

Strategic Housing Development (SHD) at Former O'Devaney Gardens, Dublin 7

Bartra ODG Limited (Applicant)



PLANNING STATEMENT/ RESPONSE TO ABP STAGE 2 OPINION

May 2021

BMA PLANNING

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EXECUTIVE SUMMARY

The former O'Devaney Gardens site is one of the most strategic development sites in Dublin. It lies c.3km from O'Connell Bridge, less than 1km from Heuston Station and Luas, c.1km from Stoneybatter Village and c1.4kms from the Grangegorman TU campus. The Phoenix Park is on its doorstep ranging from 200-500 metres from the 3 entrances to the site.

The planning policy sources summarised and considered *in the Statement of Consistency And Material Contravention Statement* [BMA Planning] are all aligned in relation to the imperatives of urban development in the Dublin of 2020. They call for high quality urban design, building height and scale greater than has been permitted heretofore and a strong focus on intensification of urban activity based on priority to public transport and encouragement of pedestrian and cycle movement.

Housing policy more generally recognises the diversity of house types and tenures required in a contemporary inner city setting with greater scope for units of different size/ formation, including a greater proportion of one/ two bedroom units reflecting the current trends in household in Ireland generally, but particularly in Dublin's inner city. Parking provision is minimised in favour of sustainable travel modes with a strong focus on walking and cycling.

The O'Devaney Gardens social housing experiment has been consigned to history and the site presents a blank canvas for an exemplar of a mixed tenure 21st century inner city housing development. The regeneration of the site has already commenced with the development of Phase 1A (56no. social housing units in the north west corner pursuant to PL29N.JA0024) by Dublin City Council. Through a Development Agreement with DCC (the landowner), the applicants are now proposing to complete this regeneration project providing modern purpose built accommodation, and allowing for increased densities on this strategically located inner city site.

The proposed development is a large scale modern residential development which will re-establish the residential use of these strategically located public lands. The development comprises of 9no. blocks with 1,047 residential units in a mix of one, two and three bed apartments, three bed duplexes and three bed houses. The Stage 2 submission had 1053 units. There is a mixed use neighbourhood element to this development with the future residents and wider community having access to new retail units (6no.), MUGA facilities/communal garden and performance space, a community facility, a café (overlooking the neighbourhood park) and a creche.

The proposed development represents a density of 201 units per hectare and the overall plot ratio is 1:1.98 and site coverage is 44%. These metrics are considered appropriate for this inner city regeneration site.

The building height and massing strategy respects the setting of the site by stepping up from the site boundaries with 2/3 storey housing and duplex housing typologies. The apartment blocks forming the central portion of the site range in height from 4 to 10 storeys shoulder height. The 14 storey landmark building (Block 07) at the junction of Central Boulevard and Link Street marks the focal point of the development and will be a visual and wayfinding landmark within the new townscape. The SDRA11 objectives recognise this potential for a taller landmark building within the site. Blocks 06 and 10 are 6/8 storeys with 12 storey elements in the centre of these blocks positioned north and south

of the Central Park and framing the views from the park towards St. Bricin's which is intended for development as part of the SDRA11 site as identified in the Development Plan.

The planning application provides a detailed justification for exceeding the Development Plan limit of 24 metres (c. 8 storeys) with reference to the SPPR3(A) criteria of the Building Height Guidelines 2018.

All apartments are designed by O'Mahony Pike Architects to comply with the quantitative standards in the Apartment Guidelines 2018. Dual aspect ratio of 37% is proposed which has increased from 33% at Stage 2. In terms of qualitative considerations, significant design development has been undertaken since Stage 2 by O'Mahony Pike in conjunction with the wider design team and relevant experts. The scheme will deliver a high quality of residential amenity in terms of public open space / public realm proposals and communal amenity space which includes garden spaces at grade, landscape podium courtyards and roof terraces.

As part of the public realm and landscaping proposals devised by Murray & Associates Landscape Architects, a large central neighbourhood park with MUGA and a secondary park with a community garden are provided. Both spaces have included proposals for integration with the existing and future communities and ensuring that the ODG site stitches seamlessly into the Stoneybatter/ Oxmanstown area. In particular, the site layout strategy envisages and provides for future seamless integration with St. Bricin's which, when development, will complete the main body of the SDRA11 lands.

Vehicular access will be provided via the existing entrances to the site from North Circular Road, Montpellier Gardens and Thor Place, with an upgrade to the existing internal roads. Historic connections with the wider community are re-activated with the opening of a pedestrian and cyclist routes to Ross Street and a new route through to Ashford Cottages.

The parking provision for the development is provided at a level of 0.26 per unit which reflects the inner city "Central And/ Or Accessible" location, the site's proximity to a range of public transport options and the pedestrian and cycle facilities incorporated into the development proposals which include 2000 bicycle parking spaces.

In summary, it is submitted that the proposed development is an appropriate residential density in this inner city location and is appropriate in terms of urban design/ layout, scale and height, apartment standards, public and communal open space, proposals for transportation and physical infrastructure. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area and a grant of permission is sought.

1.0 INTRODUCTION

1.1 PURPOSE OF REPORT

This *Planning Statement* has been prepared on behalf of the applicant, Bartra ODG Limited (hereafter Bartra), to accompany a request to An Bord Pleanála (ABP) for a Strategic Housing Development application (SHD) at the Former O’Devaney Gardens site, Dublin 7.

The proposed development, as described in Section 2.0 below, comprises a Strategic Housing Development as defined within Section 3 of the *Planning and Development (Housing) and Residencies Act 2016*.

The purpose of this *Planning Statement* is to provide background information on the site, a description of the proposed development and supporting information to aid consideration of the proposed development.

In particular, the report responds to the ABP Stage 2 Opinion (See Section 3.0 below). This overview response cross refers to the drawings and other specialist reports enclosed with the application which provide greater detail in relation to the issues raised.

This *Planning Statement* should be read in conjunction with the technical reports enclosed with this planning application. A list of all Reports is included in the accompanying Cover Letter.

1.2 SHD DEVELOPMENT DEFINITION

This application falls under the definition of Strategic Housing Development as set out under Section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 which includes the following definition of SHD:

“strategic housing development” means—

a) the development of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses,

(b) the development of student accommodation units which, when combined, contain 200 or more bed spaces, on land the zoning of which facilitates the provision of student accommodation or a mixture of student accommodation and other uses thereon,

(c) development that includes developments of the type referred to in paragraph (a) and of the type referred to in paragraph (b), or

(d) the alteration of an existing planning permission granted under section 34 (other than under subsection (3A)) where the proposed alteration relates to development specified in paragraph (a), (b) or (c),

each of which may include other uses on the land, the zoning of which facilitates such use, but only if—

(i) **the cumulative gross floor area of the houses** or student accommodation units, or both, as the case may be, **comprises not less than 85 per cent, or such other percentage as may be prescribed, of the gross floor space of the proposed development** or the number of houses or proposed bed spaces within student accommodation to which the proposed alteration of a planning permission so granted relates, and

(ii) the other uses cumulatively do not exceed—

(I) 15 square metres gross floor space for each house or 7.5 square metres gross floor space for each bed space in student accommodation, or both, as the case may be, in the proposed development or to which the proposed alteration of a planning permission so granted relates, **subject to a maximum of 4,500 square metres gross floor space for such other uses in any development, or**

(II) such other area as may be prescribed, by reference to the number of houses or bed spaces in student accommodation within the proposed development or to which the proposed alteration of a planning permission so granted relates, which other area shall be subject to such other maximum area in the development as may be prescribed

(our emphasis)

The proposed development comprises 1,047 residential units.

The non-residential element is 2,194sqm (ie. less than 4,500sqm) and the residential element is 97.9% (ie. no less than 85%) of the total gross floorspace

1.3 STATEMENT OF CONSISTENCY AND MATERIAL CONTRAVENTION STATEMENT

A separate report entitled - ***Statement of Consistency And Material Contravention Statement*** [BMA Planning] – is also submitted.

The Statement of Consistency examines the proposed development in terms of consistency with the relevant policies and objectives of the Development Plan and relevant Section 28 Ministerial Guidelines. It also examines the proposed development in relation to National Policy.

The proposed development is a Material Contravention of the *Dublin City Development Plan 2016- 2022* and a Material Contravention Statement is provided and indicates why permission should be granted for the proposed development, having regard to Section 37(2)(b) of the Planning and Development Act, 2000, as amended.

1.4 PRE-PLANNING CONSULTATION (SECTION 247)

By way of background, Bartra ODG Ltd. (the Applicant) and Dublin City Council have entered into a Development Agreement for the regeneration of the former O’Devaney Gardens lands. The site also includes lands to the east, which were previously part of St Bricin’s Military Hospital, acquired by Dublin City Council c.2006 to aid the delivery of housing.

Bartra has had an ongoing consultation with the DCC O’Devaney Gardens ‘Project Team’, and the Design Team has separately held pre-planning consultations with the Development Management (Planning) team in DCC. Consultation took place on dates between December 2019 and March 2021. The meetings were attended by the City Planner and members of the Planning Team, Roads and Parks. The Section 247 Pre-Planning Reference No. is SHDPAC0025/20.

Following the completion of Stage 2, further meetings were held with DCC ODG Project Team and Planning Department. The revisions made to the Stage 2 design were presented at a virtual meeting was held on 11/02/21 and followed up with further details submitted on 02/03/21. The advice and guidance have been taken on board in the design development and where matters were not fully agreed, the rationale has been explained in this Planning Statement and in the Design Statement (O’Mahony Pike Architects).

1.5 STAGE 2 PRE-APPLICATION CONSULTATION WITH AN BORD PLEANALA

The Stage 2 Pre-Consultation Meeting with An Bord Pleanala in held on 28th October 2020 and the Board’s *Notice of Pre-Application Consultation Opinion* was received on 18th November 2020.

The Board’s Opinion and the responses to the Opinion are outlined in Section 3.0 below.

1.6 SUPPORTING REPORTS

A full schedule of the particulars, plans and reports submitted with the current application is attached with the cover letter.

In terms of reports, the following is a list of the reports enclosed with the application and some of these reports are cross referenced below as appropriate.

1. Planning Statement / Response to ABP Opinion	BMA Planning
2. Statements of Consistency / Material Contravention Statement	BMA Planning
3. Environmental Impact Assessment Report (EIAR) – Volume 1 – Main Report	BMA Planning

3a Environmental Impact Assessment Report (EIAR) – Volume 2 – Appendix 14A Landscape and Visual Assessment – Verified Views	“
4. Design Statement	O’Mahony Pike Architects
5. Housing Quality Assessment	O’Mahony Pike Architects
6. Part V Document	O’Mahony Pike Architects
7. Landscape Architects Report	Murray & Associates
8. Engineering Services Report * Includes Irish Water Confirmation of Feasibility / Irish Water Letter of Design Acceptance – Appendix F	CS Consulting
9. Traffic and Transport Assessment (incl. Traffic and Transport Statement)	CS Consulting
10. DMURS Statement of Consistency	CS Consulting
11. Residential Travel Plan Framework	CS Consulting
12. Site Specific Flood Risk Assessment	CS Consulting
13. Outline Construction Management Plan	CS Consulting
14. Screening Report for Appropriate Assessment	Openfield
15. Site Specific Construction + Demolition Waste Management Plan	Byrne Environmental
16. Operational Waste Management Plan	Byrne Environmental
17. Daylight and Sunlight Analysis Report	JV Tierney & Co
18. Site Lighting Report	JV Tierney & Co
19. Building Life Cycle Report	Aramark
20. Property Management Strategy Report	Aramark
21. Microclimatic Wind Analysis and Pedestrian Comfort Report	IN2

2.0 PROPOSED DEVELOPMENT

2.1 THE SITE

The site, which measures c5.2ha, comprises the former O’Devaney Gardens residential complex and also includes lands to the east which were previously part of St Bricin’s Military Hospital.

