

# Statement of Consistency with National, Regional & Section 28 Ministerial Guidelines

Proposed Strategic Housing Development, 'Kenelm', Deer Park, Howth, Co. Dublin



Prepared on behalf of  
GLL PRS Holdco Limited.

[www.mhplanning.ie](http://www.mhplanning.ie)

**DUBLIN**  
Kreston House, Arran Court  
Arran Quay, Dublin 7  
D07 K271  
T. +353 (0) 1 804 4477  
E. [info@mhplanning.ie](mailto:info@mhplanning.ie)

**CORK**  
6 Joyce House, Barrack  
Square  
Ballincollig, Co. Cork  
P31 YX97  
T. +353 (0)21 420 8710  
E. [info@mhplanning.ie](mailto:info@mhplanning.ie)

## Document Control Sheet

<b>Client</b>	GLL PRS Holdco Limited		
<b>Project Title</b>	<b>Proposed Strategic Housing Development, 'Kenelm', Deer Park, Howth, Co. Dublin</b>		
<b>Document Title</b>	Statement of Consistency with National, Regional & S.28 Ministerial Guidelines		
<b>Document No.</b>	3865		
<b>Prepared by</b>	CL	<b>Checked by</b>	PG

<b>Rev.</b>	<b>Status</b>	<b>Issue Date</b>
A	PAC Stage	22.10.2020
B	SHD Application	02.06.2021

## Table of Contents

<b>1. Introduction</b>	<b>4</b>
1.1 Purpose of Statement of Consistency	5
<b>2 Description of Development</b>	<b>6</b>
<b>3 National Planning Policy &amp; Section 28 Guidelines</b>	<b>10</b>
3.1 Project Ireland 2040: National Planning Framework (2018)	10
3.2 Sustainable Urban Housing: Design Standards for New Apartments (2018)	18
3.3 Urban Development and Building Heights: Guidelines for Planning Authorities (2018)	22
3.4 Rebuilding Ireland: Action Plan for Housing and Homelessness (2016)	30
3.5 Design Manual for Urban Roads and Streets (2013)	31
3.6 Sustainable Residential Development in Urban Areas (2009)	34
3.7 Urban Design Manual – A Best Practice Guide (2009)	39
3.8 Childcare Facilities Guidelines for Planning Authorities (2001)	48
3.9 Department Arts Heritage and the Gaeltacht Statutory Guidelines (2011)	49
3.9.1 Introduction	49
3.9.2 Local Heritage Designations	49
3.9.3 Description of Demesne Boundary Wall	50
3.9.4 Key Heritage Views	51
3.9.5 Policy	51
<b>4 Regional Planning Policy</b>	<b>55</b>
4.1 Eastern & Midland Regional Spatial & Economic Strategy 2019-2031	55
<b>5 Conclusion</b>	<b>58</b>

## List of Figures

Figure 1 Application Area – Site Layout Plan (MCA Architects)	4
Figure 2 Land zoning categories within the subject	7

## 1. Introduction

This Statement of Consistency (SoC) has been prepared by McCutcheon Halley (MH Planning) Chartered Planning Consultants with input from the appointed Design Team as necessary, for a proposed Strategic Housing Development, 'Kenelm', on lands at Deer Park, Howth, Co. Dublin. See **Figure 1**.

The proposed development meets the threshold for Strategic Housing Development (SHD), being a development of 100 or more units on land zoned for residential use, and accordingly is subject to the provisions of the Planning and Development (Housing) and Residential Tenancies Act 2016.

The proposed development is generally for the construction of 162 no. residential apartment units comprising;

- 29 no. 1-bedroom units, - 17.9%
- 104 no. 2-bedroom units and – 64.2%
- 29 no. 3-bedroom units – 17.9%

This report should be read in conjunction with the **Planning Statement & Statement of Consistency with the Fingal Development Plan 2017-2023** prepared by MH Planning which provides an analysis of the proposed scheme's consistency with the Development Plan.



**FIGURE 1 APPLICATION AREA – SITE LAYOUT PLAN (MCA ARCHITECTS)**

## 1.1 Purpose of Statement of Consistency

The purpose of this Statement of Consistency is to assess the consistency of the proposed development with the policies and objectives of relevant national and regional plans together with relevant guidelines issued by the Minister under Section 28 of the Planning and Development Act of 2000 (as amended).

Having regard to the nature of the proposed development, the following were considered relevant;

- Project Ireland 2040, National Planning Framework (2018)
- Eastern and Midlands Regional Spatial and Economic Strategy (2019)
- Fingal Development Plan 2017-2023 (please refer to Planning Statement)
- Rebuilding Ireland: Action Plan for Housing and Homelessness (2016)
- Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (2018)
- Urban Development and Building Heights - Guidelines for Planning Authorities (2018)
- Design Manual for Urban Roads and Streets (2013)
- Sustainable Residential Development in Urban Areas - Cities, Towns & Villages (2009)
- Urban Design Manual – A Best Practice Guide (2009)
- Childcare Facilities Guidelines for Planning Authorities (2001)
- Architectural Heritage Protection Guidelines for Planning Authorities (2011)

For details of consistency with the quantitative standards for residential units please refer to the **Housing Quality Assessment** and the **Architectural Design Statement** prepared by MCA Architects that accompany this application under separate cover.

## 2 Description of Development

**GLL PRS Holdco Limited.** intend to apply to An Bord Pleanála for permission for a Strategic Housing Development, 'Kenelm, comprising 162 no. units in 3 no. apartment blocks (A-C) ranging in height from 5-6 storeys over basement on a site of c.1.7 hectares at Howth Road, Howth, Co. Dublin.

The design rationale is to create and deliver a high quality, sustainable, strategic housing development which respects its setting and maximises the site's natural attributes while achieving maximum efficiency of existing infrastructure. The Proposed Site Layout is illustrated on **Drawing No. 1101** contained within the architectural suite of drawings.

The development will consist of;

- i. 162 no. residential units distributed across 3 no. blocks (A, B & C) ranging in height from 5-6 storeys, with a cumulative gross floor area (GFA) of 13,337.10 sq.m comprising;
  - a. 29 no. 1-bedroom units, - 17.9%
  - b. 104 no. 2-bedroom units and – 64.2%
  - c. 29 no. 3-bedroom units – 17.9%
- ii. 3 no. resident services and amenity rooms (1 no. in each block A-C) to accommodate co-working space, a community room and a meeting room (combined GFA 108 sq.m)
- iii. 132 no. car parking spaces at basement level (underlying Blocks A & B) including 6 no. accessible spaces, 13 no. electric vehicle spaces and 4 no. car sharing spaces;
- iv. 325 no. residents bicycle parking spaces (long-stay) at basement level, and 30 no. visitor bicycle parking spaces (short-stay) at surface level;
- v. communal amenity space in the form of courtyards and roof gardens (combined 2,192 sq.m)
- vi. public open space of 1,161 sq.m including a botanic garden and pocket park;
- vii. a single storey ESB sub-station and switch room (45.5 sq.m);
- viii. demolition of 2 no. sections of the existing demesne northern boundary wall to provide, a primary access (vehicular/pedestrian/cyclist) to the northwest and a separate pedestrian/cyclist access at the centre;
- ix. restoration and refurbishment of the remaining extant northern and eastern demesne boundary wall;
- x. change of use and regrading of part of the Deer Park Golf Course from active recreation use to passive amenity parkland and planting of a woodland belt on the southern boundary;
- xi. undergrounding of existing ESB overhead lines, and, relocation of the existing gas main; and,
- xii. all ancillary site development works including waste storage and plant rooms at basement level, drainage, landscaping/boundary treatment and lighting.

A breakdown of the units and mix is provided below.

Building Ref.	1 Bed	2 Bed (3P)	2 Bed (4P)	3 Bed	Total
A	9	1	31	11	52
B	9	1	31	11	52
C	11	1	39	7	58
<b>Total</b>	<b>29</b>	<b>3</b>	<b>101</b>	<b>29</b>	<b>162</b>
<b>Mix</b>	<b>17.90</b>	<b>64.20</b>	<b>17.90</b>	<b>-</b>	<b>-</b>

TABLE 1 NUMBER AND MIX OF UNITS

The application area is approx. 1.7 ha and of that c.1.16 ha is zoned residential with the balance high amenity, see **Figure 2**. The net density is calculated on the developable area and excludes the high amenity zoned lands. The proposed net density is thus **140 units per hectare**.

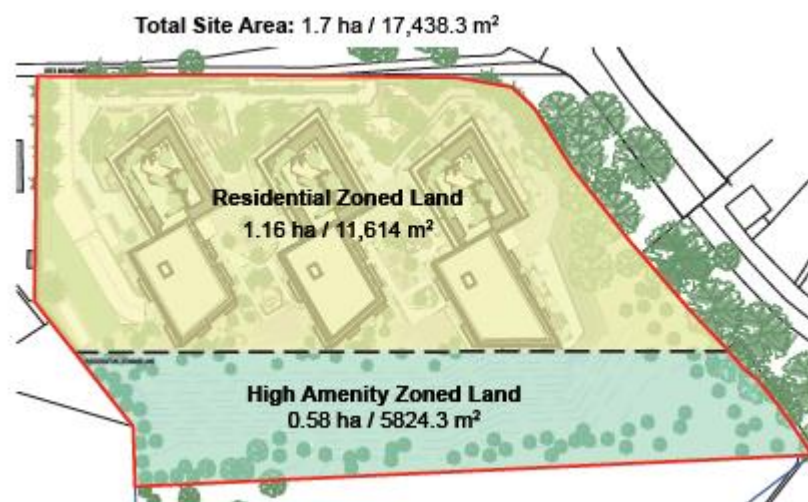


FIGURE 2 LAND ZONING CATEGORIES WITHIN THE SUBJECT

Private amenity space is met and exceeded for all proposed units. The primary type of private amenity is provided balconies for upper units and at ground floor, private terraces are proposed.

A **Landscape Design Report** (BSLA) accompanies this application under separate cover. The landscape strategy is designed to facilitate passive and active recreation, where residents can interact, all underpinned by a recognition of the site's rich history and the need to promote biodiversity. A combination of hard and soft landscaping, including a botanic garden and pocket park play area provide a high-quality open space.

Communal open space is provided at ground and roof level and in total 2,192 sq.m is proposed. The requirement under the Design Standards for New Apartments is 1,131.0 sq.m. There is thus an overprovision of communal open space of 1,061 sq.m.

In terms of public open space, 1,161 sq.m is provided to the north of the site meeting the quantitative standard of 10% established in the Development Plan. The design is well considered, a botanic garden is proposed, that avails of the favourable microclimate that exists in Howth and the demesne wall will act as its canvas. A pocket park is proposed to the north

east and includes a play area and seating for supervising adults. Lawns are proposed to the front of Blocks A and B that will allow for passive recreation.

The proposed vehicular entrance is located on the north-western site boundary and this design measure facilitates separation between the proposed blocks and adjacent existing dwellings. Principles of permeability are integrated to the design through the inclusion of a separate pedestrian and cyclists access further to the east of the vehicular access.

Carparking is proposed at basement level and this design measure maximises the available open space.

It is proposed to largely retain the historic boundary wall that wraps around the northern and eastern site boundary. Development of the entrances (vehicular, cyclist and pedestrian) will require 2 no. openings to be made in the wall. The project Conservation Architect has worked alongside the project architect to advise on the treatment of the proposed openings. An **Architectural Heritage Assessment Report** (Slattery Conservation) accompanies this application under separate cover.

A comprehensive suite of sustainable urban drainage measure is proposed and storm water will discharge to the municipal sewer system present in Howth Road.

Foul water will be collected from the apartment blocks where it is proposed to discharge to an existing manhole adjacent to Howth Road. Irish Water have confirmed the feasibility of the connection.

It is proposed to make a new water connection to the existing watermain on the Howth Road, subject to agreement with Irish Water. The new connection will be to Irish Water specifications.

An **Irish Water Confirmation of Feasibility** and **Statement of Design Acceptance** is included with this SHD application.

**Key elements of the proposal** are summarised as follows:

- All proposed units meet or exceed the minimum required floor areas as confirmed in the **Housing Quality Assessment**, submitted under separated cover (MCA Architects).
- The proposed layout responds to the site's topography and takes a stepped approach to height, tapering down to the lower level of the site, at its frontage with the Howth Road, to 4 storeys with the upper level set back.
- The setting back of the upper floors provides an opportunity for the creation of communal open space without compromising the amenity of adjacent existing dwellings.
- The proposed entrance is on the north-western boundary and this facilitates separation between Block A and the existing dwellings to the west.
- The interventions to the demesne wall to create 2 no. openings are well considered and the opportunity that the works present to rehabilitate the wider demesne wall will be carried out.
- Block C is set back from the eastern site boundary to create distance from the ACA boundary and the protected Howth Castle gates.



- The landscape design complements the existing natural and historical features and contributes to the buildings' setting.
- A comprehensive schedule of tree planting is proposed to supplement the existing sylvan nature of the wider demesne lands.
- The use of contemporary and complementary materials finishes and textures that both reflect the local environment and create a distinctive sense of identity for the proposed development.
- Permeability is promoted through the inclusion of 2 no. new access points along the Howth Road frontage.
- The high amenity lands to the south will retain their existing function.
- The development of this greenfield site within a built-up area will promote active modes of travel and contribute to decreased reliance on private vehicles.
- Energy efficiency will be promoted throughout the scheme and the building design will achieve an A2-A3 Building Energy Rating.

