
Statement of Response to Pre-application Consultation Opinion

Carmanhall Road SHD

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

Atlas GP Ltd.

April 2021



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1.0 Introduction

Hughes Planning and Development Consultants, 70 Pearse Street, Dublin 2, have prepared this Statement of Response to Pre-application Consultation Opinion on behalf of our client, Atlas GP Ltd., to accompany a planning application to An Bord Pleanála for a proposed Strategic Housing Development on lands at Avid Technology International, Carmanhall Road, Sandyford Industrial Estate, Dublin 18. Following consultations with Dun Laoghaire-Rathdown County Council, a request to enter into pre-planning consultations with An Board Pleanála was submitted and a pre-planning consultation meeting was facilitated on 22nd November 2020.

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.*

Sections 2.0 and 3.0 overleaf provide a response to the above.

Further to the above, the Board's Notice of Pre-Application Consultation Opinion set out the statutory bodies to be notified of the making an application, pursuant to section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016. They are as follows:

1. Irish Water
2. National Transport Authority
3. Transport Infrastructure Ireland
4. The relevant Childcare Committee
5. The Department of Education and Skills

A copy of the current application has been sent to the prescribed bodies identified by the Board. Copies of the applicable cover letters are enclosed.

2.0 Items Required to Constitute the Reasonable Basis for a Strategic Housing Application

The following sets out how the applicant and design team have addressed the 2 no. issues raised in the Board's Notice of Pre-Application Consultation Opinion to ensure the subject application constitutes a reasonable basis for an application for strategic housing development.

2.1 Item No. 1 – Development Strategy

The Board required the following in relation to the height and design of the scheme:

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.

2.1.1 Applicants Response to Item No. 1

Following receipt of the Boards Notice of Pre- Application Consultation Opinion on 7th December 2020, the design team has re-examined the design, height and massing of the proposed development so as to ensure any potential negative impacts on adjoining sites and the immediate environs are mitigated appropriately.

It is considered prudent to note 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 is presented within a review of local precedents within Section 3.2 'Planning History of the Adjoining Land' of the Statement of Consistency & Planning Report enclosed with this application, 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 any existing residential development which could be considered sensitive to the impact of a tall building. In this regard we would consider it prudent to state our opinion, that is, that the subject development represents an appropriate balance with regards to the efficient development of the subject site and the protection of the amenity of the immediate area, both in the context of existing and future development schemes.

With regards to the height and, by association, density and visual impact of the subject proposal, we would note that a comprehensive assessment of the proposal, as it relates to the development at the relevant scales set out within Section 3.2 'Development Management Criteria' of the Urban Development and Building Heights: Guidelines for Planning Authorities (2018), is provided within Section 5.3.2 'Development Management Criteria of the Statement of Consistency & Planning Report' enclosed with this application. This assessment confirms that the proposed development represents an appropriate response to the management criteria outlined in respect of development at the scale of the relevant city/town, that being Sandyford; the scale of the relevant district / neighbourhood / street, that being Carmanhall Road and Blackthorn Avenue within the centre of Sandyford Industrial Estate; and the scale of the relevant site / building, that being the subject site, and that the applicable specific assessments have been prepared as required. Further discussion with regards to the rationale for increased height and density on the subject site contained within the Material Contravention Statement enclosed with this application.

With regards to the design of the subject proposal, we note that a comprehensive assessment of the proposal is contained within the enclosed Architectural Design Statement prepared by Burke Kennedy-Doyle Architects. This assessment reviews the proposed development in the context of the twelve questions, or criteria, contained within the Urban Design Manual – A Best Practice Guide (2009) with these questions considered representative of an all-encompassing range of design considerations for residential development. The design statement reviews the proposed development in the context of the twelve questions so as to address 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.

It is our stated opinion that the proposed development will provide a high quality of architectural design with the enclosed computer-generated imagery presenting an appropriate contemporary aesthetic which will contribute to the evolving landscape of Sandyford Industrial Estate. The architectural quality, form and height of the proposed building, together with the enhanced public realm and unique provision of a pocket park at ground level, will allow for the comprehensive redevelopment of the subject site which, in turn, will become a landmark within the centre of Sandyford Industrial Estate and a precedent for the evolving skyline of the immediate area.

We consider that the design changes outlined above, in conjunction with the comprehensive justification for the height and design of the subject proposal, appropriately address the issues outlined in Item No. 1 of An Bord Pleanála's Notice of Pre-Application Consultation Opinion.

2.2 Item No. 2 – Residential Amenity

The Board required the following in relation to the proposed internal layout, particularly the communal facilities and range of apartment types:

1. 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.*

2.2.1 Applicants Response to Item No. 2

Following receipt of the Boards Notice of Pre-Application Consultation Opinion on 7th December 2020, the design team has re-examined the internal layouts of the development, particularly the residential apartments and amenity spaces so as to ensure that a high standard of amenity is provided for future occupants of the development.

