



THORNTON O'CONNOR  
TOWN PLANNING

# Statement of Consistency

## Planning Application

In respect of a Residential Development at

Milltown Park, Sandford Road, Dublin 6

Submitted on Behalf of  
Sandford Living Limited

September 2021



## **1.0 INTRODUCTION**

### **1.1 Multi-Disciplinary Team**

## **2.0 DESCRIPTION OF DEVELOPMENT AND BACKGROUND TO THE PROPOSAL**

### **2.1 Description of the Proposed Development**

### **2.2 Background to the Proposed Development**

## **3.0 SITE LOCATION, DESCRIPTION AND CONTEXT**

### **3.1 Site Location**

### **3.2 Existing Building Range on Site**

### **3.3 Site Context**

### **3.4 Accessibility**

#### **3.4.1 Introduction**

#### **3.4.2 Luas Light Rail**

#### **3.4.3 Existing Bus Services**

#### **3.4.4 A Large Variety of Business Districts and Employment Locations Can be Easily Accessed By Public Transport and Many Are Also Within Easy Cycling and Walking Distance of the Subject Site**

### **3.5 Summary**

## **4.0 NATIONAL POLICY**

### **4.1 *Project Ireland 2040: The National Development Plan 2018-2027***

### **4.2 *Project Ireland 2040: National Planning Framework***

#### **4.2.1 Introduction**

#### **4.2.2 National Strategic Outcomes and Objectives**

#### **4.2.3 Population Growth and Employment**

#### **4.2.4 Current Trends in Tenure and Household Formation in Ireland**

#### **4.2.5 Sustainable Modes of Transport**

#### **4.2.6 Scale, Massing and Design**

#### **4.2.7 Waste and Environmental Issues**

### **4.3 *National Spatial Strategy 2002-2020***

### **4.4 *Action Plan for Housing and Homelessness, Rebuilding Ireland***

### **4.5 *Urban Development and Building Heights – Guidelines for Planning Authorities (December 2018)***

### **4.6 *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, 2020***

### **4.7 *Urban Design Manual – A Best Practice Guide (2009);***

### **4.8 *Design Manual for Urban Roads and Streets (2019)***

#### **4.8.1 Policy Background**

#### **4.8.2 Site Layout and Legibility**

#### **4.8.3 Sustainable Transport**

### **4.9 *The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009)***

### **4.10 *Guidelines for Planning Authorities on Childcare Facilities (2001) and the Child Care Act 1991 (Early Years Services) Regulations 2016***

## **5.0 REGIONAL POLICY**

- 5.1 *Regional Planning Guidelines for the Greater Dublin Area 2010-2022*
- 5.2 *Regional Spatial and Economic Strategy for the Eastern and Midlands Region*

## **6.0 LOCAL POLICY**

- 6.1 *Dublin City Development Plan 2016 – 2022*
  - 6.1.1 Zoning
  - 6.1.2 Architectural Conservation Area and Protected Structures
  - 6.1.3 Building Height
  - 6.1.4 Density and Plot Ratio
  - 6.1.5 Dual Aspect
  - 6.1.6 Variety of Accommodation Types
  - 6.1.6 Infill Development and Redevelopment Policies
  - 6.1.7 Infill Development and Redevelopment Policies
  - 6.1.8 Social and Community Infrastructure Audit
  - 6.1.9 Transport Policies
  - 6.1.10 Environmental and Sustainability Policies
  - 6.1.11 Infrastructure Policies
  - 6.1.12 Urban Design Policies
  - 6.1.13 Architectural Heritage
- 6.2 Other Relevant Development Standards in the *Dublin City Development Plan 2016-2022*
  - 6.2.1 Public Open Space
  - 6.2.2 Communal Open Space
  - 6.2.3 Private Open Space
  - 6.2.4 Car Parking Standards
  - 6.2.5 Bicycle Parking Standards
- 6.3 Conclusion

## **7.0 CONCLUSION**

## 1.0 INTRODUCTION

### 1.1 Multi-Disciplinary Team

Thornton O'Connor Town Planning in association with O' Mahony Pike Architects, DBFL Consulting Engineers, Molloy and Associates Conservation Architects, O'Connor Sutton Cronin Engineers, Cameo and Partners Design Studio, CMK Horticulture and Arboriculture, 3D Design Bureau, Modelworks, JBA Consulting, Pritchard Themis, AWN Consulting, Archer Heritage Planning Limited, KPMG Future Analytics, Invasive Plant Solutions, Maurice Johnson & Partners, Aramark Property and Independent Site Management have been retained by Sandford Living Limited to prepare a planning application for a proposed residential development and a creche at a c. 4.26 ha site at Milltown Park, Sandford Road, Dublin 6. The total application area also includes road works (Milltown Road and Sandford Road) and drainage works (Eglinton Road) providing an application site area of c. 4.74 ha.

The Applicant, Sandford Living Limited, intend to develop a high-quality residential development comprising 671 No. units on a plot of land that is significantly underutilised at a location in proximity to public transport, services and facilities. The proposed development includes 67 No. Build-to-Sell units and 604 No. Build-to-Rent units. The scheme also includes ancillary residential support amenities and facilities and a creche.

The *Planning & Development (Strategic Housing Development) Regulations 2017* specify that all SHD applications must be accompanied by a statement demonstrating that the proposal is consistent with the relevant National, Regional and Local policies. This Statement of Consistency Document demonstrates that the proposed scheme is fully consistent with national, regional and local planning policy.

The following documents are discussed throughout this Statement:

#### National

1. *Project Ireland 2040 – National Development Plan 2018-2027;*
2. *Project Ireland 2040 – The National Planning Framework;*
3. *National Spatial Strategy 2002 – 2020;*
4. *Action Plan for Housing and Homelessness, Rebuilding Ireland;*
5. *Urban Development and Building Heights – Guidelines for Planning Authorities (December 2018);*
6. *Sustainable Urban Housing: Design Standards for New Apartments-Guidelines for Planning Authorities (December 2020);*
7. *Urban Design Manual – A Best Practice Guide (2009);*
8. *Design Manual for Urban Roads and Streets (2019);*
9. *The Planning System and Flood Risk Management (2011);*
10. *Guidelines for Planning Authorities on Childcare Facilities (2001) and Guidelines for Planning Authorities on Childcare Facilities (2001) and the Child Care Act 1991 (Early Years Services) Regulations 2016.*

#### Regional

11. *Regional Planning Guidelines for the Greater Dublin Area 2010 – 2022;*
12. *Regional Spatial and Economic Strategy for the Eastern and Midland Region; and*

#### Local

13. *Dublin City Council Development Plan 2016 – 2022.*

## 2.0 DESCRIPTION OF DEVELOPMENT AND BACKGROUND TO THE PROPOSAL

### 2.1 Description of the Proposed Development

The subject lands have been purchased by Sandford Living Limited with the intention of developing a high-quality residential development and a creche along with an extensive range of public open spaces that will be available to the wider community, in addition to residential support facilities and amenities. In summary, the development proposes the demolition of a number of existing vacant structures (Milltown Park House, the rear extension/linking block between Tabor House and Milltown Park House, the Finlay Wing, the Archive, the link building between Tabor House and Milltown Park House rear extension to the front of the Chapel, and a portion of the 'red brick link building' (single storey over basement) towards the south-western boundary); the refurbishment and reuse of Tabor House and the Chapel; and the construction of 671 No. residential units (607 No. Build-to-Rent and 67 No. Build-to-Sell units).

The full description as per the Statutory Notice is provided below:

Sandford Living Limited intend to apply to An Bord Pleanála for permission for a strategic housing development at this c. 4.26 hectare site at Milltown Park, Sandford Road, Dublin 6, Do6 VgK7. Works are also proposed on Milltown Road and Sandford Road to facilitate access to the development including improvements to pedestrian facilities on an area of c. 0.16 hectares. The development's surface water drainage network shall discharge from the site via a proposed 300mm diameter pipe along Milltown Road through the junction of Milltown Road / Sandford Road prior to outfalling to the existing drainage network on Eglinton Road (approximately 200 metres from the Sandford Road / Eglinton Road junction), with these works incorporating an area of c. 0.32 hectares. The development site area, road works and drainage works areas will provide a total application site area of c. 4.74 hectares.

The development will principally consist of: the demolition of c. 4,883.9 sq m of existing structures on site including Milltown Park House (880 sq m); Milltown Park House Rear Extension (2,031 sq m); the Finlay Wing (622 sq m); the Archive (1,240 sq m); the link building between Tabor House and Milltown Park House rear extension to the front of the Chapel (74.5 sq m); and 36.4 sq m of the 'red brick link building' (single storey over basement) towards the south-western boundary; the refurbishment and reuse of Tabor House (1,575 sq m) and the Chapel (768 sq m), and the provision of a single storey glass entrance lobby to the front and side of the Chapel; and the provision of a 671 No. unit residential development comprising 604 No. Build-to-Rent apartment and duplex units (88 No. studios, 262 No. one bed units, 242 No. two bed units and 12 No. three bed units) and 67 No. Build-to Sell apartment and duplex units (11 No. studios, 9 No. one bed units, 32 No. two bed units and 15 No. three bed units).

Block A1 will range in height from part 5 No. storeys to part 10 No. storeys and will comprise 94 No. Build-to-Rent apartments; Block A2 will range in height from part 6 No. storeys to part 8 No. storeys (including part double height at ground floor level) and will comprise 140 No. Build to-Rent apartments and duplex units; Block B will range in height from part 3 No. to part 7 No. storeys and will comprise 91 No. Build-to-Rent apartments; Block C will range in height from part 2 No. storeys to part 8 No. storeys (including part double height at ground floor level) and will comprise 163 No. Build-to-Rent apartments; Block D will range in height from 3 No. storeys to 5 No. storeys and will comprise 39 No. Build-to-Sell apartments; Block E will be 3 No. storeys in height and will comprise 28 No. Build-to-Sell duplex units and

apartments; Block F will range in height from 5 No. storeys to part 7 No. storeys and will comprise 92 No. Build-to-Rent apartments; and the refurbished Tabor House (4 No. storeys including lower ground floor level) will comprise 24 No. Build-to-Rent apartments.

The development also includes a creche within Block F (400 sq m) with outdoor play area; and the provision of communal internal amenities (c. 1,248.8 sq m) and facilities (c. 158.3 sq m) throughout the residential blocks, Tabor House and the converted Chapel building including co-working space, gym, lounges, reading rooms, games room, multi-purpose space, concierge, mail rooms and staff facilities.

The proposed works also include a new 2.4 metre high boundary wall across the site from east to west (towards the southern boundary) requiring the demolition of a portion of the red brick link building that lies within the subject site towards the south-western boundary (36.4 sq m) and the making good of the façade at the boundary. The existing Link Building is the subject of a separate application for permission (DCC Reg. Ref. No. 3866/20) that includes a request for permission to demolish that Link Building, including the part of the building on the lands the subject of this application for SHD permission. If that application is granted and first implemented, no demolition works to the Link Building will be required under this application for SHD permission. If that application is refused permission or not first implemented, permission is here sought to demolish only that part of the Link Building now existing on the lands the subject of this application for permission and to make good the balance at the red line with a blank wall.