The site, which is outlined in Figure 1 below, is bounded :-

- to the north by housing on Ross Street, Ashford Place, Ashford Cottages and Ashford Street;
- to the east by Thor Place and St. Bricin’s Military Hospital;
- to the south by the Montpelier Park and Montpelier Gardens housing estates;
- to the west by Montpelier Gardens and the artisan dwellings at Findlater Street, Kinahan Street, Aberdeen Street, Black Street and Sullivan Street, and a housing development (56 units) under construction by DCC;
- and to the north west by North Circular Road and the rear of properties fronting North Circular Road.

The housing development currently under construction by DCC, at the north west corner of the site, is the first phase of the redevelopment and regeneration of the former O’Devaney Gardens site. The development comprises of 56 no. dwellings in a mix of 2-3 storey housing and 3-5 storey apartment buildings, permitted pursuant to ABP Ref. PL29N.JA0024. That development is referred to in the current application as Phase 1a / Block 1. The block numbering in the current application commences at Block 2 for this reason.

The site is identified in the *Dublin City Development Plan 2016- 2022 (DCDP)* as part of the *Stoneybatter, Manor Street and O’Devaney Gardens Strategic Development and Regeneration Area (SDRA 11)*.¹

The adjoining St. Bricin’s development, and the Department of Defence Site on Infirmary Road (to the south west), is also included in the SDRA11 boundary. Both of these sites are publicly owned and are likely to be redeveloped in the medium term and the current proposals have taken account of this wider context.

¹ Further detail is provided in Section 4.0 of the **Statement of Consistency / Material Contravention Statement** [BMA Planning].

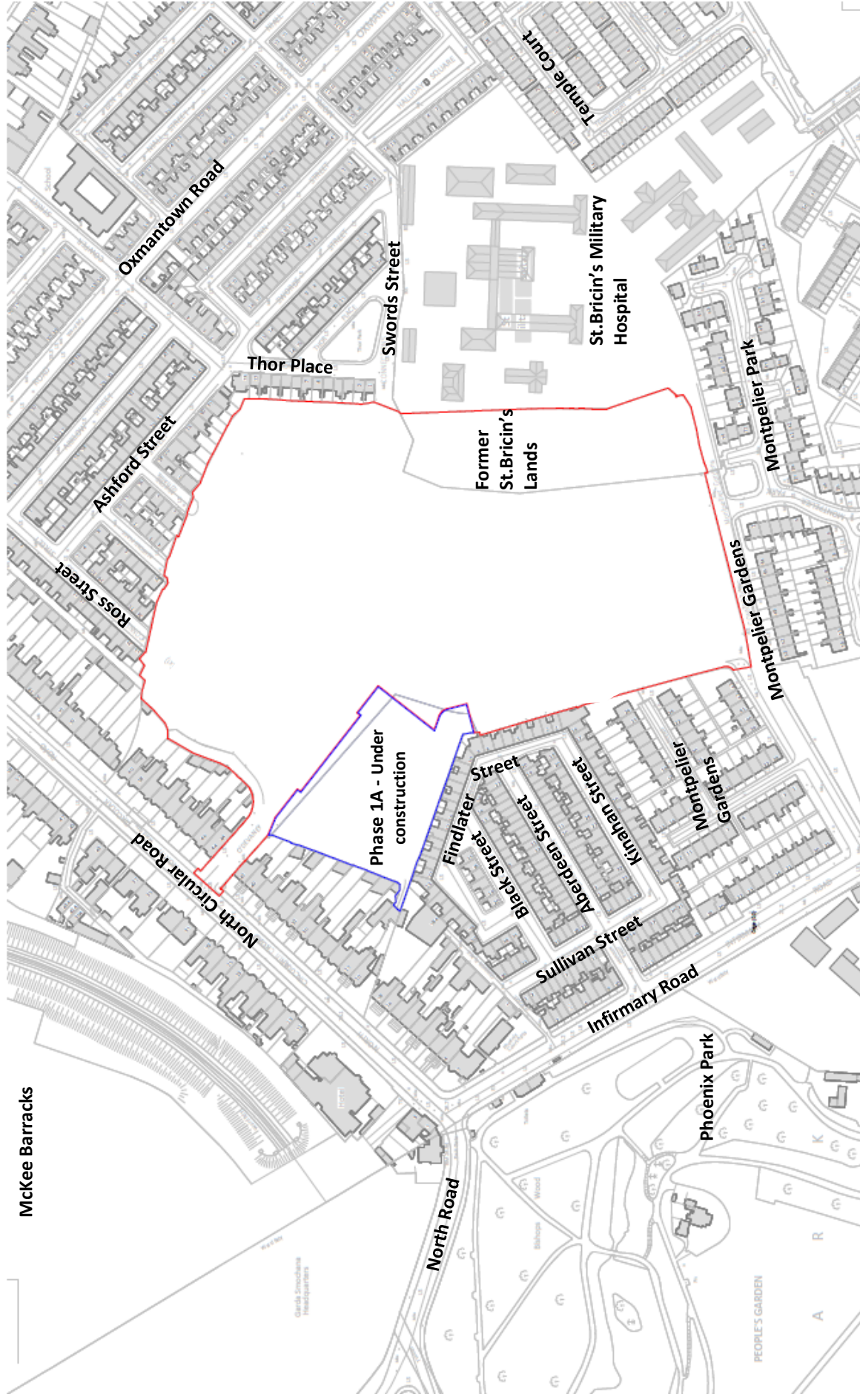


Figure 1 – Site Context Map

2.2 PROPOSED DEVELOPMENT

2.2.1 Summary

The proposed development (102,759sqm gross floor area - GFA) will consist of:

- 1,047no. residential units (Blocks 2 to 10) comprising a mix of one, two and three bed apartments, three bed duplex and three bed houses and all associated ancillary accommodation (100,565sqm GFA)
- Non-residential uses (2194sqm GFA) including retail / commercial units, creche and a community facility.

The gross floorspace of non-residential uses as a percentage of the overall gross floorspace is 2.1%.

For further information on the overall design rationale and details of the finishes and materials, refer to **Design Statement** (O'Mahony Pike Architects)

For further information on the overall landscape design rationale and details of the finishes and materials, refer to **Landscape Design Statement** (Murray & Associates, Landscape Architects)

A **Schedule of Accommodation** (O'Mahony Pike Architects) and a full Housing Quality Assessment is enclosed with the planning particulars and contains a block by block breakdown of the floor space and uses proposed in this application. The following is a summary of the key statistics.

KEY STATISTICS

- **No of Units:** 1047
- **Unit Mix:** 318no. 1 beds (30%),
567no. 2 beds (54%),
162no. 3 beds. (16%)
- **Total GFA:** 102,759sqm.
- **Residential (Gross):** 100,565sqm
- **Residential (Net):** 76,526sq.m.
- **Housing Density:** 201 units / ha based on site of 5.2ha.
- **Non-residential (GFA):** 2194sqm GFA
- **Non-Residential %:** 2.1%
- **Non-GFA (Parking etc.)** 7,992sq.m.
- **Plot Ratio:** 1: 1.98
- **Site Coverage:** 44%
- **Building Height:** 2 to 14 storeys

- **Car Parking Spaces:** 276 (0.26 per unit)
- **Bicycle Parking Spaces:** 2000 (1.9 per unit)

2.2.2 Project Description

The development will consist of 1,047no. residential units and all associated ancillary accommodation, site and development works. The total gross floorspace (gfa) of the overall development is 102,940sqm, of which 100,646sqm is residential and 2294sqm are non-residential uses.

The development is described below on a block by block basis. The block numbering in the current application commences at Block 2 (As noted previously, the development underway in the north west corner is referred to as Block 1).

BLOCK 02 (5649sqm gfa): 5 to 6 storey apartment building with 74 no. apartments (comprising 44no. 1 bed, 23no. 2 bed and 7no. 3 bed units) with ancillary accommodation and associated private balconies and associated communal amenity space at ground floor level;

BLOCK 03 (489sqm gfa): 2 to 3 storey crèche building with associated outdoor play space;

BLOCK 04 (1202sqm gfa): 11no. 2 storey 3 bed houses in two terraces (Blocks 04a and 04b) with associated private gardens located on the north-eastern and eastern boundary. Blocks 04A consists of 4no. 2 storey 3 bed houses. Block 04B consists of 7no. 2 storey 3 bed houses;

BLOCK 05 (30430sqm gfa): 4 to 9 storey building arranged around 2no. landscaped communal podium courtyards consisting of 294no. apartments (comprising 71no. 1 bed, 143no. 2 bed and 80no. 3 bed units) with ancillary accommodation and residents amenities, associated private balconies, landscaped podium communal amenity spaces (2no.) and communal roof terraces (2no.). Block 5 also includes non-residential uses at ground floor level comprising 4no. retail units (1027sqm) and a community facility (157sqm). Undercroft car parking (96 spaces) is provided on a single level below podium level with access from the new internal street on the eastern side of Block 5;

BLOCK 06 (8482sqm gfa): Predominantly 6 to 12 storey building, with part 2 storey element with 93no. apartments (comprising 24no. 1 bed, 54no. 2 bed and 14no. 3 bed units and 1no. 2 bed duplex unit) with ancillary accommodation, associated private balconies, communal amenity space at ground level and communal roof terrace;

BLOCK 07 (26924sqm gfa): 6 to 14 storey building arranged around a central landscaped podium courtyard with 264no. apartments (comprising 87no. 1 bed, 161no. 2 bed and 16no. 3 bed units) with ancillary accommodation and residents amenities, associated private balconies, landscaped podium communal amenity space and communal roof terraces (2no.). Block 07 also includes non-residential uses at ground floor level comprising 2no. retail units (totalling 366sqm) and a café (155sqm). Undercroft car parking (95 spaces) is provided over

2 levels below podium level with access from the east-west Link Street and a basement plant room area (146sqm) is also provided;

BLOCK 08 (2995sqm gfa): 26no. units in 4 terraces of 2 / 3 storeys. Blocks 08A and 08B each consist of 6no. 3 bed houses with associated private gardens. Block 08C consists of a block comprising of 5no. 3 bed duplex apartments over 5no. 2 bed apartments with associated private amenity areas. Block 08D consists of a block comprising 1no. 3 bed duplex unit over 1no. 2 bed apartment and 2no 3 bed triplex units with associated private amenity areas;

BLOCK 09 (18281sqm gfa): Predominantly 6 to 10 storey building, with part 3 storey element fronting Montpelier Gardens arranged around a central landscaped courtyard with 192no. units (comprising 68no. 1 bed, 120no. 2 bed and 4no. 3 bed units) with ancillary accommodation and residents amenities, associated private balconies, landscaped podium communal amenity space and communal roof terraces (2no.). Undercroft car parking (35 spaces) is provided on a single level below podium with access from Montpelier Gardens and a basement plant room area (154sqm) is also provided;

BLOCK 10 (8489sqm gfa): Predominantly 6 to 12 storey building, with part 2 storey element opposite Montpelier Park, with 93no. apartments (comprising 24no. 1 bed, 54no. 2 bed and 14no. 3 bed units and 1no. 2 bed duplex unit) with ancillary accommodation, private balconies and communal amenity space at ground level and communal roof terrace.

