

## 5 PLANNING AND POLICY

### 5.1 Introduction

This Chapter of the EIAR has been prepared by Stephen Little and Associates, Chartered Town Planners and Development Consultants. It provides a summary of the hierarchy of national, regional and local planning and development policies in the context of the proposed development, as described in Chapter 3, Description of Development.

This Chapter should be read in conjunction with the detailed Planning Application Report and Statement of Consistency which has been included within the planning application documents.

This Chapter was prepared by Veronica Walsh, of Stephen Little and Associates. Veronica holds a Masters in Spatial Planning and has experience in the co-ordination of EIAR, as well as in the preparation of mixed use planning applications. For more details of Veronica's relevant experience and qualifications, please refer to Chapter 1, Introduction.

### 5.2 National Planning Framework - Ireland 2040

The National Planning Framework (NPF)<sup>1</sup> seeks to achieve the consolidation of Dublin City's development and growth within the M50 and canals to create a more compact urban form. The NPF seeks 40% of all new homes to be located within the existing footprints of our urban settlements. In Dublin, development should be focused within the M50 and canal rings in order to consolidate the urban area. Development on infill and brownfield sites is seen as a key way to deliver this vision, particularly where such sites are served by high capacity public transport.

This policy direction means encouraging more people, jobs and activity generally within our existing urban areas. It requires a change in previous development patterns which have predominately focused on 'greenfield' sites. In particular, it requires well-designed, high quality development that can encourage more people, and generate more jobs and activity within existing cities, towns and villages.

Development must therefore meet appropriate design standards to achieve targeted levels of growth. It also requires active management of land and sites in urban areas.

The following are the key NPF Policy Objectives which support the principle of this development:

**National Policy Objective 3b** seeks to deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.

**National Policy Objective 4** promotes the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

**National Policy Objective 11**, states a presumption in favour of development that encourages more people and generates more jobs and activity within existing cities, towns and villages, subject to appropriate planning standards being met and targeted growth achieved.

In NPF Chapter 4 'Making Stronger Urban Places', the following Key Objective is relevant:

**National Policy Objective 13** requires that "in urban areas, planning and related standards, including in particular 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", subject to a range of environmental and residential amenity tolerances.

In NPF Chapter 6 'People Homes and Communities', the following Key Objectives are relevant:

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<sup>1</sup> Department of Housing, Local Government and Heritage (2018), National Planning Framework.

**National Policy Objective 27** seeks to “ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.”

**National Policy Objective 33** that seeks to “prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.”

**National Policy Objective 35** that seeks to “increase residential density in settlements, through a range of measures including restrictions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.”

**National Policy Objective 36** that seeks to put in place Section 28 Ministerial Guidelines to improve the evidence base, effectiveness and consistency of the planning process for housing provision to meet varying housing needs at regional, metropolitan and local authority levels. For example, in reconciling future housing requirements effectively it is identified that in Dublin city, while one, two and three person households comprise 80% of all households, the housing stock is largely comprised of 3 and 4-bedroom houses.

The proposed development is compliant with the National Planning Framework. The proposed development is consistent with the NPF in the promotion of more compact mixed use urban regeneration that delivers increased residential density and employment activity, of high quality urban design and architecture, at an underutilised, brownfield site on the edge of the city centre, served by high frequency public transport at one of the city’s key public transportation hubs connecting it with Dublin City Centre and other strategic settlements and employment zones within the Dublin Metropolitan Area. The proposed scheme provides compact development delivering an appropriate apartment mix, in a building of landmark height and design quality, supported by ancillary facilities, at this prominent, underutilised brownfield site at the western gateway to the city centre.

We refer the Board to the main body of the Planning Application Report and Statement of Consistency, enclosed with the planning application documents, for the complete assessment of the proposed development in the context of the NPF.

### 5.3 Eastern and Midlands Regional Spatial & Economic Strategy

The *Eastern and Midlands Regional Spatial and Economic Strategy (RSES)*<sup>2</sup> identifies the strategic regional outcomes aligned with the NPF, which set the strategic framework for City and County Development Plans.

The Dublin Metropolitan Area includes the continuous built-up Dublin city area and highly urbanised settlements that form the main gateway and largest economic contributor in the State.

The RSES identifies that 50% of all new homes are to be delivered within the existing built-up area of Dublin City & Suburbs in tandem with the delivery of key infrastructure, to achieve the NPF growth targets.

- **Regional Policy Objective (RPO) 4.3** promotes the consolidation and re-intensification of development at infill, brownfield and underutilised lands, to provide high density and people intensive uses within the existing built up area of ‘Dublin city and suburbs’ that is integrated with key existing and planned environmental and transport infrastructure.
- **The Dublin Metropolitan Area Strategic Plan (DMASP)**, as part of the RSES, seeks to focus development on large scale strategic sites and on the redevelopment of underutilised lands, based on key transport corridors, that will deliver significant development in an integrated and sustainable manner. The subject lands are located within the strategic development area of ‘City Centre within the M50’.

<sup>2</sup> *Eastern and Midlands Regional Assembly (2019), Eastern and Midlands Regional Assembly - Regional Spatial and Economic Strategy 2019-2031.*

The application site is well connected within the strategic settlement of Dublin City where further consolidation of residential and infrastructure development is promoted. The proposed development is consistent with the RSES and DMAPS promotion of intensive brownfield regeneration and high density residential development. This strategic site is located in the 'City Centre within the M50' Strategic Development Area, is well served by public transport with high capacity, frequent services available by rail and Luas at the adjacent strategic transport hub of Heuston station. It is also served by numerous frequent bus services connecting to other strategic settlements and employment, health and education centres within the Dublin Metropolitan Area.

#### 5.4 Smarter Travel – A Sustainable Transport Future, A New Transport Policy for Ireland 2009 – 2020

This Document<sup>3</sup> is the transport policy for Ireland for the period from 2009 – 2020. Overall it has the following aims: -

- To reduce overall travel demand.
- To maximise the efficiency of the transport network.
- To reduce reliance on fossil fuels.
- To reduce transport emissions.