The development also provides a new access from Milltown Road (which will be the principal vehicular entrance to the site) in addition to utilising and upgrading the existing access from Sandford Road as a secondary access principally for deliveries, emergencies and taxis; new pedestrian access points; pedestrian/bicycle connections through the site; 344 No. car parking spaces (295 No. at basement level and 49 No. at surface level) which includes 18 No. mobility impaired spaces, 10 No. car share spaces, 4 No. collection/drop-off spaces and 2 No. taxi spaces; bicycle parking; 14 No. motorcycle spaces; bin storage; boundary treatments; private balconies and terraces facing all directions; external gantry access in sections of Blocks A1, A2 and C; hard and soft landscaping including public open space and communal open space (including upper level communal terraces in Block A1, Block B and Block C which will face all directions); sedum roofs; PV panels; substations; lighting; plant; lift cores; and all other associated site works above and below ground. The proposed development has a gross floor space of c. 54,871 sq m above ground level over a partial basement (under part of Block A1 and under Blocks A2, B and C) measuring c. 10,607 sq m, which includes parking spaces, bin storage, bike storage and plant.

## 2.2 Background to the Proposed Development

Up until 2019, the existing buildings and lands at the application site were formally utilised by the Jesuit Community for institutional purposes. The institutional operations on the site ceased permanently in 2015 and the property was vacated by the Jesuit order in 2019. For more than 160 years, the role of the Milltown Park community has been the formation of Jesuits, and since the 1960s, instruction of a dozen other religious congregations in Theological and Pastoral Ministry. Since the 1960s these studies were expanded to include the education of lay people as part of a move towards greater lay involvement in Church Ministry. Both these areas have experienced a dramatic decline and falling vocations leading the Jesuit Society to close these facilities and seek other options for training of priests.

As a result of this decline experienced by the Jesuits and departure of the clerical students from the application site, the site was sold to the Applicant in 2019 and comprises a range of former institutional buildings and large unutilised green spaces which have become surplus to the Jesuit Community's requirements and are no longer required for the purposes of its function and mission. This has been confirmed in a letter received from the Jesuits enclosed as Appendix A of the Planning Report.

The letter confirms that the buildings are now vacant and have become impossible to maintain by the Jesuit Community which has left the site redundant and ultimately lead to its sale to the Applicant, in order to provide a sustainable use of the lands. The Jesuits have retained Milltown Park Community House and Cherryfield Lodge Nursing located on adjoining lands, which are entirely adequate for their future needs and retains their Institutional requirements on the lands.

When acquiring the site, the Applicant duly considered the zoning objective pertaining to the lands which are zoned Objective Z15 '*Institutional and Community*' in the *Dublin City Development Plan 2016 – 2022*, where 25% public open space is required, beyond the standard 10% typically required for a residential development on lands within the administrative area of Dublin City Council ("DCC"). In addressing the particular characteristics of the site, namely a large volume of vacant institutional buildings, a key requirement early in the design process was to determine which buildings could be functionally retained and reused within the development. In addition, the requirement for 25% public open space has been considered in line with the Z15 zoning objective pertaining to the lands. In this regard, it is important to note that the lands have always been walled and gated and in private use by the Jesuit Community and closed off from the public, and will now be opened up for the first time to the public. The public have never enjoyed any right of access to these privately owned lands.

The development layout was framed around these key design considerations and thus the residential development now proposed has utilised the remainder of the site to provide a range of residential units and tenures as detailed extensively throughout this report and accompanying documentation.

Having regard to the key design considerations above, Tabor House and the Chapel will be reused and refurbished within the development and the development significantly exceeds the requirement to provide 25% public open space as required by the Z15 zoning objective. Please see images below prepared by Cameo and Partners Design Studio which demonstrates the large quantum of public open space provided within the proposed development (34.9% of the site area). Full details in relation to the proposed development and scheme layout have been set out in the Planning Report prepared by Thornton O'Connor Town Planning, the OMP Design Statement and the Landscape Report prepared by Cameo and Partners Design Studio.



**Figure 2.1:**  
**Illustrative Ground Floor General  
 Arrangement Landscape Plan**

**(Source:**  
**Cameo and Partners Design  
 Studio, 2021)**

### 3.0 SITE LOCATION, DESCRIPTION AND CONTEXT

#### 3.1 Site Location

The subject application site is located at the corner of Sandford Road and Milltown Road, Dublin 6.



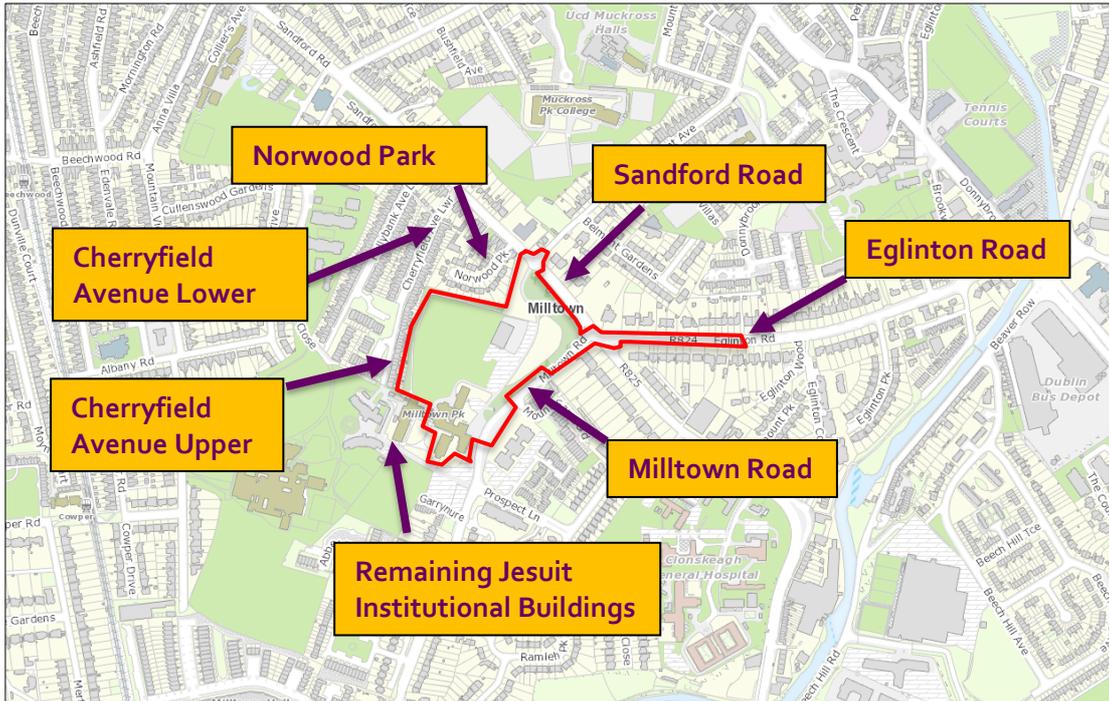
Figure 3.1: Aerial View of Subject Site, Indicative Application Site Boundary in Red

(Source: Google Maps, annotated by Thornton O'Connor Town Planning, 2021)

The total red line application site boundary is c. 4.74 Ha (c. 47,335 sq m) and is broken down as follows:

1. The developable site of c. 4.26 Ha (c. 42,547 sq m) at Milltown Park, Sandford Road).
2. Road works to Milltown Road and Sandford Road adjacent to the 2 No. entrances to the site (1 No. existing and 1 No. newly proposed): c. 0.16 Ha (c. 1,597 sq m).
3. Drainage works from Milltown Road to Eglinton Road: c. 0.32 Ha (c. 3,191 sq m).

The developable lands are bounded to the north by Norwood Park and Sandford Road, to the east by the Milltown Road, to the south by a carpark associated with the Milltown Park Institutional and Community premises (buildings retained by the Jesuits after the disposal of the 'developable lands') and to the west by 2 No. storey existing residential dwellings located on Cherryfield Avenue Upper and Cherryfield Avenue Lower.



**Figure 3.3: Location of Subject Site (Indicative Site Boundary Outlined in Red)**

(Source: [www.myplan.ie](http://www.myplan.ie), annotated by Thornton O'Connor Town Planning, 2021)

### 3.2 Existing Building Range on Site

The subject site is irregular in shape and has a generally flat topography. The current building range at the subject site comprises the original Milltown Park House building with 5 No. extensions attached to the original structure. This building range is positioned in the south-eastern corner of the subject site which formed part of the Jesuit Campus at Milltown Park and which is no longer in use at the site. The remainder of the subject site is largely undeveloped.

The site is currently accessed from Sandford Road to the north of the site, however we note that this site has never been opened up for the wider public to utilise. The existing entrance from Milltown Road into the remaining Jesuit lands is not in the control of the Applicant, necessitating the requirement from a new primary entrance to the site off Milltown Road.

As noted above, the existing building range is located in the south-eastern corner of the subject site and ranges in height from 2 No. to 4 No. storeys. The outline and location of each building element is presented in Figure 3.4 below. Please see the EIAR Chapter 7 (Architectural Heritage) prepared by Molloy and Associates Conservation Architects for a full description of the existing buildings, with a summary of the building descriptions provided in Section 3.2 of the Planning Report prepared by Thornton O'Connor Town Planning.

We note that after assessing the building range on site and determining which could be viably adapted and used, the reuse of Tabor House and The Chapel within the development will represent a focal point in the development, and the development layout has utilised the remainder of the site to incorporate new structures to provide a range of residential units and tenures as well as the extensive open spaces provided.



**Figure 3.4:** Outline of Building Range Which Identifies Each Building Element Existing at the Subject Lands

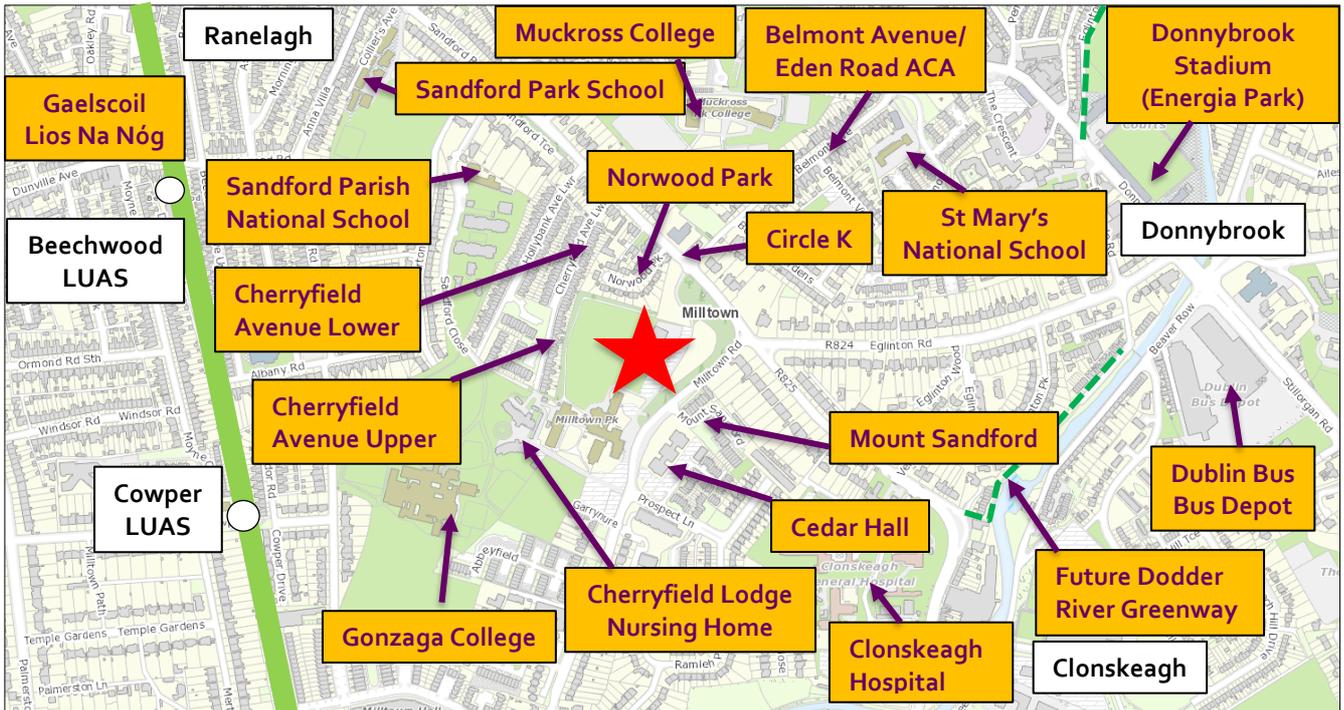
(Source: Molloy and Associates Conservation Architects – Architectural and Cultural Heritage EIAR Chapter 7)

### 3.3 Site Context

The subject site is located on the junction of the Milltown Road and Sandford Road. This junction also immediately connects to Eglington Road (R824) and St James Terrace / Clonskeagh Road (R825). This places the subject site at the interface between the urban villages of Ranelagh, Milltown, Donnybrook and Clonskeagh.