Vehicular access to serve the proposed development will be provided via the existing entrances to the site from North Circular Road, Montpelier Gardens and Thor Place/ Thor Park. The internal road networks will comprise a central boulevard between North Circular Road and Montpelier Gardens and a link street to Thor Place/ Thor Park. Additional pedestrian/ cycle connections are proposed at Ross Street and Ashford Cottages.

Tie in works are required for the lands immediately adjoining the Phase 1A residential units under construction to the north east of the site under and in accordance with previous approval granted by An Bord Pleanála (ABP Ref: PL29N.JA0024) and include a revised on street parking layout and revised hard and soft landscaping.

276no. parking spaces are provided in total with 226no. spaces below podium, as already described above, in Blocks 05 (96no.), Block 07 (95no.) and Block 09 (35no.) and 50no. on street spaces. 11no. motorcycle parking spaces are provided. 1,484no. bicycle parking spaces are provided for residents in secure facilities with additional visitor bicycle parking spaces provided in the public realm (380no.) and within private thresholds (136 no.).

Provision is made for vehicular access to the rear of 43 Montpelier Gardens between Blocks 08C and 08D. Permission is also sought for associated boundary treatments, hard and soft landscaping, public open space (including a central park with a multi-use games area (MUGA) and a northern park with a community garden), new ESB substations (6no.), mechanical and electrical roof plant and all associated site and development works.

The development will also include the demolition of an existing ESB Substation (16.5sqm)(relocated to the northern end of the site adjacent to Block 03) and demolition of

existing security hut (21sqm) and the removal of the block wall and gate pier at the entrance to St. Bricin's Military Hospital.

All water services proposed as part of this application meet the requirements set out in the *DCDP*. Refer to the ***Engineering Services Report*** [CS Consulting], including the *Irish Water Confirmation of Feasibility*, for further details.

Stormwater will be attenuated on site before discharging to the public sewer on Montpelier Gardens. Refer to the ***Engineering Services Report*** [CS Consulting] for further details.

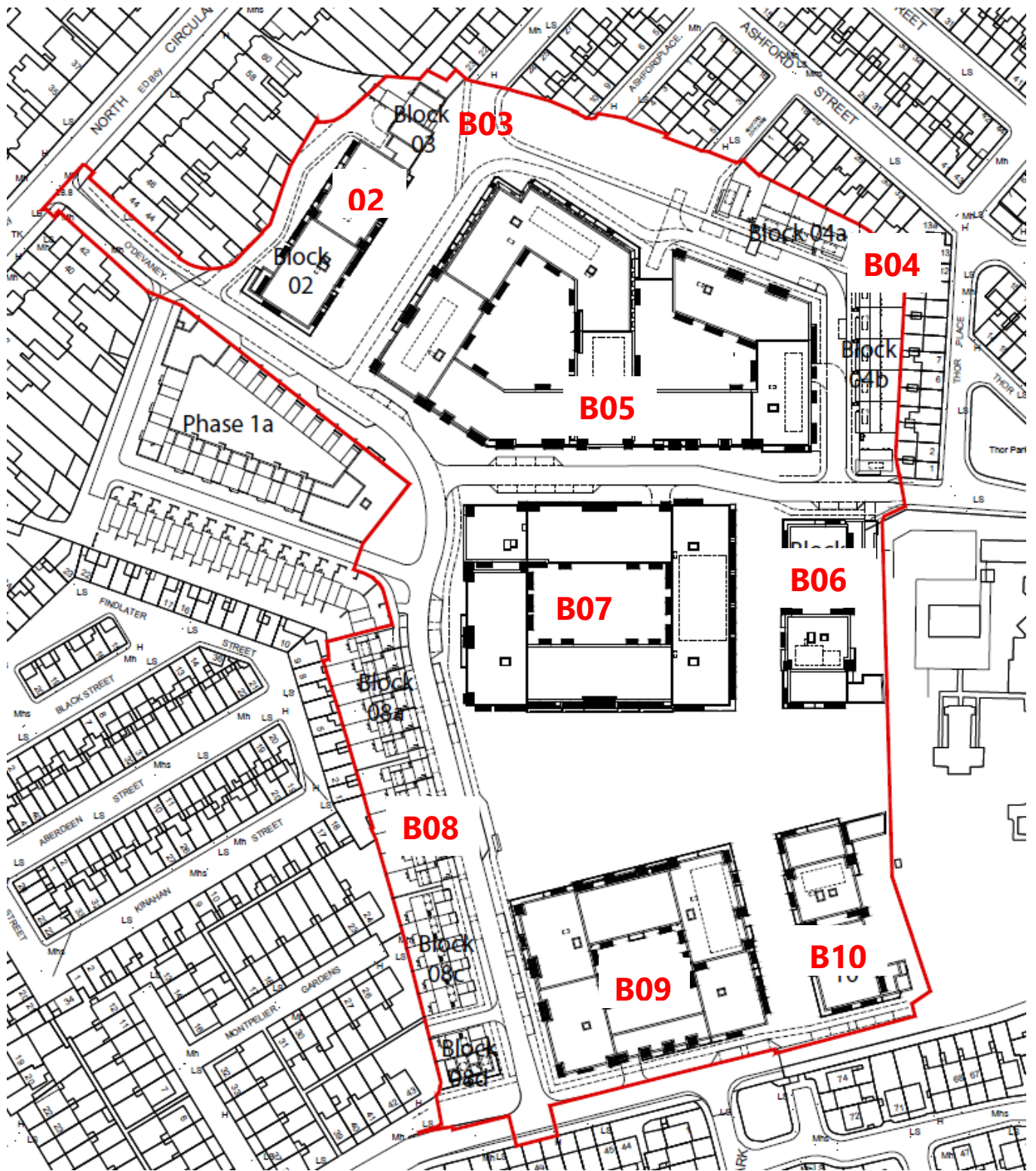


Figure 2: Block Layout Plan

3.0 RESPONSE TO AN BORD PLEANALA OPINION

3.1 GENERAL OVERVIEW

The Board's Notice of Pre-Application Consultation Opinion (Appendix A) was issued in November 2020. The responses below describe the additional information that accompanies the planning application and the design amendments that have been incorporated into the proposed scheme to address the comments.

Before setting out our response, and by way of background, the following is a summary of the principal changes made to the proposed development since the Stage 2 submission (June 2020). These changes were made as a result of design development but also in response to the Pre-Application Consultation Opinion from the Board and comments from the Dublin City Council ODG Project Team and Planning Department.

- **Number of Units:** The number of units has decreased from 1053 to 1047 units.
- **Unit Mix –** The unit mix has changed and is now compliant with the Development Plan. The number of one bed and two bed units has decreased and proportion of 3 beds units has increased from 11% to 16%, as follows:
 - One bed 318no. 1 beds (30%) was 333 (32%) at Stage 2
 - Two bed 567no. 2 beds (54%), was 587 (56%) at Stage 2
 - Three bed 162no. 3 beds. (16%) was 107(11%) at Stage 2
- **Block Numbering:** The block number system used in the final application has changed. Blocks 2 and 6-10 inclusive are unchanged. Block 03 now refers to the creche. Block 04 refers to the remaining boundary housing on the north east boundary and Block 05 now refers to the large apartment block in the centre of the northern section and is broken down into 05A, 05B and 05C.
- **Overall Height Strategy:** The height strategy has been reviewed and there are some changes, and these changes are explained and a rationale for the height strategy is contained in response to Item 1 below.
- **Communal Amenity Spaces:** A significant amount of design development has occurred in relation to the provision of Communal Amenity Spaces for the apartments. The 3no. roof garden/ terrace spaces proposed in the Stage 2 submission have been supplemented by an additional 5no. roof garden areas resulting in a development that exceeds the standards from a quantitative and qualitative perspective. This also has the effect of releasing ground floor space previously allocated to Communal Amenity Space to the public realm and a significant improvement in the layout of the overall development.
- **Ashford Cottages / North-east Boundary Interface / Block 04 :** The northern portion of the site has been revised to address issues arising from consultation with DCC and based on

engagement with the local residents. As a result a connection is now provided to Ashford Cottages, a row of houses (formerly Block 03a) backing on to Ashford Place have been removed and provision has been made for a Community Garden. The function and design of the local street serving Blocks 04 + 05 has been amended as part of the proposed revisions. This will be a shared surface with priority given to pedestrian / cyclist movement.

- **Block 5 (previously Block 4/5):** The revised design for Block 05 includes a variety of changes which work together to improve the residential amenity for the apartments. This includes revisions to maximise access to natural daylight, and minimise overshadowing and loss of light, particularly to courtyards and podium level apartments and increased separation distances (such as between blocks 5b and 5c, for example) to avoid overlooking. Other changes include Introduction of own door access to ground level units to activate ground floor spaces particularly fronting the northern linear park and the local street.
- **Block 02 laneway** - The design of the laneway adjoining block 02, which also provides access to the rear of No.'s 44-60 North Circular Road, has been revised to provide a suitable transition between the ODG site and the rear of these properties in a similar fashion to the relationship already provided for between Phase 1A and rear of No's 20-42. Own door access to the ground floor units is proposed which will activate the laneway and the northern façade of Block 02. Priority is given to the pedestrian but access to the rear of the NCR properties is retained and the scheme envisages and facilitates the upgrading / improvement of this boundary. No changes are proposed to the rear property boundaries of the adjoining properties not in the applicants' ownership but it is anticipated that some development may occur on these rear gardens incidental to the main houses and that the overall presentation of the lane will improve in that context.
- **Central Park MUGA relocation:** The MUGA has been removed from its position at the eastern end of the Central Neighbourhood park, adjoining the St. Bricin's Boundary, to a more central location near the playground and bus stop.
- **St. Bricin's boundary:** In terms of the treatment of the boundary to St. Bricin's, between Blocks 06 and 10, it is proposed that this boundary should ultimately be removed to allow visual and physical connection to St. Bricin's. This is something which is not within the control of the applicants, however, the applicant has consulted with the Department of Defence and will cooperate with them in removing the walls and integrating the two sites once their proposals are more advanced (see letter attached as Appendix B).
- **Block 08 Housing/ Duplex units** - Revisions have been made to the height and design of Block 08b and 08c to improve the relationship with Montpelier Gardens to the west. This includes a reduction in height from 3 to 2 storeys at the rear and revisions to the first floor rear window detail to avoid any opposing windows and the use of obscure glass to eliminate overlooking.
- **Block 08/ Access to Rear of 43 Montpelier Gardens:** An issue that arose in relation to provision to access to the rear of 43 Montpelier Gardens has been addressed by allowing this house to gain access to the rear garden and this has required the splitting Block 8C to provide 2 blocks – 8C and 8D.

