 5 of the plan. The specific objectives of the SUFP Building Height Strategy, are, however, noted to remain consistent with the current SUFP, as previously presented in Section 5.10.1 'Building Height' of this report.

5.12.2 Density

It is noted that the Draft Sandyford Urban Framework Plan 2022-2028 presents no revision to either Policy SUFP 2 or Objective A2 1, in relation to density. In this regard, we note the updated Map 2 'Plot Ratios/Residential Densities' of the UFP which confirms that the subject site remains designated as accommodating a residential density of 175 no. units.



Figure 70.0 Extract from Map 2 'Plot Ratios & Residential Densities' of the Draft Sandyford Urban Framework Plan 2022-2028, showing the subject site designated to provide a residential density of 175 no. units per hectare.

5.12.3 Public Realm

It is noted that the Draft Sandyford Urban Framework Plan 2022-2028 presents no revision to objective Nos. PR1, PR3 and PR9, as contained within the current UFP, in relation to the public realm. It is noted that PR10, as contained within the Draft UFP, appears to have been revised erroneously.

5.13 Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018-2020)

The proposed development has been designed to be fully compliant with the standards set out in Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities, published by the Department of the Environment, Community and Local Government in March 2018, and amended in December 2020. The Guidelines update previous guidance in the context of greater evidence and knowledge of current and likely future housing demand in Ireland taking account of the Housing Agency National Statement on Housing Demand and Supply, the Government's action programme on housing and homelessness Rebuilding Ireland and Project Ireland 2040 and the National Planning Framework, published since the 2015 guidelines.

These guidelines identify the potential for 'build-to-rent' developments to play a role in providing choice for people and in supporting economic growth and access to jobs in Ireland. Furthermore, the Guidelines include guidance specific to the emerging 'build to rent' and 'shared accommodation' sectors, which did not feature in the previous 2015 Guidelines. These are set out in Section 5.0 and Specific Planning Policy Requirements 7 and 8 included therein relate specifically to build-to-rent developments.

Specific Planning Policy Requirement No. 7

BTR development must be:

- (a) *Described in the public notices associated with a planning application specifically as a 'Build-To-Rent' housing development that unambiguously categorises the project (or part of thereof) as a long-term rental housing scheme, to be accompanied by a proposed covenant or legal agreement further to which appropriate planning conditions may be attached to any grant of permission to ensure that the development remains as such. Such conditions include a requirement that the development remains owned and operated by an institutional entity and that this status will continue to apply for a minimum period of not less than 15 years and that similarly no individual residential units are sold or rented separately for that period;*
- (b) *Accompanied by detailed proposals for supporting communal and recreational amenities to be provided as part of the BTR development. These facilities to be categorised as:*
 - (i) *Resident Support Facilities - comprising of facilities related to the operation of the development for residents such as laundry facilities, concierge and management facilities, maintenance/repair services, waste management facilities, etc.*
 - (ii) *Resident Services and Amenities – comprising of facilities for communal recreational and other activities by residents including sports facilities, shared TV/lounge areas, work/study spaces, function rooms for use as private dining and kitchen facilities, etc.*

In response to the SPPR No. 7, it is noted that the subject proposal has been identified as a build-to-rent residential development in the planning notice. The development is provided with resident support facilities in the form of a concierge/meetings room, a basement level bicycle repair area and waste management facilities. The development is provided with resident services and amenities in the form of a co-working/office space, café/lounge, cinema, gym, yoga studio, meeting/games room and external space in the form of the first-floor level courtyard and roof terraces at sixth, eighth and ninth floor level.