The immediate area beyond the Milltown Park campus is predominantly residential and institutional in nature. The residential units include 2 No. storey houses located adjacent to the western site boundary along Cherryfield Avenue Lower and Cherryfield Avenue Upper and in Norwood Park located adjacent to the north-western boundary. In addition, a 6 No. storey apartment development known as Cedar Hall and a 3 No. storey apartment complex known as Mount Sandford are located to the east of the subject site across Milltown Road.

The institutional uses are located adjacent to the south-west of the subject site and comprise the Milltown Park Community House, Cherryfield Lodge Nursing Home and Gonzaga College. Muckross Park College is also located to the north-west of the subject lands. A Circle K Petrol Station is located to the north of the subject lands along Sandford Road.



**Figure 3.5:** Context Surrounding the Subject Site (Highlighted Indicatively by the Red Star)

(Source: Myplan.ie, OSI Map Layer, annotated by Thornton O'Connor Town Planning, 2021)

There are a number of neighbourhood centres near to the subject site with some forming strong urban villages. The following neighbourhood centres are within walking/cycling distance of the subject site:

- Milltown-c.450 metres/c.6 minutes walking distance/c.1 minute cycling distance;
- Donnybrook-c.500 metres-c.900 metres/c.6-10 minutes walking distance/c.2-3 minutes cycling distance;
- Clonskeagh – c.350 metres – 1.3 km /c.6-16 minutes walking distance/c.1-6 minutes cycling distance;
- Ranelagh-c.500 m-1.4 km/c.6-18 minutes walking distance/c.1-5 minutes cycling distance;
- Beechwood-c.1 Kilometre/c. 13 minutes walking distance/c.4 minutes cycling distance; and
- Rathmines-c.1.8-2.2 km/c.22-c.28 minutes walking distance/c.6-c.8 minutes cycling distance:

We note that there is a significant quantum of services, facilities and amenities located in these areas which are all in close proximity to the subject lands. This includes medical

centres, dentists, pharmacies, shops, cafes, restaurants, bars, gyms, sports clubs, hair salons and banks for example. Please see full details in Section 3.3.1 of the Planning Report.

### 3.4 Accessibility

#### 3.4.1 Introduction

The subject site is located at the junction of Sandford Road and Milltown Road which acts as a key arterial route between the southern suburbs and Dublin City Centre. The N11 National Road can also be easily accessed via Eglinton Road.

The site is well served by public transport with a range of Luas stops and Dublin Bus stops within walking distance of the site. The site is also located in proximity to various locations such as the City Centre, Donnybrook, Ranelagh, Clonskeagh and Ballsbridge. This range of accessibility by public transport, cycling and by foot allows access to local level services, nearby employers and the City Centre.

#### 3.4.2 Luas Light Rail

The subject site is located in close proximity to the following Green Line Luas stops:

- **Beechwood: c. 720 metres as the crow flies (1 Km/ c. 13 minute walk)**
- **Cowper: c. 740 metres as the crow flies (c. 1.3 Km walk/ c. 17 minute walk)**
- **Milltown: c. 918 metres as the crow flies (c. 1.3 Km walk/ c. 17 minute walk)**
- **Ranelagh: c. 1.1 Km as the crow flies (c. 1.1 Km walk/ c. 14 minute walk)**

The Green Line Luas allows easy access to a significant quantum of employment locations throughout the City Centre, North and South Dublin City, North and South of Dublin County in addition to the opportunity for users to change onto the Red Line Luas at O'Connell Street/Abbey Street which would provide access to employment locations to the east and west of the City Centre.

#### 3.4.3 Existing Bus Services

The subject site is also proximate to a number of high-frequency services with the nearby Quality Bus Corridor (QBC) in Donnybrook providing significant access to the city centre and wider areas of employment and education.

The No. 11 and No. 44 bus services have remained as important local linkages to southern suburbs and the city centre from the surrounding area. Additionally, the orbital route No. 18 passes through Ranelagh (Stop No. 2791, 1 km walk) from Sandymount to Palmerstown. The No. 39a, 145 and 155 are all easily accessible along the Donnybrook QBC which provide frequent services to the City Centre and southern suburbs.



	Glasnevin Tennis Club, DCU, Saint Pappin's Road, Glasnevin Park, Wadelaide Park (Glasnevin)					
<b>No. 39A</b>	<b>Stop No. 775</b> Morehampton Road, Burlington Road, Leeson Street – City Centre - Stoneybatter, Old Cabra Road, Navan Road, Connolly Hospital, Blanchardstown Shopping Centre, Huntstown, Ongar.	<b>c. 600 metres (c. 7 minute walk)</b>	<b>Stop No. 758</b> Stillorgan Road, UCD (Belfield)	<b>c. 550 metres (c. 7 minutes walk)</b>	10 Minutes	15-20 Minutes
<b>No. 145</b>	<b>Stop No. 775</b> Morehampton Road, Burlington Road, Leeson Street, Dawson Street, Leinster Street South, Pearse Street, Westmoreland Street, Essex Street, Merchant's Quay, Usher's Quay, Victoria Quay, Guinness Storehouse, Heuston Station	<b>c. 600 metres (c. 7 minute walk)</b>	<b>Stop No. 758</b> Stillorgan Road, UCD, Stillorgan, Foxrock, Cornelscourt, Cabinteely, Loughlinstown, Shankill, Bray and Southern Cross Retail Park.	<b>c. 550 metres (c. 7 minutes walk)</b>	10 Minutes	20 Minutes

<b>No. 155</b>	<b>Stop No. 775</b> Morehampton Road, Burlington Road, Leeson Street, Dawson Street, Westmoreland Street, O'Connell Street, Phibsboro Road, Constitution Hill, Broadstone Depot, Phibsboro Shopping Centre, Mobhi Road, Botanic Road, Griffith Avenue, Glasnevin Tennis Club, , DCU, Gulliver's Retail Park and IKEA (Ballymun).	<b>c. 600 metres (c. 7 minute walk)</b>	<b>Stop No. 758</b> Stillorgan Road, UCD, Stillorgan, Foxrock, Cornelscourt, Cabinteely, Loughlinstown, Shankill and Bray DART Station.	<b>c. 550 metres (c. 7 minutes walk)</b>	20 Minutes	20 Minutes
<b>No. 44</b>	<b>Stop No. 884</b> Ranelagh, Charlemont Street, Earlsfort Terrace, Leeson Street, Dawson Street, Westland Row, Pearse Station, Westmoreland Street, O'Connell Street, Parnell Street,	<b>c. 80 metres (c. 1 minute walk)</b>	<b>Stop No. 855</b> Milltown, Dundrum Road, Bird Avenue, Dundrum Retail Park, Dundrum Hospital, Dundrum Luas, Dundrum Village, Dundrum Shopping Centre, Balally, Sandyford Road, Kilgobbin Heights, Ballyogan Road,	<b>Directly Opposite the Site on Sandford Road</b>	Hourly	Hourly

	Rotunda Hospital, Dorset Street, Drumcondra Station, Drumcondra Road, DCU Saint Patrick's Campus, Home Farm Road, Swords Road, Collins Avenue, Whitehall, DCU and The Helix.		Belarmine, Stepside, Enniskerry Road, Kiltarnan, The Scalp Wood and Enniskerry.			
<b>No. 46A</b>	<b>Stop No. 775</b> Morehampton Road, Burlington Road, Leeson Street, Dawson Street, Westmoreland Street, O'Connell Street, Mountjoy Street, Mater Hospital, North Circular Road, Phoenix Park.	<b>c. 600 metres (c. 7 minute walk)</b>	<b>Stop No. 758</b> Stillorgan Road, Foxrock, Kill of the Grange, IADT, Mountown Road Lower and Dún Laoghaire DART station.	<b>c. 550 metres (c. 7 minutes walk)</b>	7-10 Minutes	15 Minutes
<b>No. 61</b>	<b>Stop No. 884</b> Ranelagh, Charlemont, Charlemont Street, Earlsfort Terrace, Leeson Street, Dawson Street, Westland Row, Pearse Station, Trinity	<b>c. 80 metres (c. 1 minute walk)</b>	<b>Stop No. 855</b> Milltown, Dundrum Road, Bird Avenue, Dundrum Hospital, Dundrum Retail Park, Churchtown, Nutgrove Avenue, Nutgrove Shopping Centre,	<b>Directly Opposite the Site on Sandford Road</b>	Hourly	Hourly/ 75 Minutes

	College, Eden Quay, Marlborough Street.		Willbrook Road, Taylors Lane, Ballyboden and Edmonstown.			
<b>Operated by Go-Ahead Bus</b>						
<b>No. 18</b>	<b>Stop No. 2791</b> Rathmines, Kenilworth Square, Kimmage, Crumlin, Crumlin Childrens Hospital, Kylemore (Luas), Ballyfermot and Palmerstown.	<b>1 km (13 minute walk)</b>	<b>Stop No. 416</b> Baggot Street, Pembroke Road Ballsbridge, Sandymount (DART), Sandymount Green.	<b>1.6 km (20 minute walk)</b>	15-20 Minutes	20 Minutes
<b>Operated by Aircoach</b>						
<b>No. 700 (AirCoach)</b>	<b>Stop No. 773</b> Leeson Street Bridge, Saint Stephens Green, Nassau Street, Westmoreland Street, O'Connell Street, Drumcondra (Quinn's Pub) and Dublin Airport	<b>c. 700 metres (c. 9 minute walk)</b>	<b>Stop No. 759</b> Stillorgan Village, Sandyford Luas Stop and Clayton Hotel Leopardstown	<b>c. 750 metres (c. 9 minute walk)</b>	To the Airport: 15 Minutes between 04.30 and 23.59  From the Airport: 15 Minutes between 03.25 to 00.25	To the Airport: 30 Minutes between 00.00 and 04.30  From the Airport: 30 Minutes between 00.25 and 03.25

The site's accessible location in close proximity to Luas Green Line stops and bus stops ensures that a wide range of business districts and employment locations are easily accessible from the site.

#### 3.4.4 A Large Variety of Business Districts and Employment Locations Can be Easily Accessed By Public Transport and Many Are Also Within Easy Cycling and Walking Distance of the Subject Site

This section will set out the wide range of business districts and employment locations which can be easily accessed from the subject site either by public transport, cycling or walking. The following map produced by AIRO on behalf of the CSO based on the 2016 Census demonstrates the level of employment concentration around the above-mentioned clusters. This data is based on daytime population above the resident population.