- **Ground Floor Uses/ Animation:** The issue of ground floor activation and animation throughout the scheme has been reviewed in detail and has resulted in a range of improvements in terms of how the various buildings address the adjacent street and public realm areas. The location and use of the ground floor units along the east-west street has been considered and amended to improve street level interface. The community facility has been moved to a more prominent location. Own door access to the ground floor apartment units is also introduced in a number of locations proposed for the throughout the development. Refer to Section 3.6 of OMP Design Statement which provides diagrams showing the location of own door ground floor units and ground floor entrances to apartment blocks buildings and commercial units.
- **Community Facility** - The proposed community facility unit has been relocated to a more prominent position on the Link Street, with a visual connection to the central neighbourhood park. The floorspace of this unit has also increased to accommodate the variety of uses envisaged by Dublin City Council.
- **Daylight / Sunlight Analysis:** - The development of the design has been an iterative process between the architects and the daylight / sunlight consultants (JV Tierney & Co) to improve the quality of the scheme, details of which are set out in the *Daylight and Sunlight Report* (JV Tierney & Co) and in the *Design Statement* (O'Mahony Pike Architects).
- **Architectural treatment / articulation and façade strategy:** Design development has been ongoing since the Stage 2 and the architectural treatment and details of façade materials is now presented in detail in Section 5 of the *Design Statement* (O'Mahony Pike Architects).
- **Bicycle Parking:** Bicycle parking has been provided throughout the site at grade adjacent to Blocks 2, 6 and 10 and within the undercroft parking areas in Blocks 5, 7 and 9. 2000 bicycle parking spaces are provided in total within the context of the overall mobility management measures.
- **Recycling Area:** A waste recycling area/ bring centre is included in the development at the Northern Park and will serve the new and existing communities.

3.1 RESPONSE TO ABP OPINION ITEM 1 – HEIGHT AND PLACEMAKING

1. Height and Placemaking

Further consideration/justification of the documents as they relate to the development strategy for the proposed scheme. While higher densities and changes to the cityscape in terms of higher elements and taller buildings at this location may be appropriate, the applicant is required to provide adequate rationale and justification to support such additions to the area, including further consideration/justification of the documents as they relate to the potential visual impact of the development and its interaction with St Bricin's to the east, in particular in relation to design, integration, materiality and massing. The applicant should reference the development management criteria set out in the Urban Development and Building Heights guidelines, where on larger urban redevelopment sites, proposals 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 to respond to the scale and character of adjoining developments. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

The item above has been considered and is addressed in the planning application submission as a whole. We respond below to the elements of the item with reference to the following headings:

- (i) Summary of Overall Height Strategy and Urban Design Rationale / Justification and Visual Impact
- (ii) Interaction with St Bricin's (Design, Integration, Materiality And Massing)
- (iii) Development Management Criteria – Building Height Guidelines

3.1.1 Summary of Overall Height Strategy and Urban Design Rationale / Justification and Visual Impact

The rationale and justification for the proposed height strategy is provided in Section 4.0 of the Architects **Design Statement** [O'Mahony Pike Architects].

The overall approach to height has been to place the lower buildings on the periphery of the development and stepping up to the centre of the site which is capable of absorbing greater scale and defining a new character for this new neighbourhood.

Block 02 is a part 5 storey/ part 6 storey block and its scale is considered to be a reasonable response to the NCR properties which are generous 3 storey houses set back by 40 metres from Block 2. Therefore, it is submitted that the scale and massing of the 5/6 storey block will not unduly impact on these properties.

Block 03 is a 2/3 storey creche building at the Ross Street entrance which sits comfortably with its surrounding context

Block 04 (04A and 04B) houses are set at 2 storeys adjacent to the single storey cottages (i.e. Ross Street, Ashford Cottages, Ashford Street and Thor Place).

Similarly, **Block 08** (08A, 08B, 08C and 08D) are included as a transition between the existing single and two storey housing to the west and the larger apartment buildings now proposed.

Therefore, the height strategy and justification is principally relating to the remaining blocks and these can be considered as follows:-

- Block 05
- Block 07
- Block 09
- Blocks 6 and 10

The diagram below is an extract from the OMP Design Statement and illustrates the height strategy. For the purposes of the discussion and justification for height with reference to the Development Plan height restriction, the elements of the building over 8 storeys (which equates to approx 24 metres) are show in light blue colour.

Block 05: Block 05 ranges from 4 to 9 storeys. The Link Street elevation has its higher points on the 3 north-south elements (9, 8 and 6 storeys) and the height drops between them to allow greater light penetration into the courtyards. The overall height of the block also drops off to the northeast to respect the lower existing buildings at Ross Street and Ashford Cottages/ Ashford Place

Block 07: The 14 storey element to this building is a landmark and is positioned at the focal point of the scheme at the junction of Link Street and Central Boulevard. It marks the end of the vista from the NCR entrance and also on the approach from Montpelier Gardens. The 8 storey blocks are orientated north – south adjoining the boulevard and public open space and the positioning of the 6 storey elements allows reduces overshadowing or Block 05 and the Link Street and allows greater light penetration to the courtyard



Blocks 06 and 10: Blocks 6 and 10 are 6 storeys on the Link Street and Montpellier Park respectively and both have 8 storeys to the Central Park. The centre section of both blocks rises to 12 storeys. These elements will be centrally located within the overall SDRA11 lands and will frame the views from the Central Park towards St. Bricin's In time, they will also frame views from St. Bricin's to the Central Park which is eventually likely to extend towards the Church and to the façade of the main St. Bricin's hospital building



Block 09: Building heights range from 3-10 storeys within this block, with the 3 storey designed along the southern elevation, opposite the existing dwellings in Montpellier Gardens. This rises to 6 and 8 storeys adjoining the boulevard and 6 and 10 storeys at the north east corner overlooking the central park.



ODG – Building Height Strategy – Light Blue indicates buildings over 8 storeys (24 metres approx.)

To illustrate the visual impact of the proposed development, a suite of photomontage views have been prepared to accompany this planning application. The 8 short range views submitted at Stage 2 have been supplemented in this Stage 3 submission which includes 20 Photomontage

views, 15 CGI images (internal views) and a number of Aerial Views. These are included in the **Design Statement** [O’Mahony Pike Architects] and also in the *Visual Impact Assessment [Modelworks]* within Chapter 14/ Appendix 14A of EIAR.

The relationship with St. Bricins is addressed under Item 3 below.

3.1.3 Development Management Criteria - Building Height Guidelines

The proposed development is a Material Contravention of, inter alia, Section 16.7.2 of the *Dublin City Development Plan 20016-2022* Plan in relation to Building Heights.

Section 3.3 of the **Statements of Consistency And Material Contravention Statement** [BMA Planning] outlines how the proposed development meets the development management criteria (SPPR3(A)) set out in the *Urban Development and Building Heights Guidelines* (2018) and therefore allows An Bord Pleanala to consider and approve the additional height proposed for this scheme based on SPPR3 of the Guidelines.

The table from the Statement of Consistency is reproduced below.

Summary of Consistency with SPPR3(A) Building Height Guidelines - Development Management Criteria

CRITERIA - PARAGRAPH 3.2	COMMENT
<i>At The Scale Of The Relevant City/Town</i>	
<ul style="list-style-type: none"> <i>The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.</i> 	<p>The site is less than 3km by road from O’Connell Street (i.e. walking/ cycling distance), some 550m from a neighbourhood centre in Stoneybatter (with TUD’s Grangegorman campus adjacent), and 650m from Heuston Station and Luas stop. There are bus stops within minutes’ walk in all directions from the site, on North Circular Road, Aughrim Street, Infirmary Road and Parkgate Street. It is also proposed – as required by the policy for SDRA 11 – that a Dublin Bus route would serve the site directly.</p>
<ul style="list-style-type: none"> <i>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</i> 	<p>It is significant that the Building Height Guidelines envisages/ allows for taller developments taking place in ‘architecturally sensitive areas’ in certain circumstances. The receiving environment is such an area. However, its city centre location demands that opportunity provided by the large brownfield site be optimally used for sustainable development.</p> <p>The proposed development would integrate with and enhance the urban grain, circulation network and public realm of the area by providing:</p>

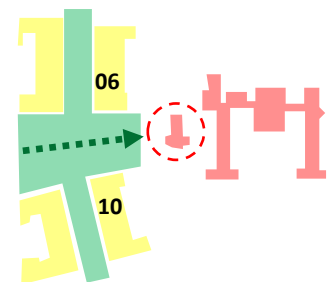
undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.

(a) road access from North Circular Road to the north, Montpellier Gardens to the south and Swords Street to the east, and

(b) additional pedestrian and cycle access points from Ross Street and Ashford Cottages to the north east, and Montpellier Gardens to the south.

The proposed layout and arrangement of built form respond appreciably to the key landmark, namely St Bricin's Military Hospital including the identified 'focal building' (the chapel). The proposed neighbourhood park is located and designed so that the chapel is positioned as a focal point at its eastern end.

The proposed buildings BLD 06 and 10 are positioned and aligned in response to the main central complex of St Bricin's – as indicated on the DCDP diagram for SDRA 11.



The **Landscape and Visual Impact Assessment** has been prepared by Modelworks and includes short and long range views of the site and a full assessment (Section 14.5.3 of the EIAR) of the impact of the proposed development of the surrounding areas.

The visual effects assessment includes assessment of 'key views' such as views from Phoenix Park, the Liffey quays, Royal Hospital Kilmainham, North Circular Road and the neighbouring estates. The assessment found that the development would have no negative impacts on any of these views.