For proposals that are in accordance with Specific Planning Policy Requirement 7 and qualify as specific a Build-To-Rent scheme, the following planning criteria may be applied (as outlined in Specific Planning Policy Requirement 8):

Specific Planning Policy Requirement No. 8:

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

- (i) No restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise;*
- (ii) Flexibility shall apply in relation to the provision of a proportion of the storage and private amenity space associated with individual units as set out in Appendix 1 and in relation to the provision of all of the communal amenity space as set out in Appendix 1, on the basis of the provision of alternative, compensatory communal support facilities and amenities within the development. This shall be at the discretion of the planning authority. In all cases the obligation will be on the project proposer to demonstrate the overall quality of the facilities provided and that residents will enjoy an enhanced overall standard of amenity;*
- (iii) There shall be a default of minimal or significantly reduced car parking provision on the basis of BTR development being more suitable for central locations and/or proximity to public transport services. The requirement for a BTR scheme to have a strong central management regime is intended to contribute to the capacity to establish and operate shared mobility measures;*
- (iv) The requirement that the majority of all apartments in a proposed scheme exceed the minimum floor area standards by a minimum of 10% shall not apply to BTR schemes;*
- (v) The requirement for a maximum of 12 apartments per floor per core shall not apply to BTR schemes, subject to overall design quality and compliance with building regulations.*

As per the above, there is no restriction with regards to the intended mix of units within the scheme. Notwithstanding this, it is considered that the following mix is appropriate in providing a sustainable community within the subject scheme:

- Studio Units 41 No.
- One-Bedroom Units 285 No.
- Two-Bedroom Units 94 No.
- Three-Bedroom Units 8 No.

As is discussed below, 15 no. units within the development are not directly served by private amenity space. Details with regards to compensatory measures are outlined under the below heading 'Private Amenity Space' and in Section 2.0 'Quantitative & Qualitative Assessment' of the Architectural Response to An Bord Pleanála Opinion' as prepared by Burke Kennedy Doyle Architects.

With regards to parking, the subject development has, given its close proximity to high-quality public transport systems, been designed on the basis of significantly reduced car parking provision, 0.338 spaces per unit. Notwithstanding the allowance for exemption from the requirement for the majority of units to exceed minimum floor area standards by a minimum of 10%, the subject proposal allows for 348 (81.3%) apartments to exceed minimum floor area by 10%.

Minimum overall apartment floor areas

The overall floor area sizes required for apartment units outlined in the Guidelines are as follows:

- Studio Apartment (1 person) 37sq.m
- One-Bedroom Apartment (2 Persons) 45sq.m
- Two-Bedroom Apartment (3 Persons) 63sq.m
- Two-Bedroom Apartment (4 Persons) 73sq.m
- Three-Bedroom Apartment 90sq.m

The floor areas for each of the different apartment types are fully compliant with the various floor area and floor width standards, and in most instances are in excess of the required minimum standards set out in the guidelines for new apartments as illustrated in the apartment type drawings included in the Architectural Drawings and the schedule of accommodation, prepared by Burke-Kennedy Doyle Architects. Each apartment also meets the required standards for living/dining/kitchen areas, bedrooms and aggregate bedroom floor areas and storage requirements.

In addition, it is noted that the requirement for the majority of all apartments in a proposed scheme exceed the minimum floor area standards by a minimum of 10%, set out in Section 3.8 of the Apartment Guidelines does not apply to build-to-rent schemes, pursuant to Specific Planning Policy Requirement 8 (iv). Notwithstanding this, it is noted that 357 (83.4%) of the 428 no. proposed apartments provide for in excess of 10% of their required minimum floor areas thus providing a high standard of residential accommodation for future residents of the scheme.

Dual Aspect Ratios

Specific Planning Policy Requirement 4 provides guidance in regards to dual aspect apartments. The minimum number of dual aspect apartments are as follows:

- (i) *A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate.*
- (ii) *In suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.*
- (iii) *For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects.*

The proposed development is situated within a central and accessible urban location and provides 150 no. dual aspect apartments, thus accounting for 35.05% of the 428 no. apartments proposed, and complies with and exceeds the above requirements. Where single aspect apartments have been provided it is noted that none of these units are north-facing so as to ensure an appropriate quantum of internal lighting.

