

**STRATEGIC HOUSING DEVELOPMENT PLANNING
APPLICATION
RESPONSE TO AN BORD
PLEANALA OPINION**

**FOR LANDS AT HOLY CROSS COLLEGE, CLONLIFFE ROAD, DUBLIN 3
AND DRUMCONDRA ROAD LOWER, DRUMCONDRA, DUBLIN 9**

BSM

Est.
1968

**Brady Shipman
Martin**

**Built.
Environment.**

Place
Making
**Built
Environment**

Client

**CWTC Multi Family ICAV acting on behalf of its
sub-fund DBTR DR1 Fund**

Date

July 2021

Brady Shipman Martin

www.bradysipmanmartin.com

DUBLIN

Canal House
Canal Road
Dublin 6

+353 1 208 1900

CORK

Penrose Wharf Business Centre
Penrose Wharf
Cork

+353 21 242 5620

LIMERICK

11 The Crescent
Limerick

+353 61 315 127

mail@bradyshipmanmartin.com

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1 INTRODUCTION

Brady Shipman Martin have prepared this Report in Response to the Opinion of An Bord Pleanala of 3rd February 2021. This Response has been prepared under Article 285(5) (b) of the Planning and Development (Strategic Housing Development) Regulations 2017 in association with the Applicant and Design Team and also provides the specific information as requested by the Board.

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

2 ISSUES TO BE ADDRESSED IN ORDER FOR THE DOCUMENTS TO CONSTITUTE A REASONABLE BASIS FOR AN APPLICATION

In its Opinion of 3rd of February 2021 ABP set out 1 no. item that should be specifically addressed by the application for permission in order for the documents to constitute a reasonable basis for an application under Section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016. Our response to these items is set out below and cross referenced to the Design Team Reports.

2.1 Residential Amenity

Item 1 of the ABP Opinion states:

Further consideration and/or justification of the documents as they relate to impact of the proposed development on the residential amenity of the existing neighbouring dwellings, having regard, inter alia, the location and design of Block D2 and the potential for a negative impact on the visual and residential amenity of existing occupants to the east. Additional Computer-Generated Images (CGIs) and visualisation/cross section drawings showing the proposed development in the context of the existing residential properties surrounding the site may further elaborate on the visual impact on these properties. This further consideration may require the submission of updated sunlight and daylight analysis detailing compliance with the recommended standards.

In response to the Pre-Application Consultation Tri-partite meeting and the subsequent Opinion from An Bord Pleanala the scheme as submitted at Pre-Application Consultation Stage has been amended to address the above.

The below diagrams show the development of Block D2 and the relationship with the neighbouring buildings and proximity to the boundary line in parallel with the discussions with Dublin City Council and An Bord Pleanala.

Pre App



Diagram - Massing & Height Strategy - Block D2 Pre-Application Proposal

Current

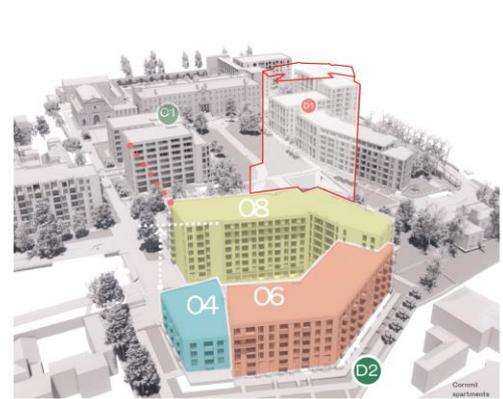


Diagram - Massing & Height Strategy - Block D2 Current Proposal

The massing of the blocks has evolved further since the ABP Opinion to address any issues in respect of potential impact on the neighbouring Cornmill apartments.