### 3 National Planning Policy & Section 28 Guidelines

This section of the report addresses the following policy and guidelines;

- *Project Ireland 2040 National Planning Framework (2018)*
- *Sustainable Urban Housing: Design Standards for New Apartments (2018)*
- *Urban Development and Building Heights: Guidelines for Planning Authorities (2018)*
- *Rebuilding Ireland: Action Plan for Housing and Homelessness (2016)*
- *Design Manual for Urban Roads and Streets (2013)*
- *Sustainable Residential Development in Urban Areas (2009)*
- *Urban Design Manual – A Best Practice Guide (2009)*
- *Childcare Facilities Guidelines for Planning Authorities (2001)*
- *Department Arts Heritage and the Gaeltacht Statutory Guidelines (2011)*

#### 3.1 Project Ireland 2040: National Planning Framework (2018)

Policy Objective	Policy Provision	Statement of Consistency
2a	<i>A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs.</i>	✓ The proposed development is located within Dublin City and Suburbs and so it will support the consolidation and growth of Dublin.
3a	<i>Deliver at least 40% of all new homes nationally, within the built-up envelope of existing urban settlements.</i>	✓ The proposed development site is an infill site, at the edge of Howth town centre, in an area that is undergoing transition. Claremont, a high density mixed use scheme is permitted on the former Techrete site to the north of Howth Road and immediately northeast of the application area.
3b	<i>Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.</i>	✓ The proposed development will deliver 162 new residential units in a central and accessible site on an infill site at the edge of Howth town centre.
4	<i>Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.</i>	<p>✓ The proposed mix of unit sizes provides for a range of household types from single occupancy through to family homes.</p> <p>✓ A range of passive and active open space is provided that benefits from excellent sunlight. Children's play is provided for within the scheme.</p> <p>✓ The individual homes benefit from generous floor space, access to private amenity space, a high proportion benefit from dual aspect living spaces, views are maximised and daylighting of living areas has been prioritised.</p> <p>✓ Energy efficiency is integral to the design and will lower energy costs for future occupants.</p>

		<ul style="list-style-type: none"> <li>✓ 3 no. communal resident rooms are included that will facilitate home working, meeting space and community space.</li> <li>✓ The ratio of carparking is reduced and this measure together with a high number of secure bicycle parking spaces will promote active travel modes and in turn a healthier lifestyle.</li> <li>✓ The proposed development will meet the needs of workers in Dublin City and suburbs area where currently there is an undersupply of private housing.</li> </ul>
5	<i>Develop cities and towns of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity.</i>	<ul style="list-style-type: none"> <li>✓ The proposed development will contribute to the densification of Dublin's suburbs.</li> <li>✓ The proposed development will increase the population of Howth thereby supporting a vibrant town core.</li> <li>✓ The proposed development will deliver 162 no. new homes to a market that is critically undersupplied. The shortage of housing in Dublin is an impediment to attracting FDI and this proposal would contribute toward counteracting this, providing homes in a location that benefits from high accessibility to the city centre.</li> </ul>
6	<i>Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area.</i>	<ul style="list-style-type: none"> <li>✓ The proposed development will support the consolidation and compact growth of Howth.</li> <li>✓ The architectural expression of the scheme comes from a comprehensive assessment of the baseline environment and cognisant of the surrounding historic and natural environment. The development will provide a contemporary mix of residential units in 3 no. blocks designed with high quality finishes that reflect and respect the local environment.</li> <li>✓ Together with the Claremont development it would provide an identifiable 'gateway' to Howth and delineate the urban edge of the town centre.</li> <li>✓ It would deliver a public amenity, a botanic garden, that differs from other local open space.</li> <li>✓ It would enhance the provision of children's play locally.</li> <li>✓ It would increase the population in Howth thereby supporting the viability of services present in the town.</li> </ul>
7	<i>Dublin Encouraging population growth in strong employment and service centres of all sizes, supported by employment growth.</i>	<ul style="list-style-type: none"> <li>✓ The proposed development is in Dublin City and Suburbs and is located on a central and accessible site within walking distance of Howth DART Station that provides high frequency access to the City.</li> </ul>

8	<p><i>To ensure that the targeted pattern of population growth of Ireland's cities to 2040 is in accordance with the targets set out for Dublin of an increase in population of approximately 20-25% (or 235,000 - 293,000 people) by 2040.</i></p>	<ul style="list-style-type: none"> <li>✓ The proposed development will provide high density residential development that will facilitate an increase in the population of Dublin City and its suburbs.</li> <li>✓ The proposed development will generate a population of approx. 424 persons.</li> </ul>
11	<p><i>In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.</i></p>	<ul style="list-style-type: none"> <li>✓ This proposal will generate an estimated population of c.424 residents at a central accessible location with adjacent public transport links that offers high frequency public transport services connecting to major employment centres <b>in the city</b>.</li> <li>✓ The additional population will lead to strengthening of jobs and economic activity within the area through the knock-on effect on services and facilities within the existing urban area.</li> </ul>
13	<p><i>In urban areas, planning and related standards, including building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.</i></p>	<ul style="list-style-type: none"> <li>✓ The proposed development ranges in height from 5 to 6 storeys. The proposed blocks take a stepped approach, tapering down to the lower level of the site, along the Howth Road (R105). The supporting reports included with this application demonstrate that the proposed height will not negative effect adjacent existing dwellings, the character and setting of protected structures and the ACA, or the Howth SAAO.</li> <li>✓ The proposed heights are consistent with emerging trends for development in central and accessible locations in Dublin, recently permitted development (Claremont) local to the site and is consistent with national policy objectives of compact growth and increased densification in appropriate urban locations.</li> <li>✓ The application is supported by a comprehensive suite of supporting documents assessing the development against performance-based criteria and all conclude that the proposed design is of high quality.</li> <li>✓ The <b>Landscape and Visual Impact Assessment</b> concludes that the effects are assessed as neutral to positive since (a) they are supported by policy, and (b) the proposal exhibits an understanding of and appropriate response to the sensitivities and opportunities presented by the urban, historic and natural context.</li> <li>✓ The sunlight analysis demonstrates all amenity areas and roof gardens will receive a level of sunlight in excess of the recommended levels as per the BRE Guidelines</li> </ul>

		<ul style="list-style-type: none"> <li>✓ The daylight assessment of the individual units demonstrates that the living areas will receive adequate levels of daylight such that a comfortable living environment will be enjoyed.</li> <li>✓ There is adequate separation between the proposed building block and the nearest residential dwelling to avoid excessive overshadowing effect and there will be no perceptible effect to the amenities of existing neighbouring properties.</li> <li>✓ The benefits of developing this site are wide-ranging and the type and form of development is consistent with emerging trends to ensure consolidation of the urban footprint and efficient use of land and is in the interest of the common good.</li> <li>✓ The proposed level of car parking provision is 132 no. parking spaces (including 6 no. disabled spaces, 13 no. electric vehicle spaces and 4 no GoCar spaces), equating to 0.81 spaces per residential unit. This provision is commensurate with the site's accessibility to high capacity and high frequency public transport services. Whilst the proposed residential parking provision is 48% of the quantum required under the Fingal's development standards, this is consistent with the New Apartment Guidelines. A justification for the car parking ratio is presented in the <b>Traffic &amp; Transport Assessment</b> (BMCE) that accompanies this SHD application.</li> </ul>
26	<i>Support the objectives of public health policy including Healthy Ireland and the National Physical Activity Plan, though integrating such policies, where appropriate and at the applicable scale, with planning policy.</i>	<ul style="list-style-type: none"> <li>✓ The proposed development is located in an area with a high level of local amenity. The provision of openings along the norther boundary provides direct access to the wider area for active leisure pursuits.</li> <li>✓ 355 no. secure cycle parking spaces for future residents, including 30 no. spaces for visitors at grade level.</li> </ul>
27	<i>Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.</i>	<ul style="list-style-type: none"> <li>✓ The proposed development is located at a central site proximate to Howth DART station. The design of the scheme will provide high levels of connectivity and will generate increased pedestrian and cycling activity.</li> <li>✓ 355 no. cycle parking spaces to be provided within the development promoting active modes of travel.</li> <li>✓ Permeability is central to the design and in this regard, it is proposed to create pedestrian and cyclist access points to the through the existing demesne northern boundary wall.</li> </ul>
28	<i>Plan for a more diverse and socially inclusive society that targets equality of opportunity</i>	<ul style="list-style-type: none"> <li>✓ The proposed development provides for 1 bed, 2 bed, 3-bedroom units, that will cater for a range of household sizes.</li> </ul>

	<p><i>and a better quality of life for all citizens, through improved integration and greater accessibility in the delivery of sustainable communities and the provision of associated services.</i></p>	<ul style="list-style-type: none"> <li>✓ The Applicant will comply with their Part V obligations and deliver 16 no. social and affordable housing units.</li> <li>✓ Communal open space is to be incorporated into the development in the form of courtyards and roof gardens which will provide opportunities for social integration.</li> <li>✓ Space is dedicated in the proposed development to facilitate co-working, community and meeting areas.</li> <li>✓ The proposed development is Part M compliant and thus includes access for people with disabilities.</li> </ul>
31	<p><i>Prioritise the alignment of targeted and planned population and employment growth with investment in:</i></p> <p><i>The provision of early childhood care and education (ECCE) facilities and new and refurbished schools on well-located sites within or close to existing built-up areas, that meet the diverse needs of local populations.</i></p>	<ul style="list-style-type: none"> <li>✓ This application is accompanied by a <b>Social Infrastructure Audit, Childcare Demand Report, and School Demand Assessment Report</b>, prepared by MH Planning. The reports conclude that there is sufficient capacity locally to provide for the pre-school, primary school and post primary school demand generated by the proposed development.</li> </ul>
32	<p><i>Target the delivery of 550,000 additional households up to 2040.</i></p>	<ul style="list-style-type: none"> <li>✓ The proposed development will contribute 162 no. new households to the target.</li> </ul>
33	<p><i>Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.</i></p>	<ul style="list-style-type: none"> <li>✓ The proposed development provides 162 no. units on a centrally located in a central and accessible urban town core benefitting from accessibility to high capacity and high frequency public transport services.</li> </ul>
34	<p><i>Support the provision of lifetime adaptable homes that can accommodate the changing needs of a household over time.</i></p>	<ul style="list-style-type: none"> <li>✓ The proposed development will provide a mix of unit types and sizes, which will address a deficit in accommodation suitable for smaller households in the local area.</li> <li>✓ The interior of each apartment is designed with a flexible approach in mind so that the interior will be adaptable to meet the needs of their occupants.</li> <li>✓ The proposed development is designed with a Universal Design Approach i.e. so that it can be readily accessed and used by everyone, regardless of age, size, ability or disability.</li> <li>✓ The proposed development is Part M compliant.</li> </ul>

35	<i>Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.</i>	<ul style="list-style-type: none"> <li>✓ The proposed development site is an infill site and the design incorporates modest heights (max 6 storeys) and achieves a net density of 140 dwellings per hectare.</li> </ul>
52	The planning system will be responsive to our national environmental challenges and ensure that development occurs within environmental limits, having regard to the requirements of all relevant environmental legislation and the sustainable management of our natural capital.	<ul style="list-style-type: none"> <li>✓ The proposed development is designed to the Nearly Zero Energy Building (NZEB) standard at a high level of energy efficiency minimising the use of natural resources (energy and water). NZEB compliant buildings generally achieve a BER of A2-A3.</li> <li>✓ This application is accompanied by an Environmental Impact Assessment Report that demonstrates overall post-mitigation the residual impact of the proposed development will not result in negative effects.</li> <li>✓ A Flood Risk Assessment accompanies the application and confirms the site's suitability for the proposed development.</li> <li>✓ The landscape design incorporates SuDS and biodiversity measures.</li> <li>✓ Irish Water has confirmed the feasibility of the scheme in terms of potable water supply and foul water discharge.</li> </ul>
54	Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions.	<ul style="list-style-type: none"> <li>✓ The proposed development is designed to the Nearly Zero Energy Building (NZEB) requirements meaning that the buildings will have a very high energy performance.</li> <li>✓ The drainage system includes an allowance for climate change and SuDS in the form of extensive green roofs, impermeable roof, rain gardens, permeable paving, bioretention systems and are integrated into the design.</li> <li>✓ The proposed development has been planned to promote active modes of travel and reduce car dependence. A Mobility Management Plan (BMCE) accompanies this SHD application.</li> </ul>
56	Sustainably manage waste generation, invest in different types of waste treatment and support circular economy principles, prioritising prevention, reuse, recycling and recovery, to support a healthy environment, economy and society.	<ul style="list-style-type: none"> <li>✓ During the demolition &amp; construction stage, every opportunity to minimise waste production including reuse and recycling of materials will be embraced. This is addressed further in the site-specific Construction &amp; Demolition Waste Management Plan Operational Waste Management Plan that accompany this SHD application.</li> <li>✓ The development proposal incorporates adequately sized waste management facilities within the</li> </ul>

		basement parking space to support and promote source segregation of waste streams i.e. organics, recyclable and residual waste.
57	<p>Enhance water quality and resource management by:</p> <p>Ensuring flood risk management informs place-making by avoiding inappropriate development in areas at risk of flooding in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities.</p>	<p>✓ A site-specific Flood Risk Assessment Report has prepared to accompany this SHD application. The site is located in Flood Zone C and therefore the proposed development is appropriate and in accordance with Guidelines on this matter.</p>
60	<p>Conserve and enhance the rich qualities of natural and cultural heritage of Ireland in a manner appropriate to their significance.</p>	<p>✓ The proposed development will largely retain the historic wall along the northern boundary and opening (entrances) will be constructed of high-quality materials and restrained design to avoid any adverse impact. The remainder of the wall will be subject to enhancement works to counteract the decay that is occurring. A full assessment and evaluation is contained in the <b>Architectural Heritage Assessment Report</b> that accompanies this SHD application.</p>
63	<p>Ensure the efficient and sustainable use and development of water resources and water services infrastructure in order to manage and conserve water resources in a manner that supports a healthy society, economic development requirements and a cleaner environment.</p>	<p>✓ Sustainable urban drainage system (SuDS) measures are incorporated as appropriate into the proposed design. Please refer to the Infrastructure Report (BMCE) that accompanies this SHD application.</p>
64	<p>Improve air quality and help prevent people being exposed to unacceptable levels of pollution in our urban and rural areas through integrated land use and spatial planning that supports public transport, walking and cycling as more favourable modes of transport to the private car, the promotion of energy efficient buildings and homes, heating systems with zero local emissions, green infrastructure planning and innovative design solutions.</p>	<p>✓ 355 no. cycle parking spaces are to be provided. This will serve to promote a modal shift in transport and a reduction in emissions.</p> <p>✓ The proposed development is within walking distance of Howth DART station and Dublin Bus stops.</p> <p>✓ The proposed development is designed to NZEB and will achieve a high level of energy efficiency through minimising the use of fossil fuels and associated emissions to air.</p>
75	<p>Ensure that all plans, projects and activities requiring consent arising from the</p>	<p>✓ An <b>Environmental Impact Assessment Report</b> is included with the application.</p>



	<p>National Planning Framework are subject to the relevant environmental assessment requirements including SEA, EIA and AA as appropriate.</p>	<p>✓ A Stage I Screening <b>Appropriate Assessment</b>, and a Stage 2, <b>Natura Impact Statement</b>, have been prepared (Scott Cawley Ltd). The reports are submitted with this SHD application under separated cover.</p>
--	--	--

### 3.2 Sustainable Urban Housing: Design Standards for New Apartments (2018)

**SPPR 1:** Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms.

The proposed mix does not include studio apartments and the number of 1-bedroom apartments is well below the 50% threshold. The proposed mix set out below is compliant with SPPR 1.