Refer to the Section 4.0 on Heights & Massing Strategy in the **Design Statement** [O'Mahony Pike Architects]

<ul style="list-style-type: none"> • <i>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.</i> 	<p>submitted.</p> <p>The proposed development would make a positive contribution to place-making by (a) introducing a large new neighbourhood park to the townscape, (b) providing a connected network of streets and pedestrian corridors, and (c) establishing a distinct new high density residential quarter in the city centre between Stoneybatter/ Grangegorman and Phoenix Park.</p> <p>The cluster of diverse building typologies steps down in height towards the most sensitive boundaries, while employing height elsewhere to achieve place-making and visibility/ legibility objectives (in addition to density).</p> <p>The photomontages and CGIs show that the proposal would deliver a new quarter and streetscapes of distinct character and visual interest.</p>
<p><i>At The Scale Of District/Neighbourhood/Street</i></p>	
<ul style="list-style-type: none"> • <i>The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape</i> 	<p>The proposed apartment buildings are of two types, i.e. linear blocks and perimeter blocks. The design avoids monolithic forms and uninterrupted walls of building by dividing the linear blocks into distinct volumes of different heights and materials.</p> <p>This height and materials variations respond to the both the sensitivities in the buildings' immediate context and the opportunities for legibility (e.g. using height to indicate junctions/ places in the townscape).</p> <p>The resulting composition of built form will generate visual interest and legibility in the internal/ adjacent streetscapes and when the scheme is seen at a distance across the townscape.</p>

<ul style="list-style-type: none"> • <i>The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered.</i> • <i>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).</i> • <i>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</i> • <i>The proposal positively contributes to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood.</i> 	<p>The site is characterised by its physical separation from key thoroughfares (the nearest being North Circular Road, Infirmary Road and Oxmantown Road) as well as open spaces (the nearest being Phoenix Park) and waterway frontage (the Liffey River).</p> <p>However, the proposal does use building height to generate visibility from the key thoroughfares, by positioning taller volumes to be visible from the nearest/access points from North Circular Road, Infirmary Road and Oxmantown Road (refer to the photomontages for Viewpoints 11, 5 and 15 respectively). The development would thereby achieve a presence in the wider townscape, improving legibility.</p> <p>The height of the buildings would also make the development visible (without being excessively intrusive) from certain locations in Phoenix Park and the Liffey corridor (refer to the photomontages for Viewpoints 27, 28 and 29). It would thus achieve the dual objective of contributing to character and improving legibility in the townscape of the city centre north of the Liffey.</p> <p>The proposed development would make a positive contribution to the mix of dwelling typologies by introducing a large number of 1, 2 and 3 bedroom apartments and a number of duplex units (and houses), to a part of the city centre that is dominated by historic, low density residential typologies. It would also introduce a new retail street to the townscape, thereby enhancing the mix of uses.</p> <p>The site and local area is elevated and not prone to flooding. A Site Specific Flood Risk Assessment [CS Consulting] has been undertaken and is enclosed.</p> <p>Refer also to the Design Statement [O’Mahony Pike Architects] for further details on the urban design context.</p>
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<i>At The Scale Of The Site/ Building</i>	
<ul style="list-style-type: none"> • <i>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</i> 	<p>The form, massing and height of all the blocks have been designed to maximise access to natural daylight, ventilation and views with particular focus on the ground / podium level corner units and courtyard spaces.</p> <p>The overall scheme has been designed by O’Mahony Pike Architects in collaboration with JVT from the outset and the daylight/ sunlight analysis has been an iterative process to constantly improve and refine the development to ensure high quality daylight to apartments and sunlight to communal amenity spaces.</p> <p>The positioning of blocks within the site with the lowest elements positioned on the shared boundaries with existing low-rise housing and the orientation of the blocks relative to neighbours has ensured that there is no undue overshadowing / loss of light to neighbouring properties</p> <p>Refer to Section 6.7 of the Design Statement [O’Mahony Pike Architects]. Refer also to the Response to the ABP Opinion – Item 2 in the Planning Statement/ Response to ABP Opinion (BMA Planning)</p>
<ul style="list-style-type: none"> • <i>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’.</i> 	<p>As stated above, the proposed development has been designed by the architects in collaboration with JV Tierney regarding daylight. The modelling undertaken, following the BRE Guidelines, has produced quantitative data to inform the design of the scheme with revisions made to ensure good quality living environments.</p> <p>Refer to Section 6.7 of the Design Statement [O’Mahony Pike Architects] and the Daylight and Sunlight Analysis Report by JVT.</p> <p>Refer also to the Response to the ABP Opinion – Item 2 in the Planning Statement/ Response to ABP Opinion (BMA Planning)</p>
<ul style="list-style-type: none"> • <i>Where a proposal may not be able to fully meet all the requirements of the daylight provisions above,</i> 	<p>The majority of the units proposed meet the required daylight provisions. Compensatory measures are included in the design to improve the daylight</p>

<p><i>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.</i></p>	<p>provisions for the affected apartments. The Daylight and Sunlight Analysis Report by JV Tierney demonstrates that the level of daylight/ sunlight is consistent with BRE standards and, in particular, when taking into consideration the nature of the proposed development, its location and character and the wider planning objectives for this inner city regeneration site.</p>
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SPECIFIC ASSESSMENTS (POSSIBLE) TO SUPPORT PLANNING APPLICATIONS

In relation to the other specific assessments referred to in the Building Height Guidelines, these have also been considered insofar as they are relevant to the proposed development.

Specific Assessments	<p>To support proposals at some or all of these scales, specific assessments may be required and these may include:</p>	
	<p>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.</p>	<p>A <i>Microclimatic Wind Analysis and Pedestrian Comfort Report (IN2)</i> has been prepared and is enclosed with this application.</p> <p>This assessment has informed the design of the scheme and has informed mitigation of wind / micro-climate effects within public, communal and private amenity spaces</p>
	<p>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.</p>	<p>The Screening Report for Appropriate Assessment (Openfield Ecology) enclosed has found that the Project, alone or in combination with other projects, is not likely to have significant effects on the Natura 2000 Network or any of the flora and fauna in the surrounding area.</p> <p>A Bat Report is also included within the EIAR (Appendix 5A).</p>

	<p>The site is not located within or directly adjacent to any Natura 2000 site and is over 3 kms distance away from the nearest SPAs and therefore the risk of collision is imperceptible. The site is not an important site for any overwintering species</p> <p>With regard to SPPR3, no issues arise in relation to any ecological receptors e.g. via the disruption of flight lines for birds or disruption to commuting or foraging bats.</p>
An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links.	Given its inner-city location, the height, scale and orientation of the proposed development is such that it will not impact on existing telecommunication channels or microwave links.
An assessment that the proposal maintains safe air navigation.	Under the Standardised European rules of the Air (SERA), it is not permissible to fly over built up areas at a height of less than 1000ft. The proposed development does not impact on the standardised approaches\departures to Dublin airport, Casement aerodrome or Westin Airport. The proposed development does not impact on any of the Dublin hospitals where a helipad is used. Source: IAIP (Integrated Aeronautical Information Package), dated 22 nd April 2021
<i>An urban design statement including, as appropriate, impact on the historic built environment.</i>	There are no protected structure within or in the immediate vicinity of the site. The impact of the development on St. Bricin's Military Hospital complex is addressed in various reports submitted with this application and in response to the ABP Opinion.
Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate.	An Environmental Impact Assessment Report (EIAR) and an Screening Report for Appropriate Assessment are enclosed with the current application.

3.1.4 Conclusion

The overall layout and scale and massing of the site has evolved during the process to date and the proposed development as now submitted is appropriate for the site having regard to the site context and the planning policy context within which the development is set.

The history of the site is relevant to the proposed height strategy - The former O'Devaney Gardens flats comprised 13 blocks of 4 storey 1950's apartments (278 flats) and mean that the area has already an established form that varies from the housing typologies in the immediate Oxmantown/ Stoneybatter area which is predominantly single and two storey housing dating from the nineteenth century.

Planning policy strongly supports the ODG redevelopment at a much higher density than the 1950's flats and the first phase of the ODG redevelopment which was undertaken by Dublin City Council has already begun the process of increasing density and height on the site.

In general terms, the layout and height strategy for the proposed development recognises the scale of the surrounding urban area. This is achieved by placing the 2-3 storey housing and duplex typologies (ie. Blocks 4 and 8) on the more sensitive edges of the site, with the tallest elements located adjacent to the public open spaces and main vehicular routes.

The justification for buildings exceeding the Development Plan threshold of 24 metres is provided with reference to the criteria in the Building Height Guidelines 2018.

3.2 RESPONSE TO ABP OPINION ITEM 2 – RESIDENTIAL AMENITY

2. Residential Amenity

Further consideration/justification of the documents as they relate to the residential amenity strategy for the proposed scheme. The perimeter block layout outlined for the central portions of the site should ensure adequate levels of residential amenity for future occupants. In this context the documentation should appropriately and reasonably describe and illustrate good levels of sunlight and daylight penetration to the courtyard amenity spaces at the centre of blocks. At the scale of the building the documentation should demonstrate an adequate design response for ground floor level units at more sensitive locations, such as at the junction of blocks with less favourable orientations, ie. corner sites and where necessary set out compensatory design solutions.

In terms of the wider amenity, convenience and public realm, the documentation should demonstrate how apartment block length and articulation will assist with pedestrian and cyclist permeability through the site. All in the context of assisting modern placemaking and improving the overall quality of the urban environment at this key regeneration location. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

3.2.1 Perimeter Blocks - Courtyard Amenity Spaces - Sunlight And Daylight Penetration

The strategy for residential amenity within the apartment development is set out in the Architects **Design Statement** [O'Mahony Pike Architects] and **Housing Quality Assessment** [O'Mahony Pike Architects].

The **Daylight / Sunlight Assessment Report** (JVT) has been prepared in conjunction with OMP Architects and has been used throughout the design process as a tool to ensure that the residential amenity of the development is of a high standard.

Daylight Assessment for Apartments

Kitchen/living rooms and bedrooms have been assessed under the 'Average Daylight Factor' (ADF) methodology. Over 1050 rooms tested within the overall development and this allowed results to be extrapolated for all Occupied Rooms within the development - Please refer to Section 5.1 of the *Daylight / Sunlight Assessment Report* for further details.

In all instances J.V. Tierney & Co engaged in a detailed and iterative design process with O'Mahony Pike Architects and availed of all available compensatory design solutions to optimise daylight to all apartments.

When looked at as a total, the quantum of spaces meeting the daylight factor targets (ie. 87.6%) is greater than 80% which exceeds international environmental assessment standards such as BREEAM, which targets a figure of 80% and LEED, which targets a figure of 75% to award a credit under the daylighting criteria and demonstrates that the development has 'maximised the daylight' for the occupied spaces.

Overall, having regard to the nature, scale and density of the proposed development in an inner city location, it is considered that the proposed development achieves a high quality of daylight amenity for apartments and can therefore be deemed to meet the qualitative requirements of the Apartment Guidelines (2018)

Refer also to Section 6.6 and 6.7 of the ***Design Statement*** [O'Mahony Pike Architects].

Open Space & Communal Amenity Spaces

All communal amenity spaces proposed meet the BRE standard for amenity areas and the courtyard areas in the centre of Blocks 5, 7 and 9 meet the criteria on March 21.

It is important to note that the development exceeds the communal amenity space requirements and this has been achieved through inclusion of 8no. roof garden spaces, all of which receive excellent daylight and sunlight and will represent a choice of high quality amenity areas for residents.

Since Stage 2, a combination of building form and building height adjustments has contributed to the improvement in sunlight access to courtyard amenity areas and these are detailed in the Daylight and Sunlight Analysis Report (Refer to Section 6.2 for details on compensatory design solutions applied).

Impact on Adjacent Residents

The daylight and sunlight impact to adjacent residential areas was also assessed and the results fall within the relevant standards for windows and private gardens of adjacent properties.

Apartment blocks and pedestrian and cyclist permeability.

In terms of placemaking and permeability, and in the context of the urban form of the proposed development, the ***Design Statement*** [O'Mahony Pike Architects] sets out the principles which guided the form of the proposed development. This included consideration of permeability both within and through the site at Sections 3.2 and 4.3.