To improve accessibility to transport, the Policy recognises progress made under the National Spatial Strategy (now superseded by the National Planning Framework) and the Regional Planning Guidelines (which have been superseded by the Regional Spatial and Economic Strategy) in promoting integrated transport and spatial planning. These strategies recognise the need for more compact, walkable urban areas that support investment in good quality public transport under Transport 21.<sup>4</sup>

The proposed development will contribute to reducing travel demand by locating new residential-led mixed use development at an underutilised brownfield site, within a well-connected regeneration gateway to the city centre. The site is highly accessible to employment opportunities, retail and cultural amenities in the city centre. It also benefits from proximity to high quality public transport services, reducing reliance on private car use, supporting investment in the public transport network and reducing reliance on fossil fuels. The future provision of Bus Connects Route Corridor 6 along the R148/St. John's Road West (to the south of the site) and the ongoing delivery of the Liffey Cycle Way will further support greater modal shift toward the use of alternative sustainable transport modes. A bespoke car sharing club for residents is included in the consented scheme (ABP. 306569-20 refers), which will reduce the requirement for individual private car parking within the overall scheme and reduce potential for any significant traffic generation associated with the proposed development.

We refer the Board to Section 10.3 of the Planning Application Report and Statement of Consistency, enclosed with the planning application documents, for the complete assessment of the proposed development in the context of this Document.

#### 5.5 Sustainable Residential Guidelines in Urban Areas (Cities, Towns, Villages) (2009)

The aim of these guidelines<sup>5</sup> is to set out the key planning principles which should be reflected in development plans and local area plans, and which should guide the preparation and assessment of planning applications for residential development in urban areas.

<sup>3</sup> Department of Transport, 2009. *Smarter Travel - A Sustainable Transport Future: A New Transport Policy for Ireland 2009-2020*.

<sup>4</sup> *Transport 21 was the Irish Government Infrastructure and Capital Investment Programme (2006- 2010) which aimed to significantly expand Ireland's transport network.*

<sup>5</sup> DoHLGH, 2009. *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns & Villages)*.

In order to maximise inner city population growth, the guidelines state that there should be no upper limit on the number of dwellings provided on any one site, provided the development is compliant with the standards set out in development plans or local area plans and avoids negative impacts on the amenities of existing or future residents.

Chapter 5 of the Guidelines generally sets out the design standards which should be adhered to with regard to development in larger towns and cities. The Guidelines state that planning authorities should promote increased residential densities in appropriate locations and the objective should be the achievement of an efficient use of land appropriate to its context, while avoiding the problems of over-development.

Section 16.4 of the City Development Plan sets out that Dublin City Council will promote sustainable residential densities in accordance with the standards and guidance set out in the DEHGL Guidelines on Sustainable Residential Development in Urban Areas (2009).

Section 5.8 of the Guidelines on Sustainable Residential Development in Urban Areas (2009) sets out that sites within 500m walking distance of a bus stop are expected to achieve minimum net residential density of 50 units per hectare, with the highest densities being located at rail stations/bus stops and decreasing away from such nodes. The proposed development will comply with the policies and objective of this plan.

The proposed development is consistent with the Sustainable Residential Development Guidelines (2009) that promote increased residential density, for urban development sites proximate to sustainable public transport.

We refer the Board the Planning Application Report and Statement of Consistency, enclosed with the planning application documents, for the complete assessment of the proposed development in the context of the Sustainable Residential Guidelines in Urban Areas (Cities, Towns, Villages) (2009).

## 5.6 Urban Design Manual- A Best Practice Guide (2009)

The Urban Design Manual<sup>6</sup> sets out 12 criteria that encapsulate the range of design considerations that must be taken into consideration for residential developments. This design manual accompanies the Sustainable Residential Development in Urban Areas Guidelines, with the two documents intended to be read in conjunction with each other.

The proposed development will adhere to the 12 criteria set out in these Guidelines. We refer the Board to the Planning Application Report and Statement of Consistency, prepared by Stephen Little & Associates and the Architectural Design Statement, prepared by RAU Architects in association with Glenn Howells Architects enclosed with the planning application documents, for the complete assessment of the proposed development in the context of the 12 criteria set out in these Guidelines.

## 5.7 Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, 2020

These Guidelines<sup>7</sup> contain a number of Specific Planning Policy Requirements (SPPR) which provide minimum standards for apartment design. The policy requirements in these guidelines take precedence over policies and objectives of development plans and local area plans.

The unit mix and minimum apartment floor sizes of the proposed development would not all be in compliance with the Dublin City Development Plan 2016-2022. However, they would be compliant with these guidelines, which as noted above, take precedence.

<sup>6</sup> DoHLGH, 2009. *Urban Design Manual: A Best Practice Guide, a companion document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas.*

<sup>7</sup> DoHLGH, 2020. *Design Standards for New Apartments – Guidelines for Planning Authorities.*

The application site would qualify as a ‘Central and/or Accessible Urban Location’ as defined under the Guidelines which is suitable in principle for large scale, high density residential development that wholly comprises apartments.

The proposed residential development is a declared ‘Build to Rent’ apartment scheme and thus SPPR 2 is not relevant as it deals with small scale building refurbishment and small sites of up to 0.25ha in size. SPPR 9 is not relevant to this scheme as ‘shared living’ accommodation is not proposed. SPPR 8 confirms that the design parameters under SPPR 1 and SPPR 6 do not apply to ‘Build to Rent’ schemes.

SPPR 3, SPPR 4, SPPR 5, SPPR 7, SPPR 8 deal with design standards for ‘Build to Rent’ apartment schemes which apply in this instance. The proposed development would comply with these SPPRs.

The proposed development is consistent with the Specific Planning Policy Requirements which are set out in these Guidelines.

We refer the Board to Section 11.2.3 of the Planning Application Report and Statement of Consistency, enclosed with the planning application documents, for the complete assessment of the proposed development in the context of the Apartment Guidelines.

## 5.8 Urban Development and Building Heights, Guidelines for Planning Authorities (2018)

The Building Height Guidelines<sup>8</sup> express a presumption in favour of buildings of increased height in urban locations with good public transport accessibility, which secure NPF objectives to deliver compact growth of new homes, economic growth and regeneration.

The guidelines acknowledge that a key objective of the NPF is therefore to promote an increase in building heights and overall density. Increased building height and development density are not only facilitated, but actively sought out and brought forward by the planning process. It further states that taller buildings can serve to bring much needed additional housing and economic development to well-located urban areas, and to assist in contributing to and reinforcing a sense of place within a city.