Sunlight & Daylight Access

Whilst the apartment guidelines do not present a specific standard in relation to sunlight and daylight access, the guidelines note that *the amount of sunlight reaching an apartment significantly affects the amenity of the occupants.*

We would note that the enclosed Sunlight & Daylight Analysis confirms that 96% of rooms across the subject development are in excess of the BRE guidelines for Average Daylight Factors (ADF). It is noted that all units (29 no. total) which fail to meet the required standard in relation to ADF are to be provided with individual storage rooms at basement level, thus increasing their storage space to double the required quantum, as a direct means of compensation.

Floor to Ceiling Height

The Guidelines require minimum floor to ceiling heights of 2.4m for apartments above ground floor, and 2.7m at ground floor to allow flexibility for future use. The floor to ceiling heights proposed in the subject scheme comply with the Guidelines in both respects.

Security Considerations

Section 3.40 of the Apartment Guidelines recommends that, in order to ensure visitor and occupant safety, natural surveillance should be maximised for all streets, open spaces, play areas and any

surface bicycle or car parking areas. Particular attention should be given to entrance points being well lit and overlooked in building blocks. Consideration should also be given to incorporating privacy strips in instances where ground floor apartments front onto public footpaths. The proposed development has been designed in a manner that allows for maximum natural surveillance throughout the development site, with windows/balconies overlooking all internal and external public spaces.

Private Amenity Space

As previously discussed, the majority (413 no. apartments) of units within the scheme are served by an area of directly accessible private amenity space. Each of these units meets the below standards, as set by the Guidelines:

- *Studio Apartment (1 person)* 4sq.m
- *One-Bedroom Apartment (2 Persons)* 5sq.m
- *Two-Bedroom Apartment (3 Persons)* 6sq.m
- *Two-Bedroom Apartment (4 Persons)* 7sq.m
- *Three-Bedroom Apartment* 9sq.m

The remaining 15 no. apartments, which are not served by private amenity space, will have shared access to a private roof terrace of 142sq.m at ninth floor level. As each of these units are of one-bedroom form, it is considered that the proposal to provide a shared private terrace of 142sq.m, or 97sq.m, in excess of required private amenity space, provides an appropriate compensatory measure.

Moreover, these 15 no. units will each be provided with an additional storage space at basement floor level thus increasing their storage space to double the required quantum. Lastly, it is noted that each of these units exceeds minimum floor area requirement by 10%.

Communal Amenity Space & Recreational Amenities

As previously discussed, Specific Planning Policy Requirement 7 requires that Build to Rent developments feature supporting communal and recreational amenities. The subject development comprises internal amenities inclusive of concierge/meeting rooms, office/co-working space at ground floor level and a meeting/games room cinema, gym, yoga studio, laundry and café/lounge in addition to on-site communal spaces in the form of a first-floor level courtyard and roof terraces at sixth, eighth and ninth floor levels.

With regards to the quantum of communal amenity space provided, we note the below standards required for apartment units, as outlined in the Guidelines:

- *Studio Apartment (1 person)* 4sq.m
- *One-Bedroom Apartment (2 Persons)* 5sq.m
- *Two-Bedroom Apartment (3 Persons)* 6sq.m
- *Two-Bedroom Apartment (4 Persons)* 7sq.m
- *Three-Bedroom Apartment* 9sq.m

Further to the above, we note the below table, which confirms that the proposed development is fully compliant with the minimum standards for communal amenity space.

Minimum Floor Area – Communal Amenity Space		
Unit Type	Requirement	Communal Space Required/Provided
Studio	4sq.m (41 no. units = 164sq.m)	2,309sq.m / 2,600sq.m
1 Bedroom	5sq.m (285 no. units = 1,425sq.m)	
2 Bedroom (3P)	6sq.m (10 no. units = 60sq.m)	
2 Bedroom (4P)	7sq.m (84 no. units = 588sq.m)	
3 Bedroom (5P)	9sq.m (8 no. units = 72sq.m)	

Figure 71.0 Table showing the provided communal amenity space (2,600sq.m) in comparison to the required space (2,309sq.m) for the development.