The development has been designed with the needs of pedestrian and cyclist permeability to the fore and the layout is strong in this respect. The 3 existing vehicular entrances will have pedestrian and cycle facilities. These will be augmented by new pedestrian and cycle links at Ross Street and Ashford Cottages. The important integration with St. Bricin's has also been factored into the design and the seamless connection to these lands can be achieved at a future date once they are developed – refer to Response to item 3 below.

A particular issue in relation to the 'apartment block length and articulation' and its impact on pedestrian and cyclist permeability through the site was raised in relation to Block 5 (previously Blocks 4 and 5). The possibility of breaking Block 5 with a north-south street was considered in detail but was dismissed due to its impact on the block, impact on the Link Street, impact on below podium parking areas. It was felt that the layout makes provision for strong links to the east and west of the block and instead the architects, in collaboration with the landscape architects set about improving the Stage 2 submission by strengthening the pedestrian/ cycle link along the northern park which links Ross Street to the Central Park area. Refer to Design Statement (Section 4.3, page 52).

In conclusion, it is considered that the site layout plan is a strong framework for the site that will create a strong sense of place and a high quality urban environment at this key regeneration location.

3.3 RESPONSE TO ABP OPINION ITEM 3 – SITE CONNECTIONS

3. Site Connections

Further consideration/justification of the documents as they relate to the interface between the eastern side of the proposed development site with St Bricin's and the northern portion of the site with Ross Street/Ashford Place/Ashford Cottages to specifically address the following:

- *The possibility for future seamless connection between the site and St Bricin's to the east.*
- *Assessment of visual impacts on St Bricin's to include existing and permitted structures within that site.*
- *Consideration of potential impacts on the development potential of adjacent lands within St Bricin's.*
- *The documentation should demonstrate how apartment block length and articulation will assist with pedestrian and cyclist permeability through the site.*
- *Consideration of safe, secure and passively supervised pedestrian and cyclist connections to the north of the site, in the vicinity of Ross Street/ Ashford Place/ Ashford Cottages.*

The further consideration of these issues may require an amendment to the documents and/or design proposals submitted relating to density and layout of the proposed development.

Following the Stage 2 submission, further consideration was given to all site interfaces by the project architects. This included the eastern and northern connections identified above as well as the Block 2 interface with North Circular Road and the Block 8 interface with Montpelier Gardens.

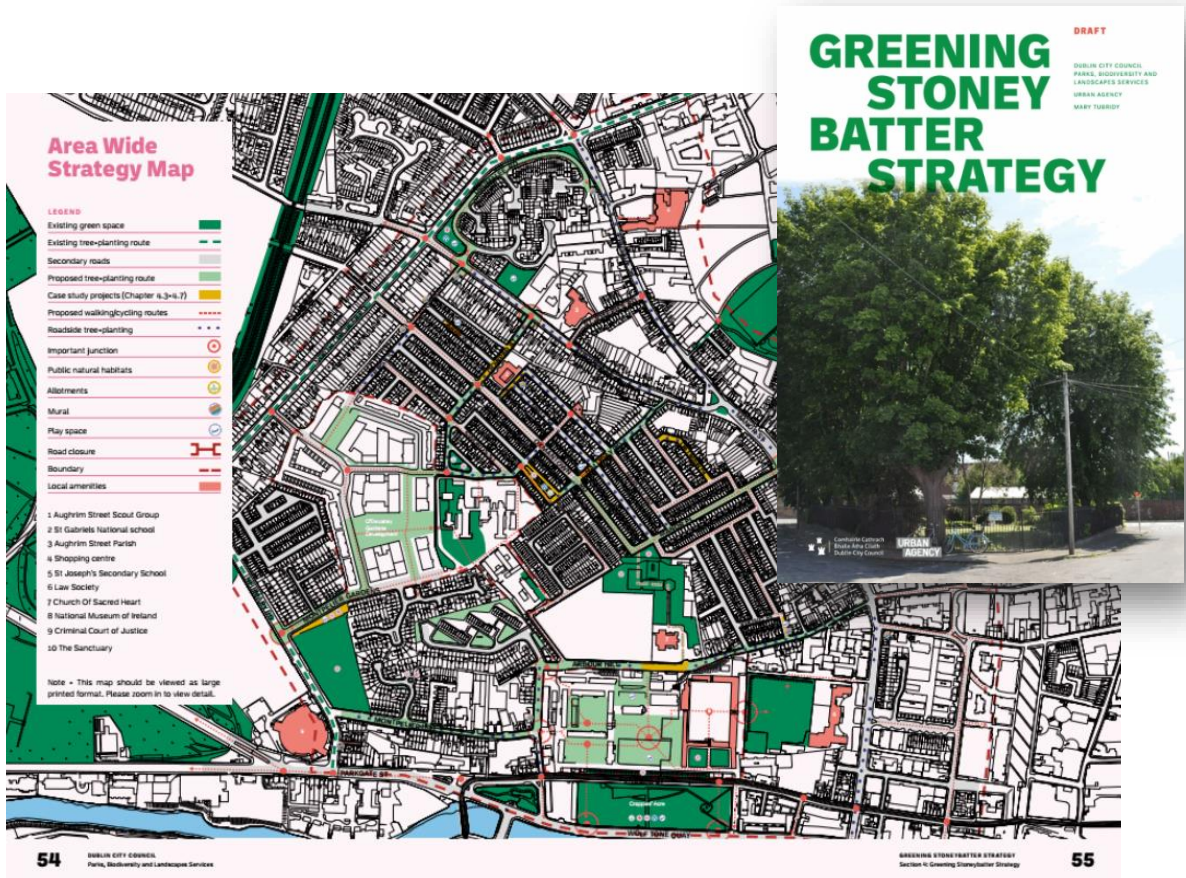
The overall rationale is provided in Section 3.2 - *Site Movements and Connections* - of the Architect's **Design Statement** [OMP], with supporting cross-sections, studies and visual aids. Section 4.3 – Permeability and Legibility – also addresses this issue and Section 3.4 relates to Interface with St. Bricin's.

In relation to the eastern and northern connections identified above, we specifically comment as follows:-

3.3.1 Site Connections to St. Bricin's/ Future Connection

The application site and the adjoining St. Bricin's lands (as well as the Department of Defence lands at Infirmary Road) comprise the overall SDRA11 site.

The connections shown through St. Bricin's and beyond to the wider Stoneybatter area reflect DCC's own pedestrian / cyclist movement strategy for the area, as presented in their *Greening Stoneybatter Strategy (Draft 2020)*. See extract below.



The relationship with St. Bricins has been a key driver in the site layout and building height strategy for the site. The site is part of the overall SDRA11 site and is intended to be developed in the short to medium term. While it is not prescriptive, the SDRA diagram indicates how this might be achieved through retaining the existing structures (red) and adding new buildings on the perimeter to the east, north and west. (see SDRA extract right)



From early in the masterplanning exercises undertaken, the St. Bricin's relationship was identified as a crucial one and this was one of the main drivers of the decision to locate the Central Park on the axis with the west facing elevation of the main St. Bricin's building

The St Bricin's complex of buildings is currently used and controlled by the Dept of Defence. In the future, it may be transferred to the LDA for regeneration/ redevelopment. The proposed development of O'Devaney Gardens does not preclude either the continuation of the current use or its future redevelopment. In a redevelopment scenario it is envisaged that the public park would be extended into St Bricin's focussed on and around the 'chapel building' and through the removal of 27m of the wall between blocks 6 and 10.

Bartra has consulted with the Department of Defence about the potential of removing the wall as part of the ODG redevelopment. The DoD have indicated that they are not in a position to agree to this at this time for security reasons. A letter from the Department of Defence confirming this is included as **Appendix B**. However, it is envisaged that its removal will form part of a future redevelopment of St. Bricin's, and this is welcomed by Bartra.

From the outset, the site analysis undertaken by O'Mahony Pike Architects and presented in the Design Statement has recognised the important relationship with St. Bricin's and the desire to remove the existing concrete wall to provide physical and visual connection to the military hospital lands.

This principle is clearly expressed in the Design Statement at Sections 3.1 (Masterplan Layout), Section 3.2 (Site Movements and Connections) and Section 3.4 (Interface with St. Bricin's) – see extracts below from pages 22/23 of the Design Statement which show the overall masterplanning intent. These extracts are reproduced below

While it is expected that a planning application will be submitted for these lands in the future, at the time of writing, there are no firm proposals available for consideration and therefore some assumptions have been made as to the form, layout and scale of the buildings that might be proposed.



St. Bricin's



Masterplan Strategy Diagram
[Layout indicative in St Bricin's Hospital Lands]

- LEGEND**
- Public Open Space
 - Play Areas
 - St. Bricin's Buildings
 - Creche Facility
 - Residential Regeneration
 - SDRA 11 Regeneration Boundary
 - Application Boundary
 - Proposed Bus Stop



- Legend**
- Treelined Boulevard
 - Local Street
 - Link Streets
 - Access to Podium Parking
 - Proposed Bus Stop
 - Public Open Space
 - Community Facility
 - St. Bricin's Buildings
 - Vehicular entrance
 - Pedestrian/ Cycle entrance

While the concrete boundary wall is to be retained, a section of wall extending to 27 metres can be removed in the future and this “soft spot” in the boundary wall is anticipated in the current ODG masterplan.

To facilitate this future physical connection the location of the MUGA has been relocated from its previous position adjacent to the boundary wall to a more central location meaning that the physical and visual connection is improved between the two sites. Refer to Landscape Plan – **Drg 1737_PL_P_01** [Murray & Associates] including the **Landscape Architects Report** [Murray & Associates]

The visual connection recognises the façade of the main hospital building and the single storey church building in the foreground and the central open space is orientated so that these elements will form a new vista once the wall is removed and the heritage buildings will become integrated into the overall SDRA11 lands.

In terms of materials and finishes, the use of brick as a primary material assists with the integration of the development with the area and St. Bricin’s in particular.

The massing of the development generally is discussed above. Buildings 6 and 10 are the closest buildings to St. Bricin’s and their 6-8 storey shoulder height is considered to be appropriate in the context of the overall ODG site and given the relative scale and level of separation from the St. Bricin’s buildings.

Overall, it is considered that the proposed development layout will allow the ODG development to integrate successfully with the future development of St. Bricin’s lands.

3.3.2 Site Connections to Ross Street / Ashford Place / Ashford Cottages

The pedestrian and cyclist connection to/ from Ross Street and Ashford Cottages have been re-designed since the Stage 2 proposal in consultation with DCC resulting in removal of a terrace of houses and an enlarged public open space area (Northern Park) at the north-eastern end of the site. The internal street network has also changed, with more priority given to the pedestrian and cyclist. The revised design for the proposed local street (providing access to Block 4 and the carpark of block 5) is more welcoming to pedestrian and cyclists and will provide a strong north-south route through the site. Refer to **Design Statement** Section 3.2

The pedestrian /cycle greenlink from Ross Street into the scheme is retained and the crèche building (Block 3) and Block 2 apartments continues the built edge with the existing cottages of Ross Street to knit the scheme back with the adjoining streets and neighbourhood.

