

STRATEGIC HOUSING DEVELOPMENT
PLANNING APPLICATION

PLANNING REPORT

FOR ALTERATIONS TO SHORELINE GA01
LANDS AT BALDOYLE, DUBLIN 13

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**Brady Shipman
Martin**

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Environment.**

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Making
**Built
Environment**

CLIENT

The Shoreline Partnership

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June 2021

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1 INTRODUCTION

This Planning Report has been prepared in support of a Strategic Housing Development Planning Application to An Bord Pleanála, on behalf of The Shoreline Partnership. The subject application site (hereafter called 'the site') is located at Baldoyle-Stapolin, Dublin 13. It is a site of approx. 8.89 hectares.

The site is bound by existing residential areas to the south and east, referred to as Myrtle and the Red Arches respectively. Undeveloped residential areas are located to north and east of the site with the Baldoyle Racecourse Parkland further beyond. The site is bound by the Dublin-Belfast / DART trainline and Clongriffin Station to the west.

This application falls under the definition of Strategic Housing Development as set out under Section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 as it is a proposed development '*of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses*' and '*the alteration of an existing planning permission granted under section 34 (other than under subsection (3A)) where the proposed alteration relates to development specified in paragraph (a), (b), (ba) or (c)*'.

The lands are entirely zoned RA 'new residential', as per the Fingal Development Plan. As such the use of these lands for residential purposes is provided for in the Core Strategy of the Fingal Development Plan 2017-2023.

This Planning Report, in addition to a Statement of Consistency with Planning Policy, and Statement of Material Contravention, accompanies this Strategic Housing Development application.

The development for which permission is being sought, as set out in the Statutory Notices, is as follows:

The proposed development will consist of the alteration of permitted development, as permitted under FCC Reg. Ref. F16A/0412, ABP Reg. Ref. ABP-248970 (and as amended under F20A/0258 and F21A/0046), for the development of 544 no. residential units (385 no. apartments and 159 no. houses) retail and a crèche (99 no. units of which in Blocks C4, C5 and C6 (previously indicated as D1) are under construction) with development now proposed for 882 no. residential dwellings (747 apartments, 135 houses) in 15 no. blocks ranging in height from 2 to 15 storeys and including for residential tenant amenity, retail/café/restaurant, pharmacy, medical centre, crèche, gym, car and bicycle parking and public realm, over a site area of approx. 9.1 ha, of which the development area is 8.89 ha. The proposed alterations result in an overall increase of 437 no. units and a total permitted development of 981 units in total under F16A/0412, ABP Reg. Ref. ABP-248970 as amended. The proposed development relates to the alteration of development previously permitted at Blocks A1, A2, A3, B1, B2, B3, B4, C1, C2 & C3 and new proposed Blocks D1, D2 & D3 to the north of Stapolin Square as follows:

1. *The proposed altered residential development will consists of 882 no residential dwellings, which includes 747 apartments (38 no. Studio, 209 No. 1-Bed, 439 No. 2-Bed, 61 No. 3-Bed) and 135 houses (7 No. 2-Bed, 96 No. 3-Bed, 32 No. 4-Bed) as follows:*
 - *Alteration of Blocks A1, A2 and A3 from permitted 6-storey buildings providing 195 no. residential units; to proposed 4 to 8-storey buildings providing 288 no. apartment units as follows:*
 - *Block A1 ranging in height from 6 to 8 storeys and containing 101 no. apartments, with proposed balconies, and solar panels at roof level,*
 - *Block A2 ranging in height from 4 to 7 storeys and containing 102 no. apartments, with proposed balconies, and solar panels at roof level,*
 - *Block A3 ranging in height from 4 to 7 storeys and containing 85 no. apartments, with proposed balconies, and solar panels at roof level,*
 - *Alteration of Block B1 from permitted 4-storey building providing 80 no. residential units; to 3 to 5-storey building providing 49 no. apartment units, with proposed balconies,*
 - *Alteration of Block B2 from 3 no. 3-storey buildings providing 24 no. residential units; to 3 to 5-storey building providing 39 no. apartment units, with proposed balconies,;*
 - *Alteration of Block B3 from 1 no. 2-storey terrace and 3 no. 3-storey terraces providing 33 no. houses; to 38 no. 2-storey houses;*
 - *Alteration of Block B4 from 2 no. 2-storey terraces and 1 no. 3-storey terrace providing 25 no. houses; to 36 no. 2-storey houses;*
 - *Alteration of Block C1 from 3 no. 3-storey buildings providing 34 no. residential units; to Block C1 as 15 no. 2-storey houses & a new Block C1A as 4 to 6-storey building providing 43 no. apartment units, with proposed balconies;*
 - *Alteration of Block C2 from 1 no. 2-storey terrace and 2 no. 3-storey buildings providing 26 no. residential units; to Block C2 as 17 no. 2 and 3-storey houses & a new Block C2A as 4 to 5-storey buildings providing 33 no. apartment units, with proposed balconies;*
 - *Alteration of Block C3 from 1 no. 2-storey terrace and 2no. 3-storey buildings providing 28no. residential units; to C3 as 29 no. 2 and 3 storey houses;*
 - *Provision of new Block D1 ranging in height from 6 to 9-storey building providing 118 no. apartment units with proposed balconies, and solar panels at roof level,;*
 - *Provision of new Block D2 ranging in height from 6 to 8-storey building providing 81 no. apartment units with proposed balconies, and solar panels at roof level,;*
 - *Provision of new Block D3 ranging in height from 5 to 15-storey building providing 96 no. apartment units, with proposed balconies and an external roof terrace at Level 15,;*
 - *Residential Tenant Amenity Facilities of c.1,577sq.m located in Blocks A3 and D3 and external communal amenity space of c.7,526 sq.m provided at ground, podium and terrace levels throughout the scheme.*

2. *Commercial development in the ground floor of Blocks A1-A3 and D1-D3 containing gym of c.411 sq.m, convenience retail unit of c.915 sq.m, medical centre of c.462 sq.m, pharmacy of c.268 sq.m, crèche of c.539 sq.m including outdoor play space of c.123 sq.m. and, storage units of 292 sq.m, 2 no. retail/restaurant/cafe units of c.485 sq.m and c.112 sq.m. Total non-residential uses is c.3,314 sq.m*
3. *Car Parking is provided in a mix of undercroft for the apartments and off street for the houses with a total parking of 671 spaces for residential units, 40 for residential visitor use and 107 associated with the proposed commercial uses. 1,542 cycle parking spaces are provided for residents, visitor and commercial uses in secure locations and within the public realm throughout the scheme.*
4. *A revised central civic plaza at Stapolin Square centrally located around blocks A1-A3 and D1-D3 and new linear parks at Longfield Road adjacent Block B1-B2 and centrally located adjacent Blocks C1-C2-C3 totalling c. 10,042 sq.m.*
5. *Proposed new bus, cycle, pedestrian and taxi ramp to the north of Stapolin Square and Blocks D1-D3 providing access from Longfield Road to Clongriffin Train Station.*
6. *The development will also provide for all associated ancillary site development infrastructure including: ESB sub-stations, bike stores, bin stores, plant rooms, public lighting, new watermain connection to the north and foul and surface water drainage; internal roads & footpaths; site landscaping, including boundary treatments; associated scheme signage, and all associated engineering and site works necessary to facilitate the development.*

The proposed alterations do not apply to blocks C4, C5 and C6 (previously indicated as D1) of the permitted development, which relates to 99 no. houses which are currently under construction or the permitted The Haggard Park which remains as permitted, or all other elements including Surface water attenuation wetlands and associated upstream surface water network, demolition of existing temporary lift and stair enclosure and associated infrastructure to Clongriffin Train Station, Road infrastructure (except where within the application boundary and requiring to be locally altered for proposed development), and Utilities infrastructure (except where within the application boundary and requiring to be locally altered for proposed development), all of which remain as per permitted.

This report examines the site location, context, planning history and sets out clearly the alterations and new elements of this application. It also has regard to issues of compliance with the Fingal County Development Plan 2017-2023, the Baldoyle-Stapolin Local Area Plan (LAP) 2013 (as extended), and Section 28 Guidelines, which are the relevant statutory documents against which the development will be considered.

This SHD Planning Application is accompanied by a comprehensive set of documentation which specifically seeks to address the requirements of the Planning and Development (Housing) and Residential Tenancies Act 2016, the Planning and Development (Strategic Housing Development) Regulations 2017 and the requirements of the Fingal Development Plan 2017-2023.

An Environmental Impact Assessment Report (EIAR), is submitted to An Bord Pleanála with this SHD Planning Application documentation. The EIAR Report provides information on the likely significant impacts on the environment of the proposed development.

An Appropriate Assessment (AA) Screening Report and a Natura Impact Statement (NIS) prepared by Altamar is submitted to An Bord Pleanála with the SHD Planning Application.

This Planning Report should be read in conjunction with the other documentation (reports and drawings) accompanying this SHD Planning Application including a Material Contravention Statement, set out in the schedule included in the Cover Letter to An Bord Pleanála.

We confirm that prior to making this SHD Planning Application to An Bord Pleanála, that the drawings enclosed herewith have been checked with reference to the Planning and Development Regulations, 2001-2021.

2 PROPOSED ALTERATIONS TO PERMITTED SCHEME

The proposed development which is the subject of this Planning Application to An Bord Pleanála is seeking to alter a permitted planning permission (FCC Reg. Ref. 16A/0412, ABP Reg. Ref. ABP-248970, (the parent permission), and as amended under F20A/0258 and F21A/0046).

There are two primary purposes of this alteration application:

1. A change in some of the permitted house types.
2. An increase in the density of the scheme through the replacement of some permitted unit types with apartment blocks and the inclusion of the area to the north of Station Square (into Growth Area 3 lands).

With regards to progressing through the Strategic Housing Development process, the Planning and Development (Housing) and Residential Tenancies Act 2016 in this regard permits such an application as set out in Section 3 (d).

Strategic Housing Development is defined as:

(a) the development of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses,
(b) the development of student accommodation units which, when combined, contain 200 or more bed spaces, on land the zoning of which facilitates the provision of student accommodation or a mixture of student accommodation and other uses thereon,

(ba) development —

- (i) consisting of shared accommodation units that, when combined, contain 200 or more bed spaces, and*
- (ii) on land the zoning of which facilitates the provision of shared accommodation or a mixture of shared accommodation thereon and its application for other uses,*

(c) development that contains developments of the type to which all of the foregoing paragraphs, or any two of the foregoing paragraphs, apply, or

(d) the alteration of an existing planning permission granted under section 34 (other than under subsection (3A)) where the proposed alteration relates to development specified in paragraph (a), (b) , (ba) or (c), each of which may include other uses on the land, the zoning of which facilitates such use, but only if—

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

(ii) the other uses cumulatively do not exceed—

(I) 15 square metres gross floor space for each house or 7.5 square metres gross floor space for each bed space in student accommodation F2 [or shared accommodation] in the proposed development or to which the proposed alteration of a planning permission so granted relates, subject to a maximum of 4,500 square metres gross floor space for such other uses in any development,

Or

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

The scheme is proposing to alter the permitted residential development on the site, with replacement and additional development, both of which are in excess of 100 residential units, on land zoned for residential use or for a mixture of residential and other uses, and within the limits on other uses, as set out above, (as addressed in Q15 of the Planning Application Form).

2.1 Proposed Alterations

The permitted development, as permitted under FCC Reg. Ref. 16A/0412, ABP Reg. Ref. ABP-248970 (and as subsequently amended under F20A/0258 and F21A/0046), permitted the development of 544 no. residential units (385 no. apartments and 159 no. houses) retail and a crèche. Of this permitted development 99 units, in Blocks C4, C5 and C6 (previously indicated as D1), are under construction. The planning history is set out in detail in Section 4.

This alteration application seeks to both alter and replace the remaining 445 residential units and associated development with the development of 882 no. residential dwellings (747 apartments, 135 houses), residential tenant amenity, retail, pharmacy, medical centre, restaurant, crèche within an extended site boundary. The proposed development relates to the alteration and replacement of development previously permitted at Blocks A1, A2, A3, B1, B2, B3, B4, C1, C2 & C3 and new proposed Block D1, D2 & D3 to the north of Stapolin Square (an extended site boundary).

The proposed alterations result in an increase of 437 units overall. Should this alteration application be permitted by An Bord Pleanála, the altered F16A.0412, ABP-248970 (as amended) will permit the development of 981 units in total.

For clarity and in brief, the proposed alterations do not apply to blocks C4, C5 and C6 (previously indicated as D1) of the permitted development, which are currently under construction, nor the permitted The Haggard Park, which remains as permitted, nor to other associated permitted development, as set out in FCC Reg. Ref. 16A/0412, ABP Reg. Ref. ABP-248970 (and as amended under F20A/0258 and F21A/0046) unless set out in this application. As such the conditions, as conditioned under the parent permission, will continue to be applicable to this application, if permitted and, unless amended by An Bord Pleanála.

2.2 Material Contravention

This Strategic Housing Development Application includes a Material Contravention Statement which seeks to address the issue of material contraventions of the Fingal County Development Plan 2017-2023 (Development Plan), and the Baldoyle-Stapolin Local Area Plan 2013 (Local Area Plan), as extended, as required under Section 8 of the Planning and Development (Housing) and Residential Tenancies Act 2016. This Statement provides a rationale for An Bord Pleanála, as the consenting authority, to conclude that there is justification for material contravention in relation to Section 12.10 of the Development Plan and Sections 4D.2 and 4D.4 of the Local Area Plan.

Section 9 (6) of the Planning and Development (Housing) and Residential Tenancies Act, 2016 confirms that An Bord Pleanála may grant permission for a development which materially contravenes a Development Plan, other than in relation to the zoning of land having regard to the considerations specified in section 37(2)(b) of the Act of 2000.

The Material Contravention Statement provides a justification for the material contraventions of the above referenced statutory planning documents, in relation to the Local Area Plan: (i) building height, (ii) density; and in relation to the Development Plan, (iii) parking provision and (iv) unit mix.

(i) Building Height

- Section 4D.4 of the Local Area Plan identifies building heights for the Local Area Plan (LAP) lands and identifies building heights in the range of 2-5 storeys with 'punctuation nodes' for development in this location. The *Urban Development and Building Heights – Guidelines for Planning Authorities* (December 2018) establish the principle for the re-examination of height limits and should be considered over the Local Area Plan height limits on a site specific contextual basis.

(ii) Density

- Section 4D.2 of the Local Area Plan sets out a general minimum net density of 35-50 units / ha across the entire site of the Local Area Plan. The *Sustainable Urban Housing, Design Standards for New Apartments* (2020) establish the principle for the re-examination of density and should be considered over the Local Area Plan densities on a site specific contextual basis.

(iii) Parking Provision

- Section 12.10 of the Development Plan identifies parking standards for residential development. The *Sustainable Urban Housing, Design Standards for New Apartments* (2020) establish the principle for the re-examination of car parking provision and should be considered over the Development Plan parking standards on a site specific contextual basis.

(iv) Unit Mix

- Objective RS 2 of the Baldoyle- Stapolin LAP 2013 states that 'no more than 5% of units in any application or over the whole development, shall be one bedroom units'. *Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities* (December 2020) contains SPPRs in relation to dwelling mix requirements, SPPR 1 which takes precedence over any conflicting policies and objectives of Development Plans.

It is considered, as is set out in the accompanying Material Contravention Statement and the supporting planning application documentation, including this Planning Report, that sufficient justification exists for An Bord Pleanála to grant permission for the proposed development notwithstanding the proposed material contraventions of the Local Area Plan in relation to height and density, and the proposed material contravention of the Fingal County Development Plan in relation to parking provision, having regard to the considerations specified in section 37(2)(b) of the Act of 2000.

3 SITE LOCATION AND CONTEXT

3.1 Subject Site

The subject lands are primarily undeveloped, with the exception of a network of access roads traversing the lands.