Children's Play Areas

The Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018-2020) provides the following guidance with regards to children's areas:

Children's play needs around the apartment building should be catered for:

- *within the private open space associated with individual apartments;*
- *within small play spaces (about 85 – 100 sq. metres) for the specific needs of toddlers and children up to the age of six, with suitable play equipment, seating for parents/guardians, and within sight of the apartment building, in a scheme that includes 25 or more units with two or more bedrooms; and*
- *within play areas (200–400 sq. metres) for older children and young teenagers, in a scheme that includes 100 or more apartments with two or more bedrooms.*

As stated previously, the proposed development provides 2,600sq.m of communal amenity spaces separated comprised within the first-floor level courtyard and roof terraces at the sixth, eighth and ninth floor levels. Whilst children's play equipment will predominantly be provided in the courtyard space, it is considered that the range of amenity spaces provided within the communal roof terraces will provide sufficient variety and functionality to be enjoyed by older children and teenagers. For further information with regards to play areas, we would ask the Board to have regard for the relevant sheets in Section 4.0 of the Landscape Design Report prepared by Niall Montgomery + Partners.

5.14 Guidelines for Planning Authorities on Childcare Facilities (2001)

Section 8.2.12.1 of the Dún Laoghaire-Rathdown County Council Development Plan 2016-2022 provides guidance in relation to childcare facility provision. It states that the Council has regard to the provisions of the DoEHLG 'Childcare Facilities Guidelines for Planning Authorities' (2001) and the Child Care (Pre-School Services) (No. 2) Regulations (2006) and Child Care (Pre-School Services) (No 2) (Amendment) Regulations (2006) (Department of Health and Children).

The National Anti-Poverty Strategy 2007-2016 also states that the provision of childcare is essential to enable parents to participate in the workforce and to obtain an income that provides an acceptable standard of living for both them and their children. The Childcare Facilities (Guidelines for Planning Authorities), June 2001, identifies appropriate locations for childcare facilities in Section 2.4 and provides the following guidance:

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 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.'

As set out on the architectural drawings accompanying this application, the proposed childcare facility comprising 142sq.m, capable of accommodating 27 no. children, is considered appropriate for the subject site given the number of 2+ bedroom units (102). The exact capacity of the proposed childcare facility will only become apparent when an operator comes on board and will be subject to operator's particular requirements and will be dependent on what types of childcare facility are already available in the area.

The number of childcare spaces to which the subject proposal can provide for is considered to be generally in compliance with the minimum place requirements set out in the abovementioned guidelines. As it stands, the proposed childcare facility will serve residents of the subject development only and is to be conveniently located at ground floor level.

6.0 Social and Affordable Housing

6.1 Part V, Section 96 of the Planning and Development Act

Part V, Section 96 of the Planning and Development Act 2000 (as amended), applies to this application. New provisions relating to Part V, under the Urban Regeneration and Housing Act 2015, were formally enacted on 1st September 2015. Since 31 August 2015, 2 guidance circulars have been issued by the Department and one Guideline under Section 28 of the Planning and Development Act 2000:

Circular Housing 33 of 2015 of 31 August 2015

Urban Regeneration and Housing Act 2015 – amendments to the operation of Part V of the Planning and Development Act 2000.

Circular PL 10/2015 and Housing 36/2015 of 30 November 2015.

Part V - Implementation of Article 22(2)(e) of the Planning and Development Regulations 2001, as amended – Validation of Planning Applications.

6.2 Part V Proposal

The applicants propose to fulfil their Part V obligations for the proposed development by building and transferring 43 no. apartments to the ownership of the Planning Authority, or to the ownership of persons nominated by the authority. Please consult the Part V drawings, prepared by Burke-Kennedy Doyle Architects for specific details on the 43 no. units proposed for construction/transfer.