The Guidelines therefore set out a number of Strategic Planning Policy Requirements (SPPR) that Planning Authorities and An Bord Pleanála are required to have regard to in carrying out their functions.

SPPR 1, SPPR 2 and SPPR 4 relate to a Planning Authority’s functions and deal with areas where increased building height will be actively pursued, use mix, development on greenfield sites and edge of city/town locations. SPPR 3 deals with the pursuance of increased building heights and the requirement for specific assessments and is relevant in this instance.

Section 9(6)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016 provides:

*“(b) Where specific planning policy requirements of guidelines referred to in paragraph (a) differ from the provisions of the development plan of a planning authority, then those requirements shall, to the extent that they so differ, apply instead of the provisions of the development plan.”*

SPPR 3 (A) states:

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

*(A) 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 or local area plan may indicate otherwise.”*

<sup>8</sup> DoHLGH, 2018. *Urban Development and Building Heights – Guidelines for Planning Authorities.*

It follows that the Board must be satisfied that the proposed development complies with the development management criteria set out under Section 3.2 of these Guidelines.

The proposed development is consistent with SPPR 3 of the Building Height Guidelines.

The proposed development provides a building of 30 storeys, which is located at the eastern apex of the site beside Sean Heuston Bridge. The tower will be generally triangular, slender and elegant in form, to suit the site characteristics and complement surrounding development. The City Development Plan permits building heights of 50+ m at this location. Building height in excess of 50m was also accepted in principle, for this site, by the Board Inspector in the case of ABP Ref. 306569-20.

The Architectural Design Statement identifies how the urban and architectural design and layout of the proposed development responds favourably to site topography, landscape/visual amenity, placemaking and streetscape / public realm and city legibility. Environmental studies demonstrate that the proposed development does not unduly interrupt city views or vistas of significance, can deliver good access to sunlight/daylight, avoid significant negative impact on micro-climate, built and natural environment and air navigation.

We refer the Board to the Planning Application Report and Statement of Consistency, prepared by Stephen Little & Associates and the Architectural Design Statement, prepared by RAU Architects in association with Glenn Howells Architects enclosed with the planning application documents, for the complete assessment of the proposed development in the context of the development management criteria set out under Section 3.2 of these Guidelines.

### 5.9 The Planning System and Flood Risk Management- Guidelines for Local Authorities (2009)

A Flood Risk Assessment and Statement of Consistency accompanies this application to An Bord Pleanála, prepared in accordance with the Flood Risk Management Guidelines<sup>9</sup>.

For further details, please refer to the Flood Risk Assessment (Appendix 14.1), which has been included in the planning application documents.

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

The proposed development, sitting within the otherwise consented scheme ABP-306569-20, is consistent with these Guidelines<sup>10</sup>.

No change to the permitted road infrastructure / site access works are proposed as part of this application for the proposed Block A building and interface works with the consented scheme.

The consented and proposed scheme is the outcome of a plan-led, multi-disciplinary, integrated design approach that seeks to support a sustainable community connected by well-designed permeable and legible city streets which deliver safe, convenient and attractive interconnections between city development and amenities.

For further details, please refer to Chapter 6: Transport as well as the Statement of Consistency with DMURS enclosed as part of this SHD Application.

### 5.11 Childcare Facilities, Guidelines for Planning Authorities (2001)

These Guidelines<sup>11</sup> set out general standards for land use planning issues related to childcare provision in Ireland.

<sup>9</sup> OPW, 2009. *The Planning System and Flood Risk Management – Guidelines for Planning Authorities*.

<sup>10</sup> DoHLGH, 2019. *Design Manual for Urban Roads and Streets*.

<sup>11</sup> DoECC, 2001. *Childcare Facilities – Guidelines for Planning Authorities*.

Section 2.4 of the Guidelines set out general standards for the land use planning issues related to childcare provision in Ireland. In relation to ‘New Communities / Larger New Housing Developments’, it is noted that:

*‘Planning authorities should require the provision of at least one childcare facility for new housing areas unless there are significant reasons to the contrary or where there are adequate childcare facilities in adjoining developments.’*

The Guidelines outline that crèche provision should be made on the basis of 20 no. childcare spaces for every 75no. dwellings permitted in a scheme. The Design Standards for New Apartments: Guidelines for Planning Authorities published in 2020 provides further clarification with regard to childcare provision:

*“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.”*

It is not proposed to provide a crèche as part of this development. This is based on an assessment of the current availability of childcare spaces in the area and the demand expected to be generated by the proposed development.

The proposed development is consistent with the policies and objectives of these Guidelines.

An updated Childcare Needs Assessment has been prepared by Stephen Little & Associates addressing the consented and proposed development. It is included in the planning application documents. This demonstrates that there are adequate childcare facilities in the area to accommodate the consented and proposed development.

We also refer the Board to the detailed Planning Application Report and Statement of Consistency and Community Infrastructure Audit which has been included with the planning application documents.

## 5.12 Dublin City Development Plan 2016 - 2022

The Dublin City Development Plan 2016 – 2022<sup>12</sup> (hereafter referred to as the Development Plan) came into effect on the 21 October 2016 and is the statutory land-use plan governing the subject lands at this time. The Development Plan’s policies and objectives provide the direction for the future development of the city and have been taken into consideration in the preparation of this application.

A detailed Planning Application Report and Statement of Consistency has been included with the planning application documents.

### 5.12.1 Core Strategy

Dublin City Council’s proposed development strategy for Dublin is to promote:

- a compact, quality, green, well-connected city.
- a smart city facilitating economic activity.
- a city of good neighbourhoods and socially inclusive communities.

The Core Strategy states that Dublin City is the ‘gateway core’ for high-intensity clusters, brownfield development, urban renewal and regeneration. The development plan places an emphasis on quality compact urban neighbourhoods near public transport corridors, with the intention of bringing about a modal shift from private cars to more sustainable modes of transport such as walking, cycling and public transport.

The proposed development is consistent with the Core Strategy of the Development Plan.

<sup>12</sup> DCC, 2016. Dublin City Development Plan 2016-2022.

5.12.1.1 Land-use Zoning

Under the Development Plan, the majority of the site is subject to the zoning objective, ‘Z5 – City Centre’, as are most of the lands in the immediate vicinity of the site. The strip of land along the southern part of the site which bounds the River Liffey is zoned ‘Z9 – Amenity/Open Space Lands/ Green Network’.