The lands are bound by the Dublin-Belfast / DART train line to the west and Clongriffin Station. The site is also bound by existing residential areas to the south and east, referred to as Myrtle and the Red Arches respectively, and to the north by lands referred to as Growth Area 3 under the Baldoyle Stapolin LAP. A currently undeveloped area lies directly to the north-east of the wider landholding with permitted development under FCC reg. Ref F11A/0290/E1 (lands known as Growth Area 2 under the Baldoyle-Stapolin LAP). Baldoyle Racecourse Park is located further to the north and east of the site. The Baldoyle Estuary is further east beyond the R106 Coast Road.

3.2 Context

The subject site is located in Baldoyle, Dublin 13, approximately 10km north east of the city centre. While the site is on the edge of the urban extent of Dublin City, it is within the administrative area of Fingal County Council (FCC) adjacent to the Dublin City Council administrative boundary at Clongriffin to the west.

Surrounding uses to the west, south and east are predominately residential in nature. Further to the north and north east is an area designated as 'high amenity' comprising partially of agricultural fields and areas associated with the Baldoyle Estuary. It is intended that FCC will deliver 'Baldoyle Racecourse' Regional Park as part of Development Plan and Local Area Plan objectives at this location.

The subject application has been prepared in combination with the remainder of the Applicants landholding (Growth Area 3 'GA03'), which was the subject of a recent Planning Application Consultation Request (ABP-308743-20) and will be subject of a Strategic Housing Development Planning Application in the near future.



Figure 2.1: Subject site in the urban context (Source: Google Maps, 2021).



Figure 2.2: Subject site in the wider Dublin and Fingal Context (Source: Google Maps, 2021).

4 PLANNING HISTORY

There has been relatively little planning activity on the subject lands in recent years. We note 1 no. significant planning application within the subject site (and two subsequent minor amendment applications) in addition to 1 no. previously permitted application to the east of the subject lands.

However, the wider Clongriffin area has had a significant amount of planning activity. Notably this includes 2 No. large scale recently permitted SHDs to the west of the subject site within the administrative area of Dublin City Council.

4.1 FCC Reg. Ref. F16A/0412 (ABP Ref. 248970) (and subsequently as amended under F20A/0258 and F21A/0046 – set out further at Sections 4.2 and 4.3 below).

FCC Reg. Ref. F16A/0412 (ABP Ref. 248970) permits approximately 546 no. residential units (385 no. apartments and 161 no. houses) and a village centre comprising c. 1,917 sq.m of commercial floor space that includes shops, a café and a crèche.

As part of this permitted development, pedestrian access to the train station is provided across a plaza known as Stapolin Square with steps and ramps to address the difference in levels, with the existing access to the station to be closed. A new open space of c.1.5ha is permitted at The Haggard to the north east of the main part of the site.

The permission was granted on appeal July 7th, 2017 and has a 10 year duration. The permitted density is 63 u/ha.

Density

In a number of areas the permitted development provided a density which was in excess of that set out in the Baldoyle-Stapolin LAP. The LAP sought development at Blocks B, C and D in the permitted development at a density of 38-42 and the permitted Blocks B,C & D of The permitted development provided 351 units, at a density of 47 units per hectare. At Block A the permitted development provided provide another 195 units at a density of 108 units per hectare within zone C of the LAP, where densities of over 80 units per hectare are sought. (Ref: Baldoyle-Stapolin Local Area Plan Fig. 4D.1 Preferred Density Plan).

In this regard the Inspector observed that *“Those blocks would be less than 3 minutes’ walk from the railway station, so the provision of a greater density of accommodation so close to a public transport corridor is justified with reference to the guidance at section 5.8 of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas.”*

As such this rationale for higher density is consistent with wider decision making and comparable with the proposed scheme.

4.2 FCC Reg. Ref. F20A/0258

A final grant of permission was issued by Fingal County Council on 3rd September 2020 for minor alterations to the permitted residential development, as permitted under F16A/0412, ABP Re. Ref; PL06F.248970. The proposed alterations related to Blocks C4, C5 and D1 (previously C6) only and primarily related to the alteration of external finishes and material of permitted housing. The units subject of this permission are currently under construction.

4.3 FCC Reg. Ref. F21A/0046

A grant of permission was issued by Fingal County Council on 27th April 2021 for proposed alterations to Blocks B3, B4, C3, C4, and C5 only and related to either:

- Proposed alterations to some of the permitted Unit Types in respect of their external design which relates primarily to roof and porch design as well as external finishes, minor internal reconfiguration and removal or alteration of permitted solar panels.
- The introduction of new Unit Types in place of permitted units.
- Reduction of overall units by 5.

This was granted by FCC with a condition to exclude the proposed alteration of Unit Types and layout of Block C3 “in the interest of visual and residential amenity”. As a result of this permission the parent permission (FA16/0412) permits the development of 544 total units (a reduction in 2 on the parent permission).

The previously sought amendments to Block C3 are contained within this application, which we believe has addressed the concerns raised by Fingal County Council in their refusal of permission to amend Block C3 as part of this application (as set out further in Section 7.1 below).

4.4 FCC Reg. Ref. F11A/0290 (/E1), PL06F.239732

Regents Park Development Ltd. were granted permission on appeal on 11th April 2013 and given a further extension of duration of permission in 2018 (FCC Reg. Ref. F11A/0290/E1) on lands at Growth Area 2 ('GA02'), as per Baldoyle-Stapolin Local Area Plan. FCC initially refused the application however An Bord Pleanala subsequently granted permission following appeal. The development entailed 400 no. dwelling units, 3 no. retail units, a crèche, surface and basement level car parking, landscaping and all associated works.

4.5 Clongriffin SHD Applications (Dublin City Council Area adjacent)

An Bord Pleanála (ABP) granted 2 No. SHD applications west of the DART line in Dublin City Council area, under SHD Reg. Ref 305316 and SHD Reg. Ref. 305319 on the 18th December 2019. Both applications were prepared together and were considered concurrently and have very similar assessments:

- **Clongriffin SHD 1 Reg. Ref 305316:** 916 no. apartments including the loss of 114 units (238 no. residential, 678 no. Build to Rent units), 2 no. crèches, 10 no. retail units and all associated site works. Primarily consisting of 6-7 storeys in height but also include 17 storeys at Block 17 and 15 storeys at Block 26.
- **Clongriffin SHD 2 Reg. Ref. 305319:** 500 no. apartments (235 no. residential, 265 no. build to rent), crèche and all associated site works in block of 2 – 8 storeys in height.

Height

Blocks 17 and 26, of Clongriffin SHD 1 Reg. Ref 305316, are higher than the other buildings. The LAP identifies Block 17 as a location where a higher building is desirable, although it specifies heights of between 10 and 14 storeys. Precedent for a higher building at this location was set under ABP 248713, Reg. Ref. 3634/16 which permitted a 16 storey building with 139 apartments on this block.

In relation to Block 26, which stands at the edge of the North Fringe area beside the railway line, Mayne River and the greenbelt to the north, the Inspector states: *Its suitability for a taller building is established by its situation position beside those open lands and at the intersection of two local routes through the North Fringe: Marrsfield Avenue and Station Street. The design submitted in the current proposal for a 15 storey building there is of a sufficient quality for its prominence. It would improve the legibility of the area and establish a clear boundary with the rural lands beyond.*

The Inspector considered the proposed maximum heights (17 storeys at Block 17 and 15 storeys at Block 26) as acceptable despite contravening Section 16.7.2 of the Dublin City Development Plan and objective UD07 of the Clongriffin-Belmayne Local Area Plan 2012-2018 (extended to 2023).

Further he notes the taller buildings ‘*would also improve the overall density of residential development in a district centre on a public transport corridor. Any contravention of the development or local area plan would therefore be justified by the guidelines on building height issued in 2018, in particular SPPR 1 and 3.*’

In summary, the Inspector stated that the contravention of the above referenced policy was justified *because of the positive contribution that the higher buildings would make to the development at a sustainable density in a district centre on a public transport corridor and to standard of urban design that would be achieved for this emerging part of the city.*

Density

The proposed density of approx. 163 units/ha for SHD 1 and 200 units/ha for SHD 2 was considered appropriate given the proximity of the site to a railway station, QBC and a new town centre. The density of the proposed development would therefore be in line with the National Planning Framework.

The Inspector stated: *The density of the development proposed in this application is 163 dph, while that of the three concurrent applications is 171 dph. This would bring the overall density at Clongriffin to 84 dph, which is appropriate for an area with a railway station and a new town centre*

In relation to both applications, DCC in turn stated: *The density of the proposed development would be in line with the advice in the National Planning Framework having regard to the site's proximity to a railway station and a Quality Bus Corridor.*

Car Parking Provision

The permitted car parking rate was 0.48 (673 no.) per dwelling and 0.52 (357 no.) per dwelling in SHD 1 and SHD 2, respectively. This was considered acceptable given the accessibility of the area. The stated rate was higher however the Inspector discounted the visitor spaces in his calculation. The Applicant submitted that this would mitigate the impact that the occupation of the proposed development would be likely to have on the demand for transport by private car on the road network in the area.

5 PRE-PLANNING CONSULTATION

Both the context and approach to the application site and the emerging design rationale for the proposed development, have been subject to considerable consultation with the Fingal County Council Planning Department under Section 247 of the Planning and Development Act 2000, as amended.

A series of meetings have been held with the Council's Planning Department as formal pre-application discussions on the substance of the proposed development. The attendees and dates of these meetings were:

- 12 Nov 2019- FCC Kathy Tuck / Colm McCoy (Planning), Hans Visser (Biodiversity), Kevin Halpenny (Parks)
- 17 Dec 2019- FCC Kathy Tuck / Sean Walsh (Planning), Linda Lally (Transport), Mark Finnegan (Parks), Damien Cox (Water)
- 29 Jan 2020- FCC Kathy Tuck / Sean Walsh (Planning), Niall Thornton (Transport)
- 15 April 2020- FCC Kathy Tuck / Sean Walsh (Planning), Niall Thornton (Transport), Mark Finnegan (Parks), Damien Cox (Water)

In addition a Tri-Partite Meeting was held with Fingal County Council and An Bord Pleanála on 14th September 2020.

6 PLANNING FRAMEWORK

6.1 Fingal Development Plan 2017-2023

The proposed development is located in the administrative area of Fingal County Council and subject to the Fingal Development Plan 2017-2023 including Variations, and the Baldoyle-Stapolin LAP 2013 (as extended). This section discusses the specific provisions of the Development Plan in relation to development management standards. Please see Statement of Consistency enclosed with this application for wider discussion of the Core Strategy and other general policy considerations.

Core Strategy

Chapter 2 of the Development Plan sets out the Core Strategy and Settlement Strategy for County Fingal. It identifies the quantum, location and phasing of development for the plan period that is consistent with the regionally defined population targets and settlement hierarchy. It reflects the availability of existing services, planned investment, sequential development and environmental requirements (i.e. an evidence based approach in determining the suitability of lands for zoning purposes) and therefore also provides the policy framework for all Local Area Plans.

The Core Strategy aligns the Development Plan with the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES) as amended by Variation No. 2¹ to the Fingal Development Plan. Variation No. 2 has not fundamentally changed the Baldoyle policy context. Baldoyle is located in the Metropolitan Area of the Greater Dublin Area (GDA).

The Development Plan (as varied) sets out the residential capacity of the wider area in Table 2.8, with the details extracted below relevant to the subject lands:

Town/Village	Remaining Land Supply (hectares)	Remaining Capacity Residential Units
Metropolitan Area		
Baldoyle/Sutton	29	1498

The emphasis of the Development Plan is to continue to consolidate the existing zoned lands and to maximise the efficient use of existing and proposed

¹ <https://consult.fingal.ie/en/consultation/proposed-variation-no-2-fingal-development-plan-2017-2023>

infrastructure. In this way the Council can ensure an integrated land use and transport strategy in line with national and regional policy.

We note, Objective SS01 aims to: *Consolidate the vast majority of the County's future growth into the strong and dynamic urban centres of the Metropolitan Area while directing development in the core to towns and villages, as advocated by national and regional planning guidance.*

The development strategy of the subject lands seeks to utilise existing infrastructure such as roads and public transport in an area which has been designated to be consolidated within Dublin's North Fringe (new residential zone straddling Dublin City Council and Fingal County Council areas, at the northern edge of Dublin City).

Baldoyle is considered a 'Consolidation Areas within the Metropolitan Area. The policy approach in these areas is *'to gain maximum benefit from existing transport, social, and community infrastructure through the continued consolidation of the city and its suburbs. Future development will happen in a planned and efficient manner utilising opportunities to achieve increased densities where appropriate.'*

Further Objective SS16 aims: *Examine the possibility of achieving higher densities in urban areas adjoining Dublin City where such an approach would be in keeping with the character and form of existing residential communities, or would otherwise be appropriate in the context of the site.*

Considering the permitted F16A/0412, as amended, for 544 no. residential units (part of which has commenced development on site in 2020 – approx. 99 units) the extant but not yet built permission under F11A/0290 (/E1) for c.400 no units, it is considered that additional proposed units on GA01 (this application), in addition to future GA2 (c. 1000 units as per recent Strategic Housing Development Pre-Application Consultation Request ABP-309559-21), and future proposed approximately 1200 units on GA3 will likely exceed the total of 1498 units set out in the Core Strategy. Therefore the exceedance of the Core Strategy will in future give rise to a Material Contravention of the Fingal Development Plan. However it is considered that the development contained within this application, which replaces much of the permitted F16A/0412, as amended, in itself will not result in an exceedance of the Core Strategy and as such is not a Material Contravention of the Development Plan. The Statement of Consistency submitted with this application documentation sets this out further.

Zoning

The subject site is zoned RA 'new residential' under the Fingal Development Plan. The objective of RA zoned lands is to *'provide for new residential communities subject to the provision of the necessary social and physical infrastructure.'* Given the primary purpose of the subject application is to provide for residential uses

the proposed development is clearly consistent with the land-use zoning. In addition, it is an objective to provide for LC – Local Centre at lands adjacent to the rail station, which is provided for by the mix of uses proposed at this location. Further the lands are noted as subject to the Local Area Plan (LAP 10.A).

Further detail provided by the Development Plan states: *Ensure the provision of high quality new residential environments with good layout and design, with adequate public transport and cycle links and within walking distance of community facilities. Provide an appropriate mix of house sizes, types and tenures in order to meet household needs and to promote balanced communities.*

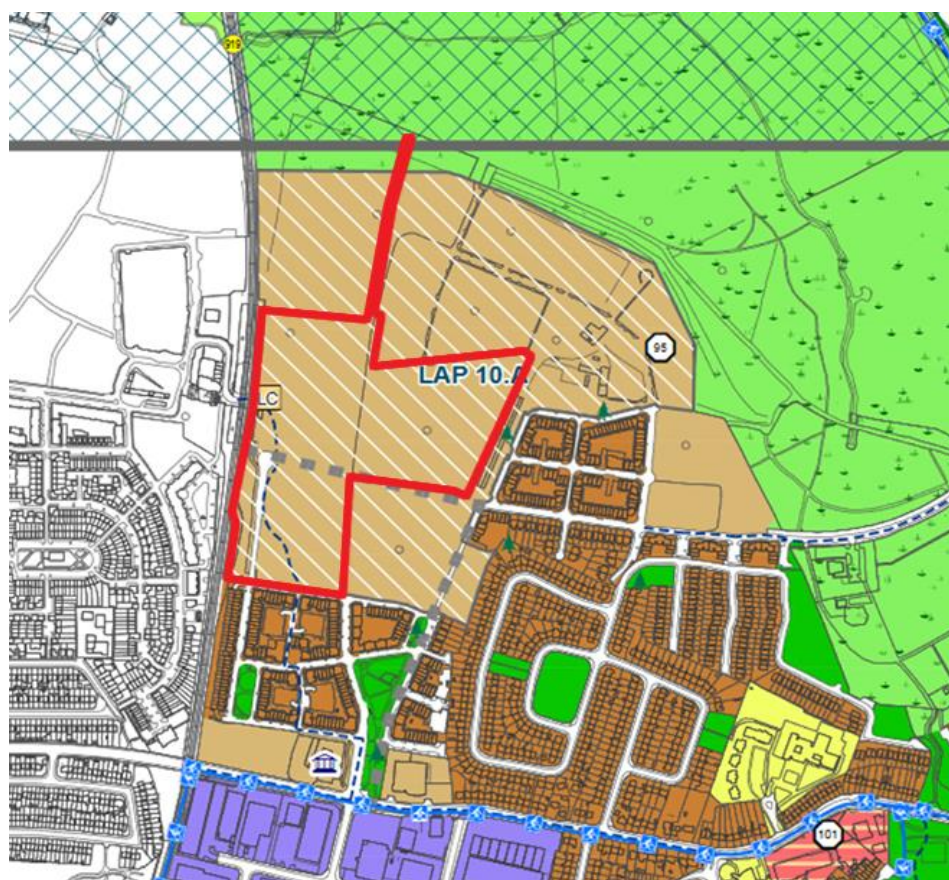







Figure 5.1: extract from the Fingal Development Plan Zoning Map 10 (Source: FCC, 2019).