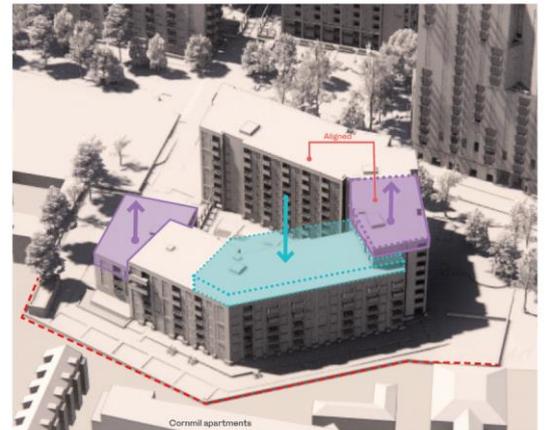


Diagram - Massing Adjustments - Block D2 Current Proposal

- Massing height reduced by 1 storey relative to existing neighbouring buildings
- Distance of block D2 facade to boundary line and cornmill apartments increased
- Massing proportion amended by 1 storey to ends of lengthened 6 storey mass

The building line on the eastern façade of Block D2 has been set back further from the site boundary and subsequently the separation from the adjacent Cornmill Apartments has increased. In terms of height, as the scheme now reduces from 7 storeys at its highest along this edge to 6 storeys to more appropriately respond to the heights in the adjacent buildings.

Additional sections are included in the architectural drawings packs which set out the schemes relationship with adjacent developments and impact on adjacent properties. With regards to daylight level and sunlight penetration, this has been included in the assessment in the Daylight and Sunlight Availability Report prepared by Arup. With specific reference to the Cornmill Apartments, are demonstrated to comply with or exceed the BRE requirements and for the

Cornmill Row (houses to south of Cornmill development) on 4% of units will experience a minor adverse impact.

It is considered that the this amendment to the scheme as presented at Pre-Application Consultation stage is considered a sufficient response to the concerns raised by An Bord Pleanala that required further consideration. The scheme as proposed is considered to be of a high quality and will significantly and positively integrate into the established neighbourhood.

3 SPECIFIC INFORMATION REQUESTED BY AN BORD PLEANALA

In its Opinion of 3rd of February 2021 ABP set out 12 No. items of specific information that should be enclosed with the application under Article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017.

3.1 Masterplan

Item 1 of the ABP Opinion requests:

The provision of an integrated masterplan strategy for the delivery of a proposed residential development including the co-ordination of all plans and particulars, inter alia, Natura Impact Assessment, Construction Management Plan, Surface Water proposals, Flood Risk Assessment and a detailed Phasing Plan.

Response:

In line with the requirements of the Z12 Zoning on the Holy Cross College lands a Masterplan, which has been prepared on behalf of Hines and the GAA, has been prepared in respect of all of the Clonliffe Lands that are subject to the Z12 zoning and the Z9 zoning as a key part of the green infrastructure of the site. The Masterplan describes the future strategic vision and structure for the redevelopment of lands. The Development Plan requires a single Masterplan vision for the use of the lands within the area subject to the zoning, irrespective of the current ownership structure.

The Masterplan represents the intentions of the main institutional stakeholder of the lands, working in co-operation with the other landowners within the subject Z12 area and with Dublin City Council to deliver a vision for the integrated and sustainable development of the lands, while retaining the main institutional use in an enhanced condition and setting.

The Masterplan lands include lands which are currently or in the future will be in the control of Hines, the GAA and the Archdiocese in addition lands in the ownership of Belvedere College are identified as they form part of the Z12 Zoning but are not subject to change in the Masterplan.

The primary vision of the Masterplan is to create a legible, easy to navigate, and welcoming piece of city that is pleasant to use, recognise and incorporates the history of the lands and associated built heritage and benefits from identifiable new buildings and public spaces. The Masterplan will ensure that the scale of the development will have a relationship with the existing suburban context, but also recognising that there is a need for higher density development, subject to appropriate safeguards in order to regenerate the area in an ambitious way. Taller buildings, where provided for, will act as ‘markers’ for major new open spaces.

The Masterplan Document has accompanied the application for the Hotel on the south east corner of the site, as the first application submitted under the Masterplan. This Application now seeks to bring forth the substantive elements of the Masterplan in the form of a significant new residential development and associated public open space.

The Masterplan was prepared with input from all disciplines including ecology, flood risk, co-ordination of services, construction phasing etc. and equally has informed the scheme as proposed under this application.