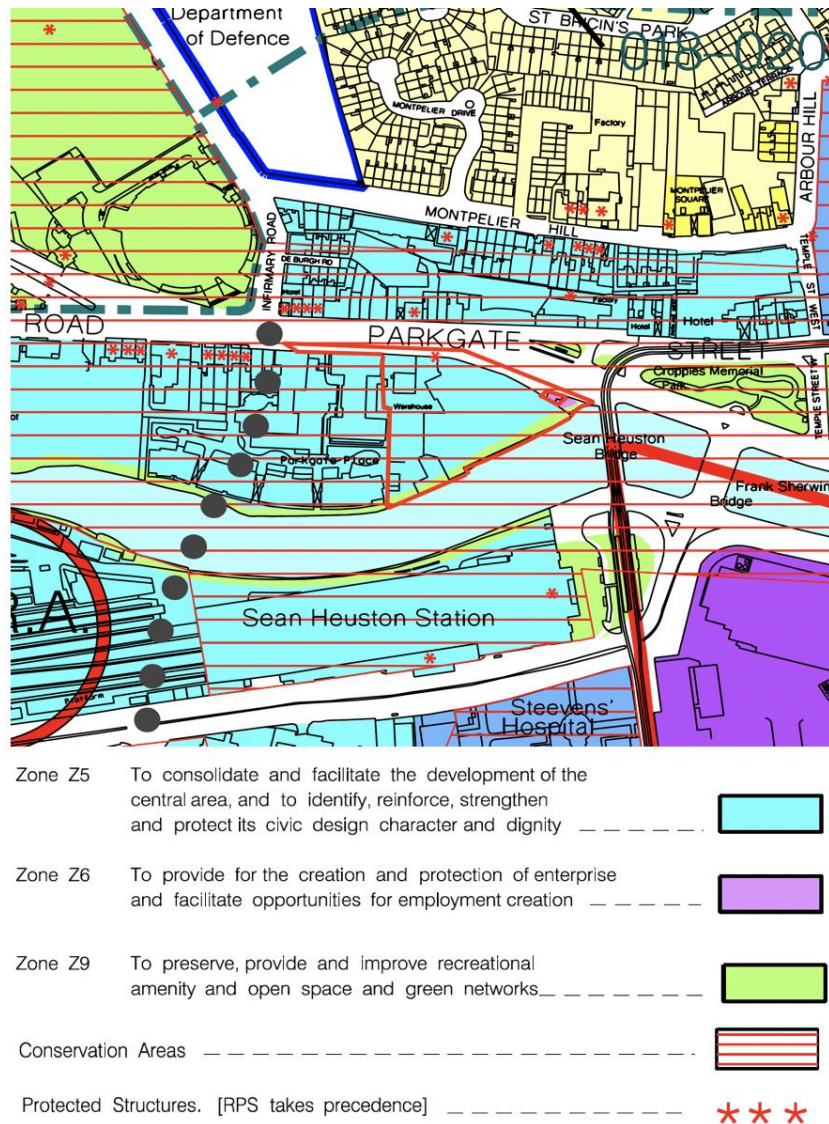


Figure 5.1: Dublin City Development Plan zoning with approximate site boundary in red (SLA overlay)

The land-use objective for the Z5 zoning seeks:

*“To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity”.*

The development plan indicates that a wide range of accommodation is to be provided in this zoning area which is sustainable and within easy reach of services, open space, facilities and public transport.

A narrow strip of land along the southern part of the site, which bounds the River Liffey, is zoned ‘Z9 – Amenity/Open Space Lands/ Green Network’, with the objective:



*“To preserve, provide and improve recreational amenity and open space and green networks.”*

Within the wider planning unit (ABP-306569-20) this area is incorporated into the landscaped public realm and river walk, providing the eastern pedestrian access to the site, connecting with the river walk and public plaza. The proposed building maintains the same relationship with this area and the footprint of the proposed building does not encroach the Z9 zone.

On the 10 March 2020, Variation No. 24<sup>13</sup> of the Dublin City Development Plan 2016-2022, was adopted which rezoned a small parcel of land at the north east tip of the site, from ‘Z6’ ‘employment and enterprise’ to ‘Z5’ ‘City Centre’ which ultimately consolidates the overall Z5 zoning at this location. It is occupied by an old substation, public footpath and a small area of open space.

The development plan lists a range of ‘permissible uses’ and uses that are ‘open for consideration’ (see below). Under Section 16.4 of the development plan, any proposed uses not listed will be assessed under the overall policies and objectives of the plan.

<b>Zoning Objective Z5</b>	<b>Zoning Objective Z5</b>
<p><b>Permissible Uses</b></p> <p>Amusement/leisure complex, bed and breakfast, betting office, buildings for the health, safety and welfare of the public; car park, car trading, childcare facility, civic offices, community facility, conference centre, cultural, creative, artistic, recreational building and uses, delicatessen, education, embassy office, enterprise centre, funeral home, guest house, home-based economic activity, hostel, hotel, industry (light), internet café, live-work units, media-associated uses, medical and related consultants, motor sales showroom, nightclub, office, off-licence, open space, part off-licence, place of public worship, public house, public service installation, residential, restaurant, science and technology-based industry, shop (district), shop (neighbourhood), shop (major comparison), take-away, training centre, veterinary surgery, warehousing (retail/non-food)/retail park.</p>	<p><b>Open for Consideration Uses</b></p> <p>Advertisement and advertising structures, civic and amenity/recycling centre, financial institution, household fuel depot, outdoor poster advertising, petrol station, transport depot.</p>
	<b>Zoning Objective Z9</b>
	<p><b>Permissible Uses</b></p> <p>Cemetery, club house and associated facilities, municipal golf course, open space (see Appendix 21 land use definitions), public service installation which would not be detrimental to the amenity of Z9 zoned lands.</p>
	<p><b>Open for Consideration Uses</b></p> <p>Car park for recreational purposes, caravan park/camp site (holiday), community facility, craft centre/craft shop, crèche, cultural/recreational building and uses, golf course and clubhouse, kiosk, neighbourhood retail (in accordance with highly exceptional circumstances above), tea room, café/restaurant.</p>

**Figure 5.2:** Dublin City Development Plan 2-16-2022, Zoning Objectives

The proposed development does not alter the uses of the consented scheme. The proposed development, which includes residential, office, café/ restaurant use, is compliant with the Z5 land use zoning and permissible uses of the Development Plan.