 HA – High Amenity	Protect and enhance high amenity areas
 RA – Residential Area	Provide for new residential communities subject to the provision of the necessary social and physical infrastructure
Local Objective 95	Ensure that the visual impact of any development on the Greenbelt will be minimised by its siting, design and planting
'LC'	Provide for a Local Centre
	Greater Dublin Area Cycle Network ('Feeder Network')
	Road Proposal
	Protect & Preserve Trees, Woodlands and Hedgerows

Development Management Standards

Chapter 12 of the Fingal Development Plan sets out Development Management Standards for development proposals.

Design Criteria for Urban Development

The Development Plan sets out the following requirements for large scale residential developments:

High Quality Urban Design

Objective DMS03 states: *Submit a detailed design statement for developments in excess of 5 residential units or 300 sq m of retail / commercial / office development in urban areas. The design statement is required to:*

- *Explain the design principles and design concept.*
- *Demonstrate how the twelve urban design criteria (as per the 'Urban Design Manual - A Best Practice Guide') have been taken into account when designing schemes in urban areas.*
- *Each of the twelve criteria is of equal importance and has to be considered in an integrated manner.*
- *Outline how the development meets the Development Plan Objectives, and the objectives of any Local Area Plan, Masterplan, Urban Centre Strategy, Framework Plan or other similar Plan affecting the site.*
- *Include photographs of the site and its surroundings.*
- *Include other illustrations such as photomontages, perspectives, sketches.*
- *Outline detailed proposals for open space and ensure the provision of open space is designed in from the beginning when designing a new scheme.*
- *Outline a detailed high quality open space and landscape design plan including specifications, prepared by suitably qualified professionals.*
- *Outline how Green Infrastructure integrates into the scheme.*

Green Roofs and Walls

- **Objective DMS16:** *Promote and encourage the use of green walls and roofs for new developments that demonstrate benefits in terms of SuDS as part of an integrated approach to green infrastructure provision.*
- **Objective DMS17:** *Promote and encourage the use of green walls and roofs as part of an integrated approach to green infrastructure provision.*

Design Criteria for Residential Development

Section 12.4 sets out design criteria for Residential Development. The following areas have been carefully considered by the design team, in particular the Development Plan draws attention to the following areas:

- **Residential Zoning:** the subject lands are appropriately zoned for the proposed development and will in turn create a new high quality residential environment.
- **Mix of Dwelling Types:** the development will provide a sustainable mix of unit types and sizes enabling a choice of housing for a broad section of the population.
- **Residential Density:** the proposed density has been carefully considered in the context of the emerging urban area, the presence of key public transport facilities and in reference to guidelines including: *Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities (2009)*, the *Sustainable Urban Housing Design Standards for New Apartments (2018)* and the *Urban Development and Building Heights Guidelines for Planning Authorities (2020)*.

Apartment Development

Apartment design standards set out in individual Development Plans have now been superseded by the *Sustainable Urban Housing Design Standards for New Apartments (2020)*.

Quantitative Standards

The Development Plan sets out a range of quantitative standards for residential units in order to achieve a high standard of accommodation for future residents. The following general standards apply:

- **Objective DMS24:** *Require that new residential units comply with or exceed the minimum standards as set out in Tables 12.1, 12.2 and 12.3.*
- **Objective DMS25:** *Require that the majority of all apartments in a proposed scheme of 100 or more apartments must exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3 bedroom unit types, by a minimum of 10%.*
- **Objective DMS26:** *For apartment schemes between 10 and 99 units, require that the majority of all apartments in a proposed scheme must exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3 bedroom unit types, by a minimum of 10%. This may be redistributed throughout the scheme, i.e. to all proposed units.*
- **Objective DMS27:** *Require that all planning applications for residential development include floor plans for each room indicating typical furniture layouts and door swings.*

The proposed development meets or exceeds the above standards. Please see HJL's Architectural Design Statement, drawings and Housing Quality Audit for detail in relation to compliance with the above.

Other Residential Development Standards

The Development Plan sets out a range of standards in relation to residential developments including: separation distance, daylight and sunlight, acoustic

design, communal facilities and refuse facilities. In order to achieve a high standard of accommodation for future residents:

Separation Distances

The proposed development meets the relevant standards in relation to other design standards including separation distances and acoustic standards. Please see documentation prepared by HJL including Design Rationale and Schedule of Accommodation for further details of these standards.

Objective DMS28	<i>A separation distance of a minimum of 22 metres between directly opposing rear first floor windows shall generally be observed unless alternative provision has been designed to ensure privacy. In residential developments over 3 storeys, minimum separation distances shall be increased in instances where overlooking or overshadowing occurs.</i>
Objective DMS29	<i>Ensure a separation distance of at least 2.3 metres is provided between the side walls of detached, semi-detached and end of terrace units.</i>
Objective DMS31	<i>Require that sound transmission levels in semi-detached, terraced, apartments and duplex units comply as a minimum with the 2014 Building Regulations Technical Guidance Document Part E or any updated standards and evidence will need to be provided by a qualified sound engineer that these levels have been met.</i>

Daylight, Sunlight and Overshadowing

The proposed development meets the British standard referred to in DMS30 of the Fingal Development Plan (extracted below) in relation to Daylight and Sunlight.

Objective DMS30	<i>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.</i>
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Please see Daylight Sunlight Summary Report prepared by OCSC for further details of same. This report directly addresses An Bord Pleanála Opinion issued at Pre-Application Consultation stage. Further details in this regard are found in the Response to An Bord Pleanála Opinion included in this application documentation.

Management Companies and Facilities for Apartment Developments

The proposed development meets the relevant standards in relation to management facilities. Please see Estate Management Plan prepared by Aramark for further details of same.

Objective DMS33	<i>Require properly constituted management companies in apartment type schemes are set up and necessary management structures are put in place for the benefit of the residents.</i>
Objective DMS34	<i>Provide in high density apartment type schemes in excess of 100 units facilities for the communal use of residents as deemed appropriate by the Council.</i>

Refuse Storage and Bins

The proposed development meets the relevant standards in relation to Refuse Storage and Bins. Please see Operational Waste Management Plan prepared by AWN; and HJL Design Rationale and Schedule of Accommodation for further details of refuse facilities.

Objective DMS35	<i>Require the provision of communal laundry rooms and storage facilities in high density apartment type developments where deemed appropriate.</i>
Objective DMS36	<i>Ensure all new residential schemes include appropriate design measures for refuse storage areas, details of which should be clearly shown at pre-planning and planning application stage. Ensure refuse storage areas are not situated immediately adjacent to the front door or ground floor window, unless adequate screened alcoves or other such mitigation measures are provided.</i>
Objective DMS37	<i>Ensure the maximum distance between the front door to a communal bin area does not exceed 50 metres.</i>

Public Open Space

The provision of open space in the proposed development has been carefully considered. Section 12.7 of the Development Plan sets out Fingal's approach to open space in developments.

FCC has five basic principles of open space provision: *Hierarchy, Accessibility, Quantity, Quality and Private Open Space*. In this regard the Balydoyle-Stapolin LAP sets out an open space hierarchy for the subject lands. Please see Section 2.2.2 in regard to Open Space.

Please see BSLA's Landscape Design Rationale in regard to landscape proposals and the HJL Design Statement on private and public open space.

Objective DMS56	<i>Integrate and provide links through adjoining open spaces to create permeable and accessible areas, subject to Screening for Appropriate Assessment and consultation, including the public, as necessary.</i>
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Objective DMS57	<i>Require a minimum public open space provision of 2.5 hectares per 1000 population. For the purposes of this calculation, public open space requirements are to be based on residential units with an agreed occupancy rate of 3.5 persons in the case of dwellings with three or more bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms.</i>
Objective DMS57A	<i>Require a minimum 10% of a proposed development site area be designated for use as public open space.</i>

Growth Area 3, Stapolin Square and Linear Park

The delivery of Stapolin Square is a key focus of the urban design strategy for the proposed development, delivering a significant urban public space, whereas the existing permitted development only provided for the completion of one side of 'Station Square' as it was previously referred to. As such this alteration application extends into the Growth Area 3 'GA3' area to allow for the inclusion of Station Square in its entirety, completing this critical piece of urban infrastructure. This is an important aspect of this proposal for development, encompassing the delivery of apartment development both north and south of the Square, and the 'bus ramp' north of this. It is considered this is a significant addition to the previously permitted scheme and allows a more cohesive approach to the delivery of the Square.

This central public space provides for the creation of a sense of place and arrival, providing a quality landscaped informal amenity area and public realm, seating and tree planting, while the adjacent shared residential courtyards provide for amenity and recreation. This is fully set out in the BSLA Landscape Design Report and Landscape Masterplan.

The proposed development also entails a large quantity of semi-private open space, set out further in the HJL Design Report and the BSLA Landscape Report.

The development benefits from its adjacency to the significant amenity of Racecourse Park (partially delivered with further planned delivery by FCC), comprising some 112 ha of Class 1 Public Open Space and which includes cycle and walking trails, playspaces and sports pitches, and the previously permitted The Haggard public park.

Private Open Space for Houses and Apartments

FCC require all residential units to be provided with private open space. Open space standards set out qualitative and quantitative standards so as to ensure that the maximum benefit is derived from the open space. The quantitative standards set out in the Development Plan for apartments are superseded by the previously referenced Sustainable Urban Housing, Design Standards for New Apartments (2020).

The HJL Housing Quality Assessment provides details in relation to the provision of private open space.

Houses

Objective DMS87	<p><i>Ensure a minimum open space provision for dwelling houses (exclusive of car parking area) as follows:</i></p> <ul style="list-style-type: none"> <i>3 bedroom houses or less to have a minimum of 60 sq m of private open space located behind the front building line of the house.</i> <i>Houses with 4 or more bedrooms to have a minimum of 75 sq m of private open space located behind the front building line of the house.</i> <p><i>Narrow strips of open space to the side of houses shall not be included in the private open space calculations.</i></p>
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Childcare Facilities

The proposed development notes the provisions in the Development Plan in regard to Childcare Facilities. Please see BSM Schools Demand & Childcare Facilities Report which details the rationale for the provision of childcare facilities.

The purpose of this Report is to assess the provision and need of childcare facilities in the area and to provide justification for the childcare facilities proposed.

The proposed crèche is of a high quality design and as such complies with the following objectives:

Objective PM74	<i>Encourage the provision of childcare facilities in appropriate locations, including residential areas, town and local centres, areas of employment and areas close to public transport nodes.</i>
Objective PM75	<i>Ensure that childcare facilities are accommodated in appropriate premises, suitably located and with sufficient open space in accordance with the Childcare (Pre-School) Services) (No. 2) Regulations 2006.</i>
Objective PM76	<i>Require as part of planning applications for new residential and commercial developments that provision be made for appropriate purpose built childcare facilities where such facilities are deemed necessary by the Planning Authority.</i>

6.2 Baldoyle- Stapolin Local Area Plan (LAP) 2013 (Extended)

Adopted in May 2013 by FCC, the County Council Members, having considered the Chief Executive's Report at a Council meeting on the 12th March 2018 decided to approve the extension of the life of the Baldoyle-Stapolin LAP 2013-2019 – for a further period of 5 years from the 12th May 2018 to the 11th May 2023.²

The LAP sets out a detailed strategy for the lands, the key consideration in relation to this development proposal include:

- Zoning and Objectives
- Vision, Themes and Objectives
- Green Infrastructure
- Transportation and Movement
- Residential Development & Density: including Residential density range, Heights, Urban design.
- Sequencing and Phasing of Development

This Planning Application has regarded these considerations carefully, where the LAP does not provide details or contrasts with other guidelines the Fingal Development Plan is regarded.

Zoning and Objectives

The lands are zoned Objective RA which has the stated objective to: *Provide for new residential communities in accordance with approved local area plans and subject to the provision of the necessary social and physical infrastructure. This area, known as The Coast, includes the existing residential communities of Myrtle and Red Arches.*

The LAP references the Village Centre (Local Centre in the FCC Development Plan as previously indicated) at the area adjacent to the rail station.

The LAP zoning is consistent with the Development Plan. Given the primary purpose of the subject application is to provide for residential uses (in addition to Local Centre mixed uses) the proposed development is clearly consistent with the land-use zoning.

² <http://meetings.fingal.ie/ieListDocuments.aspx?CId=129&MId=4933>

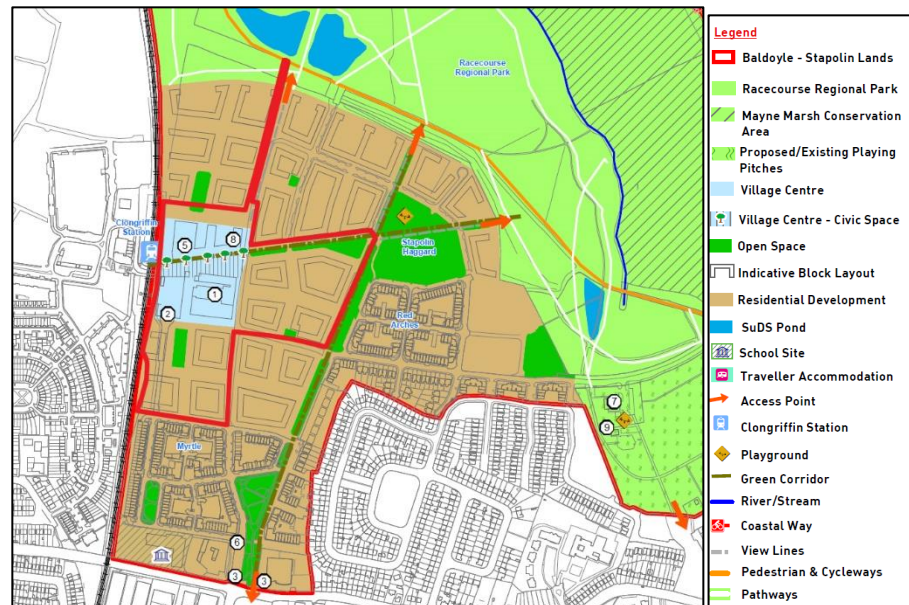


Figure 5.2: Baldoyle Stapolin LAP map. (Source: FCC, 2019.)