The Masterplan has been considered comprehensively in the proposed approach as set out in this Strategic Housing Development Application and is detailed in this report, and in the Masterplan Report and Site Strategy Report prepared by HJL.

3.2 Housing Mix

Item 2 of the ABP Opinion requests:

The proposed development shall be accompanied by detailed report providing a justification and rationale for the apartment mix proposed, having regard to, inter alia, National and Local planning policy, the site’s context, and locational attributes. The report should outline the mix rationale in light of both SPPR 9 of the Sustainable Urban Housing: Design Standards for New Apartments (2020) and Policy SN1 & QH6 of the Dublin City Development Plan.

Response:

We note An Bord Pleanála’s reference to SPPR9 however it is assumed that this should read as SPPR 8 (i), as SPPR9 relates to Shared Accommodation/Co-Living of which there is none proposed.

It is submitted that the proposed scheme has been considered in the context of SPPR 8 (i) of the Sustainable Urban Housing: Design Standards for New

Apartments (2020) and Policy SN1 & QH6 of the Dublin City Development Plan which are set out as follows:

***SPPR 8 (i):** No restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise;*

As stated in SPPR 8 (i) of the Sustainable Urban Housing: Design Standards for New Apartments (2020) no restrictions on dwelling mix shall apply and as such the proposed scheme is in compliance with SPPR 8 (i).

***QH6:** To encourage and foster the creation of attractive mixed-use sustainable neighbourhoods which contain a variety of housing types and tenures with supporting community facilities, public realm and residential amenities, and which are socially mixed in order to achieve a socially inclusive city.*

***SN1:** To promote good urban neighbourhoods throughout the city which are well designed, safe and suitable for a variety of age groups and tenures, which are robust, adaptable, well served by local facilities and public transport, and which contribute to the structure and identity of the city, consistent with standards set out in this plan.*

Policies QH6 and SN1 of the Dublin City Development Plan 2016-2022 are contained within the Plan to ensure that high quality and sustainable neighbourhood are created and maintained in the City. Part of this requires the provision of housing choice both in terms of units for purchase and rent and in unit sizes and types.

The primary consideration in Dublin City Council's comments is in respect of the proposed mix of units, which in line with SPPR 8, relates to predominantly studio and 1 bed units. It is considered that while the mix is predominantly studios and 1 bed units the scheme is providing 472 no. 2 and 3 bed units.

As set out in the Housing Needs Assessment and Unit Mix Analysis by KPMG Future Analytics as part of this application, the proposed development is located in an established built up area with limited development opportunities. There has been minimal to negative population growth in this area over the past 20 years compared with more suburban parts of the county and the direct core of Dublin City with population growing by 24% over 20 years or 1% per annum and accounted for +15,296 new persons over the period.

New population and housing in the area has been very minor since 2000, with just 20.6% of all units built post-2000. Future population growth potential is strongly linked to future consented planning pipeline. Both housing and population density within the existing 2km catchment of the Clonliffe Road site are significantly lower than the core city centre area, and the targeted densities

for the wider city. The catchment has an average population density of 65 persons per hectare and a housing density of 28 units per hectare. The Dublin City Council Development Plan 2016-2022 indicates that higher densities of development should be supported in areas close to the city centre with higher capacity to support growth.

Projected population growth over the next 10 years will create significant additional demand for housing (private and social) in the wider Dublin City market area. As Drumcondra is located next to the city centre, in close proximity to high quality public transport, the demand for units at this location is likely to be very strong. While the average cost to buy and rent is higher in Dublin City than it is in the wider Dublin Region or nationally, it is likely to experience greater demand for housing on account of other demand factors, such as accessibility, proximity to employment opportunities, and an average household size that will likely follow the Dublin wide trend shifting toward smaller unit sizes.

In terms of contribution to the established neighbourhood and greater typology mix, the scheme provides for significant public open space for both proposed and existing residents. The network of open space will also provide for greater permeability between Drumcondra and Clonliffe Road/Ballybough and into the Docklands and City Centre with interspersed new social uses including a crèche, café and retail unit to serve both the new and existing community without detracting from the existing offerings in the area.