The proposed building footprint does not encroach on the Z9 zoning area. The consented river walk occupies this area and is consistent with the Z9 zoning.

A detailed Planning Application Report and Statement of Consistency has been included with the planning application documents.

<sup>13</sup> Dublin City Council (2020), *Variation No. 24 of Dublin City Development Plan 2016-2022*

5.12.1.2 Building Height

The development plan designates the Heuston area of the city as being an appropriate location for buildings in excess of 50m. See Figure 5.3 below, which is extracted from the development plan.

Category	Area	Height (m)
Low-rise (relates to the prevailing local height and context)	Inner City	Up to 28 (commercial) Up to 24m (residential)
	Rail hubs (See 3)	Up to 24m (commercial and residential)
	Outer City	Up to 16 m (commercial and residential)
Mid-rise	Digital Hub	Up to 50 m
	St Teresa's Gardens	
	North Fringe	
	Clonshaugh Industrial Estate	
	Ballymun	
	Pelletstown	
	Park West/Cherry Orchard	
	Naas Road	
	Oscar Traynor Road	
	National Concert Hall Quarter	
High-rise	Docklands Cluster	50m +
	Connolly	
	Heuston	
	George's Quay	

Figure 5.3: Dublin City Development Plan 2016-2022, Building Heights

The height of the proposed development is consistent with the building height policy of the Development Plan, which identifies the SDRA 7 Heuston & Environs Area, where the site is located, as suitable for tall buildings greater than 50m high.

We refer the Board to the Planning Application Report and Statement of Consistency, prepared by Stephen Little & Associates for the complete assessment of the proposed development in the context of the building height policy of the Development Plan.

5.12.1.3 Strategic Development and Regeneration Area No. 7 (SDRA7 Heuston and Environs)

The site lies within the Heuston and Environs Strategic Development Regeneration Area (SRDA 7). The vision for the area set out in this study is:

*“To create a coherent and vibrant quarter of the city that captures the public imagination with high quality services, development, design and public spaces that consolidate and improve the existing strengths of the area.”*

Heuston and Environs is one of a number of SDRAs to be designated under the Dublin City Development Plan, 2016 – 2022. These areas have been identified as being capable of delivering a significant quantum of housing and employment in the city, through the regeneration of existing built areas.

Most SDRAs are zoned Z14 and focus on residential and employment/enterprise uses. The subject site is zoned predominantly Z5 with the river-edge area being zoned Z9. Under the development plan,

the Planning Authority is to take an active role in community and stakeholder engagement, and to encourage development of SDRA sites through 'Active Land Management'.

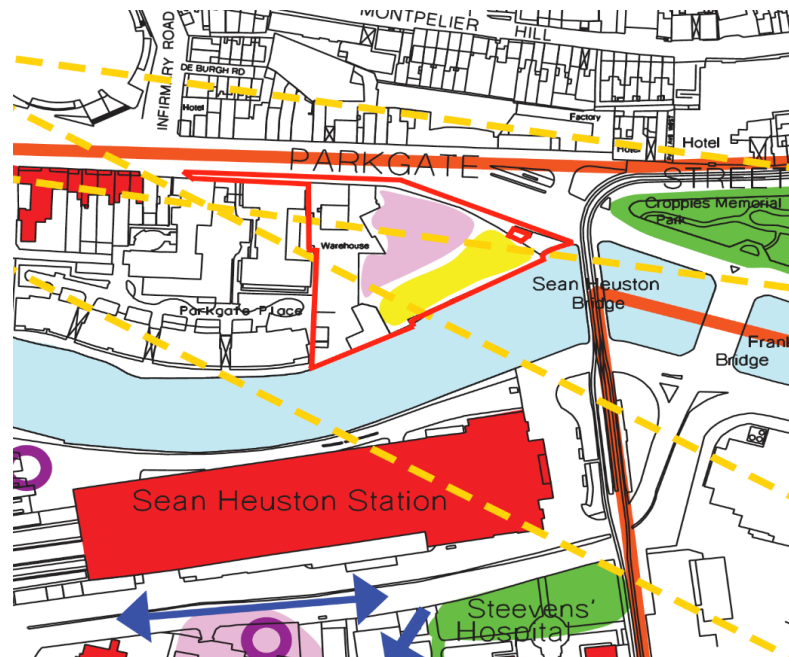


Figure 5.4: SDRA 7- Heuston and Environs with approximate site boundary in red (SLA overlay)

The SDRAs have a series of development principles set out in the development plan. In this case, the SDRA covers a very wide area, including Heuston Station, Clancy Quay/Barracks and Heuston South Quarter, as well as the site at 42A Parkgate Street. The SDRA states that development should seek to incorporate mixed-uses in appropriate ratios in order to generate urban intensity and animation. The indicative SDRA masterplan and its key development principles indicate that the eastern portion of the application site has been identified for residential development.

The following are the SDRA 7 development principles (paraphrased):

1. To develop a new urban gateway character area focused on the transport node of Heuston Station, and including world class public transport interchange facilities, vibrant economic activities, high quality residential accommodation and recreational facilities, excellent public realm and architecture, and connections with major historic, cultural and recreational attractions.
2. To incorporate sustainable densities, with architecture and urban form forging dynamic relationships with national cultural institutions.
3. To implement best practice urban design principles to: achieve a coherent, legible urban structure within major development sites; prioritise the provision of public space; achieve successful interconnection between the development site and adjacent urban structure.
4. To protect the fabric and setting of protected structures and national monuments.
5. To incorporate mixed use in appropriate ratios in order to generate urban intensity and animation. Major uses of residential and office to be complemented by components of culture, retail and service elements.
6. To improve pedestrian and cycle linkages, through key sites.
7. **As a western counterpoint to the Docklands, to consider mid-rise or taller buildings (above 50m / 16-storeys), subject to maintaining a coherent skyline and protecting key views and**

**vistas. Two particular sites are identified for tall buildings, but consideration is not limited to these specific sites.**

8. Visual impact analysis to demonstrate that proposed new development will not adversely affect or undermine the view within the ‘Cone of Vision’ designated between Royal Hospital Kilmainham and Phoenix Park.
9. Other important visual connections to be respected include Chesterfield Avenue to Guinness Lands and from key parts of the City Quays to the Phoenix Park (Wellington Monument).