First and foremost, it is considered prudent to note that, whilst subsection (iv) of Specific Planning Policy Requirement No.8 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines (2018-2020) exempts build-to-rent (BTR) schemes from the requirement that the majority of all apartments in the scheme exceed minimum floor area standards by a minimum of 10%, 348 no. units within the subject scheme (81.3% of all units) have been designed to exceed the minimum floor area requirement by in excess of 10%. This element of the subject proposal is directly representative of sustainable urban development with the scheme providing a benchmark for the safeguarding of higher quality design standards.

It is further noted that the aforementioned exemption is based on the requirement of BTR development to provide compensatory communal facilities. It is thus considered prudent to note that the subject proposal provides a 142sq.m resident's childcare facility, capable of accommodating 26 no. children, in conjunction with 1,088sq.m of communal facilities in the form of a gym, yoga studio, cinema, meeting/games room, laundry room, office/ co-working space, concierge & meeting rooms and a café/lounge. This quantum of on-site communal facilities is considered appropriate in promoting the mix of future residents and the development of a sustainable community within the scheme itself.

With regards to the quantum of communal open space within the subject scheme, of which 2,600sq.m is provided, we would note the provision of 4 no. separate amenity spaces in the form of a first-floor level courtyard and roof terraces at sixth, eight and ninth floor levels. An additional roof terrace is provided at ninth floor level to serve 15 no. apartments within the scheme which are not served by private amenity space. The semi-private communal courtyard is located at the core of the site and offers significant amenity potential for residents with this space considered to primarily provide an informal meeting function. The space will accommodate play areas, seating space, water features and follies. The roof terraces will contain a mix of amenities including outdoor yoga space, picnic areas, urban farm space and integrated play areas with a significant quantum of seating provided.

The enclosed Sunlight and Daylight Analysis, as prepared by IN2 Engineering Design Partnership, confirms that 79% of the communal amenity space is compliant with the relevant criterion of the BRE Site Layout Planning for Daylight and Sunlight Design Guide 209 exceeding the 50% recommended by this guide. It is thus considered that the range of external communal amenity spaces accommodated within the scheme will provide a high quality of residential amenity. For further information with regards to these spaces we would ask the Board to have regard for the relevant sheets in Section 4 'Landscape Design' of the enclosed Landscape Design Report, as prepared by Niall Montgomery + Partners.

With regards to the provision of public open space, of which 2,746sq.m or 1,716sq.m in excess of the required 1,030sq.m is provided, we would note the significant improvements proposed to the adjoining public realm along Carmanhall Road and Blackthorn Avenue which will serve to upgrade the quality of the streetscape and reinforce the landmark nature of the site as set by the height and form of the proposed building. The improvements to the public realm comprise revisions to site levels and the reorganisation of the hardstanding areas to provide improves footpaths, new cycling infrastructure and attractive landscaping with street furniture provided by way of benches, bins and cycle parking.

The centrepiece of these improvements is the provision of a new pocket park which will provide a dual function as the principal gateway into the scheme via Carmanhall Road. The pocket park will provide a strong transitional area between the Carmanhall Road footpath and the central courtyard centring 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 the enclosed Landscape Design Statement, as prepared by Niall Montgomery + Partners.

With regards to the design layout and quantum of dual aspect units, we would note that Specific Planning Policy Requirement No. 4 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines (2018-2020) sets a minimum standard of 33% of proposed units to be of dual aspect form in more central and accessible urban locations, subject to achieving a quality design in response to the site characteristics and ensuring good street frontage is provided. The enclosed Architectural Design Statement, as prepared by Burke Kennedy-Doyle Architects, confirms that 150 no. units, or 35.05% of the proposed apartments, are of dual aspect form thus exceeding the 33% minimum set by the Sustainable Urban Housing: Design Standards for New Apartments Guidelines (2018-2020). The aforementioned statement continues to confirm that the massing of the block has been defined to respond to the outcomes of daylight and wind studies and notes that there are no north-facing single aspect units.

Finally, and with regards to potential overlooking impacts arising as a result of the proposed development we would consider the separation distance provided from adjoining sites to be sufficient so as to protect the existing and future amenities of adjoining development and the residents of the proposed scheme. In addition, it is considered that the significant separation distances which will exist between the subject apartment building and both existing and permitted schemes within the immediate area will be sufficient scale so as to ensure no undue impacts by way of overlooking will arise toward any site sensitive to such impact.

It is our stated opinion that the proposed development will provide a high quality of internal accommodation and usable external amenity space so as to ensure an exceptional living standard for future residents of the scheme. The provision of significant improvements to the adjoining public realm together with the creation of a unique public open space will serve as a planning gain for the existing and future community of this evolving neighbourhood. The form, scale and height of the proposed development have been appropriately organised so as to ensure balance between the need to ensure the efficient use of the subject site and the protection of the existing and future amenities of adjoining sites and sites within the immediate area.

We consider that the changes outlined above appropriately address the issues outlined in Item No. 2 of An Bord Pleanála's Notice of Pre-Application Consultation Opinion.

3.0 Statement of Response to Specific Information Required

The following sets out how the applicant has addressed the Board's request for additional specific information in respect of the proposed development.

3.1 Quantitative & Qualitative Assessment of Residential Units

The application is required to be accompanied by 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.