- 29 no. 1-bedroom units, - 17.9%
- 104 no. 2-bedroom units and – 64.2%
- 29 no. 3-bedroom units – 17.9%

**SPPR 2:** The SPPR relates to building refurbishment schemes, or urban infill schemes on sites of up to 0.25ha. The proposed development site is 1.7 hectares and exceeds the area threshold, accordingly, the SPPRR is not relevant.

**SPPR 3** sets out the minimum apartment floor areas as follows;

- Studio (1 person) – 37 sq.m
- 1-Bed (2 persons) – 45 sq.m
- 2-Bed (4 persons) – 73 sq.m
- 3-Bed (5 persons) – 90 sq.m

The minimum floor areas have been met within all individual units and the majority of the units exceed the minimum floor area as is illustrated in the Housing Quality Assessment (MCA Architects) submitted under separated cover.

The requirement for the majority of all apartments to exceed the minimum floor area by a minimum of 10% is met, 82% of the proposed units will exceed this requirement.

No more than 10% of the total number of units in any private residential development may comprise of two-bedroom three-person apartment. Of the 162 no. units, 3 no. 2-bed, 3 person apartments are proposed.

**SPPR 4** requires that a minimum of 33% of dual aspect units is required in central and accessible urban locations. The scheme achieves 61% (99 no. apartments) dual aspect.

**SPPR 5** relates to ground level floor to ceiling heights, in this regard the proposed development meets the minimum requirement of 2.7m in all units.

**SPPR 6** limits the number of apartments per core to 12 no. per floor. Within the scheme, the number of units per core vary, however, in all cases they are below 12 units as set out in the Table below.

Building Ref.	Ground – 3 <sup>rd</sup> Floor	4 <sup>th</sup> Floor	5 <sup>th</sup> Floor
A	10	8	4
B	10	8	4
C	11	9	5

In relation to Private Amenity Space it is a requirement to provide apartments with private open space in the form of balconies and terraces. The proposed development incorporates ground floor terraces with boundary treatment and balconies for the upper residential units in line with the policy requirement. The area requirements set out in Appendix 1 are met and or exceeded. Balconies are located on the south, east and west elevations where they will receive adequate sunlight and overlooking is minimised. Balconies are designed to have a functional relationship with the main living areas of the apartment.

Communal amenity space (2,192 sq.m) is provided at ground and roof level. Based on the Guidelines requirements, the communal amenity space provided within the proposed development will be in excess to the standard requirement set out in Appendix 1 of the Guidelines. The sunlight assessment of the communal amenity space demonstrates that they all exceed the BRE standard, see Daylight and Sunlight Report submitted under separate cover.

Assessed Area	Area Capable of Receiving 2 Hours of Sunlight on March 21st	Recommended minimum	Level of Compliance with BRE Guidelines
Amenity Area 1	89.6%	50.0%	BRE Compliant
Amenity Area 2	92.1%	50.0%	BRE Compliant
Roof Garden A	100.0%	50.0%	BRE Compliant
Roof Garden B	100.0%	50.0%	BRE Compliant
Roof Garden C	100.0%	50.0%	BRE Compliant
Public Amenity Area	81.6%	50.0%	BRE Compliant

\* The BRE Guidelines recommend that for a garden or amenity appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on March 21st.

The proposed streetscape and public realm have been designed to provide a high degree of amenity, connectivity and encourage activity by pedestrians and cyclists. The internal network segregate vehicular movement from pedestrians, including two separate access points on to Howth Road. The scheme prioritises pedestrian movement, enhancing the level of resident amenity within the development.

The Guidelines require that occupants and visitors should benefit from a sense of safety and security by overlooking of the public realm. All open spaces areas are designed to be overlooked to ensure that they function as safe and secure areas for the enjoyment of residents.

Refuse storage provision is a requirement of the Guidelines in apartment schemes and must be accessible to each stair core and designed with regard to the projected waste generation, types and quantities. Within apartments there must be sufficient provision for temporary storage of segregated materials prior to deposition in communal facilities. The scheme provides adequate storage within individual apartments and communal waste storage is provided at basement level. An operational Waste Management Plan accompanies this application under separate cover.

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

- *within the private open space associated with individual apartments (see chapter 3);*

All units proposed benefit from generous balconies or at ground level, private terraces, that meet the quantitative development management standards established in Appendix 1 of the Guidelines.

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

The proposed pocket park that occupied an area of 350 sq.m is designed to facilitate play for children. The play space has a grass area for informal activities such as playing with a ball and more formal activities with the provision of play equipment. The equipment will be aimed at the 2-10 years age group and composed of timber materials to assimilate the area into the surrounding garden landscape. The surface will be of bark mulch. Sheltered seating benches are dotted around the play area for those supervising children at play. The pocket park benefits from passive supervision, being located to the north east of the proposed Block A. This pocket park play area is supplemented with opportunities for play integrated into the courtyard design.

- *within play areas (200–400 sq. metres) for older children and young teenagers, in a scheme that includes 100 or more apartments with two or more bedrooms.*

As outlined above, the design of the scheme integrates opportunities for play aimed at older children including space for ball play within the pocket park and space dedicated to games, table tennis and exercise stations within the courtyards.

Bicycle parking & storage, the Guidelines provide a general minimum standard of 1 cycle storage space per bedroom. The proposed development incorporates 324 no. bedrooms and 325 no. secure cycle spaces are provided at basement level. The visitor parking requirement is 1 space per 2 units, for the proposed scheme 81 no. visitor parking spaces would be required. Having regard to the site's location it is considered that this quantum would result in redundant spaces and 30 no. spaces are proposed at ground level. An over provision of visitor cycle parking would also take away from the quality of the open space. The usage of visitor parking will be monitored by the management company following occupation of the scheme and should additional parking be deemed necessary it will be retrofitted.

The provision for carparking set out for suburban/urban locations served by public transport or close to town centres or employment areas is considered to be most relevant to the proposed development site. The Guidelines require planning authorities to consider a reduced overall car parking standard and apply an appropriate maximum car parking standard. It is proposed to provide 132 No. car parking spaces for the residential component, equating to 0.81 spaces per residential unit. This ratio is similar to the approved Claremont scheme (0.7 spaces per residential unit) located opposite the proposed development. This level of provision is 48% of the quantum required under the Fingal County Development Plan standards. This significantly reduced provision is also consistent with the mobility targets for Dublin city as detailed within the Dublin City Transport Plan and would assist with mitigating traffic congestion at the Sutton Cross junction.

Section 6 of the Guidelines sets out the content of applications and it is confirmed that the supporting information included with this application meets the requirements. Para 6.5 identifies that planning authorities should have regard to quantitative performance approaches to daylight provision outlined in guides like the BRE guide 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting' when undertaken by development proposers which offer the capability to satisfy minimum standards of daylight provision. Where an applicant cannot fully meet all of the requirements of the daylight provisions, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, which planning authorities should apply their discretion in accepting. This matter is dealt with in the **Material Contravention Statement** that accompanies this application.

### 3.3 Urban Development and Building Heights: Guidelines for Planning Authorities (2018)

These Guidelines reinforce that “a key objective of the NPF is therefore to see that greatly increased levels of residential development in our urban centres and significant increases in the building heights and overall density of development is not only facilitated but actively sought out and brought forward by our planning processes and particularly so at local authority and An Bord Pleanála levels”.

**SPPR 1** states that it is government policy that building height and density should be increased on sites with good public transport accessibility. The proposed development site benefits from high quality and high frequency public transport, DART and Dublin Bus. Accordingly, it is a suitable site for increased height and density.

The Guidelines recognise that historic environments can be sensitive to large scale and tall buildings. In order to consider proposals in an integrated and informed way, it is necessary to submit an urban design statement addressing aspects of impact on the historic built environment together with a specific design statement on the individual proposal from an architectural perspective. This application is accompanied by both documents and together with the Architectural Heritage Report, the photomontages and the Built Heritage and Landscape and Visual chapters of the EIAR they demonstrate that the proposed design is sensitive to the surrounding architectural heritage and associated character and setting. It is consistent with the relevant sections of the 2011 Architectural Heritage Protection – Guidelines for Planning Authorities (see section 3.9).

The site is zoned for development and within walking distance of Howth DART station and town centre. The detached dwellings to the west do not form a sustainable pattern of development that should be replicated on the site. The site is part of Howth Castle demesne. Its topographical profile rises from north to south. The detailed design of the buildings achieves a very high standard.

The development is comprised of three buildings of linear form, arranged side-by-side, aligned north-south, roughly perpendicular to the Howth Road. Each building is divided into a front and rear volume, with the two volumes offset so that the floorplan is staggered, providing the apartments in the rear volumes with views north towards the sea. The layout would create a strong built frontage to the road, on the road’s approach to the town centre, while retaining a visual connection between the buildings to the woodlands and upland to the south. The north-south aligned spaces between the buildings would also allow for sunlight penetration to the scheme.

The three buildings are not positioned at the front of the site, i.e. they are not road-front buildings typical of an urban location. They would rather be set back behind the existing roadside green verge, the historic demesne boundary wall which remains on the site, and a proposed corridor of public open space inside the wall. The angling of the road-facing facades creates three triangular spaces inside the wall, in front of the buildings. It is proposed to plant large specimen trees in these spaces, to provide further softening of the built frontage while still generating a degree of street enclosure in recognition of the site’s urban gateway position.

The front volumes of the proposed buildings are five storeys, with the top floor set back behind a shallow terrace. The rear volumes step up to six storeys, so that the buildings would reflect

the topography of the site, which rises towards the south, away from the road and the coastline.

In summary, the proposed development combines distinctly urban characteristics (e.g. the building typology and scale) with the retention of key landscape features such as the demesne wall and woodland/trees that lend the site and the area its particular character. This is a considered response to the urban edge/gateway location (which has been reinforced by the permission for the Claremont development) and a receiving environment rich in cultural and natural heritage.

While the proposed development would introduce change to the existing character of the area, this change would be positive and would be in keeping with the permitted Claremont scheme opposite and national and regional planning policy.

**Section 3.1** of the Guidelines is concerned with Building Height and the Development Management Process, it sets out a series of questions as follows;

<p><b>1</b></p>	<p><i>Does the proposal positively assist in securing National Planning Framework objectives of focussing development in key urban centres and in particular, fulfilling targets related to brownfield, infill development and in particular, effectively supporting the National Strategic Objective to deliver compact growth in our urban centres.</i></p>	<p>✓ The site is currently a zoned infill greenfield development site in Dublin City and Suburbs. Its redevelopment as proposed would consolidate the urban area of Howth. The proposed development would positively assist with securing the following NPF objectives;</p> <p>NPO 2a - A target of half (50%) of future population and employment growth will be focused in the existing five Cities and their suburbs.          NPO 3a - Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements; and          NPO 3b - Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.</p>
<p><b>2</b></p>	<p><i>Is the proposal in line with the requirements of the development plan in force and which plan has taken clear account of the requirements set out in Chapter 2 of these guidelines?</i></p>	<p>✓ The Fingal Development Plan 2017-2023 predates these section 28 Guidelines. Notwithstanding, the Development Plan does not include a height strategy and the proposed development site is not subject to height restrictions.</p>
<p><b>3</b></p>	<p><i>Where the relevant development plan, local area plan or planning scheme pre-dates these guidelines, can it be demonstrated that implementation of the pre-existing policies and objectives of the relevant plan or planning scheme does not align with and support the objectives and policies of the National Planning Framework?</i></p>	<p>✓ The proposed development is located in a central and accessible site under the terms set out in section 2.4 of the Guidelines and so it is suitable for apartment schemes at higher densities and increased height.</p> <p>✓ The settlement strategy for Howth allows for a potential 498 units across 16 hectares, this represents a gross density</p>

		<p>of 31 units per hectare and is inconsistent with the objectives to achieve higher density development and compact growth. The proposed development when considered cumulatively with the permitted Claremont scheme would exceed the residential capacity stated in the Development Plan. Accordingly, a <b>Material Contravention Statement</b> accompanies this application.</p>
--	--	---

**Section 3.2** sets out development management criteria which proposals for higher buildings are required to satisfy. The relevant criteria in respect of the proposed residential development are noted and responded to as follow:

At the Scale of;	Criteria	
City/Town	<ul style="list-style-type: none"> <li>• Public transport access</li> <li>• Integration with and enhancement of area having regard to topography, cultural context, setting of landmarks, protection of views – Landscape &amp; Visual Assessment (LVIA) required.</li> <li>• Positive contribution to place-making, variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape.</li> </ul>	<ul style="list-style-type: none"> <li>✓ The site benefits from high levels of accessibility to public transport including Howth DART Station (5-minute walk time). The DART operates a service to the city centre every 12 to 15 minutes during the morning peak. The DART connects with the Regional/National rail service. The Dublin Bus services in the area provide direct linkage to the city, the Route 31A (2 per hour morning peak) along Howth Road towards the city centre, and the 31B (1 per hour morning peak) Route along Carrickbrack Road towards the city centre.</li> <li>✓ The design and layout is informed by the site’s location within the demesne lands, an infill greenfield site and at a location undergoing transformation having regard to the permitted Claremont development. The application is supported by an Urban Design Statement, Architectural Design Statement. Designated views in the Development Plan, in the Howth Castle ACA and other views deemed sensitive are illustrated in the Photomontages that accompany the application. An LVIA is included in the EIAR and it concludes that post development, the impact is predicted to range from neutral to positive.</li> <li>✓ Landscape proposals will serve to mitigate the potential impact of the proposed development and to enhance the immediate streetscape as well as wider area.</li> <li>✓ The layout would create a strong built frontage to the road, on the road’s approach to the town centre, while</li> </ul>