The proposed development is consistent with the SDRA 7 Guiding Principles, in terms of the use mix, building height and the significant regeneration benefits it provides is in keeping with the aims of the SDRA 7 vision and principles.

The principles of SDRA 7 have largely been realised in the consented scheme. Item 7 is notable in calling for tall buildings (greater than 50m) in the Heuston environs, to act as a western counter-point to the eastern docklands. In the Board Inspector’s report (ABP-306569-20 refers), the principle of a taller building, in excess of 50 metres in height, was accepted in principle at this site.

Item 9 refers to views and prospects to be protected. The proposed building does not fall within the ‘cone of vision’ between Kilmainham Hospital and Phoenix Park. Other key views are considered in the Chapter 13 ‘Landscape & Visual Impact Assessment’, of this EIAR. We also refer the Board to the detailed Planning Application Report and Statement of Consistency has been included with the planning application documents.

5.12.1.4 Bicycle Parking

Table 16.2 of the development plan (extract below) sets out the Minimum Bicycle Parking standards for all new development in the city:

Land-Use	Zone	Car Spaces
<b>Enterprise and Employment/Offices/ General Industry (inc warehousing)</b>	1	1 per 400 sq.m GFA (Gross floor area)
	2	1 per 200 sq.m GFA
	3	1 per 100 sq.m GFA
<b>Retail Supermarkets exceeding 1,000sq.m GFA</b>	1	None
	2	1 per 100 sq.m GFA <sup>1</sup>
	3	1 per 30 sq.m GFA <sup>1</sup>
<b>Other Retail and Main Street, Financial Offices (excl. retail warehouse)</b>	1	1 per 350 sq.m GFA
	2	1 per 275 sq.m GFA
	3	1 per 75 sq.m GFA
<b>Industry</b>	1	1 per 400 sq.m GFA
	2	1 per 200 sq.m GFA
	3	1 per 75 sq.m GFA
<b>Warehouse Retail (non-food)</b>	1	1 per 300 sq.m GFA
	2	1 per 200 sq.m GFA
	3	1 per 35 sq.m GFA
<b>Warehouse</b>	1 and 2	1 per 450 sq.m GFA
	3	1 per 200 sq.m GFA
<b>Residential</b>	1 and 2	1 per dwelling
	3	1.5 per dwelling
<b>Elderly Persons Dwellings/ Warden-Supervised Dwellings/ Sheltered Housing</b>	1	1 per 4 dwellings
	2 and 3	1 per 2 dwellings
<b>Youth Hostel</b>	1	None
	2	1 per 30 bed-spaces
	3	1 per 15 bed-spaces
<b>Student Hostel/Student Accommodation</b>	1	None (see section 16.10.7 for requirements)
	2	1 per 20 bed-spaces
	3	1 per 10 bed-spaces
<b>Residential Institution</b>	1	None
	2	1 per 20 bed-spaces
	3	1 per 10 bed-spaces
<b>Hotels and Guest Houses</b>	1	1 per 4 rooms
	2	1 per 3 rooms
	3	1 per 1 room
<b>Clinics and Group Practices</b>	1	1 per consulting room
	2 and 3	2 per consulting room
<b>Churches, Theatres, Cinemas and Auditoriums</b>	1	1 per 100 seats
	2	1 per 25 seats
	3	1 per 10 seats
<b>Restaurants, Cafés and Take-aways</b>	1	None
	2 and 3	1 per 150 sq.m seating area

**Figure 5.5:** Dublin City Development Plan Bicycle Parking Standards

Additional secure bicycle parking and storage facilities are provided commensurate with the uplift in apartment numbers. (38no. new bike parking spaces, with 22no. located at ground level of Block A and 16no. located in permitted Block B undercroft). This is in addition to the 551no. bicycle parking spaces within the consented scheme accessed via safe dedicated stairwell with dedicated storage for bicycles at ground level, basement and in the gateway entrance spaces.

Further details of the breakdown of bicycle parking provisions are set out in Chapter 6 ‘Transport’ of this EIAR and the Transportation Assessment, prepared by ARUP Consulting Engineers and Site Layout Plans, prepared by Reddy Architecture & Urbanism.

The proposed development complies with the development plan standards for bicycle parking. A detailed Planning Application Report and Statement of Consistency has been included with the planning application documents.

5.12.1.5 Car Parking

Table 16.1 of the development plan outlines the car parking standards, which are given as maximums. The site is located within car parking zone 1.

Land-Use	Zone	Cycle Spaces
<b>Enterprise and employment</b>	1 and 2 3	1 per 100 sq.m 1 per 150 sq.m
<b>Shops and Main Street Financial Offices</b>	1 and 2 3	1 per 150 sq.m 1 per 200 sq.m
<b>Residential (houses and apartments)</b>	All zones	1 per unit <i>(Additional requirements for larger units and visitor parking will be decided on a case by case basis)</i>
<b>Hotels</b>	1 2 3	Under 50 bedrooms – 1 per 6 bedrooms Over 50 bedrooms – 1 per 10 bedrooms (Minimum of 10 cycle spaces) 1 per 12 bedrooms 1 per 15 bedrooms
<b>Clinic and Group Medical Practices</b>	1 and 2 3	1 per 2 consulting rooms 1 per 4 consulting rooms
<b>Churches, Theatres, Halls, Cinemas, Multiplex Cinemas</b>	1 and 2 3	5 per 100 seats 3 per 100 seats
<b>Restaurants and Cafés</b>	1 and 2 3	1 per 150 sq.m 1 per 200 sq.m
<b>Public Houses</b>	1 and 2 3	1 per 150 sq.m 1 per 200 sq.m
<b>Primary Schools</b>	All zones	1 per 3 pupils
<b>Student Accommodation</b>	All zones	1 per 2 pupils
<b>Other Educational Buildings</b>	All zones	1 per 3 pupils/students
<b>Funeral Homes</b>	All zones	As required
<b>Hospitals</b>	1 2 3	1 space/4 hospital beds 1 space/5 hospital beds 1 space/6 hospital beds
<b>Cultural and Recreational Buildings</b>	1 2 3	1 per 100 sq.m 1 per 150 sq.m 1 per 200 sq.m

**Figure 5.6:** Dublin City Development Plan Car Park Standards

No new car parking spaces are proposed as part of the proposed development. The consented scheme (ABP-306569-20) provides a total of 26no. car parking spaces allocated to a bespoke car club for the purpose of non-commuting trips for the residents of the apartments.