The LAP sets out the following objectives for the lands:

Map Based Objectives

1. *Facilitate and encourage community facilities which allow for shared and multi-purpose use and adaptability within the village centre, or for non-commercial or small scale community facilities other agreed locations may be considered subject to demand and resources.*
2. *Provide for at least one crèche facility within the village centre area as part of the phasing requirements set out in Section 6 and as required by Section 4E of the Local Area Plan*
3. *Require high quality design and finish to any development at these important gateway nodes to the LAP lands*
4. *Provide for a public park and sensitively designed retirement village subject to screening for assessment under the Habitats Directive as per Local Objective 469 in the 2011-2017 Fingal Development Plan or as may be revised in any future Development Plan*
5. *Ensure that key services such as local and primary health care facilities, public house, and crèche are provided within the village centre to ensure the appropriate mix of community services and facilities, the vitality of the village centre, and to encourage the use of sustainable modes of transport.*
6. *Facilitate an alternative site readily accessible from Grange Road for a medical/primary care centre, in line with HSE requirements. Such a site should only be considered where it can be demonstrated that a medical/primary care centre cannot be delivered in the village centre within a reasonable timeframe (not to exceed 3 years from date of adoption of this LAP).*

7. *Facilitate the provision of changing facilities for clubs and teams using the pitches in Racecourse Park and meeting space for community use within this existing building without any undue delay.*
8. ***Facilitate an alternative site to the Grange Road site for an urban type school as part of the village centre's mixed use development on the northern section of the village centre, subject to the requirement for such being indicated by the Department of Education and Skills within the next Capital Programme for Schools (i.e. the successor document to the 2012-2016 Capital Investment Programme for Schools).***
9. *Provide for a Multi Use Games Area (MUGA) or a small all-weather training facility similar in scale to a MUGA in the vicinity of the changing rooms at the existing active recreational facilities within Racecourse Park subject to screening for Appropriate Assessment.*

(Our emphasis)

The proposed alteration to the permitted development provides for an increased range of local services to serve the future population, including retail, cafe, gym, crèche, medical centre, pharmacy in addition to tenant amenity which is considered will provide for an appropriate mix of community services and facilities, the vitality of the village centre. While the LAP references a 'public-house' as a possible use it is submitted that the cafe/restaurant uses provide for a more appropriate form of development. As such, the facilities in the proposed Local Centre at Stapolin Square meet the objectives set out in the above.

In regard to objective No. 8, please see the enclosed Schools Demand & Childcare Facilities Assessment Report for details of the assessment carried out in relation to the demand for and existing capacity of nearby schools. It is noted that to the south of the LAP lands, an objective exists to provide a 'proposed school' at Grange Road. This designation corresponds with a recently permitted development under FCC Reg. Ref. F19A/0461 for a 16 classroom primary school at Myrtle Road, Baldoyle. It is also set out that two alternative sites are identified for future need in the LAP, one along Grange Road and the other in the village centre, and states '*only one of these sites will be required*'. As the site at Grange Road has proceeded to permission for a school, then this site within the village centre is not deemed to be required.

Vision, Themes and Objectives

Section 3 sets out The Vision for Baldoyle-Stapolin which aims: *to create a place to live that is appealing, distinctive and sustainable, with minimal impact on the surrounding environment and the coast. It is envisaged that Baldoyle-Stapolin will develop as a sustainable community comprised of new homes, community, leisure and educational facilities based around an identifiable and accessible new village centre which will form the heart of the area.*

The LAP sets out 4 interlinked thematic objectives:

- 1. **Sustainable Development** - the creation of an urban area with buildings and surrounding areas constructed to high standards of sustainable design, accessible good quality public transport, green spaces and corridors and strong inclusive communities.*
- 2. **High Quality Places for All** - the development of interesting, exciting and stimulating buildings and public spaces, which make the most of natural features and are well connected to surrounding areas.*
- 3. **A New Heart for Baldoyle-Stapolin**- the development of a new mixed use local centre and public realm in which people want to live, work and invest.*
- 4. **Homes for the Future** – the creation of well designed sustainable adaptable homes and neighbourhoods, which cater for a wide range of households.*

The enclosed documents provide further detail in response to each aspect of the proposed development. In particular HJL Architects Design Statement and the BLSA Landscape Design Rationale.

Green Infrastructure

The LAP seeks to create a green infrastructure network of high quality amenity and other green spaces that permeate through the plan lands while incorporating and protecting the natural heritage and biodiversity value of the lands. The LAP sets out a strategy and series of objectives.

The BSLA Landscape Report and the HJL Design Report set out the alterations and improvements to the public and private open space provision and the design intent of high quality public realm provision.

As set out in the BSLA Landscape Report, Stapolin Square is the focal point of the landscape and public realm design strategy for this altered scheme. This central public space provides for informal amenity, public realm, seating and tree planting while the shared residential courtyards adjacent provide for amenity and recreation and sense of place.

The development benefits from its adjacency to the significant amenity of Racecourse Park (partially delivered with further planned delivery by FCC), comprising some 112 ha of Class 1 Public Open Space and which includes cycle and walking trails, playspaces and sports pitches, and the previously permitted The Haggard public park.

Please see BSLA Landscape Rationale for further detail in relation to the proposed development.

Housing Mix

The LAP sets out the following objectives in relation to housing mix:

Objective RS 1 *Require that a suitable variety and mix of dwelling types and sizes are provided in developments to meet different needs, having regard to demographics, social changes and the human life cycle patterns.*

Objective RS 2 *Ensure that one bedroom dwellings are kept to a minimum within the development and are provided only to facilitate choice for the homebuyer. In any event, no more than 5% of units in any application or over the whole development, shall be one bedroom units.*

The unit mix proposed as part of this alteration application is as follows:

Apartments:

- Studios 5 %
- 1 beds 28%
- 2 beds 59%
- 3 beds 8 %

Total Development Mix:

- Studios 4 %
- 1 beds 24%
- 2 beds 50%
- 3 beds 18%
- 4 beds 4 %

We note however that ‘Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’ (December 2020) contains a “Specific Planning Policy Requirement” in relation to dwelling mix requirements, SPPR 1, which takes precedence over any conflicting policies and objectives of Development Plans or Local Area Plans.

SPPR 1 of the Apartment Guidelines (2020), states as follows:

‘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. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s)’;

As such, given the proposed alteration application is subject to the provisions of the *Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’ (December 2020)* the scheme is compliant

with SPPR 1 as required taking precedence over the Local Area Plan and as such the inclusion of 24% 1 beds as part of the overall scheme mix is acceptable. Please see Section 6.3 of this Report for summary overview of residential provision, and the accompany HJL Architects Design Statement. This is also considered in the accompanying Material Contravention Statement.

Density

The LAP sets out a general minimum net density of **35-50 units / ha across the entire site**, subject to appropriate design and amenity standards in the LAP area. A Preferred Density strategy is set out in Figure 4D.1 of the LAP where density varies between medium and higher density, within a range of 38-80+ units/hectare.



Figure 2.3: Baldoye Stapolin LAP Preferred Density Masterplan Fig. 4D.1 (Source: FCC, 2019.)

The LAP states that lower density area dwellings will predominantly consist of semi-detached and terraced houses, while in higher density areas there will be a larger proportion of townhouse, duplex and apartment units.

Density is a key consideration within this development strategy. The alterations proposed under this scheme increase the permitted density from 63 units per hectare to a proposed density of 99 units per hectare which is considered an appropriate scale and form which responds to existing housing, emerging development in the area and national policy for increased development at accessible locations.

Objective RS 6 states: *Achieve a residential density in keeping with a compact urban form which reflects the character and function of the locality, having regard to the need to make the most efficient use of land and transport investment.*

The LAP states it is crucial that the LAP: *avoids the characteristics of a large suburban housing estate and instead continues the creation of an urban place, taking its cue from development already completed.*

Objective RS 6 *Achieve a residential density in keeping with a compact urban form which reflects the character and function of the locality, having regard to the need to make the most efficient use of land and transport investment.*

Objective RS 7 *Seek to achieve the densities provided for in the Preferred Density Masterplan Figure 4D.1 in order to ensure the population catchment and critical mass necessary to support more services, justify existing and future investment in high quality public transport and community facilities and to generate the conditions for lively streets and open spaces. In any event, a minimum of 38 dwellings per hectare (net density) shall be required in each residential block.*

Objective RS 8 *Require, generally, a minimum net residential density of 50 units per hectare within the proposed village centre and along the northern boundary with Racecourse Park subject to appropriate design and amenity standards. This will be reflected within the village centre by the provision of between 120 – 190 residential units.*

Objective RS 9 *Ensure the development of sustainable residential communities through the promotion of innovative, high quality building design and layouts that prioritise non-car based movement and provide for a high level of permeability, accessibility and connectivity to the existing built environment, services and facilities.*

The proposed development meets the above considerations for density. The design strategy exceeds minimum density requirements to justify the existing and future investment in infrastructure and enabling the optimum use of land, and responding to Government Guidelines in relation to sustainable residential density.

Crucially this density does not compromise the residential amenities of future residents nor existing residential adjacencies. For a more detailed discussion of the proposed density and wider design rationale please see Section 6.0 of this Planning Report and HJL Design Statement.

Heights

The LAP sets out height requirements for the lands in Figure 4D.2. The indicative height across the site corresponds to the density and minimum / maximum heights (by floor) are established for all areas of the LAP lands. A number of punctuation nodes are provided for at key junctions and identified strategic locations. Buildings at these points may be slightly higher than their neighbours

(but still within the heights parameters set out above) and/or have specific corner treatment which distinguishes them from other corner locations.

Please see Section 6.2 below for further detail in relation to the proposed height strategy, and the HJL Design Statement.

Phasing and Infrastructure

The LAP identifies three growth areas to facilitate the phasing of the development. The proposed development is located within Growth Area 1 (GA1). The LAP sets out the following general consideration for the LAP lands:

- *The first phases of residential development within Growth Area 1 will ensure that linkages are created towards the village centre and the train station in an east-west and north-south direction from existing development at Red Arches and Myrtle.*
- *The second phases of development within Growth Area 2 will occur along the northeastern boundary of the plan lands, linking to the existing development at the east of the lands, through the open space at The Haggard and Stapolin Avenue, to the village centre along Ireland's Eye Avenue.*
- *The third phases of development within Growth Area 3 will provide, in the first instance, for the completion of the village centre through delivery of the northern half of the local centre site. Following, or in tandem with this, the remainder of the residential units will be built out thus completing the site. It will be possible to allow for the parallel development of Growth Areas 2 and 3 provided that the local centre is completed and that residential development in Growth Area 3 progresses from the village centre and Ireland's Eye Avenue northwards.*

In specific relation to GA1 the LAP states:

Growth Area 1- Short-Medium term

The southern phases of development, within Growth Area 1, are the short-medium term phases. They will include the southern half of the village centre and will allow for a 'kick start' to the residential development by allowing for densities and typologies which will meet current demand for new residential units. It is envisaged that this timeframe will likely cover the period 2013-2019 and deliver approximately 300 units.

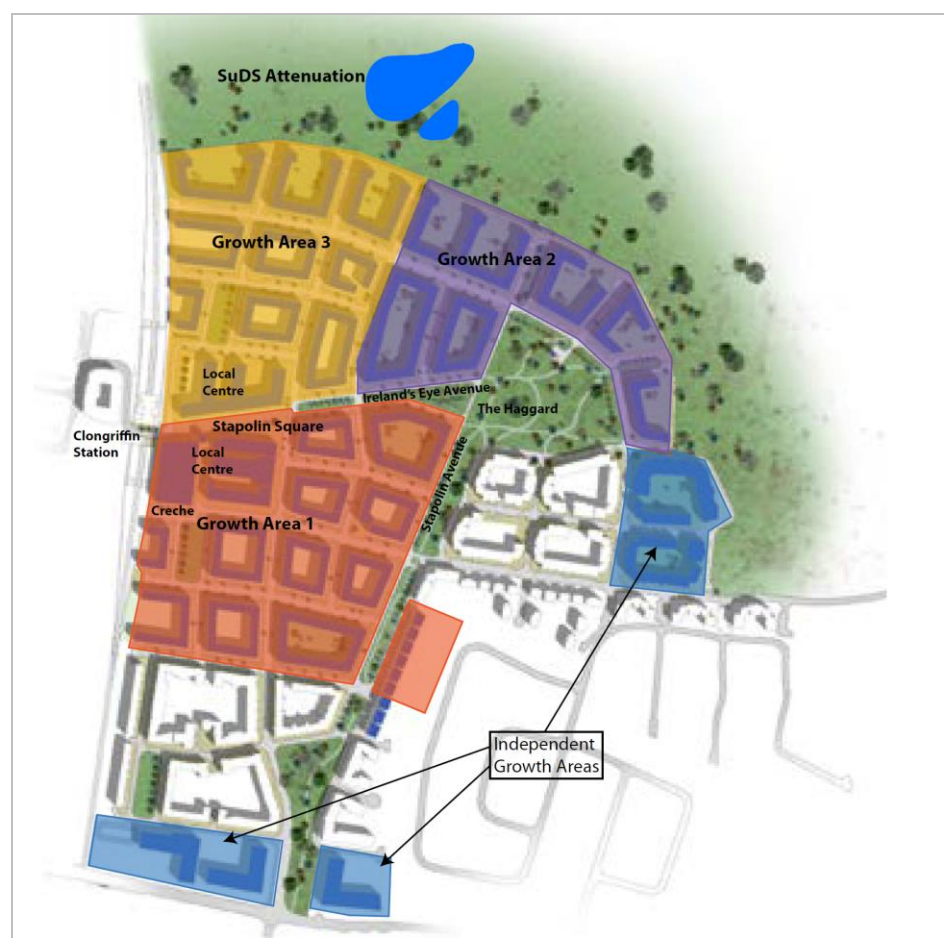


Figure 2.3: Baldoye Stapolin LAP Preferred Sequencing (Source: FCC, 2019.)

Growth Area 3 – Medium-Long term

If not provided earlier, this phase of development will provide for the completion of the village centre to the north of Station Square. Following, or in parallel with, the commencement of construction of the northern half of the village centre the residential sectors will be delivered from the south of the Growth Area northwards ensuring the necessary linkages to existing development. The timeframe for this phase may range from 2018-2025 delivering residential units in the range of 300 to 400+ units.

It is noted that the entirety of Stapolin Square is delivered within this proposed application for development, including the residential development on the north of the Square.

6.3 Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020)

The *Sustainable Urban Housing Design Standards for New Apartments* were approved by the Minister for Housing, Planning and Local Government and published in March 2018 and updated (in respect of Shared Accommodation only) in December 2020. The Guidelines update previous guidance from 2015 and note that this is done so *in the context of greater evidence and knowledge of*

current and likely future housing demand in Ireland taking account of the Housing Agency National Statement on Housing Demand and Supply, the Government's action programme on housing and homelessness Rebuilding Ireland and Project Ireland 2040 and the National Planning Framework, published since the 2015 guidelines.

The Guidelines note that the NPF projects a need for a minimum of 550,000 new homes, at least half of which are targeted for provision in Ireland's five cities, and of particular relevance to this site, it notes a shift in Government policy towards securing more compact and sustainable urban development, to enable people to live nearer to where jobs and services are located. This requires at least half of new homes within Ireland's cities to be provided within the current built-up area of each city, i.e. on sites within the existing urban 'envelope'.

The Guidelines have been updated, from the previous 2015 Guidelines, to amend and address new areas including:

- Enable a mix of apartment types that better reflects contemporary household formation and housing demand patterns and trends, particularly in urban areas;
- Make better provision for building refurbishment and small-scale urban infill schemes;
- Address the emerging 'build to rent' and 'shared accommodation' sectors; and
- Remove requirements for car-parking in certain circumstances where there are better mobility solutions and to reduce costs.

The subject site represents a significant development on highly accessible, undeveloped residentially-zoned lands in the North Fringe of Dublin City, and as such represents a project that is fully supported by these Guidelines.

The Guidelines identify Central/Accessible Urban Locations which are suited to higher density development. The subject site falls within this category as it is a 'Site within reasonable walking distance to/from high capacity urban public transport stops'. In addition the subject site is located within walking distance of the Ballydoyle Industrial Estate. As highlighted elsewhere in this Report it is anticipated that Clongriffin will be served by BusConnects Core Route Corridor.