		<p>retaining a visual connection between the buildings to the woodlands and upland to the south. The front volumes of the proposed buildings are five storeys, with the top floor set back behind a shallow terrace. The rear volumes step up to six storeys, so that the buildings would reflect the topography of the site, which rises towards the south, away from the road and the coastline. The demesne northern boundary wall is retained with sensitive interventions to create access. The woodland belt to the east is supplemented with additional trees. The scheme will act as a gateway to Howth 9n concert with the Claremont development and together they would define the urban edge.</p>
<p><b>District/ Neighbourhood/ Street</b></p>	<ul style="list-style-type: none"> <li>• Responds to overall natural and built environment</li> <li>• Enhances urban design context</li> <li>• Cognisant of flood risk</li> <li>• Improvements to legibility</li> <li>• Positively contribute to mix of uses &amp; dwelling types</li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposed development is informed by an understanding of the existing natural and built environment and post application of mitigation measures it will not have an adverse effect on the local natural and built environment. This is demonstrated in the studies undertaken and subsequent reports submitted with this application.</li> <li>✓ The proposed development will define Howth's urban edge and will act in concert with Claremont as a gateway to the town.</li> <li>✓ The Flood Risk report included with the application establishes that the proposed development is appropriate and the site is classified as Zone C.</li> <li>✓ The proposed development will bring a zoned, greenfield, underutilised site into productive use and will promote vitality and vibrancy of the site and wider area through increased density, pedestrian permeability and enhanced public realm.</li> <li>✓ The proposed development includes openings in the demesne wall that is currently impermeable.</li> <li>✓ The proposed apartment blocks fit into the town centre of Howth, merging with the modern expression of new buildings in Howth in a cohesive manner.</li> <li>✓ The proposed development avoids long, uninterrupted walls of buildings. 3 blocks are proposed, aligned north-south.</li> </ul>

		<ul style="list-style-type: none"> <li>✓ The proposed development is for a mix of apartment types and this is informed by an assessment of the existing housing stock in Howth. The proposed unit mix will augment the existing provision locally and is appropriate in the context of the predominance of housing.</li> </ul>
<b>Site/ Building</b>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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'.</li> <li>• Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out.</li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposed development comprises three buildings of linear form, arranged side-by-side, aligned north-south, roughly perpendicular to the Howth Road. Each building is divided into a front and rear volume, with the two volumes offset so that the floorplan is staggered, providing the apartments in the rear volumes with views north towards the sea. The north-south aligned spaces between the buildings would also allow for sunlight penetration to the scheme.</li> <li>✓ The shadow study shows that overall, there is minimal overshadowing from the proposed development to existing residential amenities in the area due to the considered architecture along the west side where the potential for overshadowing to existing buildings is greatest. All of the assessed gardens have met the criteria for impact to sunlight on March 21st, as set out in the BRE Guidelines.</li> <li>✓ The Daylight &amp; Sunlight Report that accompanies this application demonstrates that when measured against the 2% criteria the approx. overall compliance rate is 93%. Notwithstanding the recommendation of 2% contained in BS 8206-2:2008, 3D Design Bureau, the specialist daylight consultant appointed to the project, recommend that that an ADF target value of 1.5% is appropriate for LKDs in this context. when measured against a 1.5% target value, the proposed development achieves a approx. 96% compliance rate. <b>This matter is dealt with comprehensively in the Material Contravention Statement.</b></li> <li>✓ On the 21st of March, all of the amenity areas provided for the proposed development would receive at least 2 hours of sunlight exceeding the BRE recommendations.</li> </ul>
<b>Specific Assessments</b>	<ul style="list-style-type: none"> <li>• Micro-climatic effects</li> <li>• Birds/Bats</li> <li>• Telecommunications</li> <li>• Safe Air Navigation</li> </ul>	<ul style="list-style-type: none"> <li>✓ The scale of the proposed blocks would not give rise to micro-climate effects.</li> <li>✓ The impact of the proposed development on birds and bats is dealt with in the</li> </ul>

	<ul style="list-style-type: none"> <li>• Urban Design Statement</li> <li>• EIA</li> <li>• AA</li> </ul>	<p>Biodiversity Chapter of the EIAR and the Lighting Report. There will be no negative residual effects post application of the mitigation measures.</p> <ul style="list-style-type: none"> <li>✓ An Urban Design Statement is included with the application and it deals with the impact on the existing built historic environment. Other supporting reports of relevance include the Architectural Heritage Report and the Cultural Heritage: Built Heritage chapter of the EIAR.</li> <li>✓ The proposed development does not lie within the flight path of Dublin Airport.</li> <li>✓ Having regard to the modest scale of the development interruptions to microwave links would not be likely.</li> <li>✓ An Environmental Impact Assessment Report, AA Screening Report and NIS accompany the application.</li> <li>✓ An <b>Architectural Design Statement</b> (MCA Architects) is included with this SHD application.</li> <li>✓ A Stage 1 Screening <b>Appropriate Assessment</b>, and a Stage 2, <b>Natura Impact Statement</b>, have been prepared (Scott Cawley Ltd). The reports are submitted with this SHD application.</li> </ul>
--	---	--

**SPPR 3** states;

*“It is a specific planning policy requirement that where;*

*A;*

*- an applicant for planning permission sets out how a development proposal complies with the criteria above; and*

*- the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the NPF and these guidelines;*

*Then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise.”*

This application is accompanied by a suite of supporting information that fulfil the obligations of the Applicant for the development management process. The reports demonstrate that the proposed development is appropriate and will not give rise to significant negative impacts.

Finally, the Guidelines acknowledge that fire safety requirements are a separate regulatory requirement. Nonetheless, developers are encouraged to engage in this process at an early stage. In this regard, the proposed design has been reviewed by a Fire Consultant and comments received are integrated to the design.

**SPPR 4** states;

*It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure:*

- 1. the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled "Sustainable Residential Development in Urban Areas (2007)" or any amending or replacement Guidelines;*

The Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas were issued by the minister under section 28 in May 2009. Section 5.6 states that there is no upper limit on the number of dwellings that could be provided in town centres subject to other normal planning criteria. Section 5.8 states that densities of less than 50 dph on public transport corridors should be discouraged.

The Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments were issued in March 2018. Section 2.4 states that central and accessible urban locations, including those within walking distance of a railway station, are generally suitable for development at higher densities which is wholly composed of apartments. The proposed development site satisfies these criteria.

A Planning Circular Letter (NRUP 02/2021) was issued by the Department of Housing, Local Government and Heritage in April 2021. The purpose of the Circular is to provide clarity in relation to the interpretation of the Guidelines, ahead of issuing updated Section 28 guidelines, anticipated for late 2021. This clarification is issued to ensure that the need for significantly increased and more sustainable housing supply occurs in the right locations. It highlights that Section 5.11 of the Guidelines states that for *Outer Suburban/'Greenfield' sites* within cities and larger towns, the density of development should be in the general range of 35-50 uph. Development at net densities less than 30 uph should generally be discouraged in the interests of land efficiency, particularly on sites in excess of 0.5 hectares.

The proposed development would have a density equivalent to 140 dwellings per hectare (dph) net and this is comparable with the permitted Claremont development which has a density of 191 dph.

- 2. a greater mix of building heights and typologies in planning for the future development of suburban locations;*

Census 2016 confirms that the existing profile of housing in Howth is that of houses and the pattern of building height locally is predominantly low rise individual dwellings on large plots that form ribbon type development stretching west toward Sutton Cross. There are some instances of increased building height, half way between the town centres of Howth and Sutton, two apartment developments were built on neighbouring sites, namely Corr Castle (six blocks, four storeys) and Offington Manor (three blocks, 3-4 storeys). Some densification took place in Howth town centre also, for example the Findlater apartments in two new four storey blocks flanking the refurbished Villa Hotel building.

The front volumes of the proposed buildings are five storeys, with the top floor set back behind a shallow terrace. The rear volumes step up to six storeys, so that the buildings would reflect

the topography of the site, which rises towards the south, away from the road and the coastline. The height proposed is modest and consistent with the permitted Claremont development which has a height of up to 8 storeys.

The introduction of apartments at this location will enhance the housing typology locally.

- 3. avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.*

The development is comprised of three buildings of linear form, arranged side-by-side, aligned north-south, roughly perpendicular to the Howth Road. Each building is divided into a front and rear volume, with the two volumes offset so that the floorplan is staggered. The layout would create a strong built frontage to the road, on the road's approach to the town centre, while retaining a visual connection between the buildings to the woodlands and upland to the south.

The three buildings are not positioned at the front of the site, i.e. they are not road-front buildings typical of an urban location. They would rather be set back behind the existing roadside green verge, the historic demesne boundary wall which remains on the site, and a proposed corridor of public open space inside the wall.

### 3.4 Rebuilding Ireland: Action Plan for Housing and Homelessness (2016)

Aspect	Key Objective	Policy Provision	Statement of Consistency
<b>Pillar 2:</b> Accelerate Social Housing	<i>Increase the level and speed of delivery of social housing and other State supported housing</i>	Key actions: <ul style="list-style-type: none"> <li>• 47,000 social housing units delivered by 2021, supported by investment of €5.35 billion</li> <li>• Mixed-Tenure Development on State Lands and other lands</li> </ul>	✓ The proposed development will provide 10% (16 no.) social housing units. The development will therefore contribute towards the delivery of social housing units as set within Pillar 2 of the Action Plan.
<b>Pillar 3:</b> Build More Homes	<i>Increase the output of private housing to meet demand at affordable prices</i>	Key actions: <ul style="list-style-type: none"> <li>• Doubling of output to deliver over 25,000 units per annum on average over the period of the Plan (2017-2021)</li> </ul>	✓ The proposed development will provide 162 no. residential units and will therefore contribute towards the target.

### 3.5 Design Manual for Urban Roads and Streets (2013)

The below table should be read in conjunction with the **DMURS Compliance Statement** by Barret Mahony Consulting Engineers submitted under separate cover.

Design Principles	Provisions	Statement of Consistency
<b>Integrated Street Networks</b>	<ul style="list-style-type: none"> <li>Does the development create connected centres that prioritise pedestrian movement and access to public transport?</li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposed development will improve permeability at this site for the wider community, allowing for direct access to Howth Road which will facilitate and encourage walking and cycling movement towards Howth town core and Howth DART Station.</li> </ul>
<b>Movement and Place</b>	<ul style="list-style-type: none"> <li>Does the development create a legible street hierarchy that is appropriate to its context?</li> <li>Are the proposed streets connected, maximising the number of walkable / cyclable routes between streets as well as specific destinations (i.e. community centre, shops, creche, schools etc.)?</li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposed development will offer easy access to public transport services, including a separate pedestrian &amp; cyclist access from the public footpath along Howth Road giving priority to pedestrians and cyclists over vehicles.</li> <li>✓ Vehicular traffic will be regulated through provision of separate ingress/egress point at the site's north-western boundary. This will facilitate vehicular movement along Howth Road and to safeguard pedestrians.</li> </ul>
<b>Permeability and Legibility</b>	<ul style="list-style-type: none"> <li>Has the street layout been well considered to maximise permeability for pedestrians and cyclists?</li> <li>Are the streets legible with maximum connection opportunities?</li> </ul>	<ul style="list-style-type: none"> <li>✓ The layout provides for safe and permeable pedestrian and cycle routes facilitating connection within the proposed development and to the local street network.</li> <li>✓ The dedicated pedestrian/cyclist entrance is located to the north east allowing a direct route toward Howth town centre.</li> </ul>
<b>Management</b>	<ul style="list-style-type: none"> <li>Is the layout designed to self-regulate vehicle speeds and traffic congestion?</li> <li>Does the proposed layout minimise noise / air pollution wherever possible?</li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposed internal layout will prioritise pedestrian and cyclist movement and be designed to separate and self-regulate driver behaviour through a single vehicular road, encouraging low speed.</li> <li>✓ Design of the internal vehicular road has been undertaken to maximize space allocated for pedestrians and cyclists, and amenity spaces.</li> <li>✓ The residential blocks are compliant with Part E of the Building Regulations and as such sound insulation measures are considered.</li> <li>✓ The Noise &amp; Vibration chapter and Air Quality and Climate chapter of the EIAR confirm that the proposed development will not give rise to residual negative environmental effects.</li> </ul>

Design Principles	Provisions	Statement of Consistency
		<ul style="list-style-type: none"> <li>✓ The emphasis on promoting a modal shift and use of renewable energy will assist with improving air quality.</li> </ul>
<b>Movement, Place and Speed</b>	<ul style="list-style-type: none"> <li>▪ <i>Does the proposed development balance speed management with the values of place and reasonable expectations of appropriate speed?</i></li> <li>▪ <i>Does the design promote a reasonable balance of both physical and psychological measures to regulate speed?</i></li> </ul>	<ul style="list-style-type: none"> <li>✓ Vehicle access within the scheme is restricted to the northwest. A Road Safety Audit accompanies this application and confirms that the proposed layout achieves all necessary safety measures.</li> </ul>
<b>Streetscape</b>	<ul style="list-style-type: none"> <li>▪ <i>Does the scheme create an appropriate sense of enclosure in addition to a strong urban / suburban structure?</i></li> <li>▪ <i>Have street trees and areas of planting been provided where appropriate?</i></li> <li>▪ <i>Have active street edges been provided where appropriate?</i></li> <li>▪ <i>Is a palette of high-quality surface materials and finishes provided?</i></li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposed scheme has been designed with regard to a comprehensive landscape plan that is carefully considered to provide a high-quality response to the redevelopment of this site including a palette of high-quality materials ensuring that finishes last well and landscaping species appropriate to existing biodiversity within the wider area.</li> <li>✓ Each block will include ground floor units with private amenity spaces to ensure that the internal footways and communal amenity spaces are activated.</li> <li>✓ Façades for each building will utilise a mix of materials, including light buff and grey bricks, that will reflect local environment and sea character in the area. The use of light and coloured bricks as the predominant material alongside with luvre panels, metal and glass balustrades, external framed glazing and which will ensure a low maintenance and durable response to the local context. Top floors (height ranging from 5 to 6 storeys) will incorporate metal cladding and power coated aluminium cladding.</li> </ul>
<b>Pedestrian and Cyclist Environment</b>	<ul style="list-style-type: none"> <li>▪ <i>Are footways of appropriate width provided so as to ensure pedestrian safety?</i></li> <li>▪ <i>Have pedestrian crossings, whether controlled or uncontrolled, been provided at appropriate locations?</i></li> <li>▪ <i>Are shared surfaces located appropriately in areas where an extension of the pedestrian domain is required?</i></li> </ul>	<ul style="list-style-type: none"> <li>✓ All footways within the development site will be in accordance of DMURS width requirements to safe guard pedestrian safety.</li> <li>✓ A high degree of pedestrian permeability and connectivity throughout the site is created by providing footways that connect the spaces between each block with all the main landscaped spaces connected to a universally accessible route.</li> <li>✓ Cyclists will be able to access/exit the site through a new proposed opening in the existing boundary wall adjacent to the public</li> </ul>