We refer the Board to Chapter 6 ‘Transport’ of this EIAR and the Transportation Assessment, prepared by ARUP Consulting Engineers. A reduced quantum of residential car parking is appropriate due to the site’s excellent accessibility to city centre employment and amenities, and public transport.

The proposed development is consistent with the Development Plan standards for car parking. A detailed Planning Application Report and Statement of Consistency has been included with the planning application documents.

## 5.12.2 ADDITIONAL SUPPORTIVE PLANNING POLICY IN DUBLIN

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

The overarching aim of this Action Plan is to ramp up delivery of housing from its current undersupply across all tenures to help individuals and families meet their housing needs. It sets ambitious targets to double the annual level of residential construction to 25,000 homes and deliver 47,000 units of social housing in the period to 2021, while at the same time making the best use of the existing housing stock and laying the foundations for a more vibrant and responsive private rented sector.

The plan has 5 key pillars: Pillar 1- address homelessness; Pillar 2 - accelerate social housing; Pillar 3 - build more homes; Pillar 4 - improve the rental sector; and Pillar 5- utilise existing housing. Pillars 3 & 4 are particularly relevant in terms of the subject site, as they seek to increase the output of private housing to meet demand and to address the obstacles to greater private rented sector delivery, to improve the supply of units at affordable rents.

The action related to Pillar 3 is to deliver 25,000 units per annum in the period until 2021.

The proposed development supports the delivery of this Action Plan by providing much needed residential accommodation at a strategic site at the edge of Dublin city centre. A detailed Planning Report and Statement of Consistency has been included with the planning application documents.

### 5.12.2.2 National Development Plan

The National Development Plan (NDP) sets out the investment priorities that will underpin the implementation of the NPF. This will guide national, regional and local planning and investment decisions in Ireland until 2040 in order to cater for an increasing population. The plan sets out the government's commitment to invest €116 Billion over this period.

Ten National Strategic Outcomes are outlined in the NPF. In alignment with the NPF, the NDP sets out the new configuration for public capital investment over the next ten years to secure the realisation of each of the National Strategic Outcomes. This is to improve the way public capital investment is planned and co-ordinated in a modern and growing society, leading to improved public services and quality of life. The 10 National Strategic Outcomes of the NPF & NDP are:

- Compact Growth
- Enhanced Regional Accessibility
- Strengthened Rural Economies and Communities
- Sustainable Mobility
- A Strong Economy, supported by Enterprise, Innovation and Skills
- High-Quality International Connectivity
- Enhanced Amenity and Heritage
- Transition to a Low-Carbon and Climate-Resilient Society
- Sustainable Management of Water and other Environmental Resources
- Access to Quality Childcare, Education and Health Services

Of the ten National Strategic Outcomes, the most relevant to the proposed development are Compact Growth and Sustainable Mobility.

Compact Growth aims to secure the sustainable growth of more compact urban and rural settlements supported by jobs, houses, services and amenities, rather than continued sprawl and unplanned, uneconomic growth. This requires streamlined and co-ordinated investment in urban, rural and regional infrastructure by public authorities to realise the potential of infill development areas within our cities, towns and villages. This will give scope for greater development densities in areas that are centrally located.

To help achieve compact growth the government is establishing a Urban Regeneration and Development fund, aimed at among other things, docklands and quays regeneration, city centre renewal and brownfield development facilitation.

To achieve the National Strategic Outcome of Sustainable Mobility, the NDP envisages investment of €8.6 billion in key transport projects up until 2027. Included in these transport projects are Metro Link Dublin, Bus Connects Dublin and the electrification and expansion of the DART.

A high density scheme at this location, as proposed, is supported by the NDP objective for Compact Growth. It is also supported by the objective for Sustainable Mobility, in that it is served by excellent public transport, cycle and pedestrian infrastructure.

A high density scheme at this location, as proposed, would be supported by the NDP objective for Compact Growth. The proposed development complements the already consented project (ABP-306569-20) that respectfully integrates the site's built heritage, including protected structures and cultural associations. The combined scheme will enhance public accessibility to the river, thereby potentially giving rise to greater appreciation of these features that contribute to the unique identity of the city. It would also be supported by the objective for Sustainable Mobility, in that it is served by excellent public transport, cycle and pedestrian infrastructure.

#### 5.12.2.3 Transport Strategy for Greater Dublin Area 2016 – 2035

This strategy<sup>14</sup> has been prepared by the National Transport Authority. The Vision of this strategy is for Dublin to be a competitive, sustainable city-region with a good quality of life for all by 2030. The Strategy includes five overarching objectives to achieve the vision which are as follows:

- Build and strengthen communities.
- Improve economic competitiveness.
- Improve the built environment.
- Respect and sustain the natural environment.
- Reduce personal stress.

The Strategy sets out measures to achieve the vision and objectives for the GDA. These include better integration of land use planning and transportation, consolidating growth in identified centres, providing more intensive development in designated town and district centres and control parking supply. A key element of the strategy is the DART expansion programme service including the provision of a new DART Underground which is an underground rail link through the City Centre, allowing DART services to operate on the Kildare line and travel through the tunnel, enabling passengers to connect with DART services on the other three rail lines.

The proposed development which provides for a rejuvenation of a strategically located brownfield site adjacent to good quality public transport is entirely consistent with the vision and objectives of the Transport Strategy for the GDA.

<sup>14</sup> NTA, 2016. *Greater Dublin Area Transport Strategy 2016-2035*.

5.12.2.4 Managing Intensification & Change (2000)

The Duffy Ely Giffone Worthington (DEGW) study of 2000 *‘Managing Intensification and Change: A Strategy for Dublin Building Height’* identified Heuston Station and its environs as a suitable location for tall buildings. This study identifies character areas in Dublin City and then maps areas according to their condition for change, in order to define potential for increased density and increased building height. This study argues that Dublin should aim to retain its character through a policy of incremental change, whilst allowing for large scale growth of building form at certain strategic locations.