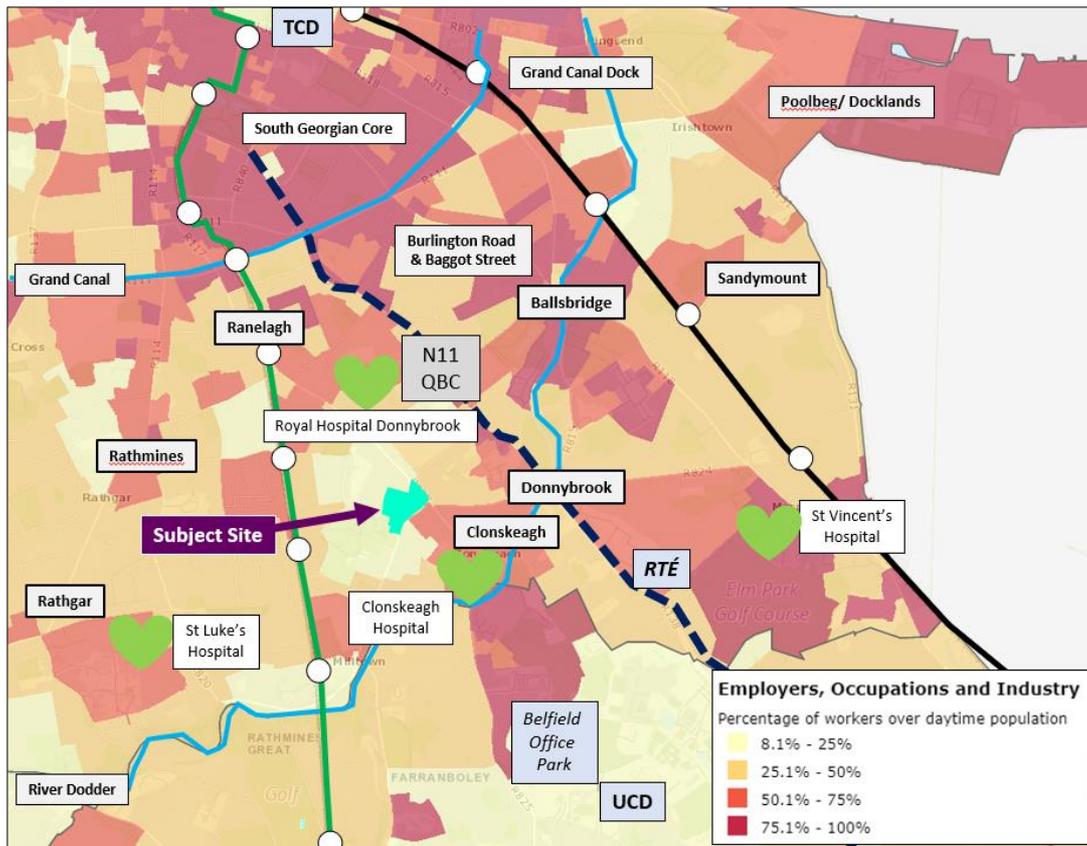


Figure 3.7: Employment Concentration Map

(Source: <http://census.cso.ie/p11map41/>, annotated by Thornton O'Connor Town Planning, 2021)

The Canal contains a significant volume of employers such as Zendesk EMEA Headquarters, BOI Group HQ, Amazon Ireland, Department of Communications, Marsh Ireland Ltd and AIB Burlington Road etc. which are easily accessible by the Green Line Luas and many bus routes such as the Nos. 44, 61, 46a, 145 and 155. We note that the Canal Ring is located within reasonable walking distance from the subject lands (c. 7 No. minute cycling distance and c. 25 No. minute walking distance).

The Docklands which contains significant employers such as Google, Facebook, PWC, KBC, Three Ireland, the 3Arena, the Bord Gáis Energy Theatre and the Central Bank of Ireland can be easily accessed by the No. 44 or No. 61 bus route. The Docklands are also located c. 14-17 No. minutes cycle distance from the subject site.

Harcourt Street, which is within the heart of the central business district of Dublin 2 containing employers such as KPMG Accountants, EY, Byrne Wallace Legal Services can be easily accessed by the Green Line Luas and bus routes such as Nos. 11, 39a, 44, 46a, 61, 145 and 155 and is located c. 10 No. minutes cycling distance and c. 30 No. minutes walking distance from the subject site. In addition, Saint Stephen's Green is located c. 12 No. minutes cycle distance and c. 33 No. minutes walking distance from the site and is also easily accessed by the Luas and bus routes (including Nos. 11, 39a, 44, 46a, 61, 145 and 155).

The nearby Belfield Office Park/Beech Hill Office Campus comprises employers such as the Environmental Protection Agency (EPA), Circle K Head Office, Smurfit Kappa, KSN Construction Consultants and Project Managers and PeoplePoint HRSSC (Irish Civil Service). Belfield Office Park/Beech Hill Office Campus can be accessed by the No. 11 bus or by bicycle or walking (c. 4 No. minutes cycling distance and 13 No. minutes walking distance).

Ballsbridge, which contains the RDS, Zurich, Goodbody, Eirgrid, IBM, Labour Relations Commission, and Facebook (under construction) in addition to hotels, bars and restaurants is located c. 8 No. minutes cycle distance and c. 20 No. minutes walking distance from the subject site.

The No. 11 bus and Green Line Luas provides easy access to the Sandyford Business District (c. 29 minute cycle distance) which contains several large-scale employers such as Microsoft, Vodafone Ireland, SSE Airtricity, and the Beacon Quarter Hotel and Private Hospital, as well as Leopardstown Race Course.

The neighbourhood and district centres in proximity to the site such as Ranelagh, Donnybrook and Rathmines also contain employers such as local convenience and comparison shops, restaurants and bars and in particular the Swan Shopping Centre (c. 6 No. minutes cycling distance and c. 22 No. minutes walking distance) and Central Statistics Office (c. 8 No. minutes cycling distance and c. 25 minutes walking distance) in Rathmines and the RTE studios in Donnybrook (accessed via the No. 39a/46a/145 and 155 bus routes or c. 6 No. minutes cycling distance or 17 No. minutes walking distance).

There are 4 No. hospitals in close proximity to the subject site which are listed below:

Hospitals		
No.	Name	Distance
1	Clonskeagh Hospital	→ c. 450 metres → c. 3 No. minutes cycling distance → c. 6 No. minutes walking distance
2	The Royal Hospital Donnybrook	→ c. 1.4 km → c. 5 No. minutes cycling distance → c. 17 No. minutes walking distance
3	St Vincent's Hospital	→ c. 2.3 km → c. 7 No. minutes cycling distance → c. 26 No. minutes walking distance
4	St Luke's Hospital	→ c. 2.9 km → c. 10 No. minutes cycling distance → c. 37 No. minutes walking distance

In addition, the nearby University College Dublin is one of the largest Universities in the state, with c. 27,000 students (as of 2016/17)<sup>1</sup>. There is also a workforce of c. 3,300 No. teaching and support staff within the overall college. The UCD Belfield campus spans an area of 133 No. hectares and a number of bus routes pass on either side of the campus. The No. 11 bus route can be utilised from the subject site to easily access the UCD campus. UCD is also located c. 7 No. minutes cycling distance and c. 21 minutes walking distance from the subject site.

<sup>1</sup> <https://hea.ie/assets/uploads/2019/10/Institutional-Profiles-2016-17.pdf>

We also note that the Aircoach runs close to the site (Bus Stops No. 773 and 779 - c. 850 No. metres/c. 10 No. minute walk) which provides frequent access to Dublin Airport (every 30 minutes). This is an excellent service in close proximity to the subject site to allow residents to easily access the Airport. In addition the City Centre, Stillorgan Village and Sandyford Luas can be accessed by this Aircoach service.

In summary, the subject site is exceptionally well located between a number of important neighbourhood centres at a key cross roads in the inner southern suburbs of Dublin City. The Green Line Luas also afford the opportunity for residents to access employment locations throughout Dublin. Additional connectivity through the surrounding area is provided by local link roads and the River Dodder which is earmarked for upgrade to a high-quality greenway (see Section 3.4.5 below).

The surrounding bus coverage features a number of high-frequency routes into the City Centre and to the Docklands, Ballsbridge and the Sandyford Business District for example

The proposed Bus Connects programme of investment will see an increase in frequency and capacity surrounding the subject site. Additionally, components and connections of River Dodder Greenway (existing access opposite the Wilde and Green Café in Milltown to the south of the site) are scheduled to connect to the existing cycle network and the Core Bus Corridors under Bus Connects.

Although proposed as part of the NTA *Cycle Network Plan 2013*, progress on upgrading the existing paths and connections into the greenway has taken some time with early phases and flood relief works from Ringsend to Ballsbridge providing some improved linkages in recent years.

The connections from Herbert Park to the Orwell Road have been subject to recent (2018) joint consultation between Dublin City Council and Dún Laoghaire-Rathdown County Council. Government and Dublin City funding for the completion of this project has been agreed upon and further progress was expected by 2020<sup>2</sup> (currently no update).

### 3.5 Summary

Having regard to the location of the site by virtue of its accessibility by walking, cycling and proximity to excellent public transport links (LUAS and Bus Services) which provides easy access to significant employment locations and business districts, it is considered that the subject site is eminently suitable for the proposed development at the subject site.

In addition, there are a wide range of services, facilities and amenities in close proximity to the subject site, particularly due to the position of the site at the junction of Sandford Road and Milltown Road which acts as a key arterial route between the southern suburbs and Dublin City Centre and as a result is positioned at the centre of many Neighbourhood and District Centres such as Milltown, Donnybrook, Ranelagh, Clonskeagh, Beechwood and Rathmines. The wide range of services, facilities and amenities easily accessible from the subject site include shops, sports clubs, bars, restaurants, cafes, schools, hairdressers, hospitals, medical centres, doctors, dentists, and parks for example.

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<sup>2</sup><https://www.irishtimes.com/news/environment/plans-for-river-dodder-greenway-to-be-revealed-1.3889665>

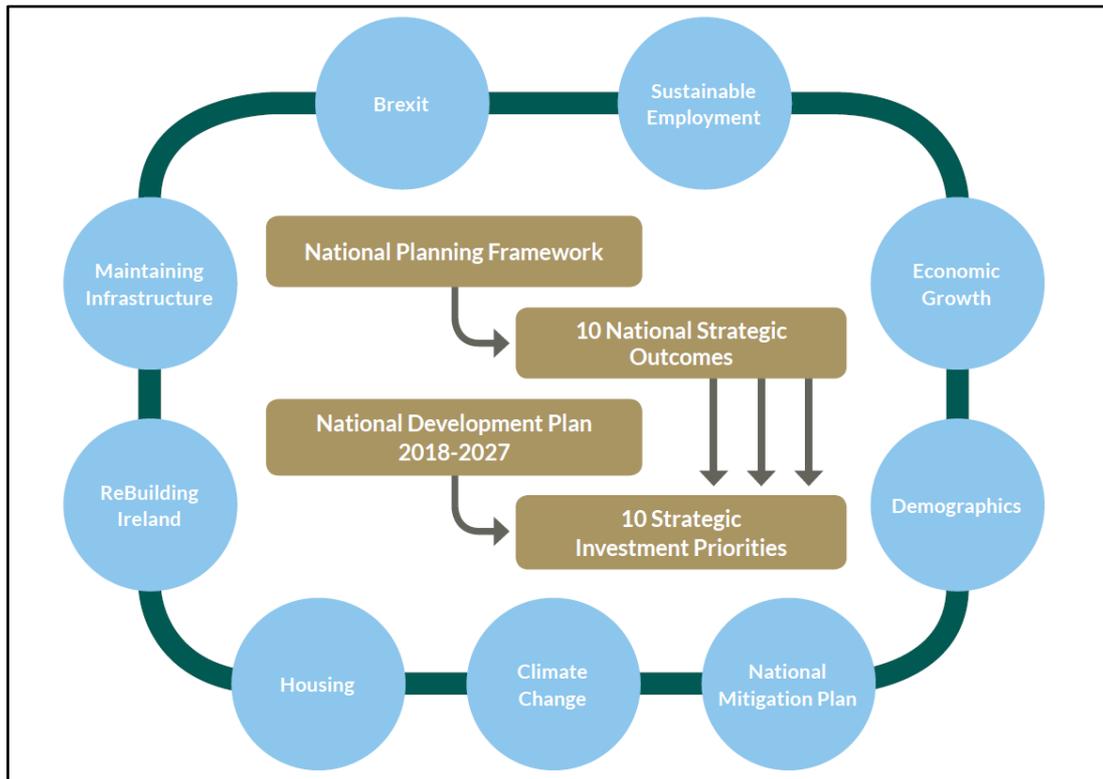
## 4.0 NATIONAL POLICY

This section will demonstrate that the proposed development has been designed with due consideration of National Policy and is consistent with the policy and objectives of the respective policy documents. The following National Policy documents are discussed in this section:

1. *Project Ireland 2040: The National Development Plan 2018-2027;*
2. *Project Ireland 2040: National Planning Framework;*
3. *The National Spatial Strategy 2002-2020;*
4. *Action Plan for Housing and Homelessness; Rebuilding Ireland;*
5. *Urban Development and Building Heights – Guidelines for Planning Authorities (December 2018);*
6. *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (December 2020);*
7. *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and the Urban Design Manual – A Best Practice Guide (2009);*
8. *Design Manual for Urban Roads and Streets;*
9. *The Planning System and Flood Risk Management (2011); and*
10. *Guidelines for Planning Authorities on Childcare Provision and Guidelines for Planning Authorities on Childcare Facilities (2001) and the Child Care Act 1991 (Early Years Services) Regulations 2016.*

### 4.1 ***Project Ireland 2040: The National Development Plan 2018-2027***

The *National Development Plan 2018 -2027* document underpins the overarching message of the *National Planning Framework*. The publication sets out how Strategic Investment Priorities are aligned with public capital investments over the next ten years to achieve each of the National Strategic Objectives as set out in the *National Planning Framework*. The context of the National Development Plan is illustrated in Figure 4.1 below.



**Figure 4.1: Context of the National Development Plan.**

**(Source: *Project Ireland 2040 National Development Plan 2018 – 2027*)**

The National Planning Framework published alongside the National Development Plan has 10 No. National Strategic Outcomes. The relevant strategic outcomes and objectives are discussed below at Section 4.2 of this report.

## 4.2 *Project Ireland 2040: National Planning Framework*

### 4.2.1 Introduction

*Project Ireland 2040: National Planning Framework* (“NPF”) is the Government’s high-level overarching strategic plan that aims to shape the future growth and development of the country. The NPF is a long-term Framework that sets out how Ireland can move away from the current ‘business as usual’ pattern of development.

As set out in Section 6.6 of the *NPF*, a core principle of the *NPF* is to:

*‘Allow for choice in housing location, type, tenure and accommodation in responding to need’, in addition to tailoring ‘the scale and nature of future housing provision to the size and type of settlement where it is planned to be located’.*

Therefore, we submit that the provision of high-quality residential units comprising a mix of Build-to-Sell and Build-to-Rent units and a mix of unit sizes at the subject site will contribute to achieving this core principle of the *NPF*. The scheme will provide choice for people who are searching for both permanent and temporary accommodation in Dublin, by providing

both Build-to-Rent and Build-to-Sell units on a currently significantly underutilised site and will provide an alternative to larger houses that dominate the surrounding area.

Section 6.6 of the *NPF* states that:

*'while apartments made up 12% of all occupied households in Ireland and 35% of occupied households in the Dublin City Council area in 2016 (Census data), we are a long way behind European averages in terms of the numbers and proportion of households living in apartments, especially in our cities and larger towns. In many European countries, it is normal to see 40%-60% of households living in apartments.'*

The *NPF* further calculates at Section 6.6 that:

*'between 2018 and 2040, an average output of at least 25,000 new homes will need to be provided in Ireland every year to meet the needs for well-located and affordable housing, **with increasing demand to cater for one and two-person households**'.* [Our Emphasis]

Furthermore, it is noted in this section of the *NPF* that *'achieving this level of supply will require increased housing output into the 2020s to deal with a deficit that has built up since 2010.'*

The *NPF* highlights in Section 6.6 that 7 No. out of 10 No. households in the state consist of three people or less. In terms of changing family size, *'in Dublin city, one, two and three-person households comprise 80 percent of all households.'* It is also noted in a more general context that the *'household sizes in urban areas tend to be smaller than in suburbs or rural parts of the country'*. The policy document denotes that *'...meeting the housing requirements arising in major urban areas for people on a range of incomes will be a major priority for this framework and the actions flowing from it'*. [Our Emphasis]

The proposed development is a direct response to the housing shortage that is readily reported and identified in recent planning policy. The proposed development is consistent with the policy objectives as set out throughout this section, as it provides a larger proportion of one and two bedroom units in addition to a smaller number of studios and three bedroom units with a range of supplementary resident facilities and amenities that meets the need of the mobile population, as well as providing options for those who want to live in the area longer-term.

Section 2.2 of the *NPF* sets out an overview of the *NPF* Strategy which includes reference to 'Compact Growth' as follows:

- *Targeting a greater proportion (40%) of future housing development to be **within and close to the existing 'footprint' of built-up areas**.* [Our Emphasis]
- ***Making better use of under-utilised land and buildings, including 'infill', 'brownfield' and publicly owned sites and vacant and under-occupied buildings, with higher housing and jobs densities, better serviced by existing facilities and public transport'**.* [Our Emphasis]

The *NPF* expressly seeks the densification of brownfield, infill sites close to public transport and services and facilities such as the subject site. National Policy Objective 35 states that it is an objective to:

*'Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and **increased building heights**.*' [Our Emphasis]

The *NPF* also sets out the following regarding future growth needs in Section 6.6:

*'Increased residential densities are required in our urban areas...to more effectively address the challenge of meeting the housing needs of a growing population in our key urban areas, it is clear that **we need to build inwards and upwards, rather than outwards**. This means that apartments will need to become a more prevalent form of housing, particularly in Ireland's cities.'* [Our Emphasis]

The *NPF* recognises that building inwards and upwards is important to effectively address the housing crisis. Therefore, we consider that there is a significant importance placed in the National Planning Framework to develop high quality accommodation by increasing building heights in existing urban areas. It is our opinion that the National Planning Framework supports the provision of the proposed residential development through increased density and height at the subject site having regard to the brownfield, underutilised status of the site in close proximity to public transport, employment locations, services and facilities. The subject site is therefore ideally positioned to absorb the heights proposed as part of the subject scheme, as detailed in the appropriate technical assessments including Daylight/Sunlight, Wind Assessment and a Landscape Impact Assessment which are enclosed as part of the Environmental Impact Assessment Report.

#### 4.2.2 National Strategic Outcomes and Objectives

Section 10.3 of the *NPF* identifies a list of 10 No. National Strategic Outcomes which sets out the vision of the *NPF* (to create a shared set of goals for every community across the country) as follows:

1. Compact Growth;
2. Enhanced Regional Accessibility;
3. Strengthened Rural Economies and Communities;
4. Sustainable Mobility;
5. A Strong Economy supported by Enterprise, Innovation and Skills;
6. High Quality International Connectivity;
7. Enhanced Amenity and Heritage;
8. Transition to a Low Carbon and Climate Resilient Society;
9. Sustainable Management of Water, Waste and other Environmental Resources; and
10. Access to Quality Childcare, Education and Health Services.

A number of key National Policy Objectives ("NPOs") have been identified throughout the *NPF* in order to successfully deliver the 10 No. Strategic Outcomes.

The **National Policy Objective 74** states that proposals should 'secure the alignment of the National Planning Framework and the National Development Plan through delivery of the National Strategic Outcomes.'

This table below sets out how the proposed development will contribute towards achieving the 10 No. National Strategic Outcomes identified in the NPF as follows:

Consistency with National Strategic Outcomes			
No.	Objective:	How it is Addressed by this Development	Does it meet the criteria:
1:	Compact Growth;	Sustainable and efficient redevelopment of brownfield, vacant land in an existing residential area.	Yes
2:	Enhanced Regional Accessibility;	Proximity to Luas stops, bus stops, urban cycling routes and national road network (N11 Stillorgan Road via Eglinton Road and Donnybrook).	Yes
3:	Strengthen Rural Economies and Communities;	N/A – Urban Area	N/A
4:	Sustainable Mobility;	<p>344 No. Car Spaces have been proposed including a provision of 335 No. spaces for the residential units (parking ratio of 0.50 spaces per unit).</p> <p>The parking spaces include 10 No. car share spaces (5 No. GoCar and 5 No. development car share), 18 No. mobility impaired spaces, 35 No. EV parking spaces, 2 No. taxi spaces, 4 No. set-down/drop-off spaces and 3 No. spaces for the creche.</p> <p>The scheme also provides 1,361 No. bicycle parking spaces. Facilitation of a pedestrian connection along the east of the site through the new public park linking Sandford Road and Milltown Road will provide increased permeability through the site and through the boulevard between Blocks A and B.</p> <p>The Beechwood LUAS is located 1 km / c. 13 minutes walking distance from the subject site which will encourage sustainable travel patterns.</p>	Yes
5:	A Strong Economy supported by	Close proximity (by public transport/bicycle and foot) to many	Yes

	Enterprise, Innovation, and Skills;	employment locations providing access to much sought-after residential accommodation for employees.	
6:	High Quality International Connectivity;	N/A – Relates to Ports and Airports	N/A
7:	Enhanced Amenity and Heritage;	<p>The scheme provides a large quantum of high quality internal and external amenity space for future residents and extensive public open space for the wider community. In particular, the large public park along the eastern boundary will provide a link from Sandford Road to Milltown Road which will significantly enhance the available amenity space for the wider area. The site has been historically closed from the public and thus the public open space will improve the amenity provision for the wider area.</p> <p>A portion of the boundary treatment of the existing wall will be modified along Milltown Road and Sandford Road. In this regard, a proposed upstand wall with railing will be provided in lieu of the existing cement or stone wall (predominately render removed) which will allow views into the site and will thus visually open the site up to the public and will enhance legibility in the area.</p> <p>In addition, Tabor House and The Chapel will be reused and refurbished and opened up for use within the development, therefore enhancing the heritage of the site which will ensure that the local history of the Jesuit Community use is retained at the subject lands. The entrance from Milltown Road will provide direct views of Tabor House and the Chapel ensuring that they will be a focus to the development.</p> <p>Please see Chapter 7 (“Architectural Heritage”) of the enclosed Environmental Impact Assessment Report prepared by Molloy and Associates Conservation Architects</p>	Yes

8:	Transition to a Low Carbon and Climate Resilient Society;	The scheme provides for a greater population in proximity to public transport with a reduced car parking ratio. SuDS features are provided in the development such as green roofs, permeable paving, tree pits and landscaped areas for example. A Building Energy Rating (BER) of A2/A3 has been targeted for the development.	Yes
9:	Sustainable Management of Water, Waste and other Environmental Resources;	Sustainable modes of transport are encouraged through significant provision of bicycle parking spaces, new links through the site from Sandford Road and Milltown Road, the facilitation of future potential links to the neighbouring site to the south/south-west, along with the incorporation of SuDS measures.	Yes
10:	Access to Quality Childcare, Education, and Health Services;	There are a number of childcare, primary and secondary schools, third level and training facilities in close proximity to the subject site. Clonskeagh Hospital, the Royal Hospital Donnybrook, Saint Vincent's Hospital and Saint Luke's Hospital are located in proximity to the subject site. Milltown Dental Clinic, Milltown Total Health Pharmacy, 115 Medical (Doctor), D4 Medical Centre are located within walking/cycling distance of the subject lands for example. Please refer to Section 3.3 of this Report and the Social Infrastructure Audit enclosed separately and prepared by KPMG Future Analytics.  In addition, the subject development includes the provision of a creche in Block F.	Yes

A number of key NPOs have also been identified throughout the *NPF* in order to successfully deliver the 10 No. Strategic Outcomes outlined above.