This SHD Planning Application is accompanied by a Housing Quality Assessment (HQA), prepared by HJL Architects which demonstrates the compliance of the proposed development with the relevant quantitative standards required under the Sustainable Urban Housing, Design Standards for New Apartment Guidelines for Planning Authorities 2020.

The HQA illustrates in tabular format how each apartment unit within the proposed scheme meets or exceeds the relevant standards as set out in the

Guidelines including SPPR3: Minimum Apartment Floor Areas and SPPR 4: Dual Aspect Apartments.

Another key update in the Guidelines is the ability to reduce car parking standards. The Guidelines identify that *'in larger scale and higher density developments, comprising wholly of apartments in more central locations that are well served by public transport, the default policy is for car parking provision to be minimised, substantially reduced or wholly eliminated in certain circumstances'*.

The proposed development provides for 671 no. residents' car parking spaces (excluding visitor parking) associated with the 882 no. residential units (an overall provision of 0.54 no. spaces per unit for the apartments units, and 2 no. spaces per unit for the houses). An additional 40 no. parking spaces are provided for visitor use.

The TIA prepared by Cronin Sutton, provides further details and a justification for this level of car parking as it relates to the site's accessibility to public transport and employment zones.

With regards to cycle parking, a provision of 1 bicycle parking space per bedroom and 1 visitor bicycle parking space for every 4 no. units is provided in the proposed development. This exceeds the standards as set out in the Fingal County Development Plan and substantially meets the requirements of the Sustainable Urban Housing Guidelines, previously referenced, with the exception of visitor parking which proposes an initial provision of 1 space per 4 no. units, with the remainder being provided on a phased approach. The TIA (Section 6.7) prepared by Cronin Sutton provides details and a justification for the level of cycle parking proposed.

6.4 Urban Development and Building Heights, Guidelines for Planning Authorities (December 2018)

The Urban Development & Building Height Guidelines identify that as reflected in *'the National Planning Framework that there is significant scope to accommodate anticipated population growth and development needs, whether for housing, employment or other purposes, by building up and consolidating the development of our existing urban areas'* and that *'securing compact and sustainable urban growth means focusing on reusing previously developed 'brownfield' land, building up infill sites (which may not have been built on before) and either reusing or redeveloping existing sites and buildings, in well serviced urban locations, particularly those served by good public transport and supporting services, including employment opportunities'*.

The Guidelines reference NPO 13 (from the NPF) which states that *'in urban areas, planning and related standards, including in particular 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’.

It recognises that in meeting the challenge set out above new approaches to urban planning and development are required and that securing an effective mix of uses within urban centres is critical. To bring about this increased density and increased residential development in urban centres the Guidelines state that *‘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’.*

The proposed scheme, as set out in this SHD Planning Application to ABP seeks to achieve greater height and density without compromising residential amenity. The site’s suitability for this approach is set out in detail, as considered against the Guidelines in Section 6.2 of this Report. It is considered that the subject site is a good example of a site which can achieve increased building height and resulting increased density, on a highly accessible site within the Dublin Metropolitan Region.

6.5 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)

The aim of these guidelines is to set out the key planning principles which should guide the delivery of residential development in urban areas. The Guidelines provide guidance on the core principles of urban design when creating places of high quality and distinct identity. The Guidelines recommend that planning authorities should promote high quality design in their policy documents and in their development management process. In this regard, the Guidelines are accompanied by a Design Manual discussed in the section below which demonstrates how design principles can be applied in the design and layout of new residential developments, at a variety of scales of development and in various settings.

The Guidelines reinforce that planning authorities *‘should promote increased residential densities in appropriate locations, including city and larger town centres’* and that *‘firm emphasis must be placed by planning authorities on the importance of qualitative standards in relation to design and layout in order to ensure that the highest quality of residential environment is achieved’.*

These qualitative standards have been brought through in the Design Manual as referenced above, the City Development Plan and in the Sustainable Urban Housing: Design Standards for New Apartments which have guided the design approach of the scheme. This is set out in detail in the accompanying Design Statement prepared by HJL Architects.

In identifying appropriate locations for increased density the Guidelines note that City and town centres offer *'the greatest potential for the creation of sustainable patterns of development'* and of which in particular brownfield sites should be promoted.

Having regard to the above the Core Strategy of the Development Plan promotes the continued consolidation of the existing zoned lands and to maximise the efficient use of existing and proposed infrastructure. In this way the Council can ensure an integrated land use and transport strategy in line with national and regional policy.

To maximise the return on public transport investment the Guidelines identify that it is important that land use planning underpins the efficiency of public transport services by sustainable settlement patterns – including higher densities – on lands within existing or planned transport corridors- this includes 500 metres walking distance of a bus stop, or within 1km of a light rail stop or a rail station.

This undeveloped site is located adjacent an existing DART station, bus route, and will be serviced in the future by an upgraded BusConnects route.

In respect to pre-application consultations with the Planning Authority and An Bord Pleanála the design team had regard to the advice set down in the 'In Practice' section of the Urban Design Manual (2009).

6.6 Urban Design Manual – A Best Practice Guide (2009)

The Design Manual sets out a series of 12 criteria which it recommends should be used in the assessment of planning applications. These are listed below, with a response to each provided, and should be read in conjunction with the Architect's Design Statement.

Context: How does the development respond to its surroundings?

The proposed development has been designed to respond positively to the existing established, and permitted residential communities in the area which comprise a wide mix of housing types. To the west, existing and permitted residential development in Clongriffin primarily includes newer apartment developments. To the south and east, residential development in the Red Arches and Myrtle primarily include newer apartment developments also.

Existing established residential areas to the south east comprise a mix of 1 and 2 storey detached and semi-detached housing. The layout and the scaling of the site has responded to these adjacencies ensuring minimal impact on residential amenity while at the same time providing an appropriate transition height and type.

The streetscape and buildings have been arranged to enhance the sense of connection to the village centre and the surrounding parks.

Connections: How well is the new neighbourhood / site connected?

The lands at Baldoyle are located immediately east of the Clongriffin DART station. The lands are accessed from the Coast Road (R106) to the East via Red Arches Road and the Grange Road (R809) via Longfield Road to the south. Existing Pedestrian access across the DART line remains unchanged.

The Clongriffin area to the west has undergone significant change in recent years, while to the east there has been very little development in recent years.

Inclusivity: How easily can people use and access the development?

The proposed development will be accessed at multiple locations by a range of travel modes including bus, motorcar, pedestrian and bicycle. Primary vehicular routes are provided primarily via Myrtle Avenue, Red Arches Road and Longfield Road. Motor traffic is present only where required, with measures taken to prioritise the pedestrian and the cyclist within the public realm.

The site is immediately adjacent to Clongriffin DART station connecting the site with the wider Dublin Area. Clongriffin is also served by Dublin Bus No. 15. It is also anticipated that Clongriffin will be served by a future upgraded Busconnects route (Core Bus Corridor Route No. 1¹).

The site is within short walking distance of the Baldoyle Industrial Estate providing a large amount of employment and commercial activity, and beyond this is easily accessible to the major employment centre of Dublin City Centre.

The proposed development provides for a mix of cycle path types which will enable improved connections with the wider Dublin cycle path network including the Baldoyle to Portmarnock cycle route and public transport at Clongriffin.

Existing provision of cycle paths in the area are mixed. Red Arches Road and Myrtle Close have cycle paths separated from the road but only for a portion of the road. Other cycle facilities in the area are located along, Stapolin Avenue, Longfield Road, and Parker House however these are disconnected from the wider area.

Fingal County Council are currently close to completing a high quality segregated cycle route from Baldoyle along the R106 Coast Road to Portmarnock which will form part of a longer route along the coast.

Variety: How does the development promote a good mix of activities?

In terms of residential mix, the proposed scheme provides for a good mix of unit of residential types, including 747 no. apartments; studio, 1-, 2- and 3- bed units and 135 no. 2, 3 and 4 bed houses.

The site also provides for a significant quantum of other amenity and commercial uses which will provide primarily for future residents but also some local services for existing residents:

Use	Size (sqm)
Gym	411
Convenience Store	915
Medical Centre	462
Pharmacy	268
Crèche (+External Area)	539 (+123)
Storage Units	292
Retail/Restaurant/Café Unit	485
Retail/Restaurant/Café Unit	112

Efficiency: How does the development make appropriate use of resources, including land?

It is considered that the site, given location and context, represents a significantly underutilised site. The site is located directly adjacent the Clongriffin DART station enabling convenient access to Dublin City Centre and other high quality public transport links. The site is an extension of the Northern Fringe of Dublin City.

The scheme as proposed will provide 882 no. residential units resulting in a population of approx. 2,337, based upon an average household occupancy of 2.65 for new development areas in the area (2.3 per apartments and 3 for houses), in addition to new retail, community and employment uses.

The proposed density of 99 u/ha is as a result of the wider development strategy. The proposed layout and proposed heights correspond with the LAP. Higher density buildings been located close to Clongriffin Station and lower density buildings to the East (in relation to the surrounding lower density developments). The proposed development makes optimum use of pre-existing infrastructural investment including high quality public transport without compromising residential amenities of future or existing residents.

Distinctiveness: How do the proposals create a sense of place?

The proposed scheme contains a variety and mix of building designs, heights and materials in this emerging residential area, in addition to a 10,042 sq.m/1 ha. of Class 2 Open Space within the redline boundary, which combined contribute to creating a sense of place on this significant site.

The streetscape and buildings have been arranged to enhance the sense of connection to the village centre and the surrounding parks, and beyond to the coast and Baldoyle Estuary. There are two main primary 'green arteries' through the scheme; Longfield Road provides a clear, legible orientation northwards towards (the future planned) Racecourse Park and Stapolin Road connects the village centre to The Haggard Park (previously permitted). These green links relate physically and visually to a number of public and communal open spaces at ground and podium levels which emphasise the position of the landscape at the heart of the scheme.

Key buildings such as the taller buildings are located within the site, adjacent to Stapolin Square and Clongriffin Station.

Layout: How does the proposal create people-friendly streets and spaces?

Within the scheme, there are a range of pedestrian facilities, public open space and public routes green spaces proposed. Active frontages are provided along the main routes, with strongly landscaped streets and new public spaces easily accessed from all residential units, all creating a people focused development.

Adaptability: How will the buildings cope with change?

The ground floor commercial uses have been designed to meet a wide range of uses including a retail, medical units, restaurant, crèche etc. This type of design and layout lends itself ready to change if required.

Each of the proposed dwellings meets or exceed the minimum standards for residential unit size.

The proposed development provides a mix of studios 1, 2, and 3, bedroom apartments that can allow for occupancy as life cycles and personal needs of each resident change.

The houses are designed to be easily extendable, and the 3 and 4 bed house units have adaptable roof spaces to allow for individuals and families to extend their homes if required, and subject to proper planning.

Public Realm: How safe, secure and enjoyable are the public areas?

Privacy / Amenity: How do the buildings provide a high-quality amenity?

As the scheme is accessed and used by number of users i.e. residents, employees, shoppers and visitors to the adjacent park.

The proposed public spaces are the key focus of the scheme as it will be accessed by all the users identified above. As such the spaces must be attractive, flexible and secure.

In terms of the residential amenity spaces these are centrally located around residential blocks ensuring a more calm and private space away from the busier public spaces. These spaces have a number of residential blocks overlooking them, and have public routes through them, ensuring a level of security and passive surveillance. The landscape rationale for these spaces has been to provide a range of features to facilitate both active uses i.e. play spaces and more relaxed amenity i.e. seating areas. The design ensures privacy in the spaces but allows for passive security from adjoining blocks and entrances ensuring a sense of security.

Parking: How will the parking be secure and attractive?

Car parking is primarily located at ground floor level (below podium for the apartments) and on street adjacent to houses and some apartment units. This ensures close proximity to each unit's designated parking space and security in surveillance terms of either the on-street spaces and controlled access to the apartment spaces.

In addition, there are a total 1,542 no. cycle parking spaces. These spaces are for the various users of the scheme, 1,316 for residents, 226 for visitors and commercial uses, and are provided in secure locations. All residential and long term user facilities are provided in secure spaces and more flexible parking is provided in the public realm for short term stays.

Detailed Design: How well thought through is the building and landscape design?

The proposed design of the development has been subject to a number of pre-application consultations between the design team and the Planning Authority. The design rationale from an urban design and architectural perspective is explained in the Design Statement prepared by HJL.

The landscape design rationale is set out in the Landscape Design Statement prepared by BSLA. Stapolin Square is the focus of the landscape design strategy for the scheme, this central public space provides for informal amenity, public realms, seating and tree planting while the shared residential courtyards provide for amenity and recreation and sense of place. The proposed development

provides c.10, 000 sq.m or 1ha (not including The Haggard at c.15, 000 sqm) Class 2 public open space which equates to an additional 12% over what is required, exceeding the Development Plan standards under FCC Objective DMS57A, which requires *“a minimum 10% of a proposed development site area be designated for use as public open space”*, with development site area in this instance of 8.89ha or 0.89 ha.

The proposed development also entails a large quantity of semi-private open space. The development benefits from its adjacency to the significant amenity of the future planned Racecourse Park, comprising some 112 ha of Class 1 Public Open Space and which includes cycle and walking trails, playspaces and sports pitches. Full details on the rationale for the landscaping design can be found in the Landscape Design Rationale and Landscape plans prepared by BSLA which accompanies this Planning Application.

7 PROPOSED DEVELOPMENT

7.1 Overall Design Rationale

The vision for the subject lands is to create a richly landscaped urban setting with an efficient use of land, promoting sustainable densities, with the aim of creating a highly articulated public realm with a broad mix of uses, in a manner that promotes the development of a new vibrant community.

The streetscape and buildings have been arranged to enhance the sense of connection to the village centre and the surrounding parklands and to the coast and Baldoyle Estuary. There are two main primary ‘green arteries’ through the scheme: Longfield Road provides a clear, legible orientation northwards towards Racecourse Park and Stapolin Road connects the village centre to The Haggard park. These green links relate physically and visually to a number of public and communal open spaces at ground and podium levels which emphasise the position of landscape at the heart of the scheme.

The scheme is predominantly residential and will provide 882 high-quality homes, an increase of 437 no. units, in a mix of residential types, including 747 no. apartments; studio, 1-, 2- and 3- bed units. The scheme will also include 135 no. 2, 3 and 4 bed houses. A mixture of residential amenity, a generous retail offering, creche, medical centre, pharmacy are located along the primary Longfield Road Spine and in Stapolin Square.

Block C3

Further to the planning history set out above at Section 4.3, under FCC Reg. Ref. F21A/0046 a grant of permission was issued by Fingal County Council on 27th April 2021 for proposed alterations to Blocks B3, B4, C3, C4, and C5 only and related to either:

- Proposed alterations to some of the permitted Unit Types in respect of their external design which relates primarily to roof and porch design as well as external finishes, minor internal reconfiguration and removal or alteration of permitted solar panels.
- The introduction of new Unit Types in place of permitted units.
- Reduction of overall units by 5.

This was granted by FCC with a condition to exclude the proposed alteration of Unit Types and layout of Block C3 “in the interest of visual and residential amenity”.

The previously sought amendments to Block C3 are contained within this application, however the proposals have been further amended to respond to FCC concerns in this regard. The western elevation to Block C3 has been further considered, with the addition of principal access points to the corner houses on this gable, and additional fenestration to ensure passive surveillance, and animation to this frontage and internal roadway. In addition, an enhanced planting scheme is proposed which will further ameliorate the residential amenity of these corner houses, and also present a more pleasing frontage to this internal road, and the facing Block C1. It is put forward, that the limited exposed gable walls to the rear gardens is protected by the enhanced planting scheme and that the amenity of the residents is protected.

Under F21A/0046 FCC assessed the gable elevation in the context of the parent permission under which the opposite to the western side of C3 were 3 story duplex over apartment units. This alteration application proposes changing the 3 story units to standard two story houses which, together with the proposed improvements to the C3 gable, would create a housing neighbourhood streetscape, where the gable elevation would form an acceptable visual amenity to the street and the houses on the opposite side.