The Heuston area and its environs can be identified as a *‘potential new character area with contextual constraints’*. Such areas have a diversity of grain and height and can consequently facilitate new development of higher buildings that relate to the existing character without compromising the local context. The character of future development in such areas should be dictated by *“the timescale for change – market demand; relation to public transport ; local grain; the size of sites; ownership structure and pattern”*

The DEGW study has three criteria for identifying locations suitable for the placement of individual high buildings:

- Key focal or converging points within the road structure of the city wide plan
- Primary public transport nodes which act as gateways to the city
- Locations which capture long, continuous views across city wide corridors, e.g. Along the river Liffey.

Exhibit 5 (reproduced below in Figure 5.7) of the study identifies Parkgate Street as “Converging point of road structure” and therefore suitable for individual high building. Building at this location should relate to the context and should be of a slender build. The study also identifies locations suitable for the provision of high-rise clusters, including Heuston Station and its environs.

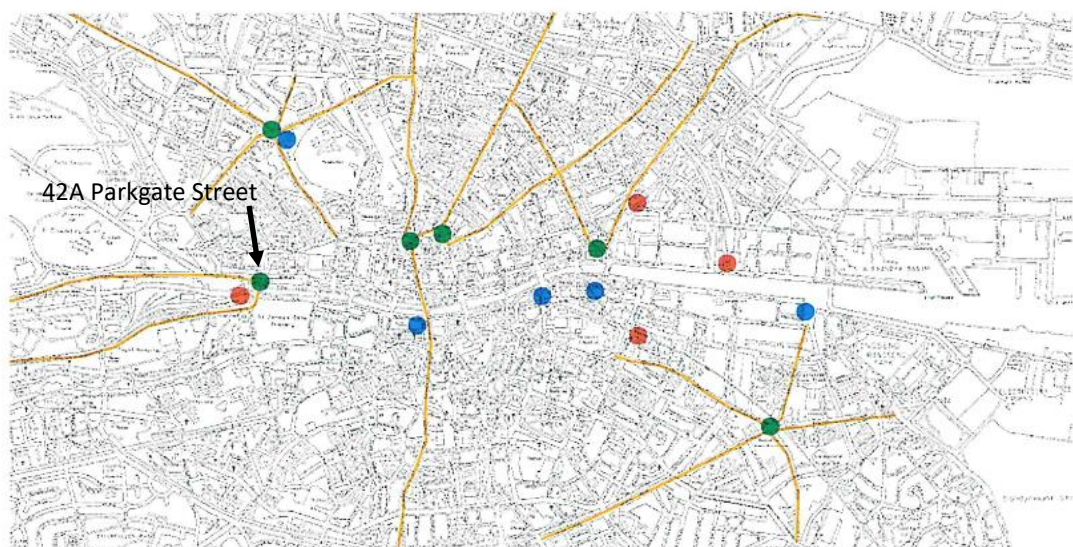


EXHIBIT 5: POTENTIAL LANDMARK LOCATIONS FOR HIGH BUILDINGS

- Primary public transport nodes
- Termination point of long views along the river corridor
- Converging point of road structure

**Figure 5.7:** Potential Landmark Locations for Tall Buildings in Dublin with Subject Site Highlighted (SLA overlay in Black)

The proposed development is supported by the conclusions of this study.



We refer the Board to the detailed Planning Application and Statement of Consistency, included with the planning application documents.

We refer the Board also to the 'Parkgate Street: A Focus for Heuston Northern Quarter – Expert Opinion in Support of Planning Submission to An Bord Pleanála', prepared by John Worthington & Lora Nichlaou, that accompanies the planning application, and which endorses the proposed development from a placemaking perspective.

#### 5.12.2.5 Heuston Gateway: Regeneration Strategy and Development Framework Plan (2003)

This planning document describes the development framework proposals for the subject site. The document highlights that the subject site has excellent development potential due to its positioning at the gateway to the city beside the river and Heuston Station, the accessibility of the site and the views to and from the city centre.

The proposed development is consistent with this plan, which is included within the principles set out for SDRA7 Heuston & Environs, contained in the Dublin City Development Plan 2016-2022.

A detailed Planning Application Report and Statement of Consistency has been included with the planning application documents.

### 5.13 Conclusion

This SHD application relates to a new development proposal for the Block A residential tower at Parkgate Street. It responds to the split decision by An Bord Pleanála on SHD Ref ABP-306569-20, whereby permission was granted for the redevelopment of this site, but with the omission of Block A (the proposed development).

A revised proposal for Block A is therefore being put forward, which we consider fully responds to the concerns raised by the Planning Authority and the Board in the case of the previous building design.

The proposed development is located on a prominent site, even from a citywide perspective. In immediate proximity to Heuston Station, the revised Block A has the potential to provide a gateway marker of architectural excellence, at the western edge of Dublin city centre.

Although containing a number of protected structures and other features of historic and cultural interest, the wider site does not currently fulfil that role. It is a prime vacant, brownfield site, which lies within a Strategic Development & Regeneration Area (SDRA). The redevelopment and intensification of the site is actively sought by Dublin City Council, and can be achieved with the implementation of ABP-306569-20 in combination with the proposal for new residential landmark building Block A (the proposed development).

The proposed development complies with the zoning objectives of the site. It provides, in combination with consented development (ABP Ref. 306569-20), a vibrant, mixed use development on Z5 city centre lands and animates the permitted high-quality public open space on the riverside within the Z9 portion of the site.

The building height policy and SDRA7 principles contained in the City Development Plan support the development of a tall building at this site, within Heuston & Environs. Both the Board and Dublin City Council have been consistently supportive in principle of a tall, slender building, of excellent landmark quality, being located at this site.

The proposed residential units are Build-to-Rent apartments. The development site is suitable for this type of unit, being centrally located and within walking distance of key employment, retail, leisure and other services of Dublin city centre. It is also served by high frequency public transport – namely rail, Luas and Dublin Bus.

As outlined in this chapter, the proposed development aligns with current national, regional and local planning and development policy, and consequently with the proper planning and sustainable development of the area from a policy perspective. Assessment of the potential environmental

impact of the physical design of the proposed development is addressed in other chapters of this EIA.