As outlined in the Site Strategy Report, the units types are adaptable in the future should the market demand move away from the proposed units ensuring future proofing.

The existing area has a strong and diverse community and has a predominance of housing as the typology (c. 60% of units in the area are houses)- the blending of the proposed development into the existing typology will provide people with the opportunity to live in this area which is close to the city with extensive local amenities. The focus of the applicant is to facilitate longer term rental ensuring that people who live here become part of the existing neighbourhood.

As such it is considered that the proposed scheme, in the context of the existing neighbourhood, provides for an *'attractive mixed-use sustainable neighbourhoods'* and *'a good urban neighbourhood'* in compliance with Policies QH6 and SN1 of the Dublin City Development Plan 2016-2022.

3.3 Dual Aspect

Item 3 of the ABP Opinion requests:

A report detailing the quantum of dual aspect units provided having regard to, but not limited, the requirements of SPUR 4 of the Sustainable Urban Housing:

Design Standards for New Apartments, Guidelines for Planning Authorities (2020). The report shall clearly identify true dual aspect units required to meet the minimum requirements and be accompanied by a detailed design rationale report. A comprehensive justification is required for any proposed north facing single aspect units.

Response:

With regards to dual aspect units the Development Plan and the Urban Development and Building Height Guidelines require that a minimum of 50% of the overall number of units in a scheme should be dual aspect for a suburban or intermediate locations and that a minimum of 33% of dual aspect units will be required in more central and accessible urban locations.

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.

Where single aspect apartments are provided, the provision 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.

The proposed scheme is in compliance with the amended mix requirements of SPPR 4 of the Urban Development and Building Height Guidelines which states:

SPPR 4

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.*
- (ii) **In suburban or intermediate locations it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.** [our emphasis]*
- (iii) For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha , planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects*

The proposed scheme includes for an overall 51% of dual aspect units, in compliance with the Development Plan and Guidelines standards.

The Dual Aspect calculation, as set out in Vol. 5- Dual Aspect Report prepared by the scheme architects, excludes the proposed residential units contained in the existing Seminary Building, but includes the proposed new built elements, given the constraints of the adaption of the Protected Structure and the ability to provide for any dual aspect units.

There are no north facing single aspect units in the proposed scheme.

3.4 Community and Social Infrastructure Audit

Item 4 of the ABP Opinion requests:

A Community and Social Infrastructure Audit detailing the existing community services available in the vicinity of the site and those proposed within the proposed development. This shall be accompanied by a map to support the information in the audit.

Response:

As requested by An Bord Pleanála and as required by the Dublin City Development Plan Section 16.10.4 ('Making Sustainable Neighbourhoods') a "Social & Community Infrastructure Audit" and "Schools Demand and Childcare Facilities Assessment" has been prepared as part of this application.

These reports, prepared by BSM, recognises that the subject site is located in a well-established neighbourhood of Dublin city, in close proximity to the city and well served by public transport which connects it to the wider city area. It equally recognises that there is a well-established social, community, recreation, and education infrastructure in the area, which the proposed development can contribute to, sustain, and further expand with a new residential community, new crèche facility, and in addition the proposed significant and extensive public open space provided for in the scheme.

3.5 Traffic and Transport Assessment

Item 5 of the ABP Opinion requests:

A Traffic and Transport Assessment including, inter alia, a rationale for the proposed car parking provision should be prepared, to include details of car parking management, car share schemes and a mobility management plan.

Response:

A Traffic Assessment has been prepared by Systra as well as a Transport Chapter in the EIAR. The report include a rationale for the proposed car parking provision

as well as the breakdown and details of car parking management, car club spaces and a mobility management plan.