The Northern Park will provide a public space with associated community uses and gardens and these are detailed in the **Landscape Design Statement** at Section 4.2.2

3.4 SPECIFIC INFORMATION ITEMS

3.4.1 Specific Information Item 1 – Schedule of Accommodation

1. *A detailed schedule of accommodation (Housing Quality Assessment) which shall indicate compliance with relevant standards in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' 2018, including its specific planning policy requirements. Particular attention shall be directed to the provision of adequately designed and an appropriate quantum of dual aspect apartments.*

A detailed series of schedules is included in the **Housing Quality Assessment** [O'Mahony Pike Architects] and which demonstrates that all of the qualitative standards and the specific planning policy requirements (SPPRs) in the Guidelines are complied with in the current scheme.

The issue of dual aspect apartments is specifically addressed in the **Design Statement** at Section 6.4 and is also referred to under 'Response to ABP Opinion - Item 2' above. The dual aspect ratio is 37% and this has increased from 33% at Stage 2.

The **Statement of Consistency And Material Contravention Statement** [BMA Planning] also summarises the various aspects of the Guidelines and comments on how the scheme complies.

1.4.2 Specific Information Item 2 – Building Lifecycle Report

2. *A building life cycle report shall be submitted in accordance with section 6.3 of the Sustainable Urban housing: Design Standards for New Apartments (2018). The report should have regard to the long term management and maintenance of the proposed development.*

A **Building Lifecycle Report** [Aramark] is enclosed with this application. This report has been prepared in accordance with Section 6.3 of the *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (2018)* and details the long term management and maintenance of the development.

3.4.3 Specific Information Item 3 – C&D Waste Management Plan

3. *'Site Specific Construction and Demolition Waste Management Plan.'*

The **Site Specific Construction and Demolition Waste Management Plan** [Byrne Environmental Consulting Ltd.] is enclosed.

3.4.4 Specific Information Item 4 – Landscaping Plan

4. *"A detailed landscaping plan for the site which clearly differentiates between areas of public, communal and private open space and which details exact figures for same. Details should also include proposals for hard and soft landscaping including street furniture, where proposed, which ensures that areas of open space are accessible, usable and available for all. Pedestrian permeability through and beyond the site should be outlined. Details of the interface between private and communal areas should also be detailed. Additional cross sections, CGIs and visualisations should be included in this regard. The landscaping plan should critically assess the best and most appropriate way to incorporate underground car parking ventilation structures.*

Please refer to enclosed

- Landscape Plan – **Drg 1737_PL_P_01** [Murray & Associates]
- **Landscape Architects Report** [Murray & Associates] - Section 5.1 addresses this item

Specific Item 4 requires the applicant to ‘clearly differentiates between areas of public, communal and private open space and details exact figures for same’.

Section 4 of the *Landscape Architects Report* [Murray & Associates] provides details of Public Open Spaces (Section 4.2) and Communal Amenity Space (Section 4.4) and the spaces are as per the diagram below.



Public Open Space

The public open space strategy comprises of the following key spaces :-

- Central Park. The main open space is a wedge shaped area over 130m long and c. 30-50m wide). It incorporates two playground areas and a multi use games area (basketball, etc.), exercise equipment, large lawn areas and areas of undergrowth/shrub planting. The various spaces within the park are divided by lines of trees, and there is a concentration

of trees inside the east boundary shared with St Bricin's. The neighbourhood park is intended to provide a high quality open space of scale and diverse uses/ attractions, catering for the residents and neighbouring communities, complementing the nearby Phoenix Park. Future expansion of this open space into the St. Bricin's site, as part of its potential re-development under SDRA11, is provided ensuring permeability, connectivity and the potential for a more meaningful useful public space.

- **Northern park.** Inside the north east boundary of the site a linear open space c. 90m long and c. 25-45m wide is proposed. This space is intended to function as a green buffer between BLD 05 and the neighbouring streets of cottages, as well as delivering various ecosystem services. The space includes an area of community gardens/ allotments, lawn and shrub planting areas and a framework of trees. It also includes a green plaza space in front of the proposed creche inside the new pedestrian entrance from Ross Street. From this entrance plaza the space extends across the site between BLD 05 and BLD 02, forming a wide green/ pedestrian street featuring three lines of trees, lawn area, shrub planting and privacy planting in front of the ground floor apartments.

These two spaces, together with the smaller urban open space adjacent to the Central Boulevard between Blocks 02 and 05 amount to 8,247sqm and c. 16% of the overall site.

Sections 16.3.4 and 16.10.3 of the Development Plan requires that 10% of a site is public open space. Therefore, the proposed development exceeds this requirement.

SDRA 11 (SDRA 11: Chapter 15, Pages 284 - 286) refers to 15% of the overall SDRA11 lands shall be "quality open green spaces" and therefore it is submitted that this requirement is met within the current application site and should be comfortably achieved in the completion of the SDRA lands in time.



Proposed Open Spaces

In addition to the above, there are other important elements of open space / public realm that are not counted towards the above figure but which will enhance the sense of public space within the development. They include:

- Green streets. Two similar green streets are proposed between BLDs 06 and 07, and 09 and 10, together forming a wide green corridor aligned north-south across the site, connecting across the neighbourhood park. These linear spaces prioritise pedestrian circulation but also feature numerous trees as well as areas of shrub planting and privacy planting in front of the ground floor apartments.
- Streets. The proposed streets are tree-lined on both sides. The streetscapes are variously paved to indicate differences in traffic priority/sharing – with the central retail street designed as a shared surface. The wide pavements around the central junction have a distinctive paving and raised planters with built-in seating to differentiate this space in the public realm.

The majority of the development's roof area is proposed to be sedum covered, and several buildings include roof terraces/ gardens adding to the communal open space area.

Private Open Space (ie. Private Amenity Space)

Private open space for the apartment blocks will be in the form of balconies; gardens are provided for the houses.

All apartments have private amenity space which meets or exceeds the minimum standards of Appendix 1 of the 2018 Apartment Guidelines.

All houses have private amenity space which meets or exceeds the minimum standards of Section 16.10.2 of the *DCDP 2016-2022*.

Section 4.0 of the ***Housing Quality Assessment*** (O'Mahony Pike Architects) enclosed provide a unit by unit breakdown of the development and confirm that all units are provided with the required private amenity space as per Annex 1 of the 2018 Apartment Guidelines.

Communal Amenity Space

In addition to providing private open space, apartment schemes must also provide for communal open space. As stated in the Development Plan – Section 16.10.2 - Communal open space is provided as a 'breathing space' and for meeting the amenity needs of residents.

Communal Amenity Space is provided for apartments in compliance with the standards outlined in Appendix 1 of *2018 Sustainable Urban Housing: Design Standards for New Apartments* and Section 16.10.2 of the Development Plan.

In aggregate, a total of 6,818sqm is required to meet these standards and the proposed development provides significant in excess of this requirement.

Section 6.3 of the **Design Statement** (O'Mahony Pike Architects) and Section 4.4 of the **Landscape Architects Report** (Murray & Associates) provide details of the proposals in this regard

The communal amenity space for each of the apartment blocks is provided at grade, on the podium level courtyards, and/or as roof gardens.

Ground Floor shared garden areas are provided to Blocks 2, 6 and 10 which are secure by either wall or railing and allow a controlled access to the blocks bike park facility.

Podium Gardens are provided to the larger urban blocks of 5,7 and 9 with the massing of the building forms designed to ensure appropriate levels of daylight within the gardens.

Roof Terraces are provided to Block 5, 6, 7, 9 and 10 to take advantage of views across the city and to provide a variety of choice for the residents.

For the Block 8C and 8D duplex units, the level of overall communal open space provision and the pocket park (200sqm) south of Block 8D are proposed as adequate provision for these units which are also adjacent to the Central Park.

Hard And Soft Landscaping Including Street Furniture

Refer to:

- Landscape Plan – **Drq 1737_PL_P_01** [Murray & Associates]
- **Landscape Architects Report** [Murray & Associates] - Section 4.9

Boundary Treatment

Refer to:

- Landscape Plan – **Drq 1737_PL_P_01** [Murray & Associates]
- **Landscape Architects Report** [Murray & Associates] - Section 4.6

Universal Accessibility

The landscape strategy and the proposed development generally has been designed to have regard to the needs of mobility impaired and in accordance with the principles of Universal Design. The **Housing Quality Assessment (Appendix)** includes a Universal Access Statement

Interfaces between private and communal areas

See Landscape Strategy overview for the location and **drawing 1737_PL_P_01.04** for details on the required and provided Open Space and Communal Amenity for the residents of the proposed blocks. See Drawing **1737_PL_S_04-5** (Landscape Sections - Public Realm) for typical sections of threshold/interface details and Drawing **1737_PL_S_06** (Landscape Sections – Boundary) for details on boundary treatment for communal space and edge details.

Car Parking Ventilation structures

See Architectural Design Report and Drawings [OMP] for vent locations and specifications. All vents, with the courtyards, are incorporated into the landscape design, within planting beds or flush with pathways.

3.4.5 Specific Information Item 5 – Residential Amenity

5. *‘A report that addresses issues of residential amenity (both existing residents of adjoining development and future occupants), specifically with regards to overlooking, overshadowing, overbearing and noise. The report shall include full and complete drawings including levels and cross-sections showing the relationship between the proposed development and adjoining residential development.’*

The **Design Statement** [OMP Architects] has considered the impacts of residential amenity, for existing and future residents in terms of overlooking and overbearing and sections and boundary conditions are illustrated showing the approach to scale and massing and overlooking along the more sensitive boundaries. (Refer to pages 41/42, 48/49, 51)

The architectural drawing pack includes a full suite of cross sections to demonstrate the relationship between the proposed development and adjoining properties. In addition to the individual building sections and elevations, contextual sections and elevations are provided to demonstrate the relationship with the existing neighbouring buildings.

The **Daylight / Sunlight Assessment Report** (JVT) has been prepared in conjunction with OMP Architects and considers the impact of the development on adjacent neighbours in terms of overshadowing. As stated above, the daylight and sunlight impact to adjacent residential areas was also assessed and the results fall within the relevant standards for windows and private gardens of adjacent properties.

The Landscape and Visual Impact Assessment included as Chapter 14 (including Verified Views included as Appendix 14A) have demonstrated the relationship of the proposed development and the neighbouring residences and how the positioning of the lower buildings at the edges of the site avoids the larger blocks have an overbearing effect on the single and two storey houses adjacent.

The issue of noise impacts associated with the development is addressed in the EIAR (Chapter 8). The proposed development will also be built to the requirements of the Building Regulations in relation to acoustics and will ensure that individual units will be protected in terms of noise nuisance from adjacent units.

3.4.6 Specific Information Item 6 – Parking Analysis

4 *“Given the city centre location and availability of public transport, a rationale for the proposed car parking provision should be prepared, to include details of car parking management and car share schemes.*

An analysis and justification of the proposed car and bicycle parking is included in Section 6.0 the enclosed **Traffic and Transport Assessment** [CS Consulting]. A **Residential Travel Plan Framework** [CS Consulting] is also submitted.