(See HJL Design Statement for further design detail in this regard),

7.2 Height

The proposed strategy broadly aligns with the LAP Height Strategy, however, as discussed in the Statement of Material Contravention prepared by BSM, it exceeds the upper limit of the LAP’s height guidelines, which identifies maximum building heights at key locations for additional height within the lands. The proposed taller buildings provide a high quality response to the site context providing variation in scale, massing and height at these key locations. This has resulted in an attractive streetscape characterised by high quality materials, finishes and palettes. The location of the taller blocks has been carefully considered with regard to residential amenity including overshadowing, daylight/sunlight and microclimate parameters.

The LAP states that building height limits are shaped by three considerations, including:

- *‘the desire to create a sustainable development that maximises the strategic location of the site adjacent to Clongriffin station and provide a critical mass to support functions and services to serve the area;*
- *climatic factors including the need for shelter from the prevailing wind and;*
- *achieving variation across the site while at the same time trying to ensure a visually attractive, cohesive and uniquely urban development.’*

We submit that the proposed development is consistent with the above considerations and succeeds in locating higher buildings which contribute to the objectives for the LAP lands.

The proposed building height strategy can be summarised as follows:

- Block A1 ranging in height from 6 to 8 storeys and containing 101 no. apartments
- Block A2 ranging in height from 4 to 7 storeys and containing 102 no. apartments
- Block A3 ranging in height from 4 to 7 storeys and containing 85 no. apartments
- Block B1 at 3 to 5 storeys and containing 49 no. apartments
- Block B2 ranging in height from 3 to 5 storeys and containing 39 no. apartments
- Block B3 at 2 storeys and containing 38 no. houses
- Block B4 at 2 storeys and containing 36 no. houses
- Block C1 at 2 storeys and containing 15 no. houses
- Block C1A at 4 to 6 storeys and containing 43 no. apartments
- Block C2 at 2 to 3 storeys and containing 17 no. houses
- Block C2A at 4 to 5 storeys and containing 33 no. apartments
- Block C3 at 2 to 3 storeys and containing 29 no. houses
- Block D1 ranging in height from 6 to 9 storeys and containing 118 no. apartments
- Block D2 ranging in height from 6 to 8 storeys and containing 81 no. apartments
- Block D3 ranging in height from 5 to 15 storeys and containing 96 no. apartments

Please see respective reports enclosed including HJL Design Statement, Daylight Sunlight Analysis, prepared by OCSC, and Wind Microclimatic Assessment, prepared by B-Fluid.

The Urban Development & Building Height Guidelines for Planning Authorities (2018) establish the principle for the re-examination of height limits and should now be considered over the LAP height limits on a site specific contextual basis.

Site Context & Location

The subject lands are located immediately adjacent to a high frequency public rail station at Clongriffin providing direct connection into Dublin City and onwards to the wider Dublin Area. Clongriffin is also served by Dublin Bus No. 15. It is also planned that Clongriffin will be served by a future upgraded BusConnects route (Core Bus Corridor Route No. 1³).

The site is within short walking distance of the Baldoyle Industrial Estate providing a large amount of employment and commercial activity and proximate to Dublin Airport.

As discussed in Section 3.3, the recently permitted Clongriffin SHD applications serve to inform the scale of the proposed development. The proposed development will provide a transition between the existing residential areas to the south and east, and the large scale permitted development to the west at Clongriffin. As such the proposal responds to the site's context and scale ensuring no negative impacts on existing or future residents.

This proposed development, in combination with the recent Planning Application Consultation Request (ABP-308743-20) and forthcoming Planning Applications relating to the remainder of the lands in the ownership of the Applicant (GA03), considers the wider landholding as a whole. The height strategy has been prepared in such a way that allows a comprehensive response to the site and its context.

³ <https://busconnects.ie/media/1816/01-clongriffin-to-city-centre-preferred-route-180220-fa-web.pdf>

Development Management Principles and Criteria

Section 3.2 of the Urban Development & Building Height Guidelines provides guidance for Planning Authorities/An Bord Pleanála in considering development proposals for buildings taller than prevailing building heights in pursuit of the Guidelines.

These are considered, in relation to the proposed development, as follows:

	Baldoyle Scheme
Principles	
Does the proposal positively assist in securing National Planning Framework objectives of focusing development in key urban centres and in particular, fulfilling targets related to brownfield, infill development and in particular, effectively supporting the National Strategic Objective to deliver compact growth in our urban centres?	Yes, the scheme provides for a high quality residential development on a site zoned for residential use, subject to a LAP and proximate to high frequency public transport. The scheme, as altered, delivers 882 residential units, an increase of 437 over the existing permitted scheme in addition to other retail, amenities for the local residents including gym and medical uses.
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?	While the scheme exceeds the maximum heights set out in the LAP, this LAP was prepared prior to the publication of these Guidelines.
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	Yes, the LAP, sets numerical height caps now superseded by these Guidelines. However the subject site is located within an area identified for consolidation as it is within the urban extent of Dublin but is restricted currently in relation to height. These objectives are evident in the NPF, RSES and Fingal Development Plan.
Criteria	
City/Town Scale	
The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport	Yes, the site at Baldoyle is in a highly accessible location, immediately adjacent to an existing rail station, at just 200m walking distance to an existing bus route and will be serviced in the future by an upgraded BusConnects route.
Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key	The scheme has been prepared as part of a wider strategy for the landholding. This strategy responds to the local context providing a coherent strategy and response to the setting and key sensitivities.

landmarks, protection of key views. Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.	A Landscape and Visual Assessment has been prepared by Chris Kennett at Kennett Consulting Ltd. and is enclosed with this Planning Application.
On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape.	As outlined above the approach to height both responds to the existing context and provides for a new context in appropriate areas of the site. This approach is achievable on this site due to the scale of this site and a comprehensive response to the landholding. It integrates with both existing and permitted developments. The streetscape and buildings have been arranged to enhance the sense of connection to the village centre and the surrounding parks.
District/ Neighbourhood/ Street Scale	
The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape	<p>Yes, it is considered that this proposed scheme contributes in both placemaking and to the wider neighbourhood of Baldoyle and Clongriffin.</p> <p>The scheme is creating the eastern side of the new urban centre at the North Fringe. In addition to the high quality residential uses and the extensive public open space, the scheme includes medical services, café, gym and retail uses which will contribute to the locality.</p>
The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered.	The scheme as proposed provides a variation in massing, scale and materials used to ensure a variety in appearance within the streetscape.
The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/ marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of "The Planning System and Flood Risk Management – Guidelines for Planning Authorities" (2009).	It is considered that this proposed scheme contributes in both placemaking and to the wider neighbourhood of Baldoyle and Clongriffin. The additional height is appropriately located on the site at Stapolin Square acting as a key landmark within the site. The sense of enclosure created is in proportion to the streets and open spaces.
The proposal makes a positive contribution to the improvement of legibility through the site or wider urban	The proposed development includes a carefully considered movement strategy. This includes a series of new roads,

area within which the development is situated and integrates in a cohesive manner.	footpaths and cycle paths through the site. Thus contributing to the wider area by providing access routes to the cycle path network, the coastal route and the train station.
The proposal positively contributes to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood.	In keeping with the objectives and policies for the site it is proposed to provide for additional uses to meet residents' needs. The scheme provides for both a mix of unit types and a mix of uses ensuring the community has much needed services at the local centre.
Site/Building Scale	
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.	As outlined previously the buildings range in height from 2 to 15 storeys in order to both respond to the existing context and to ensure minimal impact on daylight or sunlight quality on future residents. The design entails a variation in height and massing at key locations to ensure public and private open spaces are not compromised. Detailed analysis of this consideration have been carried out by the design team. Stapolin Square is set out in such a way to allow sunlight penetrate through voids into courtyards and reduces overshadowing to public realm due to building mass breakup. The south and east of the site in particular are low rise in nature in response to LAP strategy and existing residential properties.
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 (2 nd Edition or BS 8206-2:2008 – 'Lighting for Buildings- Part 2: Code of Practice for Daylighting'.	A Daylight and Sunlight Report, prepared by OCSC, is included in this SHD Planning Application to An Bord Pleanála. This report considers the proposed development and considers it appropriately and reasonably against the relevant quantitative standards, providing for justification for the proposed levels of daylight and sunlight achieved. It concludes that the proposed development will be a high quality scheme with well-lit units and sunlit external spaces.
Specific Assessments (which may be required and these may include)	
Specific impact assessment of the micro-climatic effects such as downdraft. Such assessments shall include measures to avoid/ mitigate such micro-climatic	A Wind Impact Assessment, prepared by B-Fluid, is included in this Planning Application It has been prepared as an iterative process throughout the design

effects and, where appropriate, shall include an assessment of the cumulative micro-climatic effects where taller buildings are clustered.	process identifying where any problem areas exist and what mitigation is required to address them. This mitigation has been incorporated into the architectural and landscape design as submitted.
In development locations in proximity to sensitive bird and / or bat areas, proposed developments need to consider the potential interaction of the building location, building materials and artificial lighting to impact flight lines and / or collision.	The proposed development involves the development in apartment blocks ranging in height from two-storeys to six-storeys in the vicinity of a SPA. It should be noted that the buildings are within an existing suburban environment with existing apartments (5 storeys) between the proposed development and the SPA. In addition there are 6 storey buildings to the west, in the vicinity of Clongriffin Railway Station. The proposed development is in keeping with the heights of buildings in the vicinity of the proposed development and would not generate a particular risk in relation bird or bat strikes. The buildings to be constructed of both concrete based material as well as glass and would be clearly visible to bird and bat species. During the wintering bird assessment no significant flight lines for qualifying interests of the Baldoyle SPA were observed in the vicinity of the proposed development. During the bat assessment no bats were observed on site. As a result, impacts on bats, flight lines or qualifying interests of the SPA would not be expected.
An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links.	The scheme as proposed is not considered to impact any such links or channels.
An assessment that the proposal maintains safe air navigation.	As the site is not located within any flight paths, it is considered that safe air navigation is maintained. The IAA will be notified of increased building height at this location prior to application.
An urban design statement including, as appropriate, impact on the historic built environment	This is considered in both the EIAR in the Cultural Heritage & Archaeology Report in respect of the built environment but also in the HJL Design Statement in regards to proposed build form and materials.

Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate.	<p>As the site is over 500 units an EIAR accompanies this SHD Planning Application.</p> <p>Additionally an AA Screening Report and a Natura Impact Statement is included with the application.</p> <p>The proposed alterations were considered in respect of the SEA for both the LAP and the Development Plan and it was not considered to have any adverse effects.</p>
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The Guidelines in relation to these state that:

Where the relevant planning authority or An Bord Pleanála considers that such criteria are appropriately incorporated into development proposals, the relevant authority shall apply the following Strategic Planning Policy Requirement under Section 28 (1C) of the Planning and Development Act 2000 (as amended).

SPPR 3 in this regard states:

It is a specific planning policy requirement that where;

- 1. an applicant for planning permission sets out how a development proposal complies with the criteria above; and*
- 2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines; then the planning authority may approve such development, even where specific objectives of the relevant development plan, local area plan or planning scheme may indicate otherwise.*

As is outlined in this report and the other documentation accompanying this application, the subject site, is a prime example of the type of site anticipated in the Guidelines that can achieve increased building height and resulting increased density, without impacting negatively on the surrounding environment.

7.3 Residential Accommodation

The scheme, as proposed to be altered, comprises a total of 882 units, with a mix of generously sized studio, 1, 2 and 3 bed apartments and 2, 3, and 4-bed houses.

The proposed scheme provides the following unit mix:

	Apartments		Houses		Total
	Number	%	Number	%	%
Studio	38	5	-	-	4
1 bed	209	28	-	-	24
2 bed	439	59	7	5	50
3 bed	61	8	96	71	18
4 bed	-	-	32	24	4
Total	747	100	135	100	100

The apartment blocks have been positioned to ensure minimal overshadowing, which will provide ground floor apartments and open spaces with good levels of daylight.

The variety of apartment blocks types, lengths and heights will create a sense of place, visual interest and variety.

The blocks will have their own identity and the inclusion of shared tenant amenity facilities will foster a sense of community.

7.4 Other Uses and Ground Floor Units/Active Uses

The scheme also provides for a significant quantum of non-residential uses including tenant amenity and other uses which will provide primarily for the needs of future residents but also some local services for existing residents:

Use	Size (sqm)
Gym	411
Convenience Store	915
Medical Centre	462
Pharmacy	268
Crèche (+External Area)	539 (+123)
Storage Units	292
Retail/Restaurant/Café Unit	485
Retail/Restaurant/Café Unit	112

A variety of amenity spaces are distributed throughout the development. Ground floor amenity spaces have associated external break out terraces. Informal seating areas will be provided at all levels of the street apartment blocks.

A new crèche is proposed on the site to cater for the needs of the development. The proposed crèche is c.539 sqm with an external play area of c.123 sq.m, and will cater for c. 135 no. child places. The crèche will be located on the ground floor of Block A3. Parking spaces will be provided for drop off along with staff parking at ground floor level. The external play area associated with the crèche will be of a high quality, suited to the needs of the age groups provided for. See HJL Design Statement for detail of design, and the Schools Demand & Childcare Facilities Report, prepared by BSM which sets out the rationale for this provision.

7.5 Open Space & Public Realm

As set out in the BSLA Landscape Report, Stapolin Square is the focus of the landscape design strategy for the scheme. This central public space provides for informal amenity, public realm, seating and tree planting while the shared residential courtyards adjacent provide for amenity and recreation and sense of place. Key aspects of this strategy include the linkages to open spaces such as Haggard Park and linear park.

The proposal provides c.10, 000 sq.m (not including The Haggard Park at c.15,000 sqm) of Class 2 Public Open Space on site in the form of Stapolin Square and linear and pocket parks.

The Haggard Park is permitted (as per F16A/0412) and will be provided in line with the delivery of housing in GA1.

The proposed development also entails a large quantity of semi-private/communal open space including:

	Required Sq.m	Provided Sq.m
Blocks A	1,908	3,035
Block B1	301	459
Block B2	243	243
Blocks D	1,941	2,510
Total	4,857	7,526

The development benefits from its adjacency to the significant amenity of Racecourse Park (and planned for future expansion), comprising some 112 ha of Class 1 Public Open Space and which includes cycle and walking trails, playspaces and sports pitches.

7.5.1 Class 1 Open Space

Class 1 Open Space provision is indicated within the future planned Racecourse Park lands.

The lands within the ownership of the applicant at Baldoyle are being delivered in accordance with the requirements of Fingal Development Plan 2017-2023 and the Baldoyle – Stapolin Local Area Plan 2013 (as extended). Specifically, residential development areas in the applicant's ownership lie within Growth

Area 1 (GA1) and Growth Area 3 (GA3), while lands beyond to the north and east are identified as open space, to include for 'Racecourse Park'. In relation to the open space lands it is noted in the LAP that '... the Council has secured a significant portion of the open space lands (c.40 ha). As part of this, playing fields, changing facilities and a playground have been provided to the southeast of the plan lands just to the north of Admiral Park. Over time, the remainder of the parkland will come into Council ownership.' (section 2.3.1.3, pg.8).

The proposed SHD application is an Alteration to the parent permission (F16A/0412; ABP Reg. Ref.: PL06F.248970) as subsequently amended by permissions (F20A/0258 and F21A/0046). The parent permission, and subject application, provides for delivery of GA1, which as set out in the LAP and previous permission, includes delivery of c.1.5ha of open space known as 'The Haggard' located at the heart of the residential development area, as well as Stapolin Square (extended from a permitted c.0.4ha to a proposed c.0.574ha), part of Stapolin Avenue and additional green space in the form of pocket parks, communal spaces, private gardens and green roofs.