3.6 Public Open Space

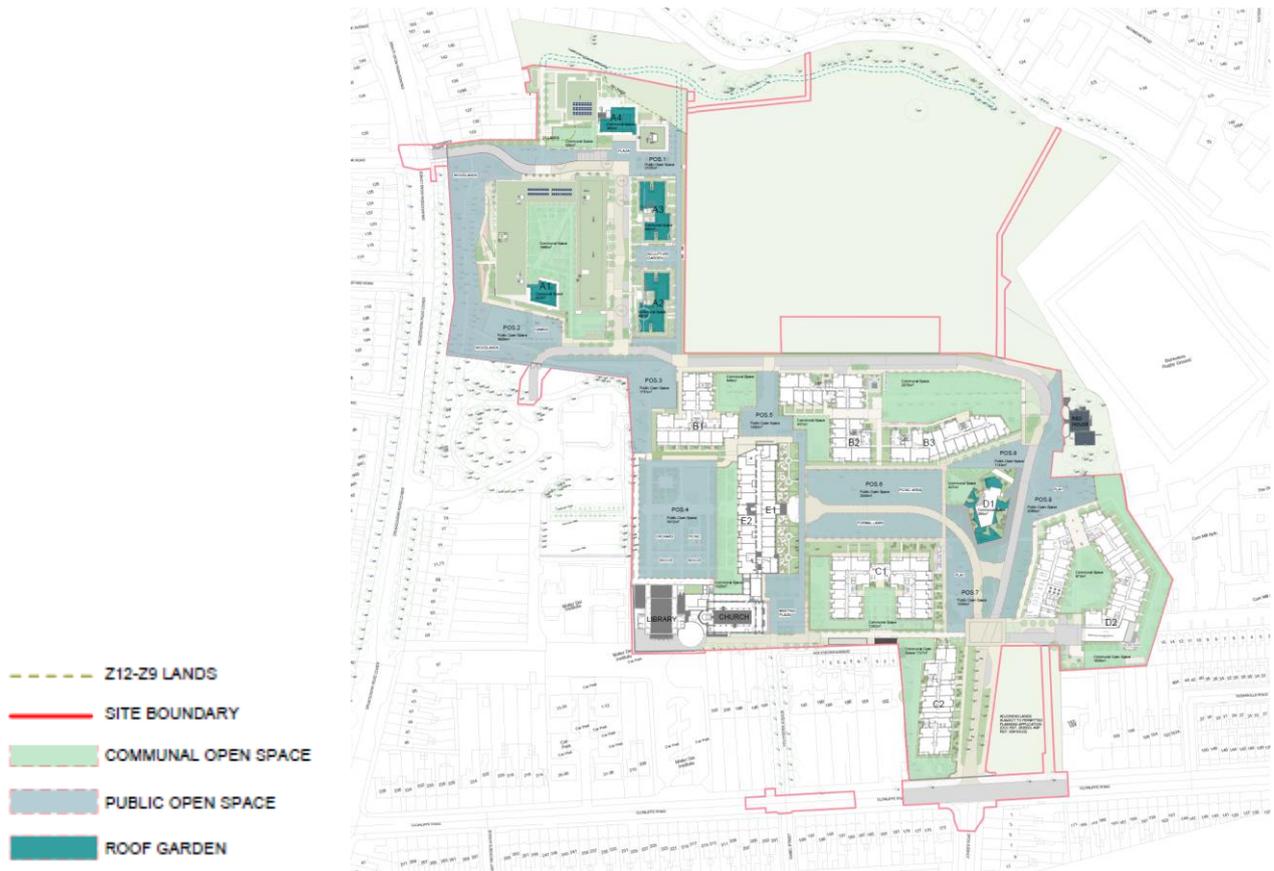
Item 6 of the ABP Opinion requests:

A quantitative and qualitative assessment which provides a breakdown of the public open space. The assessment shall detail the functionality of the public space and shall disregard any areas required for circulation space such as footpaths between buildings etc.

Response:

The public open space is a key feature of the proposed scheme. The proposed development meets this requirement through the landscape strategy which responds to the rich green character of the surrounding context along the river Tolka, the tree lined Drumcondra Road. The development plots have been defined by the site heritage and existing landscaping features. The intention is to 'gently' site the buildings within the landscape in order to create a sustainable, yet legible urban grain.

The Open Space for the scheme has been planned without boundaries as an open permeable and welcoming piece of public realm. The semi-private communal space bleeds into the public open space with a series of smaller pocket spaces designed for seating, exercise or play.