The development shall include a total of 273no. car parking spaces, comprising:

- 96no. spaces located at undercroft level beneath the podium of Block 05 (of which 3no. spaces allocated to retail units, 5no. spaces allocated to the crèche, and 1no. space allocated to the community space);
- 95no. spaces located across four basement/undercroft levels beneath the podium of Block 07 (of which 2no. spaces allocated to retail units and 1no. space allocated to the café);
- 35no. spaces located at undercroft level beneath the podium of Block 09;
- 41no. on-street spaces arranged along the development’s internal road network; and
- 6no. on-street spaces located on the northern side of Montpellier Gardens, at the southern boundary of the development site.

This equates to a standard of 0.26 spaces per unit across the development.

Refer to CS Consulting **drawing ODG-CSC-XX-XX-DR-C-0040** for the locations and uses of car parking spaces within the development.

The majority of the internal (undercroft) car parking spaces shall be allocated to residents. A proportion of these internal spaces (30no.) are intended to be allocated to shared vehicles provided as part of a residential car club. On-street car parking spaces shall serve primarily to accommodate visitors to the residential units and patrons of the development’s retail/café elements.

The car parking provision of the proposed development does not exceed the maximum permitted by *Dublin City Development Plan 2016–2022* and is in accordance with the recommendations of the national policy document *Sustainable Urban Housing: Design Standards for New Apartments (Guidelines for Planning Authorities)*, published in December 2020 by the Department of Housing, Planning and Local Government.

The *Dublin City Development Plan 2016–2022* outlines specific conditions under which reduced car parking in residential developments is appropriate, based on proximity to more sustainable transport modes. The subject development site is close to a number of bus, rail and light rail services and is therefore considered an appropriate location for a limited residential car parking provision in line with standards and guidelines.

Electric vehicle charging points are included and infrastructure to future proof all parking spaces for EV charging points is proposed.

Refer to Section 6.0 the enclosed ***Traffic and Transport Assessment*** [CS Consulting] for full details.

Refer also to Section 6.11 of the ***Design Statement*** (O’Mahony Pike Architects) which provides details of the car parking provision.

Cycle Parking

The development includes a total of 2,000no. bicycle parking spaces. These consist of:

- 58no. internal bike storage spaces within Block 02 and Block 03;
- 22no. internal bike storage spaces within Block 04;
- 344no. internal bike storage spaces within Block 05;
- 76no. internal bike storage spaces within Block 06;
- 600no. internal bike storage spaces within Block 07;
- 40no. internal bike storage spaces within Block 08;
- 264no. internal bike storage spaces within Block 09;
- 80no. internal bike storage spaces within Block 10;
- 136no. visitor bicycle parking spaces within dwelling curtilages; and
- 380no. publicly accessible short-stay visitor bicycle parking spaces distributed at surface level throughout the development site.

This level of parking provision and associated facilities for bicycles is part of the strategy to encourage smarter travel patterns.

Refer also to Section 6.11 of the ***Design Statement*** (O’Mahony Pike Architects) which provides details of the bicycle parking provision.

3.4.7 Specific Information Item 7 – Material Contravention Statement

4 *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*

Refer to the **Statement of Consistency And Material Contravention Statement** [BMA Planning] submitted with this planning application. Section 5.0 of that Report contains the Material Contravention Statement.

The proposed development is a Material Contravention of the *Dublin City Development Plan 20016-2022* in relation to Building Heights (Ref. Section 16.7.2). The proposed development is also contrary to the Development Plan provisions in relation Block Configuration relating to the number of units per core (Ref. Section 16.10.1). In the case of both considerations, the scheme complies with the Apartment Guidelines (2018) which allows consideration of Unit Mix (SPPR1) and which allows flexibility in relation to units per core (SPPR 6).

4.0 ENVIRONMENT AND EUROPEAN SITES

4.1 ENVIRONMENTAL IMPACT ASSESSMENT

An *Environmental Impact Assessment Report (EIAR)* has been prepared and is enclosed with this planning application.

On the basis that the development exceeds 500 houses, an Environmental Impact Assessment (EIA) is required for the proposed development under Part 2 (10)(b)(ii) of Schedule 5 of the Planning and Development Regulations 2001, as amended, and having regard to the requirements of Directive 2014/52/EU (Amendment of Directive 2011/92/EU).

4.2 APPROPRIATE ASSESSMENT SCREENING

A *Screening Report for Appropriate Assessment* [Openfield Ecological Services] has been prepared and is enclosed.

The report has evaluated the proposed development to determine whether or not significant negative impacts on Natura 2000 sites are likely to arise by virtue of its construction and use.

Given the nature of the project and implementation of standard construction measures in relation to protection of water quality, it is concluded that there will be no negative impacts on the qualifying interests or species of any Natura 2000 sites. The Appropriate Assessment procedure for this proposed development is therefore concluded at the Screening Stage and a detailed (Stage 2) Appropriate Assessment is not required.

5.0 CONCLUSION

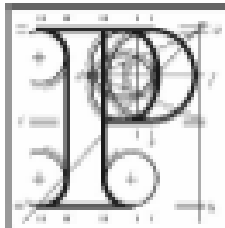
On the basis of the foregoing and enclosed, it is considered that the proposed re-development of the former O'Devaney Gardens site would provide much needed residential accommodation at a location that would promote sustainable travel patterns; is an appropriate response for this inner-city strategic regeneration site; and is consistent with relevant planning policy sources.

We look forward to your decision in due course.

BMA PLANNING

May 2021

APPENDIX A Notice of Pre-Application Consultation Opinion



An
Bord
Pleanála

Case Reference:
ABP-307984-20

Planning and Development (Housing) and Residential Tenancies Act 2016
Notice of Pre-Application Consultation Opinion

Proposed Development: 1053 no. residential units (26 no. houses and 1027 no. apartments), creche and associated site works.

Former O'Devaney Gardens Site, Dublin 7.

An Bord Pleanála has considered the issues raised in the pre-application consultation process and, having regard to the consultation meeting and the submission of the planning authority, is of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development.

An Bord Pleanála considers that the following issues need to be addressed in the documents submitted that could result in them constituting a reasonable basis for an application for strategic housing development.

1. Height and Placemaking

Further consideration/justification of the documents as they relate to the development strategy for the proposed scheme. While higher densities and changes to the cityscape in terms of higher elements and taller buildings at this location may be appropriate, the applicant is required to provide adequate rationale and justification to support such additions to the area, including further

consideration/justification of the documents as they relate to the potential visual impact of the development and its interaction with St Bricin's to the east, in particular in relation to design, integration, materiality and massing. The applicant should reference the development management criteria set out in the Urban Development and Building Heights guidelines, where on larger urban redevelopment sites, proposals 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 to respond to the scale and character of adjoining developments. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

2. Residential Amenity

Further consideration/justification of the documents as they relate to the residential amenity strategy for the proposed scheme. The perimeter block layout outlined for the central portions of the site should ensure adequate levels of residential amenity for future occupants. In this context the documentation should appropriately and reasonably describe and illustrate good levels of sunlight and daylight penetration to the courtyard amenity spaces at the centre of blocks. At the scale of the building the documentation should demonstrate an adequate design response for ground floor level units at more sensitive locations, such as at the junction of blocks with less favourable orientations, i.e. corner sites and where necessary set out compensatory design solutions

In terms of the wider amenity, convenience and public realm, the documentation should demonstrate how apartment block length and articulation will assist with pedestrian and cyclist permeability through the site. All in the context of assisting modern placemaking and improving the overall quality of the urban environment at this key regeneration location. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

3. Site Connections

Further consideration/justification of the documents as they relate to the interface between the eastern side of the proposed development site with St Bricin's and the

northern portion of the site with Ross Street/Ashford Place/Ashford Cottages to specifically address the following:

- The possibility for future seamless connection between the site and St Bricin's to the east.
- Assessment of visual impacts on St Bricin's to include existing and permitted structures within that site.
- Consideration of potential impacts on the development potential of adjacent lands within St Bricin's.
- The documentation should demonstrate how apartment block length and articulation will assist with pedestrian and cyclist permeability through the site.
- Consideration of safe, secure and passively supervised pedestrian and cyclist connections to the north of the site, in the vicinity of Ross Street/Ashford Place/Ashford Cottages.

The further consideration of these issues may require an amendment to the documents and/or design proposals submitted relating to density and layout of the proposed development.

Furthermore, Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. A detailed schedule of accommodation (Housing Quality Assessment) which shall indicate compliance with relevant standards in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' 2018, including its specific planning policy requirements. Particular attention shall be directed to the provision of adequately designed and an appropriate quantum of dual aspect apartments.

2. A building life cycle report shall be submitted in accordance with section 6.3 of the Sustainable Urban housing: Design Standards for New Apartments (2018). The report should have regard to the long term management and maintenance of the proposed development.
3. Site Specific Construction and Demolition Waste Management Plan.
4. A detailed landscaping plan for the site which clearly differentiates between areas of public, communal and private open space and which details exact figures for same. Details should also include proposals for hard and soft landscaping including street furniture, where proposed, which ensures that areas of open space are accessible, usable and available for all. Pedestrian permeability through and beyond the site should be outlined. Details of the interface between private and communal areas should also be detailed. Additional cross sections, CGIs and visualisations should be included in this regard. The landscaping plan should critically assess the best and most appropriate way to incorporate underground car parking ventilation structures.
5. A report that addresses issues of residential amenity (both existing residents of adjoining development and future occupants), specifically with regards to overlooking, overshadowing, overbearing and noise. The report shall include full and complete drawings including levels and cross-sections showing the relationship between the proposed development and adjoining residential development.
6. Given the city centre location and availability of public transport, a rationale for the proposed car parking provision should be prepared, to include details of car parking management and car share schemes.
7. 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.

Also, pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

1. Irish Water
2. Transport Infrastructure Ireland
3. National Transport Authority
4. Department of Culture, Heritage and the Gaeltacht
5. Heritage Council
6. An Chomhairle Ealaíon
7. An Taisce
8. Dublin City Childcare Committee

PLEASE NOTE:

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

Rachel Kenny
Director of Planning
2020

APPENDIX B Letter from Department of Defence re St. Bricin's

An Roinn Cosanta
Department of Defence



Hazel Jones
Strategic Planning Director
Bartra
Longphort House
Earlsfort Centre
Dublin 2

22 February 2021

Re: St. Bricin's / O'Devaney Gardens Boundary

Dear Ms. Jones,

In response to your e-mail request for feedback on the treatment of the boundary wall between the development site and St. Bricin's, particularly in relation to a c. 30m stretch of boundary adjacent to a proposed public park.

After reviewing the information and having consulted with our Military colleagues, The Department of Defence would like to make the following observations:

In consideration of ongoing issues with security in the vicinity of St. Bricin's Hospital the Department of Defence would NOT be in favour of the proposal.

The removal of the wall and its replacement with a fence will only serve to reduce the level of security and protection provided to the personnel employed within St. Bricin's Hospital.

Please contact me if you have any queries in this regard.

Yours faithfully,

Sent via e-mail due to Covid19 restrictions

Don Watchorn
Property Management Branch
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