Design Principles	Provisions	Statement of Consistency
	<ul style="list-style-type: none"> <li>▪ <i>Have cycle facilities been factored into the design?</i></li> </ul>	<p>footpath which allows access to the existing cycle track on Howth Road.</p> <ul style="list-style-type: none"> <li>✓ All public realm / shared surfaces have been designed as per DMURS and the Fingal Development Plan taking in charge specification.</li> </ul>
<b>Carriageway Conditions</b>	<ul style="list-style-type: none"> <li>▪ <i>Are vehicular carriageways sized appropriately for their function / location?</i></li> <li>▪ <i>Are surface materials appropriate to their application in order to inform drivers of the expected driving conditions?</i></li> <li>▪ <i>Are junctions designed to balance traffic concerns with the needs of pedestrians / cyclists?</i></li> <li>▪ <i>Have adequate parking / loading areas been provided?</i></li> </ul>	<ul style="list-style-type: none"> <li>✓ Internal road is provided only for vehicles accessing the basement car park, and services in order to prioritise amenity space for pedestrian movement. Segregation and exclusion of vehicular traffic within the development also supports the sense of place. As pedestrians' progress into the development, the pedestrian routes are segregated from vehicular traffic by incorporating footways through the landscaped podium area.</li> <li>✓ Internal vehicular road size and materials are in accordance with DMURS requirement.</li> <li>✓ The internal road network has also been designed to accommodate circulation of refuse vehicles and emergency vehicles.</li> </ul>

### 3.6 Sustainable Residential Development in Urban Areas (2009)

Reference	Relevant Policy / Principle / Guideline	Statement of Consistency
<b>Chapter 3</b>  <b>The Role of Design</b>	<i>Have designers carried out a site appraisal prior to preparing a layout?</i>	<ul style="list-style-type: none"> <li>✓ The built and natural sensitives of the proposed development site were assessed at the early stages of the project and informed the layout. The results are included in the Urban Design Statement, the Architectural Design Statement, the Landscape Design Statement, the Arboricultural Report, and the baseline environment section of the chapters in the EIAR.</li> <li>✓ The proposed development combines distinctly urban characteristics (e.g. the building typology and scale) with the retention of key landscape features such as the demesne wall and woodland/trees that lend the site and the area its particular character. This is a considered response to the urban edge/gateway location (which has been reinforced by the permission for the Claremont development) and a receiving environment rich in cultural and natural heritage.</li> <li>✓ It is intended to improve existing connections with the surrounding street network, particularly at Howth Road. Presently, there are no pedestrian, cycle or vehicle access points into the site and, therefore, the proposed development will provide a primary access (vehicular/pedestrian/cyclist) to the northwest and a separate pedestrian/cyclist access at the centre of the existing demesne northern boundary wall.</li> <li>✓ Pedestrian and cyclist movements will be prioritised within the scheme through segregated internal vehicular movement and extensive public realm.</li> </ul>
	<i>Is the standard of design of a sufficiently high standard?</i>	
	<i>Does the design of residential streets strike the right balance between the different functions of the street, including a sense of place?</i>	
<b>Chapter 4</b>  <b>Planning for Sustainable Neighbourhoods</b>	<i>Are lands in accordance with sequencing priorities of development plan or local area plan?</i>	<ul style="list-style-type: none"> <li>✓ The site is a priority site in terms of the National Planning Framework objective of urban densification, consolidation and re-use of existing infill sites. The land is zoned for development and is not subject to sequencing in the Development Plan.</li> <li>✓ A School Demand Report accompanies the application and demonstrates that the need generated by the proposed</li> </ul>
	<i>Assessment of the capacity of existing schools.</i>	
	<i>Input of other necessary agencies into the plan/development proposal?</i>	

Reference	Relevant Policy / Principle / Guideline	Statement of Consistency
	<p><i>Is there an appropriate range of community and support facilities?</i></p> <p><i>For higher density schemes, is there adequate existing public transport, or will it be provided in tandem with development.</i></p>	<p>development can be accommodated in the existing capacity available locally.</p> <ul style="list-style-type: none"> <li>✓ Irish Water have confirmed the feasibility of the proposed development and issues a statement of design acceptance.</li> <li>✓ The Social Infrastructure Audit included under separate cover confirms the wealth of amenities and services available locally. The audit reported a deficit in play areas in Howth. This is somewhat addressed by the permitted Claremont development and the public open space in this proposed development integrates a pocket park play area. The resident amenity floor space proposed in this application would facilitate co-working/home working, a community space and a meeting room. The Childcare Demand Report identifies that the need generated by the proposed development can be accommodated within the existing provision.</li> <li>✓ The proposed scheme is located in close proximity to high-capacity, high-frequency public transport services, DART and Dublin Bus.</li> </ul>
	<p><b>Will the development:</b></p> <ul style="list-style-type: none"> <li>- <i>Prioritise public transport, cycling and walking, and dissuade the use of cars.</i></li> <li>- <i>Ensure accessibility for everyone including people with disabilities.</i></li> <li>- <i>Encourage more efficient use of energy and reduction in greenhouse gases.</i></li> <li>- <i>Include right quality and quantity of public open space.</i></li> <li>- <i>Include measures for satisfactory standards of personal safety and traffic safety.</i></li> <li>- <i>Present an attractive and well-maintained appearance.</i></li> </ul>	<ul style="list-style-type: none"> <li>✓ Walking and cycling is promoted through convenient connections to the Howth Road and secure cycle parking facilities.</li> <li>✓ The proposed development provides 0.81 parking space per unit. This is significantly lower than the Development Plan provisions and is a measure that will dissuade use of cars.</li> <li>✓ The scheme is designed incorporating the principles of universal access and to the standards of Part M of the Building Regulations.</li> <li>✓ The proposed development is designed to Universal Design principles ensuring access for all.</li> <li>✓ Vehicular traffic is segregated from pedestrian/cyclist movements.</li> </ul>

Reference	Relevant Policy / Principle / Guideline	Statement of Consistency
	<ul style="list-style-type: none"> <li data-bbox="448 320 847 443">- <i>Promote social integration, provide for diverse range of household types, age groups and housing tenures.</i></li> <li data-bbox="448 477 847 566">- <i>Protect and where possible enhance the built and natural heritage.</i></li> <li data-bbox="448 600 847 667">- <i>Provide for Sustainable Drainage Systems.</i></li> </ul>	<ul style="list-style-type: none"> <li data-bbox="871 320 1418 1149">✓ The front and rear volumes of the proposed buildings have different primary materials. The rear volumes are clad in grey brick, the material selected to blend in with the woodlands on the lower slopes of the headland to the rear of the site. The front volumes are of buff brick, the colour intended to provide a lighter presence in the road corridor. The top floors (front and rear volumes) are clad in bronze coloured metal, matching the window frames throughout the buildings. The front volumes have recessed balconies so that the buildings present simple, clean forms to the Howth Road corridor. A feature of the proposed buildings is their large windows, intended to take maximum advantage of the visual amenities of the site environs. The façade design is informed by this objective, with the elevations all variations of simple grid patterns of glazing framed by brick or metal cladding. As a result of the large windows, recessed balconies and the variations in material, the facades are highly articulated and the perception of massing/scale would be reduced.</li> <li data-bbox="871 1182 1418 1294">✓ 10% public open space is provided and it incorporates a high quality design with diverse areas, play, botanic garden and lawns.</li> <li data-bbox="871 1328 1418 1518">✓ The scheme is designed to NZEB meaning it will achieve a high level of energy efficiency and consequent reduction in the generation of GHGs. The lower volume of carparking will also contribute to a reduction in emissions.</li> <li data-bbox="871 1552 1418 1765">✓ Increased levels of pedestrian activity will be achieved by the inclusion of new pedestrian access point in/out of the site. Balconies and ground level terraces will contribute to promote activity and passive surveillance will result in a safer environment.</li> <li data-bbox="871 1798 1418 1865">✓ The mix of units proposed includes 1, 2, 3-bedrooms apartments.</li> <li data-bbox="871 1899 1418 1942">✓ Social and affordable housing will form part of the proposed scheme.</li> </ul>

Reference	Relevant Policy / Principle / Guideline	Statement of Consistency
		<ul style="list-style-type: none"> <li>✓ The landscape proposals include features to enhance the biodiversity value of the site.</li> <li>✓ The built and natural heritage is both protected and enhanced. The removal of part of the 25 year old hedgerow is compensated with a new hedgerow further south. Block A is stepped back from the eastern boundary, away from the protected gates. Additional tree planting is proposed in this location.</li> <li>✓ A comprehensive surface water drainage strategy with SuDS features is proposed.</li> </ul>
<p><b>Chapter 5</b></p> <p><b>Cities and Larger Towns</b></p>	<ul style="list-style-type: none"> <li>- <i>Are residential densities sufficiently high in a location which are, or will be, served by public transport.</i></li> <li>- <i>Are higher densities accompanied by high qualitative standard of design and layout?</i></li> <li>- <i>Does the design and location of new apartment blocks respect the amenities of existing adjacent housing in terms of sunlight and overlooking?</i></li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposed net density is 140 units per hectare. This is appropriate given the site's location close to public transport.</li> <li>✓ The Architectural Design Statement &amp; Housing Quality Assessment (MCA Architects), submitted with this application, demonstrate that the scheme meets the qualitative requirements for apartment development. 61% of the units are dual aspect, this exceeds the required 33%.</li> <li>✓ There is minimal overshadowing from the proposed development due to the considered architecture along the west side where the potential for overshadowing to existing buildings is greatest. There will be no perceptible impact on the amenities of existing dwellings. This is demonstrated in the Daylight &amp; Sunlight Report.</li> </ul>
<p><b>Chapter 7</b></p> <p><b>The Home and Its Setting</b></p>	<ul style="list-style-type: none"> <li>- <i>In higher density developments, does quality of design and finish extend to individual dwellings and its immediate surroundings.</i></li> <li>- <i>Decent levels of amenity, privacy, security and energy efficiency.</i></li> <li>- <i>Will orientation of dwelling and internal layout maximise levels of daylight and sunlight?</i></li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposed residential development will be a high-quality energy efficient design. Finishes have been carefully considered to integrate with the established residential character of the surrounding development whilst creating a distinctive new urban residential development with its own identity.</li> <li>✓ The buildings are NZEB compliant, provide for passive surveillance, includes a comprehensive landscaping scheme that meets established standards and</li> </ul>

Reference	Relevant Policy / Principle / Guideline	Statement of Consistency
	<ul style="list-style-type: none"> <li data-bbox="448 320 850 383">- <i>Has privacy been considered in design of the home.</i></li> <li data-bbox="448 416 850 510">- <i>Has the design sought to create child and pedestrian friendly car-free areas?</i></li> <li data-bbox="448 607 850 701">- <i>Has the design been influenced by the principles of universal design?</i></li> <li data-bbox="448 734 850 853">- <i>Has adequate provision been made for the storage and collection of waste materials?</i></li> </ul>	<p data-bbox="911 286 1417 349">provides occupants with a wide range of support services.</p> <ul style="list-style-type: none"> <li data-bbox="874 383 1417 595">✓ 61% of the proposed units are dual aspect. The daylight/sunlight assessment concludes that future occupants will enjoy good levels of daylight within the proposed development and have access to good levels of sunlight in the adjoining proposed amenity areas.</li> <li data-bbox="874 629 1417 748">✓ The units are designed to avoid overlooking and all units will comply with the requirements of Part E in terms of noise insulation.</li> <li data-bbox="874 781 1417 900">✓ A reduced level of car parking is proposed. The design is focussed on prioritising pedestrians and promoting active modes of travel.</li> <li data-bbox="874 934 1417 1052">✓ The design complies with the requirements of Part M of the Building Regulations and principles of universal design.</li> <li data-bbox="874 1086 1417 1149">✓ Dedicated residential waste storage areas are included in the basement.</li> </ul>

### 3.7 Urban Design Manual – A Best Practice Guide (2009)

This section should be read in conjunction with the **Architectural Design Statement** (MCA Architects) and **Landscape Design Statement** (BLSA) that accompanies this SHD application under separate cover.