Burke Kennedy-Doyle Architects have prepared a Schedule of Accommodation outlining the compliance of the wider scheme with all required internal and external floor area standards of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018). Compensatory measures are discussed in Section 5.13 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (April 2018)' of the enclosed Statement of Consistency & Planning Report prepared by Hughes Planning & Development Consultants and Section 2.0 'Quantitative & Qualitative Assessment' of the Architectural Response to An Bord Pleanála Opinion' as prepared by Burke Kennedy Doyle Architects.

These compensatory measures relate to 15 no. units which are not provided with private amenity space, with these units representing the only units across the scheme which present a deviation from the required standards of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018). It is noted that these 15 no. units are provided direct

compensatory measures in the form of a shared private roof terrace at ninth floor level and an additional storage space at basement floor level thus increasing their storage space to double the required quantum. Compensatory measures, by way of additional storage space at basement floor level, have also been provided in relation to 29 no. units, 5 no. of which overlap with the 15 no. units not served by private amenity space, which are deficient in the context of ADF (Average Daylight Factor) standards.

Section 5.13 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (April 2018)', of the enclosed Statement of Consistency & Planning Report prepared by Hughes Planning & Development Consultants, details compliance with SPPR Nos. 7 and 8 of the Apartment Guidelines as they relate and apply to build-to-rent (BTR) developments.

It is considered that the reference made to SPPR No. 9, as stated above, is erroneous in that SPPR No. 9 relates to proposals for shared accommodation.

3.2 Public Realm

The application is required to be accompanied by additional documentation presenting 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.

Please refer to the Landscape Design Statement prepared by Niall Montgomery + Partners in relation to the above item. This statement presents detailed information with regards to works proposed within the adjoining public realm of Carmanhall Road and Blackthorn Avenue.

3.3 Micro-Climatic Effects

The application is required to be accompanied by a specific impact assessment of the micro-climatic effects such as down-draft which shall include measures to avoid/mitigate such micro-climatic effects.

Please refer to Chapter 12 'Wind' of the enclosed Environmental Impact Assessment Report (EIAR) prepared by Golder Associates. This chapter contains a detailed wind and microclimate study, as prepared by Buildings Fluid Dynamics.

3.4 Traffic & Transport Assessment

The application is required to be accompanied by a traffic and transport assessment which provides a rationale for the proposed car parking provision and includes details of car parking management, car share schemes and a mobility management plan.

Please refer to the enclosed Traffic & Transport Assessment, as prepared by AECOM, which provides a rationale for the proposed car parking provision and includes details of car parking management, car share schemes and a mobility management plan.

3.5 Sunlight & Daylight Analysis

The application is required to be accompanied by an updated sunlight and daylight analysis considering the available sunlight and daylight in communal areas, open spaces and bedrooms within the development and the impact of the proposal on adjoining sites.

Please refer to the enclosed Daylight & Sunlight Report, as prepared by IN2, which considers the availability and quality of sunlight and daylight in communal areas, open spaces and bedrooms within the development and the impact of the proposal on adjoining sites.

3.6 Social & Community Audit

The application is required to be accompanied by a social and community audit.

Please refer to the enclosed Social & Community Audit, as prepared by Hughes Planning & Development Consultants, which presents details in regards to the availability of educational, healthcare, recreational, religious, community and retail infrastructure within the immediate and wider radius of the subject site.

3.7 Local Objective 113

The application is required to be accompanied by a report detailing compliance with Site Specific Local Objective 113.

Please refer to Section 5.9.2.1 'Specific Local Objective (SLO 113)' of the enclosed Statement of Consistency & Planning Report, as prepared by Hughes Planning & Development Consultants. This section provides detailed commentary with regards to compliance of the subject proposal with Site Specific Local Objective 113.

3.8 Phasing Plan

The application is required to be accompanied by a phasing plan.

Please refer to Drawing No. 6246-007 'Phasing Plan', as prepared by Burke Kennedy-Doyle, with regards to the phasing of the subject proposal.

3.9 Material Contravention

The application is required to be accompanied by a statement indicating statutory plan objectives which are being contravened and the justification provided for this contravention.

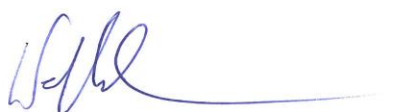
Please refer to the comprehensive Material Contravention Statement (relating to the height and density of the subject proposal), as prepared by Hughes Planning & Development Consultants, which details why planning permission should be granted for the subject proposal having regard to Section 37(2)(b) of the Planning and Development Act 2000.

4.0 Conclusion

This report sets out how the various issues raised by An Board Pleanala, in their Notice of Pre-Application Consultation Opinion, in relation to the proposed residential development at Former Avid Technology International Site, Carmanhall Road, Sandyford Industrial Estate, Dublin 18. have been addressed.

The layout and design changes incorporated into the final scheme are considered to result in improvements to the overall development and ensure that a high-quality residential development will be provided.

It is therefore submitted that the proposed development is consistent with the proper planning and sustainable development of the area, and is consistent with all relevant national, regional and local planning policies and guidelines.



Kevin Hughes MIPI MRTPI
Director for HPDC Ltd.