We have carried out an assessment of the NPOs identified in the *NPF* and have identified the relevant objectives that are applicable to the proposed residential development. The relevant NPOs that are applicable to the proposed development are discussed under the following headings:

- *Population Growth and Employment;*
- *Current Trends in Tenure and Household Formation in Ireland;*
- *Sustainable Modes of Transport;*
- *Scale, Massing and Design;*

- *Justification and Housing Need;*
- *Waste and Environmental Issues; and*
- *Implementing the National Planning Framework.*

#### 4.2.3 Population Growth and Employment

The National Planning Framework sets out a number of planning policy objectives that specifically relate to population growth in Ireland and in particular the five main cities. The following objectives are considered relevant to the proposed residential development:

- **National Policy Objective 1b** projects an additional population of approximately 490,000 – 540,000 No. people in the Eastern and Midland Region.
- **National Policy Objective 1c** projects an additional 320,000 No. people in employment in the Eastern and Midland Region.
- **National Policy Objective 2a** sets a target of 50% of future population and employment growth to be focused in the existing five cities and their suburbs.
- **National Policy Objective 3a and National Policy Objective 3b** aim to deliver at least 40% of all new homes nationally, within the build-up of existing settlements and to deliver at least 50% of all new homes that are targeted in the five Cities within their existing built-up footprints.
- **National Policy Objective 4** aims to provide diverse and integrated communities ensuring the creation of attractive, livable, well designed, high quality urban places.
- **National Policy Objective 5** aims to develop cities and towns of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity.
- **National Policy Objective 8** aims to ensure the targeted pattern of population growth of Ireland’s cities to 2040 is in accordance with the targets. The targeted population growth for Dublin (city and suburbs) is a 20-25% increase from 1,173,000 No. (2016) to 1,408,000 No. (2040).

The development will facilitate the projected growth in population and persons in employment in the Eastern and Midland Region as identified in NPO 1b and 1c.

A core principle of the *NPF* set out in Section 6.6 states that proposals should:

*‘prioritise the location of new housing provision in existing settlements as a means to maximizing a better quality of life for people through accessing services; ensuring a more efficient use of land and allowing for greater integration of existing infrastructure’.* [Our Emphasis]

Section 2.5 of the *NPF* outlines that a *‘preferred approach would be compact development that focuses 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***. [Our Emphasis]

The proposed development is located on an underutilised plot at the corner of Sandford Road and Milltown Road, c. 1.5 km from Dublin City Centre. As such the proposed development is consistent with NPOs 2a, 3a and 3b which aim to provide for 50% of future population and employment growth with the existing five main cities, 40% of new homes within the build-up of existing settlements and 50% of all new homes within the existing built-up footprints. The NPF recognises that to achieve the targets set out in NPOs 3a and 3b of the framework which relate to the delivery of new homes, housing outputs will undoubtedly necessitate a significant increase of apartment type development. NPO 8 requires targeted population growth for Dublin city and suburbs and the proposed development will contribute towards increasing the population of this area of Dublin City.

Furthermore, it is noted in Section 6.6 that *'achieving this level of supply will require increased housing output into the 2020's to deal with a deficit that has built up since 2010.'*

The site is strategically located in close proximity to public transport which provides access to a number of employment locations, services and facilities. The site is also located within walking and cycling distance to many neighbourhood centres in proximity to the site such as Milltown, Ranelagh, Donnybrook, Clonskeagh and Beechwood.

The proposed residential development provides 671 No. units comprising a mix of Build-to-Rent and Build-to-Sell units. A creche is also proposed within Block F. The scheme provides amenity spaces within Block A1, B and C and utilises viable existing buildings (Tabor House and The Chapel) to also include amenity space. Communal roof terraces are also provided in Blocks A1, B and C at the upper levels. The amenity spaces include co-working space, lounges, library/reading rooms and a multi-purpose hall etc.

The communal areas are high quality, attractive and liveable spaces where the residents will have the opportunity to interact with each other ensuring an integrated community within the scheme. Therefore, it is considered that the proposal will contribute to creating an attractive, livable, well designed and high-quality urban place as set out in NPO 4 and will ensure the site is sustainably developed contributing towards achieving NPO 5 which aims to develop cities and towns of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity.

The public open space is provided as follows:

- **Public Park and Plaza Area Connected Through the Triple Height Undercroft of Block A1:**  
c. 10,970 sq m (c. 25.8% of the c. 42,547 sq m developable site area)
- **Northern Woodland Glade:**  
c. 3,328 sq m (c. 7.8% of the c. 42,547 sq m developable site area)

- **Boulevard between Blocks A and B providing a pedestrian and cycle connection between Milltown Road and Sandford Road:**  
c. 550 sq m (c. 1.2% of the c. 42,547 sq m developable site area)

The total public open space provided is 14,848 sq m which represents 34.9% of the developable site area.

The scheme also provides 5,444 sq m of communal open space as follows:

- **Belvedere Garden (North of Block C): 120 sq m**
- **Tabor House and Formal Food Garden: 3,704 sq m**
- **Courtyard between Block B and C: 1,510 sq m; and**
- **Front of communal internal spaces in Block B and C: 110 sq m**

In addition, upper-level terraces are provided in Block A1, B and C (431 sq m).

The proposed scheme involves the redevelopment of an underutilised site and therefore is fully in accordance with the preferred approach of the *NPF*. The development will encourage social interaction between the residents of the scheme particularly by providing attractive public and communal spaces within the development. The provision of permeable links through the site linking Sandford Road and Milltown Park is also a significant planning gain for the wider area. The proposed development is consistent with the NPOs set out within this Section.

#### 4.2.4 Current Trends in Tenure and Household Formation in Ireland

The *NPF* acknowledges at Section 4.5 that Irelands housing crisis has resulted in:

*'a time when many people, including those on average incomes, wish to live close to where they work and the services and amenities necessary to enjoy a good quality of life, they struggle to do so because the urban housing market has become constrained'.*

The following objectives respond to the changing nature of household formations and trends in tenure seen in current planning discourse.

- **National Policy Objective 6** acknowledges the need to regenerate and rejuvenate cities, towns and villages of all types and scale that can accommodate changing roles and functions in terms of their residential population, employment activity, levels of amenity and design quality in order to sustainability influence the surrounding area.
- **National Policy Objective 11** states that there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages.
- **National Policy Objective 32** notes a target of delivering 550,000 No. additional households to 2040.

In accordance with NPOs 6,11 and 32, the development will rejuvenate this site, opening up the site for the public to utilise while also providing much needed housing for Dublin

City, which will encourage more people to live in the existing urban footprint while also contributing towards generating more jobs and activity within the existing urban area and will contribute towards the target of delivering 550,000 No. additional households to 2040.

The *NPF* highlights at Section 6.6 that 7 No. out of 10 No. households in the State consist of three people or less. In terms of changing family size, *'in Dublin city, one, two and three-person households comprise 80 percent of all households.'* It is also noted in a more general context that the *'household sizes in urban areas tend to be smaller than in suburbs or rural parts of the country'*. The document denotes that *'...meeting the housing requirements arising in major urban areas for people on a range of incomes will be a major priority for this framework and the actions flowing from it.'* [Our Emphasis]

The proposed development is a direct response to current trends in tenure and household formation in Ireland by providing an alternative type of accommodation not readily seen in the surrounding area. As such the scheme provides for a significant proportion of one and two bedroom units in addition to a smaller number of studios and three bedroom units. The proposed development comprises 671 No. units providing a mix of 604 No. Build-to-Rent apartments (88 No. studios, 262 No. one beds, 242 No. two beds and 12 No. three beds) and 67 No. Build-to-Sell duplexes and apartments (11 No. studios, 9 No. one beds, 32 No. two beds and 15 No. three beds). The development offers high quality accommodation which exceeds minimum required standards at a time when the *NPF* acknowledges the constrained urban housing market. The scheme represents sustainable development as the site is situated in an existing residential area, in close proximity to a range of employment locations and services, amenities and facilities accessible by foot, bike or public transport (Luas or bus services) and will contribute towards alleviating the current housing crisis. The provision of a creche will also benefit the residents and the surrounding area.

#### 4.2.5 Sustainable Modes of Transport

The National Planning Framework sets out a number of planning policy objectives that specifically relate to Sustainable Modes of Transport. The following objectives are considered relevant to the proposed residential development:

- **National Policy Objective 26** outlines the objectives of integrating Public Health Policy such as Healthy Ireland and the National Physical Activity Plan with planning policy.
- **National Policy Objective 27** aims 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.

The scheme will front Milltown Road and Sandford Road, a key crossroads in Dublin located central to neighbourhood centres such as Milltown, Donnybrook, Clonskeagh, Rathmines and Beechwood. The proposed development provides for 344 No. car parking spaces on site with 335 No. designated for the residential units providing a ratio of 0.50

No. spaces per unit (which excludes creche/drop-off/taxi spaces). The parking spaces includes 10 No. car share spaces (5 No. GoCar and 5 No. development car share), 18 No. mobility impaired spaces, 35 No. EV parking spaces, 2 No. taxi spaces, 4 No. set-down/drop-off spaces and 3 No. spaces for the creche. The proposal actively encourages the use of sustainable modes of transport such as public transport through the discouragement of car ownership. The development also includes large public open spaces which will encourage occupants to engage in regular physical activity.

The subject site is located in an area well served by public transport which provides access to a wide range of business districts and employment locations such as the City Centre, Canal Ring, the Docklands, Harcourt Street, Ballsbridge, Sandyford Business District and Belfield Office Park/Beech Hill Office Campus. Many of these business districts and employment locations are within walking and cycling distance of the site. Furthermore, University College Dublin and 4 No. hospitals are located within walking and cycling distance of the site (Clonskeagh Hospital, The Royal Hospital Donnybrook, Saint Vincent's Hospital and Saint Luke's Hospital). In addition, a range of services and facilities can be easily accessed from the subject site by bike or on foot. The proposed development includes 1,361 No. bicycle parking spaces to support and encourage cycling as a transport mode.

The proposed development is consistent with NPOs 26 and 27 as set out above.

#### 4.2.6 Scale, Massing and Design

The National Planning Framework sets out a number of planning policy objectives that specifically relate to the scale, massing and design of developments. The following objectives are considered relevant to the proposed mixed use development:

- **National Policy Objective 13** outlines that in urban areas, building height and car parking standards will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth.
- **National Policy Objective 33** prioritises the provision of residential development at appropriate scales within sustainable locations.
- **National Policy Objective 35** notes the aim to increase residential density in settlements through a range of measures including (amongst others) in-fill development schemes and increased building heights.