This proposal has been approved by Dún Laoghaire- Rathdown County Council's Housing Department as per the enclosed letter dated 27th January 2021. The applicant has thus confirmed it's willingness to enter into an agreement with Dún Laoghaire- Rathdown County Council, in respect of Part V (Social and Affordable Housing) should a grant of planning permission be forthcoming at the subject site, in accordance with the relevant provisions of Planning and Development Act 2000 (as amended).

7.0 Environmental

In accordance with Part 2 of Schedule 5 of the Planning and Development Regulations (2001-2015), an Environmental Impact Assessment Report is only required for infrastructural projects comprising of:

- *Construction of more than 500 dwelling units;*
- *Construction of a shopping centre with a gross floorspace exceeding 10,000 square metres; and*
- *Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere*

Notwithstanding the fact that the proposed development of 428 no. apartments on a 1.03 hectare site is sub-threshold with regards to the thresholds presented above, an Environmental Impact Assessment Report, as prepared by Golder, has been included to assess the potential effects of the proposed project on the receiving environment.

The decision to prepare same is considered appropriate, given the size of the development and the extent of occupancy which will be achieved on-site. In addition, and in relation to potential impacts on Natura 2000 sites, an Appropriate Assessment Screening Report has also been prepared by Golder. In summary, there are no apparent characteristics or elements of the design of the scheme that are likely to cause significant effects on the environment or Natura 2000 sites.

8.0 Conclusion

In conclusion, we submit that the proposal which comprises the construction of a 'Build-to-Rent' housing development comprising 428 no. residential apartments with associated communal and community infrastructure facilities at the Former Avid Technology International Site, Carmanhall Road, Sandyford Industrial Estate, Dublin 18, is considered to be acceptable and compliant with the policies and objectives as set out in the applicable national, regional and local planning policy context.

At a National and Regional level, this statement has demonstrated consistency with the following:

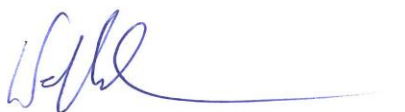
- Ireland 2040 - Our Plan National Planning Framework;
- Project Ireland 2040 National Development Plan 2018—2027;
- Urban Development and Building Heights - Guidelines for Planning Authorities (December 2018)
- Rebuilding Ireland – Action Plan for Housing and Homelessness, July 2016
- Quality Housing for Sustainable Communities – Guidelines for Planning Authorities;
- Sustainable Residential Development in Urban Areas - Guidelines for Planning Guidelines (2009);
- Urban Design Manual – A Best Practice Guide 2009;
- Regional Spatial and Economic Strategy (RSES) for Eastern and Midland Regional Assembly
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018-2020); and,
- Guidelines for Planning Authorities on Childcare Facilities (2001).

Consistency is also demonstrated with the objectives, policies and provisions of the Dún Laoghaire-Rathdown Development Plan 2016-2022 and the Sandyford Urban Framework Plan 2016-2022, which represent the key planning policy documents at a local level, with consideration also presented in respect of the Draft Dún Laoghaire-Rathdown Development Plan 2022-2028 and the Draft Sandyford Urban Framework Plan 2022-2028.

The development has been designed to an exceptionally high standard to contribute to the ever-evolving urban form of the area. Further to this, the proposed scheme has been designed having regard to the amenities of adjoining sites, providing for appropriate setbacks and lower height-built form elements adjacent to same with the higher built form elements being provided along the north-eastern site boundary to provide for maximum separation distance.

It is considered that the proposed development comprising 428 no. residential units at this application site within Sandyford Industrial Estate and within proximate distance of Dublin City Centre presents an appropriately scaled residential development on appropriately zoned land. It is considered that the subject site, being located within close proximity to an employment centre of significant scale and served by multiple public transport links to Dublin city centre, has the capacity to accommodate additional residential accommodation and respond to the current housing shortage.

We are of the opinion that the development is generally compliant and in accordance with the qualitative and quantitative standards as set out in the relevant statutory development plans and other national guidance documents.



Kevin Hughes MIPI MRTPI
Director for HPDC Ltd.