As noted at section 4A.6.2 of the LAP, 'Stapolin Haggard' '...will act as the central open space at the heart of the new community. It will have strong links to Racecourse Park but, unlike the parkland area, will be fully open to use by members of the community, for activities such as dog walking, informal ball games and other passive recreational activities.' (pg.23). Unchanged in the subject application, the parent application provides within the Haggard for c.1,450sqm of dedicated play space, a 250sqm MUGA, and 30 pieces of play equipment and play structures. The parent permission also provides for a surface water attenuation feature / wetland, which is currently under construction within Racecourse Park. This permitted wetland has been sized to cater for the combined surface water requirements of GA1, GA2 and GA3.

The parent GA1 permission and its permitted amendments do not include for the transfer of any future open space lands at Racecourse Park to Fingal County Council. This position is maintained for the subject SHD application. With the exception of the surface water wetland (under construction), GA1 is located to the south of the overall proposed residential development area and unlike GA2 and GA3 (to northeast and north respectively) does not directly interface with the future open space lands at 'Racecourse Park'. However, for the purposes of compliance with development plan and LAP standards, the application identifies how requirements for Class 1 open space can be accommodated within the wider future open space lands in the control / ownership of the applicant. The Class 1 open space lands, in addition to the future Racecourse Park lands, will be transferred to Fingal County Council in conjunction with the permission for development on the future GA3 lands. A separate SHD application for GA3 lands will be lodged with An Bord Pleanála in the coming months.

In the meantime, the applicant / landowner will enter into an agreement with Fingal County Council for future transfer of ownership of the open space lands / Racecourse Park lands to the Council in a timely manner. Through on-going liaison with Fingal County Council, the applicant is fully aware and supportive of the plans of the Council to design, seek permission for, and eventually deliver proposals, including a footpath / cycleway greenway within the area of the future 'Racecourse Park'. In this regard the applicant / landowner will provide Fingal County Council with a letter of consent to support the Council's forthcoming application to An Bord Pleanála for planning approval for the proposed greenway and associated works. In addition, and subject to appropriate planning approvals, the applicant / landowner can also confirm their intention to facilitate and support the Council in the early delivery of the proposed works within the open space / Racecourse Park lands, in the scenario where this delivery would be required prior to final legal transfer of open space lands to the Council.

Please see BSLA Landscape Rationale for further detail in relation to the proposed development.

7.6 Access, Car & Cycle Parking

The Urban Development and Building Heights Guidelines for Planning Authorities (2018) seek to minimise car-parking in accessible locations and to maximise a modal shift to public transport due to proximity to public transport routes, in particular the DART and Dublin Bus at this location.

The development shall have a total car parking provision of 818 no. spaces. These include:

- 314no. internal (undercroft) car parking spaces for Stapolin Square apartment residents (of which 3no. shall be disabled-accessible, 6no. shall be reserved for shared cars, and 32no. shall be equipped with EV charging facilities);
- 54no. internal (undercroft) car parking spaces for commercial uses (of which 2no. shall be disabled-accessible and 6no. shall be equipped with EV charging facilities);
- 357no. external (surface level on-street) car parking spaces for houses and apartment units within Blocks B and C;
- 40no. external (surface level on-street) visitor car parking spaces (of which 4no. shall be disabled-accessible);
- 48no. external (surface level on-street) car parking spaces for commercial uses; and
- 5no. external (surface level on-street) car parking spaces to serve the proposed crèche.

The proposed development provides for 671 no. residents' car parking spaces (excluding visitor parking) associated with the 882 no. residential units (an overall provision of 0.54 no. spaces per unit for the apartments units, and 2 no. spaces

per unit for the houses). An additional 40 no. parking spaces are provided for visitor use.

This is considered further in the accompanying Traffic Impact Assessment and Residential Travel Plan Report prepared by Cronin Sutton.

In addition, there are a total 1,542 no. cycle parking spaces. These spaces are for the various users of the scheme, 1,316 for residents, 226 for visitors and commercial uses, and are provided in secure locations. All residential and long term user facilities are provided in secure spaces and more flexible parking is provided in the public realm for short term stays.

With regards to cycle parking, a provision of 1 bicycle parking space per bedroom and 1 visitor bicycle parking space for every 4 no. units is provided in the proposed development. This exceeds the standards as set out in the Fingal County Development Plan and substantially meets the requirements of the Sustainable Urban Housing Guidelines, previously referenced, with the exception of visitor parking which proposes an initial provision of 1 space per 4 no. units, with the remainder being provided on a phased approach. The TIA (Section 6.7) prepared by Cronin Sutton provides details and a justification for the level of cycle parking proposed.

The proposed residential development will promote sustainable travel patterns due to its location, layout, design and proximity to the public transport and cycle networks. These will be complemented with a Residential Travel Plan and the appointment of a Mobility Manager to promote sustainable travel patterns by residents.

The proposed residential development is located such that it will not have any traffic impact on the existing residential development in the area. The access and internal layout is designed in accordance with DMURS and includes for good permeability and will promote and facilitate sustainable travel patterns as part of the overall development. The accompanying DMURS Statement of Consistency prepared by CS further sets this out.

7.7 Residential Development Standards

The proposed development is fully in compliance with the Fingal County Council Development Plan Standards, as set out in Chapter 12, and where superseded by the *Sustainable Urban Housing: Design Standards for New Apartments-Guidelines for Planning Authorities'* of December 2020.

This section of the Planning Report sets out compliance with these standards in tandem with the detail set out in the Housing Quality Assessment Table (HQA) prepared by HJL Architects which is included with this Planning Application.

7.7.1 Residential Quality Standards – Houses

The vision for residentially zoned lands are to ensure the provision of high quality new residential developments with good layout and design, within close proximity to community facilities, and with an appropriate mix of house sizes, types and tenures.

Section 12.4 of the Development Plan sets out the relevant quantitative standards for houses.

Table 12.3 of the Development Plan sets out minimum room sizes and widths for houses and apartments.

Further, Objective DMS24 states: *Require that new residential units comply with or exceed the minimum standards as set out in Tables 12.1, 12.2 and 12.3.*

In addition, to allow for life-long living and flexibility, the 3 and 4 bed house units have adaptable roof spaces to allow for individuals and families to extend their homes if required, and subject to proper planning.

The proposed development meets this requirement the details of which are set out in the HQA prepared by HJL for compliance with Table 12.1 of the Development Plan.

Separation Distances

The Development Plan sets out the following requirements for the separation of housing units:

- **Objective DMS28:** *A separation distance of a minimum of 22 metres between directly opposing rear first floor windows shall generally be observed unless alternative provision has been designed to ensure privacy. In residential developments over 3 storeys, minimum separation distances shall be increased in instances where overlooking or overshadowing occurs. A separation distance of at least 2.3 metres should be provided between the side walls of each house, pair of semi-detached houses or each terrace of houses in order to allow for adequate maintenance and access.*
- **Objective DMS29:** *Ensure a separation distance of at least 2.3 metres is provided between the side walls of detached, semi-detached and end of terrace units.*

As evident in the enclosed drawing and documents prepared by HJL Architects the proposed development meets the above objective.

Open Space

Section 12.7 of the Development Plan relates to Open Space. Open space is an integral part of the provision of high-quality green infrastructure for communities and forms a core element in the Green Infrastructure Strategy for the County.

In relation to Public Open space:

Objective DMS57 *Require a minimum public open space provision of 2.5 hectares per 1000 population. For the purposes of this calculation, public open space requirements are to be based on residential units with an agreed occupancy rate of 3.5 persons in the case of dwellings with three or more bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms.*

Objective DMS57A *Require a minimum 10% of a proposed development site area be designated for use as public open space...*

The proposed development provides for c.10,000 sqm which equates to c.11% of development site area (not including The Haggard Park at c.15,000 sq.m) public open space, exceeding the Development Plan standards. For further information on the Landscape Design please see BSLA Landscape Reports and Drawings.

Private Open Space

In terms of private open space the Development Plan sets out the importance of private open space in relation to houses. One of the characteristics of traditional type housing is the provision of private open space, usually to the rear of the front building line of the house.

Objective DMS87 aims to *Ensure a minimum open space provision for dwelling houses (exclusive of car parking area) as follows:*

- *3 bedroom houses or less to have a minimum of 60 sq m of private open space located behind the front building line of the house.*
- *Houses with 4 or more bedrooms to have a minimum of 75 sq m of private open space located behind the front building line of the house.*
- *Narrow strips of open space to the side of houses shall not be included in the private open space calculations.*

As evident in the HQA provided by HJL Architects the proposed development meets and exceeds this standard.

7.7.2 Residential Quality Standards – Apartments

Unit Mix

The proposed mix is in compliance with the unit mix requirements of SPPR 1 of the Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities which states:

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 proposal includes the following mix:

	Apartments		Houses		Total
	Number	%	Number	%	%
Studio	38	5	-	-	4
1 bed	209	28	-	-	24
2 bed	439	59	7	5	50
3 bed	61	8	96	71	18
4 bed	-	-	32	24	4
Total	747	100	135	100	100

Floor Areas

The proposed floor areas are in compliance with the amended mix requirements of SPPR 3 of the Guidelines which states:

SPPR 3

Minimum Apartment Floor Areas:

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

The proposed development includes units with the following minimum floor ranging from:

- Studios 37 - 45 sq.m
- 1 beds 45 - 64 sq.m
- 2 beds 64 - 90 sq.m
- 3 beds 90 - 121 sq.m

Further it is a requirement that the majority of all apartments in any proposed scheme of 10 or more apartments shall exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3 bedroom unit types, by a minimum

of 10% (any studio apartments must be included in the total, but are not calculable as units that exceed the minimum by at least 10%).

The proposed residential units meet or exceed the minimum standards for apartment sizes. All units are above minimum floor standards and many exceed these standards significantly.

Compliance with minimum aggregate floor areas and widths for living/dining/kitchen rooms and bedrooms is outlined in the HQA as prepared by HJL Architects, and submitted with this application.

Private and Communal Amenity Space

The Guidelines state that private amenity space shall be provided in the form of gardens or patios / terraces for ground floor apartments and balconies at upper levels. Where provided at ground floor level, private amenity space shall incorporate boundary treatments appropriate to ensure privacy and security.

Where balconies or terraces are provided, they should be functional, screened with opaque material, have a sunny aspect, and be of a minimum depth of 1.5m.

The Guidelines require the following minimum balcony sizes:

- Studio 4 sq.m
- 1-bed 5 sq.m.
- 2-bed 7 sq.m.
- 3-bed 9 sq.m.

The proposed balconies meet or exceed the minimum standards for private open space.

The Guidelines also require that communal amenity space must be provided within a scheme which can be in the form of courtyards, roof gardens etc. In addition in larger schemes communal internal spaces are to be provided for residents use only i.e. multi-purpose rooms, cinema rooms, gym etc.

The Guidelines require the following minimum communal open space areas:

- Studio 4 sq.m
- 1-bed 5 sq.m.
- 2-bed 7 sq.m.
- 3-bed 9 sq.m.

	Required Sq.m	Provided Sq.m
Blocks A	1,908	3,035
Block B1	301	459
Block B2	243	243
Blocks D	1,941	2,510
Total	4,857	7,526

The total communal open space requirement for the development is therefore 4,857 sq.m. This requirement has been exceeded through the provision of a series of communal open spaces throughout the scheme.

The proposed development also proposes internal tenant amenity spaces which totals 1,577 sqm in size within the building envelope of the Blocks A & D. The residential amenity spaces are located at ground floor and connect to podium level across the A3 and D3 blocks.

The residential amenities supports the proposed new residential community by providing a mix of facilities for example;

- Concierge and reception areas
- Lounges and collaborative works spaces
- Study and games room
- Landscaped courtyards
- Resident support facilities.

Storage

The Guidelines states that minimum storage requirements must be met as follows:

- | | |
|----------|---------|
| • Studio | 3 sq.m |
| • 1-bed | 3 sq.m. |
| • 2-bed | 6 sq.m. |
| • 3-bed | 9 sq.m. |

The proposed residential units meet or exceed the minimum standards for storage areas.

Aspect

With regards to dual aspect units the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020) in Section 3.17 require that a minimum of 33% of the overall number of units in a scheme should be dual aspect *‘in more central and **accessible and some intermediate locations**, i.e. on sites near to city or town centres, **close to high quality public transport** or in SDZ areas, or where it is necessary to ensure good street frontage and subject to high quality design’ (our emphasis).*

While SPRR4 states *‘In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply: (i) A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate’.*

The Development Plan standards state that apartment units shall be provided with a good level of daylight and sunlight which contribute to a high quality living space.

Additionally the 2020 Guidelines state at Section 3.18 that *“Where single aspect apartments are provided, the number of south facing units should be maximised, with west or east facing single aspect units also being acceptable. Living spaces in apartments should provide for direct sunlight for some part of the day. North facing single aspect apartments may be considered where overlooking a significant amenity such as a public park, garden or formal space or a water body or some other amenity feature.”*

The proposed scheme is in compliance with the requirements of Section 3.17 and SPPR 4 of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020) by providing for 46% of dual aspect units on this highly accessible site which sits integrated with Clongriffin Train Station, provides for a comparable level of development to the adjacent Clongriffin Development and provides for a high quality design and streetscape.

Floor to Ceiling Heights

The proposed mix is in compliance with the amended mix requirements of SPPR 5 of the Guidelines which states:

SPPR 5

Ground level apartment floor to ceiling heights shall be a minimum of 2.7m and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha , planning authorities may exercise discretion on a case-by-case basis, subject to overall design quality.

The Guidelines identify that 2.4m is standard good practice however 2.7m would be a minimum standard for ground floor apartments but a higher ground floor should be considered where apartments are not proposed at ground level.

The proposed scheme has ground floor, floor to ceiling heights of 2.7m with all upper floors at 2.4m.

Detailed daylight assessment has been carried out on the proposed development by OCSC, and is outlined in greater detail in their accompanying report.

Lift and Stair Cores

The proposed mix is in compliance with the amended mix requirements of SPPR 6 of the Guidelines which states:

SPPR 6

A maximum of 12 apartments per floor per core may be provided in apartment schemes. This maximum provision may be increased for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, subject to overall design quality and compliance with building regulations.

The proposed development has sought to minimise the number of cores and maximise the number of apartments off each and typically, the blocks have 5-12 apartments per core in compliance with the standards.

Internal Space Configuration

Minimum internal space requirement for living/dining/kitchen rooms and bedrooms are set out in the Development Plan. Compliance with the internal rooms sizes are demonstrated in the HQA Table included in the HJL Design Statement. It is set out that all of the proposed units meet or exceed the Guidelines requirements.

7.8 Childcare Facilities

The Guidelines for Planning Authorities on Childcare Facilities (2001) indicate that Development Plans should facilitate the provision of childcare facilities in appropriate locations. These include larger new housing developments where planning authorities should require the provision of a minimum of one childcare facility with 20 places for each 75 dwellings.

However the *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities* state that:

‘Notwithstanding the Planning Guidelines for Childcare Facilities (2001), in respect of which a review is to be progressed, and which recommend the provision of one child-care facility (equivalent to a minimum of 20 child places) for every 75 dwelling units, the threshold for provision of any such facilities in apartment schemes should be established having regard to the scale and unit mix of the proposed development and the existing geographical distribution of childcare facilities and the emerging demographic profile of the area. One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms’.

The proposed scheme contains 33% studios and one bed units apartments which is 28% of overall development mix which as per the above, the studios and one

beds at a minimum should be discounted in the calculation of the requirement for childcare spaces.

The proposed crèche is c.539 sqm with an external play area of c.123 sq.m, and will cater for c. 135 no. child places. The crèche will be located on the ground floor of Block A3. Parking spaces will be provided for drop off along with staff parking at ground floor level. The external play area associated with the crèche will be of a high quality, suited to the needs of the age groups provided for.

Given the scale of development existing, under construction and permitted for the area, an assessment of the childcare provisions was carried out as part of this development assessment. The Childcare Facilities Assessment found that there are a number of crèches operating in the area and a number of new crèches permitted the area.