The proposed development has been subject to a high quality standard of design, siting and layout, innovatively created by OMP Architects, with the highest elements of the scheme located at the least sensitive locations within the site and the lower elements positioned adjacent to neighbouring residential properties, as demonstrated in Figure 4.2 below:

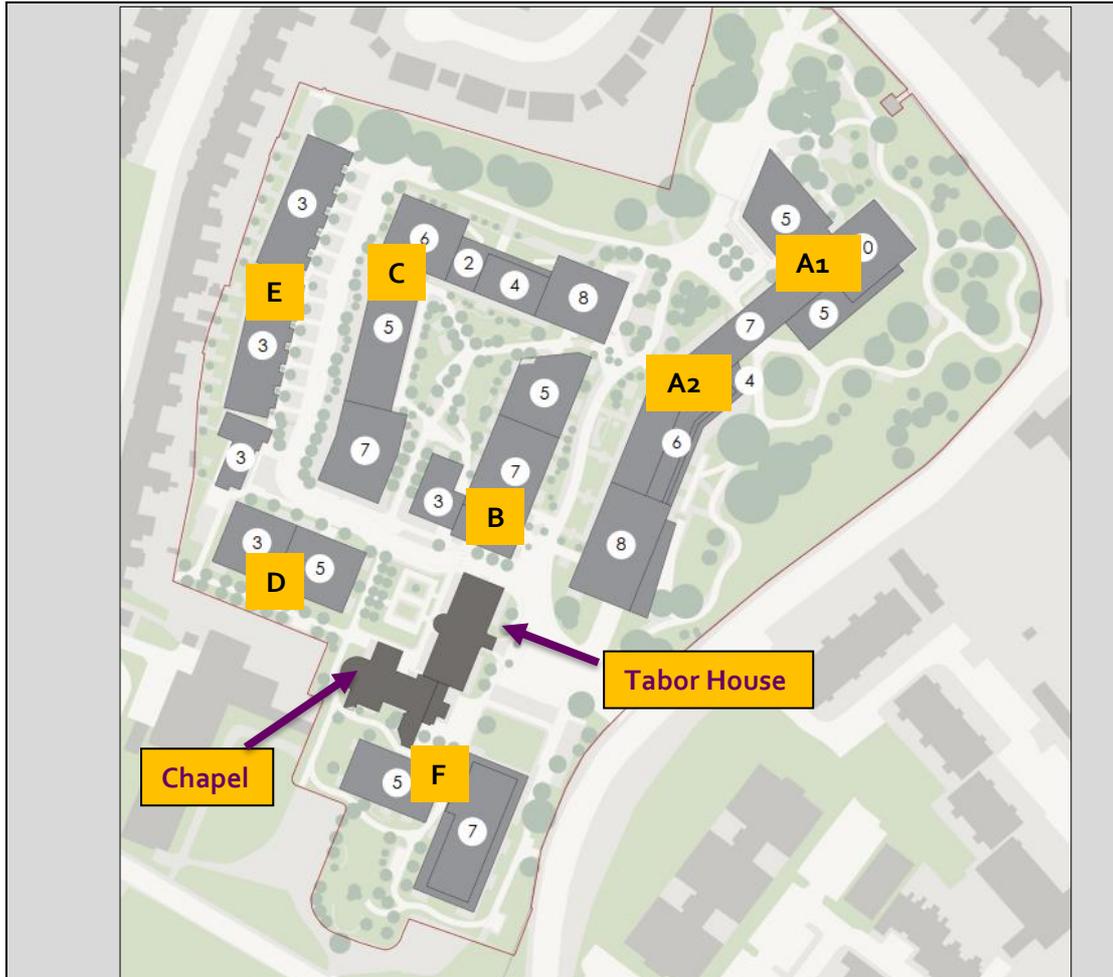


Figure 4.2: Site Plan Demonstrating Height of the Proposed Blocks

(Source: OMP Architects, Annotated by Thornton O'Connor Town Planning, 2021)

It is considered that the scheme design strikes a balance between respecting the surrounding environment of the scheme and ensuring the development potential of a significantly scaled, strategically positioned and underutilised plot is maximised and appropriately densified in accordance with the objectives of the NPF.

The Landscape and Visual Impact Assessment and Daylight/Sunlight Assessment both demonstrate that no significant material impacts will occur as a result of the proposed development. The layout of the development has been thoroughly considered and greater heights are positioned away from nearby residential dwellings.

Having regard to the new policy context and increased housing demand, the subject scheme appropriately addresses criteria as set out in the *Apartment Guidelines, 2020*. In line with NPO 13, the *Apartment Guidelines, 2020* set out the specific standards for apartment developments, as discussed in Section 4.6 of this report. The proposed development is also appropriate in terms of scale, mass and height in responding to NPO 33. In addition, the proposed development provides increased height and density in an existing settlement, which is therefore in accordance with NPO 35.

#### 4.2.7 Waste and Environmental Issues

The National Planning Framework sets out a number of planning policy objectives that specifically relate to Waste and Environmental Issues. The following objectives are considered relevant to the proposed residential development:

- **National Policy Objective 52** sets out that the planning system must respond to the environmental challenges and have regard to relevant environmental legislation.
- **National Policy Objective 53** is concerned with supporting greater land efficiency and use of renewable resources by reducing the rate of urban sprawl and new development.
- **National Policy Objective 54** aims to reduce the carbon footprint in the planning system.
- **National Policy Objective 56** sets out the intentions for sustainably managing waste.
- **National Policy Objective 58** states that Green Infrastructure and ecosystem services will be incorporated into the preparation of statutory land use plans.
- **National Policy Objective 63** aims to ensure the efficient and sustainable management and conservation of water resources and water services infrastructures.
- **National Policy Objective 64** aims to improve air quality through integrated land use and spatial planning that supports public transport, walking and cycling as more favourable modes of transport.
- **National Policy Objective 65** supports the aims of the Environmental Noise Regulations.
- **National Policy Objective 75** stipulates that *'all plans, projects and activities requiring consent arising from the National Planning Framework are subject to the relevant environmental assessment requirements including SEA, EIA and AA as appropriate.'*

The application lands containing the original Milltown Park House with subsequent extensions are completely underutilised in a prime sustainable location. Up until 2019, the existing buildings and lands at the application site were formally utilised by the Jesuit Community for institutional purposes. The institutional operations on the site ceased permanently in 2015 and the property was vacated by the Jesuit order in 2019. Therefore, the redevelopment of these core urban lands is in accordance with the waste and environmental policies outlined above.

The proposed scheme has had regard to relevant environmental legislation as set out in the enclosed reports and EIAR in accordance with NPO 52. The development will support the efficient use of core urban land and will contribute towards reducing the rate of urban sprawl in accordance with NPO 53. The redevelopment of the subject site will provide a population in close proximity to public transport and encourage walking and cycling, in

accordance with NPO 54 and NPO 64 which sets out to improve air quality through promoting development that facilitates sustainable modes of transport. The development also provides permeable links through the site in proximity to frequent public transport (i.e. through the public park and through the pedestrian boulevard between Blocks A and B). In addition, new pedestrian entrances have been provided and potential links to the remaining institutional lands to the south-east can be facilitated if required in future. The proposed development will positively contribute to the surrounding area as it will enhance permeability and wider connectivity for the wider area and will contribute to the green infrastructure network (NPO 58).

In total the scheme provides 344 No. car parking spaces which includes 10 No. car club spaces (5 No. GoCar and 5 No. Development Car Share). Some 335 No. spaces have been provided for the 671 No. residential units at a ratio of 0.51 spaces per unit (including 18 No. mobility impaired spaces, 35 No. EV parking spaces). This ratio excludes creche/drop-off/taxi parking. The 344 No. parking spaces also includes 2 No. taxi spaces, 4 No. set-down/drop-off spaces and 3 No. spaces for the creche.

The subject site is located in a 'Central and /or Accessible Urban Location' as defined by the *Apartment Guidelines, 2020* therefore, it is clear that car parking provision can be reduced in this location. Some 1,361 No. bicycle parking spaces will also be provided as part of the proposed development. We note that the site is located directly adjacent to a cycle path which runs along Sandford Road (Route No. 11 on the NTA Cycle Network Plan) and connects the Sandford Business District into the City Centre via Clonskeagh and Ranelagh. The River Dodder Greenway is also located in close proximity to the site which is scheduled to be upgraded as part of the *NTA Cycle Network Plan 2013*.

The incorporation of permeable pedestrian and cycle connections through the site ensures that easy access to a primary cycle route along Sandford Road is provided from the site for future residents of the site and the wider community. The proposed scheme will therefore promote sustainable modes of transport resulting in a lower carbon footprint and will be consistent with NPO 54.

The proposed development is supported by the following reports/drawings which detail the measures which have been taken in order to meet the above policy objectives relating to waste and environmental issues, particularly in accordance with NPO 63, 65 and 75:

- Landscape Design Statement prepared by Cameo and Partners Landscape Architects;
- Traffic and Transport Assessment prepared by DBFL Consulting Engineers;
- Infrastructure Design Report prepared by DBFL Consulting Engineers;
- Site SpecfocFlood Risk Assessment prepared by DBFL Consulting Engineers;
- Arboricultural Assessment, Arboricultural Impact and Tree Protection Strategy Report prepared by CMK Horticulture and Arboriculture;
- Appropriate Assessment Screening prepared by JBA Consulting; and
- Energy and Sustainability Report prepared by O'Connor Sutton Cronin Consulting Engineers.

The following chapters form part of the EIAR and relate to waste and environmental issues:

- Water-Hydrology Chapter prepared by DBFL Consulting Engineers (Chapter 11);
- Material Assets - Waste Management Chapter prepared by AWN Consulting (Chapter 14);
- Air Quality and Climate Chapter prepared by AWN Consulting (Chapter 12);
- Noise and Vibration Chapter prepared by AWN Consulting (Chapter 13); and
- Biodiversity Chapter prepared by JBA Consulting (Chapter 8).

It is considered that the proposed development is consistent with the environmental objectives as set out in the *NPF*.

#### 4.3 *National Spatial Strategy 2002-2020*

The *National Spatial Strategy* ("NSS") is a twenty-year planning framework which aims to sustain the following through informing the spatial development of the country as a whole:

- a better quality of life for people;
- a strong, competitive economic position; and
- an environment of the highest quality.

It is noted that Dublin City forms part of the Greater Dublin Area (GDA). The *NSS* notes in relation to the GDA that:

*'Population growth within and in many areas adjoining the GDA is being driven primarily by the investment dynamics of natural increase and high migration combined with a very high proportion of new jobs and investment continuing to be attracted to the Dublin area.'* [Our Emphasis]

It is widely recognised that the GDA has experienced a rapid rate of growth in recent years that has been primarily accentuated by the country's economic successes. The *NSS* acknowledges that strong growth results in a *'particularly heavy burden of development pressures, such as housing supply difficulties and traffic congestion, on the city and its surrounding area.'*

As result, the *NSS* states that

*'up to four-fifths of the population growth in the State could take place in or in areas adjoining the Greater Dublin Area over the next twenty years.'* In doing so, *'Dublin will continue to grow in population and output terms. However, it is not desirable for the city to continue to spread physically into surrounding counties. The physical consolidation of Dublin, supported by effective land use policies for the urban area itself, is an essential requirement for a competitive Dublin.'*

As the proposed higher density development is located on a large, corner infill site in an existing residential area, the scheme is in accordance with the aims of the *NSS* to restrict the sprawl of the city outwards into the surrounding counties. The development will increase the supply of housing at a time of acute demand and aims to reduce traffic congestion by encouraging sustainable modes of transport.

The proposed density of 157.5 No. units per Hectare at this core urban site cannot be considered challenging and reflects the extensive quantum of public and communal open space provided throughout the site.