Criteria No.	Aspect	Provisions	Statement of Consistency
1	<p><b>Context</b></p> <p>- How does the development respond to its surroundings?</p>	<ul style="list-style-type: none"> <li>▪ The <i>development seems to have evolved naturally as part of its surroundings.</i></li> <li>▪ <i>Appropriate increases in density respect the form of buildings and landscape around the site's edges and the amenity enjoyed by neighbouring users.</i></li> <li>▪ <i>Form, architecture, and landscaping have been informed by the development's place and time.</i></li> <li>▪ <i>The development positively contributes to the character and identity of the neighbourhood.</i></li> <li>▪ <i>Appropriate responses are made to the nature of specific boundary conditions.</i></li> </ul>	<ul style="list-style-type: none"> <li>✓ The design and layout respond to the local surrounding scale. Care has been taken to ensure that the scale of the development integrates and respect its environs.</li> <li>✓ The Howth road consists of a mix of residential, undeveloped and greenfield/brownfield sites. The proposed development has been designed to take advantage of site's location next to the coast and high-quality landscape views from open spaces and residential units where possible. This is achieved through the tiering down of scale to the north boundary, along the Howth Road and east and west boundary to provide an appropriate relationship with existing residential developments.</li> <li>✓ At the same time, the site offers an excellent opportunity for increased densities to make an important contribution to the shortfall in the private housing market and as such the opportunity for increased densities is responded to through the provision of increased height buildings. A series of verified views prepared demonstrates that the scale of the proposed development responds positively to the site context, with the proposed buildings clearly sitting well within the urban context. The Daylight &amp; Sunlight report clearly demonstrates that the scale and height of the proposed development does not have any significant negative impact on the internal or external environment in terms of overshadowing or daylight/sunlight impact.</li> <li>✓ The architectural form responds to the site context. The proposed development seeks to match the robust nature of stone by using</li> </ul>

Criteria No.	Aspect	Provisions	Statement of Consistency
			<p>brick of natural tones, durable and appropriate for the location, complementing but not copying the context. the variety of colour and texture in the Village is reflected in the design, the generous use of glazing mirroring the Irish Sea, and the earthy tones of the cliff landscape are reproduced in the building's material palette. The design of the public realm and landscaping ensures integration with the existing environment.</p> <ul style="list-style-type: none"> <li>✓ The proposed development will make a significant positive contribution to character and identity of the neighbourhood. The proposed development will transform an underutilised greenfield onto a residential neighbourhood of strong architectural design and with significant public realm and landscape features which will positively contribute to the enhancing the urban form and landscape of the area. The pedestrian access will offer a key link to Howth town core which will promote its vibrancy and vitality.</li> <li>✓ Particular care has been taken in respect of existing boundary 'demesne wall' along the north and east boundaries. The only physical intervention to protected structure relates to the demesne wall and its conservation. It is proposed to create two openings in the wall to gain access to the site which will be constructed of high-quality materials and of restrained design to avoid any sort of impact.</li> </ul>
2	<p><b>Connections</b></p> <ul style="list-style-type: none"> <li>- How well connected is the new neighbourhood?</li> </ul>	<ul style="list-style-type: none"> <li>▪ There are attractive routes in and out for pedestrians and cyclists.</li> <li>▪ The development is located in or close to a mixed-use centre.</li> <li>▪ The development's layout makes it easy</li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposed development will have vehicular access point from Howth Road, on the northwest of the site, which will allow for vehicular and cyclist access to the parking areas by a two-way vehicular ramp. Additional pedestrian &amp; cyclist access point is also provided separately on the centre existing demesne northern boundary wall.</li> </ul>



Criteria No.	Aspect	Provisions	Statement of Consistency
		<p>for a bus to serve the scheme.</p> <ul style="list-style-type: none"> <li>▪ The layout links to existing movement routes and the places people will want to get to.</li> <li>▪ Appropriate density, dependent on location, helps support efficient public transport.</li> </ul>	<ul style="list-style-type: none"> <li>✓ .The development proposal is also located with walking distance from Howth DART Station, and access to the station and Howth town centre's services and facilities is available via the existing footpaths which run to the front of the site along Howth Road.</li> <li>✓ All routes through the scheme facilitate pedestrian and cyclists as a priority, while internal vehicular movement is only provided for the purpose of accessing/exiting to the basement car park accessed by a two-way vehicular ramp on the west of the site.</li> <li>✓ Howth's town centre is within reasonable walking and cycling distance and there are a range of bus services available along Howth Road and in Howth town core.</li> <li>✓ As indicated previously, the opportunity to increase densities within a sensitively designed scheme relative to surrounding conditions is proposed in this central and accessible location, ensuring that the population of the site is maximised and developed efficiently to consolidate the urban form of Howth.</li> </ul>
3	<p><b>Inclusivity</b></p> <ul style="list-style-type: none"> <li>- How easily can people use and access the development?</li> </ul>	<ul style="list-style-type: none"> <li>▪ New homes meet the aspirations of a range of people and households.</li> <li>▪ Design and layout enable easy access by all.</li> </ul>	<ul style="list-style-type: none"> <li>✓ The residential units within the scheme have been fully designed to meet all relevant guidelines and standards in terms of sizes, storage areas, private open space, etc.</li> <li>✓ The scheme is considered to respond well in terms of providing a range of households to meet market demand.</li> <li>✓ The development is designed to meet all Part M requirements. The scheme has been sensitively designed to ensure ease of travel through both the public realm and the buildings for people of all abilities. The scheme avoids abrupt ramps and slope as well as stairs and provides clear, legible routes through the site and the communal areas.</li> </ul>

Criteria No.	Aspect	Provisions	Statement of Consistency
4	<p><b>Variety</b></p> <p>- How does the development promote a good mix of activities?</p>	<ul style="list-style-type: none"> <li>▪ Activities generated by the development contribute to the quality of life in its locality.</li> <li>▪ Uses that attract the most people are in the most accessible places.</li> <li>▪ Neighbouring uses and activities are compatible with each other.</li> <li>▪ Housing types and tenure add to the choice available in the area.</li> <li>▪ Opportunities have been taken to provide shops, facilities and services that complement those already available in the neighbourhood.</li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposed development provides a good mix of apartments of varying sizes, which will ensure a mix of tenures across the scheme. Whilst primarily a residential scheme designed to meet the significant shortfall in residential accommodation in Dublin' suburbs, the location of the proposed development, within walking distance of Howth town centre and natural and recreational amenities such as Howth Castle, will encourage pedestrian activity to occur which will promote a vibrant area.</li> <li>✓ The proposed development will provide residential amenities for future residents in the form of communal areas and public open space as a landscape buffer strip in the high amenity lands, to the south of the buildings. The size, extent and design of communal and public open spaces will encourage for passive and active recreation, where residents can interact, as detailed Landscape Design Report (BSLA) that accompanies this SHD application.</li> <li>✓ In terms of commercial and retail facilities, as previously indicated the primary purpose of the residential scheme is to meet clear demand for sustainable private housing within a central and accessible location. Having regard to the short walking distance of the proposed development to Howth's town centre and acknowledging its range of services and facilities, no commercial uses are provided within the scheme.</li> </ul>
5	<p><b>Efficiency</b></p> <p>- How does the development make appropriate use of resources, including land?</p>	<ul style="list-style-type: none"> <li>▪ The proposal looks at the potential of higher density, considering appropriate accessibility by public transport and the objectives of good design.</li> </ul>	<ul style="list-style-type: none"> <li>✓ The site offers an excellent opportunity for increased densities to make an important contribution to the shortfall in the housing market and as such the opportunity for increased densities is responded to through the provision of increased heights.</li> </ul>

Criteria No.	Aspect	Provisions	Statement of Consistency
		<ul style="list-style-type: none"> <li>▪ Landscaped areas are designed to provide amenity and biodiversity, protect buildings and spaces from the elements and incorporate sustainable urban drainage systems.</li> <li>▪ Buildings, gardens and public spaces are laid out to exploit the best solar orientation.</li> <li>▪ The scheme brings an underutilised and semi-derelect site into more productive use.</li> <li>▪ Appropriate recycling facilities are provided.</li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposed development provides for a net density of c. 140 units per hectare. This should be regarded as an efficient use of these valuable centrally located lands.</li> <li>✓ The site location within a short distance of Howth's town centre, Howth DART Station and adjacent to high quality public transport, mean that the site is ideally suited to higher densities in a manner which ensures that there is no negative impact on internal or external environments.</li> <li>✓ A series of verified views prepared demonstrate that the scale of the proposed development responds positively to the site context, with the proposed buildings clearly sitting well within the coastal landscape to the front (north) and the open green spaces to the rear (south). Daylight and sunlight impact assessments clearly demonstrate that the scale and height of the proposed development does not have any significant negative impact on the external environment in terms of overshadowing or sunlight impact.</li> <li>✓ In terms of landscaped areas, whilst the proposed development is situated in the proximity of significant open space in the surrounding area, high quality communal and public open space are provided, with appropriate soft landscaping which contributes to biodiversity and the overall enhancement of the public realm.</li> <li>✓ A central and early consideration in the design of the scheme was to ensure that public areas and communal open spaces are high quality environments which achieve appropriate amounts of sunlight. It is clear from the submitted Daylight and Sunlight Analysis that this is achieved. All communal spaces achieve high levels of sunlight access that meet and/or exceed the BRE Guideline values.</li> </ul>

Criteria No.	Aspect	Provisions	Statement of Consistency
			<ul style="list-style-type: none"> <li>✓ The development will provide an appropriate development on a significantly under-utilised site. The site is presently vacant. The previous use on the site (an architectural salvage company) represented an inefficient use of this strategically located site.</li> <li>✓ The scheme has been designed to ensure that operational waste management facilities include recycling facilities for residents.</li> </ul>
6	<b>Distinctiveness</b>  - How does the proposal create a sense of place?	<ul style="list-style-type: none"> <li>▪ The place has recognisable features so that people can describe where they live and form an emotional attachment to the place.</li> <li>▪ The scheme is a positive addition to the identity of the locality.</li> <li>▪ The layout makes the most of the opportunities presented by existing buildings, landform and ecological features to create a memorable layout.</li> <li>▪ The proposal successfully exploits views into and out of the site.</li> <li>▪ There is a discernible focal point to the scheme, or the proposals reinforce the role of an existing centre.</li> </ul>	<ul style="list-style-type: none"> <li>✓ The scheme aims to create a high-quality compact residential development with a mix of contemporary materials. As indicated previously, in terms of landscaped areas, the proposed development will provide permeable surfaces and planting to create a softer foreground reflecting the demesne past, in addition, to the communal and roof garden, which will contribute to creating a sense of place.</li> <li>✓ The apartment blocks will act as a visual landmark along Howth Road.</li> <li>✓ The proposed development will create framing views and maintain visual connections from within the development to greater landscape. Please refer to the Landscape and Design Statement for further details.</li> </ul>
7	<b>Layout</b>  - How does the proposal create people-friendly streets and spaces?	<ul style="list-style-type: none"> <li>▪ Layout aligns routes with desire lines to create a permeable interconnected series of routes that are easy and logical to navigate around.</li> </ul>	<ul style="list-style-type: none"> <li>✓ The layout has been strongly influenced by desire lines and permeability. A separate pedestrian &amp; cyclist point is available on the centre of the existing demesne northern boundary wall, closest to the Howth town centre, and a</li> </ul>

Criteria No.	Aspect	Provisions	Statement of Consistency
		<ul style="list-style-type: none"> <li>▪ The layout focuses activity on the streets by creating active frontages with front doors directly serving the street.</li> <li>▪ The streets are designed as places instead of roads for cars, helping to create a hierarchy of space with less busy routes having surfaces shared by pedestrians, cyclists and drivers.</li> </ul>	<p>vehicular, cyclist and pedestrian entrance out further west along Howth Road.</p> <ul style="list-style-type: none"> <li>✓ The internal layout has been designed to provide for an accessible and easy navigable development with pedestrian movement prioritized. A significant portion of the internal layout consists of shared pedestrian and bicycle surfaces to encourage pedestrian and cyclist use and permeability. In addition to this, formal and informal internal amenity and recreational spaces will contribute to the creation of a safe and attractive space for the use of future residents.</li> <li>✓ Vehicular traffic on the internal street network is limited. The vehicular entrance is designed to provide direct access to the basement car parking and for services. The design and location of the vehicular entrance have been located out further north-west with the desire to protect and prioritize pedestrian movement. Both, pedestrian and vehicular access points along Howth Road will provide active frontage and passive surveillance.</li> </ul>
8	<p><b>Public Realm</b></p> <ul style="list-style-type: none"> <li>- How safe, secure and enjoyable are the public areas?</li> </ul>	<ul style="list-style-type: none"> <li>▪ All public open space is overlooked by surrounding homes so that this amenity is owned by the residents and safe to use.</li> <li>▪ The public realm is considered as a usable integrated element in the design of the development</li> <li>▪ Children's play areas are sited where they will be overlooked, safe and contribute to the amenities of the neighbourhood.</li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposed apartment blocks will provide passive surveillance of the communal and public open spaces. Children's play is located to the northeast of the development site within a pocket park that is overlooked by Block A. Other play areas within the courtyards will benefit from surveillance from Blocks B and C.</li> <li>✓ The open space has been designed strongly as an integral part of the scheme. The layout and design of the proposed development will provide desired level of security whilst the soft landscape materials and planting will contribute to providing continuous habitat linkage for people's enjoyment in the open space linking inside and outside living.</li> </ul>

Criteria No.	Aspect	Provisions	Statement of Consistency
		<ul style="list-style-type: none"> <li>▪ There is a clear definition between public, semi private, and private space.</li> <li>▪ Roads and parking areas are considered as an integral landscaped element in the design of the public realm.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Private amenity space at ground level is provided with a planted privacy buffer.</li> <li>✓ Parking is at basement level and this design measure maximises the space available for landscaping.</li> </ul>
9	<b>Adaptability</b> - How will the buildings cope with change?	<ul style="list-style-type: none"> <li>▪ Designs exploit good practice lessons, such as the knowledge that certain house types are proven to be ideal for adaptation.</li> <li>▪ The homes are energy-efficient and equipped for challenges anticipated from a changing climate.</li> <li>▪ Homes can be extended without ruining the character of the types, layout and outdoor space.</li> </ul>	<ul style="list-style-type: none"> <li>✓ The proposed development provide a mix of 1, 2 and 3, bedroom apartments that can be easily reconfigured internally to adapt to changing life cycles and personal needs of future residents.</li> <li>✓ All residential units are designed to meet current Part L &amp; NZEB requirements and will be highly energy efficient.</li> <li>✓ The nature of apartments is that extensions are not appropriate/feasible having regard to their location within a larger block.</li> </ul>
10	<b>Privacy and Amenity</b> - How does the scheme provide a decent standard of amenity?	<ul style="list-style-type: none"> <li>▪ Each home has access to an area of useable private outdoor space.</li> <li>▪ The design maximises the number of homes enjoying dual aspect.</li> <li>▪ Homes are designed to prevent sound transmission by appropriate acoustic insulation or layout.</li> <li>▪ Windows are sited to avoid views into the home from other houses or the street and adequate privacy is affordable to ground floor units.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Each apartment unit has been designed to provide an area of useable private open space, either a balcony or terrace, which in all cases meets or exceeds minimum size requirements.</li> <li>✓ Dual aspect exceeds the minimum 33% requirement. The dual aspect provision is 61% (99 no. units).</li> <li>✓ All residential units are designed to current building regulation (Part E) standards and ensure appropriate sound/acoustic environments.</li> <li>✓ The design of the scheme ensures that there is no undue overlooking into adjacent properties.</li> <li>✓ Each residential unit is provided with storage space which meets or</li> </ul>