As such it is considered that the proposed crèche will meet future residents demand for childcare facilities. Please see the Schools Demand & Childcare Facilities Report submitted with this application.

7.9 Sunlight and Daylight

The overall configuration and design of the proposed development has been influenced by the need to achieve the best possible levels of sunlight and daylight penetration into the development. The proposed orientation of the blocks represents the best response to the site context in terms of day light and sunlight availability as a result of the density and height proposed. The Architectural Design Statement prepared by HJL accompanying this Report, sets out how the internal elevations are designed to address sunlight and daylight optimisation in terms of reflectivity and lightness of materials proposed.

Detailed Daylight and Sunlight assessment has been carried out on the proposed development by OCSC, and is outlined in greater detail in their accompanying Daylight Sunlight Report.

The analysis confirms that across the entire development excellent levels of internal daylight are achieved. The majority of apartments and all houses not only meet but greatly exceed the recommendations outlined within the BRE Guidelines and British Standard BS8206, achieving a 92% compliance rate across the proposed apartments and a 100% compliance rate within the proposed houses. The annual probable sunlight hours assessment has shown that even though some windows are slightly under the BRE recommendations, acceptable levels of sunlight will still be achieved within the proposed development.

In terms of sunlight access, excellent levels of sunlight are experienced across the development. The communal amenity spaces provided to the apartment areas

greatly exceeds the BRE guidelines for sunlight on the test day of 21st of March, as well as the private gardens to houses.

The analysis also shows that the proposed building has imperceptible daylight, sunlight or overshadowing impact to neighbouring properties.

All calculations within this report follow the methodology for daylight and sunlight outlined on the British Research Establishments “Site Layout Planning for Daylight and Sunlight: A Good Practice Guide” by PJ Littlefair, 2011 Second Edition.

7.10 Wind Microclimate Study

A Wind Microclimate Study prepared by B-Fluid is included as part of this SHD Planning Application. Through the wind assessment it has been possible to highlight, at design stage, areas of potential concern in terms of downwash/funnelling/downdraft/and to identify critical flow accelerations that could potentially occur. Results of the wind analysis have been discussed with the design team so as to configure the optimal layout for GA01 Development for the objective of achieving a high-quality environment for the scope of use intended of each areas/building (i.e. comfortable and pleasant for potential pedestrian) and without compromising the wind impact on the surrounding areas and on the existing buildings.

The Report shows that the development has been designed to be a high-quality environment for the scope of use intended of each areas/building, and from a quantitative point of view, it does not introduce any major or critical impact on the surrounding areas and on the existing buildings.

8 PART V REQUIREMENTS

The proposed scheme has been designed in a manner to ensure an appropriate mix and location of Part V units in the proposed development. The Part V units are identified and proposed to be incorporated into Blocks D2, B1, C1a, and C2a. It is proposed to develop 882 no. units at the site and the Applicant proposes 88 no. Part V units with a mix of unit types.

The applicant has engaged with Fingal County Council and a letter from Fingal County Council is included as part of the Part V pack in this regard.

9 ENVIRONMENTAL CONSIDERATIONS

9.1 APPROPRIATE ASSESSMENT

An Appropriate Assessment (AA) Screening Report is submitted to An Bord Pleanála with the SHD Planning Application prepared by Altamar, which concludes that a Natura Impact Assessment Report (NIS) is required for this application for development. As such a NIS is included in the application which concludes that no significant effects are likely on Natura 2000 sites, their features of interest or conservation objectives. The proposed project will not will adversely affect the integrity of European sites.

9.2 ENVIRONMENTAL IMPACT ASSESSMENT REPORT

The revised 2014 EIA Directive (Directive 2014/52/EU amending Directive 2011/92/EU) uses the term environmental impact assessment report (EIAR) rather than the previous environmental impact statement (EIS). Where current national guidelines and regulations refer to an Environmental Impact Statement or EIS, this can be taken to mean an Environmental Impact Assessment Report (EIAR).

Projects requiring environmental impact assessment are listed in Parts 1 and 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended).

Schedule 5 (Part 1) of the Planning & Development Regulations 2001 (as amended) lists major project classes for the purposes of mandatory EIA, which typically include industrial, chemical, energy, waste, infrastructure and intensive agricultural developments. The proposed development at Baldoyle does not correspond to a development set out under Part 1 of Schedule 5 and therefore, EIA is not a requirement under this provision.

Schedule 5 (Part 2) of the Planning & Development Regulations 2001 (as amended) set mandatory thresholds for each project class above which EIA is required. Sub-sections 10(b) (i) and 10(b) (iv) addresses 'infrastructure projects' referring to housing and urban developments, and require that the following classes of project, relevant to this project, be subject to EIA:

*"Class 10(b) (i). Construction of **more than 500 dwelling units.**"*

*"Class 10(b) (iv). Urban development which would involve an area greater than 2 hectares in the case of a business district, **10 hectares in the case of other parts of a built-up area** and 20 hectares elsewhere." [Our emphasis]*

The proposed development involves the construction of a residential development of 728 no. residential units on a site of 8.8 ha hectares on the northern fringe of Dublin city.

As such an Environmental Impact Assessment Report (EIAR) is submitted to An Bord Pleanála with this SHD Planning Application.

10 CONCLUSION

It is respectfully submitted that the proposed development will provide an appropriate form of high quality residential development for this residentially zoned site. This Planning Report demonstrates that the proposed development is fully in accordance with recent Government guidance in relation to the delivery of apartment developments, *Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities*, December 2020 (Dept Housing, Planning & Local Government), Fingal County Development Plan 2017-2023, the Ballydoyle Stapolin Local Area Plan (2013 as extended), and with the intent of the *Urban Development & Building Heights Guidelines* (2018), and with the proper planning and sustainable development of the area.

In conclusion, it is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area, and with all relevant national, regional and local planning policies and guidelines and that the proposed development should be granted by An Bord Pleanála.

APPENDIX 1-

BALDOYLE COMMUNITY INFRASTRUCTURE OVERVIEW

Introduction

This Community Infrastructure Overview has been prepared by Brady Shipman Martin in support of the subject planning application on behalf of Richmond Homes. The purpose of this report is to provide an overview of the existing provision of community and social infrastructure in the Baldoyle area in order to harmonise the proposed development with the existing character of the area and create sustainable neighbourhoods.

The proposed development includes a range of supporting services for the future population including:

COMMERCIAL FACILITIES				
	Nett	Ancillary Nett*	Gross	Outdoor
Gym (Block D)	313	98	411	
Convenience store (Block A)	854	25	915	
Medical Centre (Block A)	398	49	462	
Pharmacy (Block A)	218	32	268	
Crèche (Block A)	491	39	539	123
Unit 03 (Block D)	439	17.5**	484.5	
Unit 02 (Block D)	66	29.5**	111.5	
Storage Units (Block D)	292	-	-	
TOTAL COMMERCIAL FACILITIES	3,071	243	3,191	3,314

* Ancillary Nett includes Waste & Store Rooms

** Restaurant, Retail 01 & Retail 02 shared Waste Room

Background

Chapter 3 of the Fingal County Development Plan sets out strategy for Placemaking in the County. The Development Plan states that “*Sustainable communities are those that are economically, environmentally, and socially healthy and resilient*”.

Section 3.2 sets out the characteristics of successful and sustainable communities, including:

- *Include a range of facilities focused in a consolidated area with a critical mass of attractions and make best use of the already established investment in the built environment; these attractions include a mix of shops as well as a wide range of financial, professional and government services together with cultural, entertainment and leisure facilities.*
- *Include a thriving local residential population which adds to the vitality and vibrancy of the area as it ensures activity outside of standard retail and office opening hours.*

- *Are easily accessible by a range of transport modes including cycling and walking, have sufficient good quality short stay car parking close to the core area, have good transport linkages within the centre, and have efficient arrangements for delivery of goods.*
- *Present an attractive amenity in terms of the built environment and streetscape, streets and public spaces which are considered clean and safe, and have a sense of local identity and character, all of which greatly enhances the attraction of the centre.*
- *Have the vision and mechanisms in place to build on these existing assets, can overcome problems, adapt to both market and consumer needs and can secure appropriate and necessary improvements where required.*
- *Encourage and facilitate sustainable lifestyles and livelihoods.*

The proposed development has the potential to meet many of these characteristics in particular through the provision of a range of uses, a high quality design approach to the proposed development including streets and open space. The development itself will be highly accessible as a result of bus and train infrastructure, but also through the provision of cycle paths and pedestrian infrastructure.

The Development Plan describes Local Centres as *usually small retail areas that serve a residential area within walking distance of these centres. Other services such as childcare and medical facilities may also be available with a limited amount of office space.*

Overview

This assessment entails an overview of the following essential community and social facilities:

- **Social / Community facilities:** community groups and club; general public facilities, libraries and Community centres etc. This also includes other community facilities such as Post Offices, Credit Unions, recycling centres and key retail locations.
- **Healthcare:** hospitals, General Practitioners (GPs) and Medical Centres, Pharmacies.
- **Open Space and recreation:** parks, sport pitches and club facilities, playgrounds

Community Facilities

Community Facilities are considered to include state or local authority provided services such as local authority offices, welfare services, libraries, An Garda Síochána, fire stations and other general community services.

Sustainable communities require a range of facilities and services such as state or local authority provided services such as credit unions, post offices, retail centres, recycling facilities and general community services.

The Baldoyle area possesses a range of ancillary services varying in scale including the following:

- Post offices
- Recycling facilities;
- Retail locations such as Donaghmede and Clare Hall Shopping Centres; and
- Credit unions.

Healthcare

Healthcare within the study area is provided by a range of different organisations including public, voluntary and private agencies. The Health Services Executive is the primary agency responsible for delivering health and personal social services in Ireland. In recent years, primary care has been identified as the most effective and cost-efficient way to treat patients. This offsets dependence on the hospital system allowing most patient care to take place at local, community locations which feature multi-disciplinary teams of healthcare professionals working together.

Dublin's north side is served by established healthcare facilities, the nearest large scale hospital is Beaumont Hospital located 5 km to the south west in Beaumont. In addition there is a range of GP clinics, Pharmacies Dentists in the area to address everyday needs.

Open Space and Recreation











Quality recreation, leisure and amenity facilities have a fundamental impact on the quality of life in a town. It can improve social integration and cohesiveness. Sporting, recreation and leisure activities are of primary importance to the quality of life enjoyed by residents.

The immediate area has large range of open space areas suitable for cycling, running and walking. The area contains a range and diversity of open spaces. For the purposes of this study open space and recreation facilities are considered to include parks, playgrounds, multi-use games areas and sports pitches.

There are a number of publicly accessible parks within 1.5 km including Seagrang Park, Donaghmede Park, and Father Collins Park, in addition to the coastal amenity recently opened cycle and pedestrian coastal route.

The development of sport and recreation are important in encouraging a sense of well-being and social contact. Fingal County Council acknowledges the very important role that sporting and social clubs play in enhancing the social and recreational life of the city's communities. This aim is reflected in the Fingal Sports Strategy.

Legend:

Post office		Dentist	
Retail locations		Hospital	
Library		Pharmacy	
Community Resource		GP / medical centre	
Leisure and recreation		Open Space	

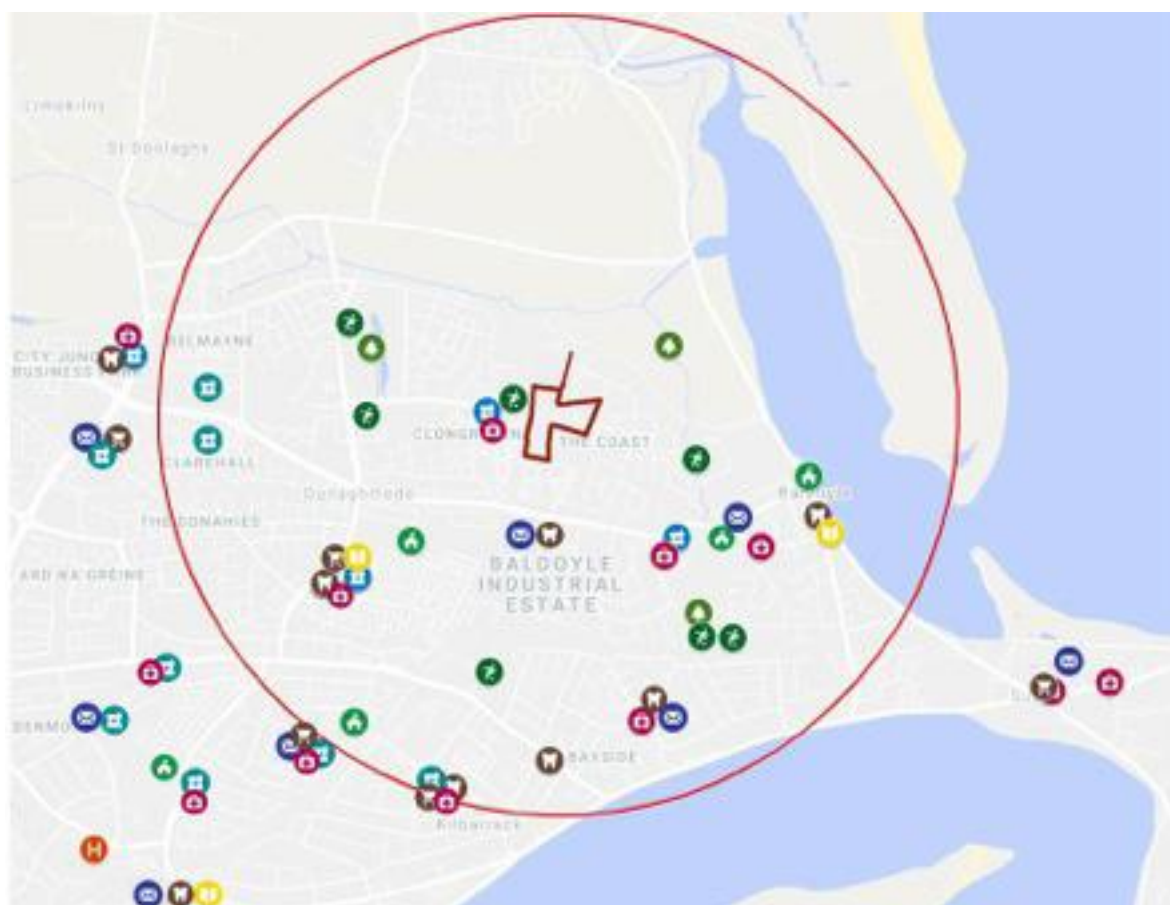


Figure 1: Overview of community facilities in the area. (Source: Google Maps, 2021.)

Conclusion

The proposed development provides for a range of local services to serve the future population, including retail, cafe, gym, creche, medical centre, pharmacy in addition to tenant amenity. As such, the facilities in the local centre meet the objectives set out in the Development Plan and Local Area Plan, as set out in Section 6 above.

APPENDIX 2-

PLANNING FIRE SAFETY STRATEGY

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Tel: 01 661 8086
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Letterkenny Office

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Cork Office

Watergold, Douglas,
Cork
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By Email only

Hakeem Bader
Development Manager
Richmond Homes

30th March 2021

OUR REF. 19236 L002
SUBJECT: PROJECT SHORELINE BALDOYLE - GA01
RE: MJP PLANNING FIRE SAFETY STRATEGY

Dear Mr. Bader,

MJP have completed a preliminary Part B (Fire) appraisal of the scheme. The study has examined the planning documents with regard to the following provisions and we are satisfied the design complies:

- B1 Means of Escape in Case of Fire
- B3 Internal Fire Spread – Structure
- B4 External Fire Spread
- B5 Access & Facilities for the Fire Service

Yours faithfully,



Mr. Luke Fegan

Managing Director
Chartered Engineer BA, BAI, PDip FSP, MSc Fire Eng, MA, CEng, MIEI

On behalf of
Maurice Johnson & Partners

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