Roof gardens have been proposed, in select locations, to capture views and create a unique amenity for the development. Communal open space - whilst visually permeable - will have defined boundaries to secure it - a 1.1m railing with hedges either side to ensure residents safety and tree planting with pergola surrounding it. The hierarchy of space radiates out from The Formal Lawn, the primary space. With highly active areas, secondary spaces and a series of smaller tertiary spaces arranged throughout the masterplan as connective tissue, tying the entire development together as one cohesive masterplan and a series of interconnected spaces.

Public open space is provided at 25% of the development area which amounts to c.2 ha or 20,410 sq.m in excess of the Development Plan requirements of 20%.

This is considered further in the Landscape Design Report prepared by NMP as well as landscape open space plan L1-301 (also above) for further detail of overall strategy.

3.7 Surface Water Management

Item 7 of the ABP Opinion requests:

Design of the proposed surface water management system including attenuation features and cross sections of all SuDS features proposed on site in the context of surface water management on the site, discharge rates equal to greenfield sites,

integration of appropriate phased works, Finished Floor Levels and subsequent integration of proposal with the Flood Risk Assessment (FRA).

Response:

DCC Drainage Division commented upon the surface water and flood risk aspects of the Pre-Application Consultation submission, and this formed part of their submission to ABP at PAC stage. Since Pre-Application Consultation BMCE have liaised with DCC Drainage in respect of their comments and submitted a technical memo (19.253.MO.002) to DCC on 2 April 2021. The memo is included in Appendix 8, of the Infrastructure Design Report prepared by BMCE, and alterations to the surface water design have been incorporated into the submitted drawings, arising from same.

3.8 Taking In Charge

Item 8 of the ABP Opinion requests:

A drawing detailing all areas proposed for Taking in charge.

Response:

The proposed scheme proposes no areas for taking in charge by Dublin City Council. Areas of the application boundary which are included by consent from Dublin City Council are already in their control and will remain so. The public open space as proposed will be managed by the management company but will be open to both existing residents and the public.

3.9 Response to Dublin City Council Pre-Application Reports

Item 9 of the ABP Opinion requests:

Response to issues raised in the Appendices of Planning Authority Report, received on the 18th of December 2020, which includes the internal reports of the Transportation Planning Dept. relating to the integration of the Bus Connects and details of the cycling infrastructure, the report of the Drainage Dept. relating, inter alia, surface water design and flood risk assessments and the Conservation officer relating, inter alia, proposed works to the protected structures.

Response:

Each of the relevant Design Team Members have provided a response to the issues raised in the Appendices of Planning Authority Report, received on the 18th of December 2020, in their individual design statements/reports.

3.10 Estate Management Plan & Building Lifecycle Report

Item 10 of the ABP Opinion requests:

Proposals for the management and operation of the proposed development as 'Build-to-Rent' scheme in accordance with Specific Planning Policy Requirement No. 7 of the Guidelines on Design Standards for New Apartments, including detailed proposals for the provision and management of support facilities, services and amenities for residents. A Building Lifecycle Report in accordance with section 6.13 of the guidelines should also be submitted and shall detail the appropriate use of external materials on all elevations. The plan shall also address the management and maintenance of public spaces and access to the development.

Response:

Details of the long term management of the scheme is set out in the Estate & Common Areas Management Plan prepared by Aramark with the long term maintenance of the development being set out in the Building Lifecycle Report also prepared by Aramark.

4 CONCLUSION

The Response set out herein outlines that the items for further consideration and specific items requested by An Bord Pleanála to be contained within an SHD application for the site at Holy Cross College, have been both considered and included.

It is respectfully submitted that the proposed development will provide an appropriate form of high quality residential development and significant public opens space on this former institutional lands proximate to the City Centre. This Response to An Bord Pleanála and the accompanying documentation, demonstrates that the proposed development is consistent with the national, regional and local planning policy framework, and that the proposal will provide for an effective and efficient use of this former institutional lands which are highly accessible and well served by public transport.

In conclusion, 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 proposal should be permitted by An Bord Pleanála.