Criteria No.	Aspect	Provisions	Statement of Consistency
		<ul style="list-style-type: none"> <li>▪ The homes are designed to provide adequate storage including space within the home for the sorting and storage of recyclables.</li> </ul>	exceeds the minimum requirements.
11	<b>Parking</b> <ul style="list-style-type: none"> <li>- How will parking be secure and attractive?</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parking is provided communally to maximise efficiency and accommodate visitors without the need to provide additional dedicated spaces.</li> <li>▪ Adequate secure facilities are provided for bicycle storage.</li> </ul>	<ul style="list-style-type: none"> <li>✓ All car parking is located at basement level.</li> <li>✓ Resident bicycle parking is provided in the basement and is secure.</li> </ul>
12	<b>Detailed Design</b> <ul style="list-style-type: none"> <li>- How well thought through is the building and landscape design?</li> </ul>	<ul style="list-style-type: none"> <li>▪ The materials and external design make a positive contribution to the locality.</li> <li>▪ The landscape design facilitates the use of the public spaces from the outset.</li> <li>▪ Design of the buildings and public space will facilitate easy and regular maintenance.</li> <li>▪ Care has been taken over the siting of flues, vents and bin stores.</li> </ul>	<ul style="list-style-type: none"> <li>✓ The materiality is carefully considered and integrates with the existing character of the wider area. The variation of brick colour is utilized to break down massing and differentiate between the building volumes.</li> <li>✓ It is not proposed to phase the delivery of the development. Therefore all amenities will be in situ when the development is occupied.</li> <li>✓ The choice of materials for the buildings and landscaping are of high quality, durable and easily maintained. The Building Lifecycle Report provides further detail.</li> <li>✓ Bin storage is at basement level.</li> </ul>

### 3.8 Childcare Facilities Guidelines for Planning Authorities (2001)

This section should be read in conjunction with the **Childcare Demand Report** and **Social Infrastructure Audit** that accompanies this SHD application under separate cover.

Reference	Relevant Policy / Principle / Guideline	Statement of Consistency
<p><b>Chapter 3</b></p>	<p><i>In new housing areas, a standard of one childcare facility providing for a minimum 20 childcare places per approximately 75 dwellings may be appropriate. This is a guideline standard and will depend on the particular circumstances of each individual site.</i></p>	<p>Notwithstanding the flexibility provided in the Design Standards for New Apartments, the assessment takes a conservative approach and includes all 2-bedroom plus units to determine the future demand for childcare arising from the proposed development.</p> <p>In calculating the projected number of pre-school children generated by the proposed development, the State percentage for 0-4 year olds of 7% is used rather than the much lower percentage of 4.8% recorded in the 2016 Census for Howth. A robust methodology is applied whereby it is assumed that all 3-4 years olds in the catchment would avail of care in a creche setting, owing to the support provided by the ECCE scheme. It is then assumed that 25% of children aged up to 3 years would require childcare and this is consistent with the CSO Quarterly National Household Survey.</p> <p>The cumulative demand for childcare in Howth ED is established to be 302 no. spaces. There are at least 332 no. places provided by existing and permitted facilities, meaning the future demand arising from the proposed development (18 no. childcare spaces) can be comfortably accommodated.</p> <p>Accordingly, this report concludes there is no requirement for the provision of a childcare facility as part of this development proposal having regard to the existing geographical distribution and capacity of childcare facilities existing and permitted in the catchment. This conclusion is consistent with the 'Childcare Guidelines for Planning Authorities' (2001) which state that the threshold for childcare provision should be established having regard to the existing geographical distribution of childcare facilities and the emerging demographic profile of areas.</p>



### 3.9 Department Arts Heritage and the Gaeltacht Statutory Guidelines (2011)

#### 3.9.1 Introduction

The Architectural Heritage Protection Guidelines is a long and detailed document, covering a wide range of issues including Architectural Heritage Protection policy and how it might be applied by Local Authorities in making statutory designations for the protection of heritage, physical techniques, and chapters dedicated to the discussion of individual building elements and their conservation. Many of the provisions in the Guidelines would not apply to what is proposed in the subject application. Where principles could be said to apply to the subject development, the way in which those principles have been stated in the Guidelines is vague or the Guidelines stop short of recommending a course of action and instead suggest that certain works should be approached with caution. This is necessary due to the case-by-case basis by which the impact of development on architectural heritage must be assessed – given the wide variety of structures of heritage importance, it is not possible to suggest a set of universal rules that can be rigidly applied in all cases and any attempt to do so has the potential of causing more harm than good.

As such, it is suggested that it is not possible to definitively say whether any development is consistent with the Architectural Heritage Protection Guidelines for Planning Authorities as (i) the Guidelines leave room for interpretation so that approaches recommended therein can be adapted, as appropriate, to the individual needs of a building; and (ii) there is much debate on what could be considered conservation best practice on some issues. Paragraphs in the guidelines are discursive in nature, and it is the principles in such discursive paragraphs that are extracted and included in below. Only the most relevant provisions are referred to in the table.

#### 3.9.2 Local Heritage Designations

Howth Castle demesne includes a number of specifically listed buildings and the proposed development site is located within it's attendant grounds. *'The attendant grounds of a structure are lands outside the curtilage of the structure, but which are associated with the structure and are intrinsic to its function, setting and/or appreciation. In many cases, the attendant grounds will incorporate a designed landscape deliberately laid out to complement the design of the building... The attendant grounds of a country house could include the entire demesne, or pleasure grounds, and any structures or features within it such as follies, plantations, earthworks, lakes and the like'* (Architectural Heritage Protection Guidelines para. 13.2.1 )

The structure of heritage value that will be physically and visually affected by the development proposals is the demesne wall bounding the site to the north. The proposed development includes the provision of two openings in the demesne wall in order to access the development that is to be constructed within the original Deer Park. There are protected views within the wider demesne. During the design process the impact of the development on its context have been taken into account in the height, massing, scale and materiality of the new buildings. The architectural design has also had due regard to the statutory guidelines in particular para 13.4.3 that refers to the requirement to give careful consideration to proposals that alter the character of the structure. The architectural design also has given due regard to the heritage objectives of the Fingal Development Plan 2017-2023.

The boundary walls of the Howth Demesne, including the northern boundary wall of the subject site, are included on the National Inventory of Architectural Heritage, Reg. Ref. 11358027. This record refers to the Entrance Gateway, Walls and Railings to the Castle Demesne from the Howth Road. The description provided in the NIAH record reads: “WALLS: Limestone ashlar to pedestrian gateways; undulating profiles to piers; moulded capping (broken in parts).” The boundary wall on the subject site does not fit this description, and is constructed of rubble limestone rather than ashlar.

Within the immediate environs, the Fingal County Council Record of Protected Structures includes three listings within the demesne of Howth Castle;

- RPS No.0556 Howth Castle - Medieval castle (with later additions and alterations) including wings, towers, stables and 19th century entrance gates
- RPS No.0557 Church (ruin), medieval chapel in grounds of Howth Castle.
- RPS No.0594 St. Mary's Church (C of I) Howth Demesne, Gothic-style mid-19th century Church of Ireland church with spire.

These structures, and the demesne lands of Howth Castle are also included in Fingal County Council's Howth Castle and Demesne Architectural Conservation Area. This ACA extends to include St. Mary's Church, a Protected Structure to the northeast of Howth Castle, along Howth Road.

The boundary wall on the northern boundary of the subject site is a historic demesne wall of Howth Castle. It is not included in the description of the Howth Castle listing on the Record of Protected Structures, nor is it included within the boundary of the Howth Castle ACA. The curtilage of Howth Castle is described in the Howth Castle ACA, and as such it is considered that the historic demesne walls on the subject site are not part of the curtilage of the Protected Structure. It is considered that the wall is part of the attendant grounds of Howth Castle and as such has no statutory protection. The wall will nonetheless be treated with consideration and protected and retained within the proposed scheme, with limited intervention and conservation works to the fabric to be carried out.

There are four National Monuments on the Howth Castle demesne; the Chapel (Ref. No: DU015-026), the Castle Tower-House (Ref. No: DU015-027001), the Gate-House Tower (Ref. No: DU015-027002), an Armorial Plaque on the Castle (DU015-027003), and the Burial Ground at St. Mary's Church (Ref. No: DU015-042).

### 3.9.3 Description of Demesne Boundary Wall

The site is approached from Dublin along the coast road where a limestone wall forms the site boundary. The wall will be retained and integrated within the proposed development. It will be impacted upon as access provided to the proposed development through openings within the wall. The demesne wall that surrounded Howth Castle was constructed in a simple random rubble construction using locally available limestone. The section that bounds the site on the Howth Road was a boundary wall to the Deer Park. From the early nineteenth century it enclosed a race course. At the location of the proposed residential development the wall height varies, generally between 3000mm and 3500mm, its overall height increased by a supporting grassed bank. The construction is simple and no architect is identified with the work. The mortar varies between soft lime mortar and a modern dense cement based mix. Along the Howth Road very little remains of the original wall due to the development of houses. The

demesne wall, defining the extent and grandeur of the estate followed the land boundary of the castle, now the Howth Road between Sutton Cross and the village.

### 3.9.4 Key Heritage Views

Key heritage viewpoints, prepared by 3D Design Bureau, have been assessed. These can be found in the separate photomontage book '**Photomontages to accompany Built Heritage - Chapter 15 EIAR Vol II**'. The locations of these viewpoints were selected so as to illustrate the impact on the Protected Structures and the ACA in the wider context of the subject site and were selected based on;

- Views identified within the Fingal Development Plan 2017-2023 and the Howth Castle Architectural Conservation Area
- Views requested by the Architectural Conservation Officer of Fingal County Council
- Views and vistas observable from wider context

11 no. views were selected, the locations are described in the Table below and their locations are illustrated in the overall view plan included in the photomontage book.

View Ref	Location
View 14	View of Howth Castle front
View 13	View of Howth Castle front from parkland
View 12	View along avenue towards main entrance gates Howth Castle
View 7	View along Howth Road showing historic demesne wall
View 11	View towards subject site from front setting of St. Mary's
View 16	View from courtyard Howth castle
View 15	View from turret room Howth castle (upper floor of the Castle)
View 6	View towards main entrance gates Howth Castle from Howth Road
View 17	View from woodland area to the west of Howth Castle
View 18	View from golf course
View 19	View from Muck Rocks

VIEWPOINT – DESCRIPTION OF LOCATIONS

The impact of the proposed development on these views is assessed in the Cultural Heritage: Built Heritage chapter of the EIAR. Post application of mitigation measures, the chapter concludes that the residual effect of the proposed development ranges from neutral to positive with a slight effect i.e. an effect which causes noticeable changes in the character of the environment without affecting its sensitivities.

### 3.9.5 Policy

The statutory *Architectural Heritage Protection Guidelines* and the Advice Series issued by the Department of Arts Heritage Gaeltacht under Section 28 and Section 52 of the Planning and Development Act 2000 offers guidelines for planning authorities concerning development objectives and also contains detailed guidance to support them in protecting the architectural heritage. While the guidelines do not purport to be a legal interpretation of the conventions, acts, regulations or procedures mentioned therein, their aim is to assist planners and others in understanding the current guiding principles of conservation and restoration. The works to provide openings within the demesne wall have been proposed in accordance with best conservation practice.

Policy relating to development proposals in the vicinity of protected structures is included 13.8 *Other development affecting the setting of a Protected Structure or an Architectural Conservation Area* and states that consideration should be given as if the development were actually located within the attendant grounds. Proposals should not have an adverse effect on the special interest of a Protected Structure. The extent of potential impact will also be dependent on the quality of the Protected Structure, its designed landscape and setting.

The site is located adjacent to the main entrance gates to Howth Castle and St Mary’s Church and a series of verified views have been prepared to illustrate the relationships between the new development and adjacent protected structures and also the extent to which the proposed development and the listed buildings will be seen in juxtaposition.

### Architectural Conservation Areas

The proposed development site is located adjacent to the designated *Howth Castle Architectural Conservation Area* and within the Howth Special Amenity Area Buffer Zone. ‘As much of the demesne lands would have been altered to accommodate the golf course and hotel complex, the boundary of the ACA was reviewed and limited to a core area surrounding Howth Castle and the entrance avenue.’ The site is therefore not located within the ACA. Nonetheless the proposed development on account of its proximity has given due regard to the demesne context.

#### 3.9.5.1 Relevant Key Principles

Key Principles	Provisions	Statement of Consistency
<b>Conservation Principles</b>		
7.2.1	Conservation is the process of caring for buildings and places and of managing change to them in such a way as to retain their character and special interest.	<p>The proposed development site does not contain protected structures. It is however adjacent to an ACA and is part of the wider demesne lands. The proposed design is underpinned by a suite of Key Heritage Objectives that were designed and agreed at the early stage of the project;</p> <ul style="list-style-type: none"> <li>✓ Appraise and evaluate the elements of heritage significance.</li> <li>✓ Ascertain and communicate the architectural, urban and social values of the site and ensure appropriate integration within the proposed development to enable a distinctiveness of place and identity.</li> <li>✓ Protect special interest of protected structures.</li> <li>✓ Identify immediate conservation priorities and develop a coherent conservation strategy.</li> <li>✓ Provide specific strategies for repair, intervention, adaption and extension to the demesne wall.</li> <li>✓ Ensure architectural design approach to integrate historic, contemporary architecture and landscaping with an overall coherence and integrity.</li> <li>✓ Respect existing context and scale.</li> <li>✓ Record all surviving features of architectural, historical interest.</li> </ul>

Key Principles	Provisions	Statement of Consistency
		<ul style="list-style-type: none"> <li>✓ Provide a salvage strategy for historic building materials.</li> <li>✓ Have due regard to architectural policies, standards and objectives of Universal Access.</li> </ul>
7.2.2	Good conservation practice allows a structure to evolve and adapt to meet changing needs while retaining its particular significance.	The proposed interventions in the demesne wall is consistent with already permitted and implemented modifications to the wall, specifically to the west of the proposed development site, where an access serves the existing dwelling.
7.2.2	The challenge ... is to ensure that the heritage is not damaged by inappropriate intervention. Additions and other interventions should be sympathetic to the earlier structure and of quality in themselves and should not cause damage to the fabric of the structure	<p>The proposed development site does not have direct access to Howth Road. The alternative to providing new openings would be to direct traffic through Howth Castle gates and access the site from the south. The impact is deemed to be much greater under this scenario, as the gates are protected and there would be a significant intensification of traffic movements through the ACA.</p> <p>In this context and having regard to the fact that the land is zoned for development the optimum solution from a heritage perspective is to provide access through the demesne wall. The opening of the wall would necessitate a careful approach to ensure the wider structure is not undermined and the treatment of the entrance should be of a high quality design and sympathetic to the remainder of the extant wall.</p>
7.5.1	Building conservation is a specialised discipline and the method of work needs to be specified by experts with a knowledge and experience of historic buildings.	While the proposed development does not include works to a building, it does include works to a structure with historical significance. Assessment of the current proposals has been carried out in the first instance and up to PAC stage by Clare Hogan, accredited as a Grade 1 Conservation Architect by the RIAI and subsequently James Slattery, Grade 1 Conservation Architect. A Method Statement for the works has been developed and is included in Volume III of the EIAR.
<b>Curtilage &amp; Attendant Grounds</b>		
<b>Chapter 13,</b> <b>13.1.1,</b> <b>13.1.3,</b> <b>13.2.1,</b> <b>13.2.5,</b> <b>13.5.2</b>	<p>The notion of curtilage is not defined by legislation, but for the purposes of these guidelines it can be taken to be the parcel of land immediately associated with that structure and which is (or was) in use for the purposes of the structure (Section 13.1.1)</p> <p>It should be noted that the definition of curtilage does not work in reverse – a stable building may be within the curtilage of the main house which it was built to serve but the main house cannot be described as being within the curtilage of the stable building. It should also be noted where a protected structure is an element of a</p>	<p>The boundary wall on the northern boundary of the subject site is a historic demesne wall of Howth Castle. It is not included in the description of the Howth Castle listing on the Record of Protected Structures, nor is it included within the boundary of the Howth Castle ACA.</p> <p>The curtilage of Howth Castle is described in the Howth Castle ACA, and as such it is considered that the historic demesne walls on the subject site are not part of the curtilage of the Protected Structure. It is considered that the wall is part of the attendant grounds of Howth Castle and as such has no statutory</p>

Key Principles	Provisions	Statement of Consistency
	<p>structure, it may, or may not, have a curtilage depending on the degree to which it could in its own right be considered to be a structure. For example, a re-used doorway affixed to a later structure could not be said to have a curtilage. (Section 13.1.3)</p>	<p>protection. The wall will nonetheless be treated with consideration and protected and retained within the proposed scheme, with limited intervention and conservation works to the fabric to be carried out.</p>
	<p>The attendant grounds of a structure are lands outside the curtilage of the structure, but which are associated with the structure and are intrinsic to its function, setting and/or appreciation. In many cases, the attendant grounds will incorporate a designed landscape deliberately laid out to complement the design of the building... The attendant grounds of a country house could include the entire demesne, or pleasure grounds, and any structures or features within it such as follies, plantations, earthworks, lakes and the like (Section 13.2.1)</p>	<p>Based on the research undertaken to inform the proposed development it is concluded that the proposed development site including the boundary wall would fall within the attendant grounds and as such has no statutory protection. The wall is nonetheless be treated with consideration and protected and retained within the proposed scheme, with limited intervention and conservation works to the fabric to be carried out.</p> <p>Any previous designed landscape is limited to that area defined as an ACA as the remaining lands are occupied by a golf course constructed in the 1970s.</p>
	<p>The planning authority should be clear about what land, structures or features it wants to protect and should use other legislative powers available to it to protect these rather than try to stretch the definition of curtilage beyond its true meaning. (Section 13.2.5)</p>	<p>The northern boundary wall is not included in the Record of Protected Structures or within the area defined as the ACA.</p>
<p><b>13.8.3</b></p>	<p>The extent of the potential impact of proposals will depend on the location of the new works, the character and quality of the protected structure, its designed landscape and its setting, and the character and quality of the ACA. Large buildings, sometimes at a considerable distance, can alter views to or from the protected structure or ACA and thus affect their character. Proposals should not have an adverse effect on the special interest of the protected structure or the character of an ACA.</p>	<p>The design is carefully considered in terms of scale, materiality and landscaping to ensure that it integrates and does not undermine the Protected Structures, the ACA or the wider setting. The photomontages included with this application demonstrates that there will be no adverse impact arising from the proposed development.</p>
	<p>Development proposals should have regard to the planted features of designed landscapes and efforts should be made to reinforce or to re-establish important structural planting such as avenues or clumps of trees, plantations, woodlands, hedging or shelter belts.</p>	<p>The proposed landscape design includes a significant number of new tree planting. To soften the effect of Block A adjacent to the entrance to Howth Castle, trees will be introduced and this will supplement the existing historic woodland that lines the Avenue.</p> <p>There is partial removal of the hedgerow that runs through the site. However, it is established that this has no historic significance and is approx. 25 years old. Notwithstanding, the proposed layout includes compensation planting in the form of a new woodland tree belt along the southern boundary of the application area.</p>

## 4 Regional Planning Policy

### 4.1 Eastern & Midland Regional Spatial & Economic Strategy 2019-2031

The Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy (RSES) 2019-2031 anticipates that Dublin City and Suburbs will experience population growth of 220,000 over the period 2019-2031. The NPF targets 50% of all housing to be provided within or contiguous to the built-up area of Dublin city and suburbs.

Reference	Relevant Policy / Objective	Statement of Consistency
RPO 3.4	<i>Ensure that all plans, projects and activities requiring consent arising from the Regional Spatial and Economic Strategy are subject to the relevant environmental assessment requirements including SEA, EIA and AA as appropriate.</i>	<ul style="list-style-type: none"> <li>✓ The subject development does not fall within development classes set out in Part 1 of Schedule 5.</li> <li>✓ The proposed development falls within the category of an 'Infrastructure Project' within Schedule 5 (10) (b) of the Planning and Development Regulations, which provides that a mandatory EIA must be carried out for projects including inter alia; 10b)(i) <i>Construction of more than 500 dwellings</i>. The proposed development incorporates 162 no. residential units and is significantly below the 500-unit threshold. The site does not meet the definition of "business district" as defined in the Regulations, "a district within a city or town in which the predominant land use is retail or commercial use". The applicable area threshold is therefore 10 hectares and the proposed development site is 1.7 hectares. Accordingly, a mandatory EIA is not required.</li> <li>✓ Screening for sub-threshold EIA was undertaken by the Applicant at the early stage of the project. The assessment is contained in Chapter 1 of the EIAR. It concluded that the proposed development would be likely to have significant environmental effects and accordingly an EIAR accompanies the application.</li> <li>✓ A Stage I Screening Appropriate Assessment, and a Stage 2, Natura Impact Statement, have been prepared (Scott Cawley Ltd). The reports are submitted with this SHD application.</li> </ul>
RPO 4.3	<i>Support the consolidation and re-intensification of infill/brownfield sites to</i>	<ul style="list-style-type: none"> <li>✓ The proposed development will be situated on an under-utilised</li> </ul>

	<i>provide high density and people intensive uses within the existing built up area of Dublin City and suburbs and ensure that the development of future development areas is co-ordinated with the delivery of key water infrastructure and public transport projects.</i>	greenfield providing high density residential units within the existing footprint of Howth settlement. The site is in close proximity to high capacity and high frequency public transport services and confirmed as acceptable by Irish Water.
<b>RPO 5.3</b>	<i>Future development in the Dublin Metropolitan Area shall be planned and designed in a manner that facilitates sustainable travel patterns, with a particular focus on increasing the share of active modes (walking and cycling) and public transport use and creating a safe attractive street environment for pedestrians and cyclists.</i>	<ul style="list-style-type: none"> <li>✓ The subject site is well connected in terms of road and public transport. Howth DART Station is with walking distance from the proposed development. Dublin Bus also operates along the north and south side of Howth Road with services operation in both directions and linking to Dublin city centre and local suburbs.</li> <li>✓ The site is central and with short walking distance from Howth DART Station, allowing a frequent and reliable connection to major employment centres in the city centre.</li> <li>✓ The proposed development prioritises walking and cycling, providing cycling spaces in excess of the Development Plan requirements and a separate access entrance which it is situated at the closest extreme of the site to Howth town centre and Howth DART Station.</li> <li>✓ The scheme prioritises active modes of travel by providing dedicated pedestrian and cycle routes in / out of the site and through the design of shared internal communal spaces and footpaths.</li> <li>✓ The receiving environment also benefits from excellent pedestrian facilities linking the site to nearby suburbs, plus the prospect of planned upgrades to the cycling and bus network will result in a development which will be served by significant sustainable transport modes both for local trips and trips to nearby urban / suburban centres</li> </ul>
<b>RPO 5.4</b>	Future development of strategic residential development areas within the Dublin Metropolitan area shall	<ul style="list-style-type: none"> <li>✓ The net density is 140 units per hectare and is compliant with the qualitative standards for the development of sustainable</li> </ul>



	provide for higher densities and qualitative standards as set out in the 'Sustainable Residential Development in Urban Areas', 'Sustainable Urban Housing; Design Standards for New Apartments Guidelines' and 'Urban Development and Building Heights Guidelines for Planning Authorities'.	residential development as established in the Housing Quality Assessment and Architectural Design Statement (MCA Architects) that accompanies this SHD application.
<b>RPO 5.5</b>	Future residential development supporting the right housing and tenure mix within the Dublin Metropolitan Area shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, and the development of Key Metropolitan Towns, as set out in the Metropolitan Area Strategic Plan (MASP) and in line with the overall Settlement Strategy for the RSES. Identification of suitable residential development sites shall be supported by a quality site selection process that addresses environmental concerns.	✓ The proposed development of this central and accessible urban brownfield site would realise the objective of consolidation of Dublin and compact growth.
<b>RPO 8.7</b>	<i>To promote the use of mobility management and travel plans to bring about behaviour change and more sustainable transport use.</i>	✓ A Mobility Management Plan (BMCE) is included with this SHD application under separate cover. It concludes that the measures proposed will benefit residents and the wider local community, decreasing private car usage from 57% in year 0 and 35% in year 5.
<b>RPO 9.13</b>	<i>Local authorities and relevant agencies shall ensure that new social infrastructure developments are accessible and inclusive for a range of users by adopting a universal design approach and provide for an age friendly society in which people of all ages can live full, active, valued and healthy lives.</i>	✓ The proposed development is designed in accordance with the Building Regulations Part M, Universal Design principles.

## 5 Conclusion

This Statement demonstrates that the proposed development is consistent with relevant national and regional planning policy together with Section 28 ministerial guidelines.

The proposed development will address the shortfall in private accommodation and contribute toward meeting the identified needs of Dublin City and Suburbs. The subject proposal will provide a high-quality development, with an appropriate mix of apartment types and an acceptable density of development catering to a range of people at varying stages of the lifecycle and responding to the existing need in Howth.

The design of the proposed development has been informed by an understanding of the site context and the requirement to comply with planning and environmental legislation and policy. The scale and layout of the proposed development will ensure the highest standards of urban design and sustainability are achieved, in a manner that responds to the established residential and coastal character, and the wider strategic consolidation for the settlement of Howth.

Given the central and accessible location of the site to the services offered by Howth and Sutton and the availability of public transport, the most sustainable strategy for development is to maximise density, minimise car parking and ensure ease of movement for pedestrians and cyclists, thereby promoting active modes of travel.

This Statement of Consistency highlights the requirement with regard to daylight and sunlight set out in Section 6 of the Sustainable Urban Housing: Design Standards for New Apartments (2018, amended Dec 2020). It is stated that planning authorities should have regard to quantitative performance approaches to daylight provision outlined in guides like the BRE guide 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting' when undertaken by development proposers which offer the capability to satisfy minimum standards of daylight provision. Where an applicant cannot fully meet all of the requirements of the daylight provisions, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, which planning authorities should apply their discretion in accepting.

The Fingal Development Plan 2017-2023 includes a related objective that requires compliance with the Guide and Standard, as follows;

*Objective DMS30 – Ensure all new residential units comply with the recommendations of Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (B.R.209, 2011) and B.S. 8206 Lighting for Buildings, Part 2 2008: Code of Practice for Daylighting or other updated relevant documents.*

The Statement of Consistency with the Development Plan is dealt with in the report entitled **Planning Statement & Statement of Consistency with the Fingal Development Plan 2017-2023** that accompanies this application. It identifies that An Bord Pleanála may consider that the proposed development materially contravenes Objective DMS30 with respect to daylighting of units. Accordingly, this matter is dealt with in the **Material Contravention Statement** which includes the rationale for a departure from the stipulated daylight threshold.

The proposed scheme is not consistent with the Core Strategy of the Fingal Development Plan and accordingly a material contravention arises. A justification is presented in the **Planning Statement & Material Contravention Statement** having regard to the provisions of section 37(2)(b) of the Planning and Development Act 2000 (as amended).

It is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area in which it is located as expressed in national, regional and Guidelines issued under Section 28 of the Planning and Development, 2000 (as amended), and as such, the proposed development represents a high-quality Strategic Housing Development.