The NSS reiterates NPO 32 of the NPF stating that:

*'it has been estimated that it will be necessary to provide some 500,000 additional dwellings to meet likely demand in the period up to 2010. Ireland's housing stock per thousand of population is the lowest in the EU at 327 housing units per thousand population as compared to 435 per thousand in the UK and a European average of 450 per thousand'.*

Whilst outdated, the critical demand for housing still exists in the current housing crisis and therefore a significant quantum of additional housing is required to contribute towards alleviating the housing crisis.

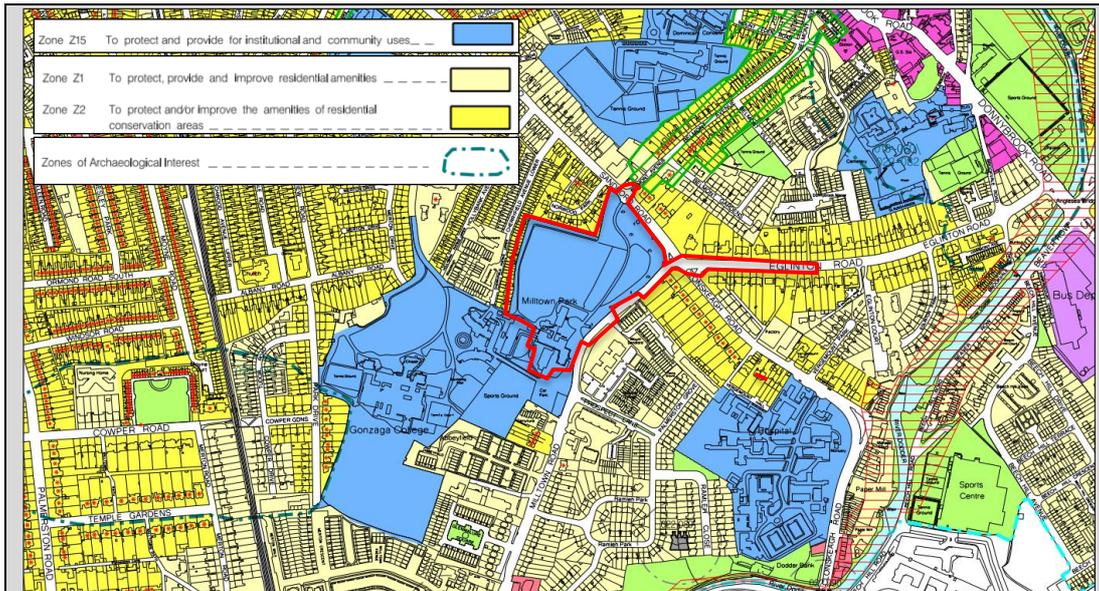
The proposed development principally comprising 671 No. residential units (604 No. Build-to-Rent units and 67 No. Build-to-Sell units) will provide an accommodation mix of studios, one, two and three bed apartments and duplexes. The development will contribute towards alleviating the housing crisis by providing accommodation in close proximity to centres of employment.

The NSS sets out criteria for the location of housing within urban areas as set out below:

- The Asset Test - Are there existing community resources, such as schools etc., with spare capacity?

The application lands are located in an accessible location with many services and facilities in close proximity, which will be supplemented by the amenity spaces for the provided within the proposed scheme including co-working space, lounges, library rooms and a multi-purpose hall. A crèche has also been provided within Block F.

The subject site is zoned Objective Z15 'Institutional and Community' in the *Dublin City Development Plan 2016-2022*, where the stated objective aims *'to protect and provide for institutional and community uses'*. Residential use is *'Open for Consideration'* and a crèche is *'Permitted in Principle'* on Z15 zoned lands. As illustrated on the below extract, the surrounding area is primarily residential in nature with the wider Z15 lands including Cherryfield Nursing Home, Milltown Park Community House and Gonzaga College also located to the south-west of the lands.



**Figure 4.3: Zoning Map Demonstrating the Location of the Subject Site**

(Source: *Dublin City Council Development Plan 2016-2022*, annotated by Thornton O'Connor Town Planning, 2021)

There is a range of services, facilities and amenities in proximity to the subject site most notably within Neighbourhood Centres such as Milltown, Donnybrook, Clonskeagh, Ranelagh and Beechwood.

The Childcare Demand Assessment prepared by KPMG Future Analytics which is enclosed separately concludes that c. 13 No. childcare spaces could be required by the proposed development. The Audit concludes that there is capacity for c. 16-17 No. childcare spaces within a 2 km radius of the subject site. The Social Infrastructure Audit also prepared by KPMG Future Analytics notes that there is capacity for c. 162-163 No. pupils in primary schools in the area with the proposed development generating a demand for c. 66 No. pupils. The Assessment also notes that the development will generate a demand for c. 29 No. post-primary school places. The Audit concludes that there is capacity within 2 km of the proposed development for 35 No. pupils in existing post-primary schools. Marian College confirmed that there is available capacity in the school but were unable to quantify exact numbers at the time of writing. The Report notes that there was a modest response rate for post-primary schools (c. 50%) owing to the time of year that the consultation took place, and thus it is reasonable to conclude that further additional capacity beyond the capacity for c. 35 No. pupils is available within the study area.

The Social Infrastructure Audit concludes that the existing social infrastructure provision within close proximity to the subject site is capable of serving the population at the subject site.

It should be noted that there is an expected lower frequency of children to catered for in the Build-to-Rent element of the scheme (which represents 90% of the units) compared to a similar Build-to-Sell development.

- The Carrying Capacity Test - Is the environmental setting capable of absorbing development in terms of drainage etc.?

Please find enclosed an Infrastructure Design Report, prepared by DBFL Consulting Engineers which details the proposed foul water drainage arrangements, storm water drainage arrangements, water supply, and the inclusion of green roofs and SuDS demonstrating that the development can be appropriately absorbed. In addition, a full Environmental Impact Assessment Report has been prepared which demonstrates that the subject development can be catered for at the subject lands.

- The Transport Test - Is there potential for reinforcing usage of public transport, walking and cycling?

The proposed development will promote and encourage sustainable modes of transport such as through the provision of reduced car parking. As detailed previously in this document, a wide range of public transport services are available in close proximity to the site such as Luas stops and bus stops. A large variety of business districts and employment locations can be easily accessed by high frequency public transport and many are also within easy cycling and walking distance from the subject site. We also note that many services and facilities are also located within cycling and walking distance of the subject site. As detailed in Section 3.4.4, there is a significant quantum of business districts/employment locations/hospitals available by public transport and/or by cycling and walking from the subject site.

The Green Line Luas also allows easy access to a significant quantum of employment locations throughout the City Centre, North and South Dublin City, North and South of Dublin County in addition to the opportunity for users to change onto the Red Line Luas at O'Connell Street/Abbey Street which would provide access to employment locations to the east and west of the City Centre.

In addition, University College Dublin can be accessed by the No. 11 bus route and is located c. 7 No. minutes cycling distance and c. 21 minutes walking distance from the subject site.

In our professional planning opinion, the subject site is well located in terms of access to the wider employment, enterprise and education in Dublin.

We also note that the proposed layout of the development promotes permeability through the facilitation of the following:

1. A new public park along the east of the site from Sandford Road to Milltown Road;
2. A pedestrian avenue from Sandford Road through the plaza area, connecting through the pedestrian boulevard to the forecourt at the front of Tabor House and the Chapel (with access to Milltown Road also possible at this location). The ground and first floor levels of Block B have been set back (designed as a colonnade) to allow a visual connection through to Tabor House;
3. Some 2 No. new pedestrian gates will be provided at each vehicular access point from Sandford Road and Milltown Road;

4. In addition to the pedestrian gates provided at the vehicular entrances, a pedestrian access point will be provided at the junction of Milltown Road and Sandford Road into the public park which demonstrates that ample permeable opportunities are provided in the proposed development;
5. A portion of the boundary treatment of the existing wall will be modified along Milltown Road and Sandford Road. In this regard, a proposed upstand wall with railing will be provided in lieu of the existing cement or stone wall (predominately render removed) which will allow views into the site and will thus visually open the site up to the public and will enhance legibility in the area; and
6. There will be limited vehicular activity within the subject scheme. At the principal Milltown Road entrance, cars will predominately enter the basement on arrival to the site. Some 92-96% of cars will filter directly into the basement from Milltown Road (within c. 20 metres of the site entrance) and this will ensure that the shared surface to the west of the site adjacent to the Block E duplexes and apartments will not be car dominated and will be a safe environment for all users. The existing Sandford Road entrance will be the secondary vehicular access to the site (principally for deliveries, emergencies and taxis for example with a small element of mobility impaired parking for residents) and thus will have very minimal traffic movements. The limited number of cars arriving through the Sandford Road access will be prevented from entering the plaza area due to the newly proposed bollards.

Therefore, it is clear that a strong focus of the scheme layout has been to reinforce the use of sustainable modes of transport within the proposed development. The scheme provides many permeable links through the site thereby enhancing permeability for existing residents in surrounding dwellings and future residents of the scheme to navigate easily to and from public transport, services and facilities. These links will be aesthetically pleasing and attractive, making the experience enjoyable for the user of these spaces.

The scheme can also facilitate future potential links to the remaining Z15 lands through the proposed 2.4-metre-high boundary wall if required in the future.

We note that 1,361 No. bicycle parking spaces are proposed as part of the development which will reinforce the use of cycling as a sustainable mode of transport.

This planning application includes a Parking Strategy, Traffic and Transport Assessment and Mobility Management Plan both prepared by DBFL Consulting Engineers.

- The Economic Development Test - Is there potential to ensure integration between the location of housing and employment?

The proposed development is a direct response to the housing shortage of suitable accommodation within Dublin, an area of high demand as evidenced by the demographic, economic and societal changes in recent years. As set out in Section 3.4.4, there are a range of employment locations and business districts that are easily accessible from the subject site by public transport, bicycle and walking. Therefore, it is clear that the subject core urban site is suitable for housing development within an existing residential area in close proximity to employment.

- The Character Test- Will the proposal reinforce a sense of place and character?

The proposal will result in the sustainable development of a large, underutilised site in a prime location in Dublin.

The Chapel and Tabor House are proposed to be reused and refurbished within the development which will enhance the sense of place and character of the site as these buildings (or any of the subject lands) were previously not available for public access or use. The reuse of the Chapel and Tabor House within the development will ensure that the local history of the Jesuit Community use is retained at the subject lands.

The facilitation of permeable links through the site (i.e through the new public park along the east of the site and through the pedestrian boulevard between Blocks A and B) linking Sandford Road and Milltown Road will significantly improve permeability in the area. The provision of the 10 No. storey block (A1) form flanking the public park with high quality and attractive elevations will provide a sense of safety for persons navigating through the public park. The scheme also facilitates future potential links through to the wider institutional lands should this be required in the future. Therefore, it is clear that the integration of the site with the character of the surrounding area, the reuse of functional existing buildings and the provision for increased permeability and connectivity, have been key considerations for the layout of the proposed development.

The development will also contribute to a sense of place along Milltown Road and Sandford Road as this large corner site will be opened up (site has historically been closed off from the public) to welcome the public through the site and will become a gathering place for the community for the first time. Therefore, the scheme encourages integration with the surrounding area. We note that the higher elements of the building forms are located to the least sensitive locations within the site (adjacent to the public park fronting Milltown Road and Sandford Road and towards the centre of the site) while also providing opportunities for light infiltration to the open spaces ensuring that this space will be attractive and useable for future residents.

- The Community Test - Will the proposal reinforce the integrity and vitality of the local community and services that can be provided?

The proposal will result in the redevelopment of an underutilised core urban site. The positioning of the development comprising a mix of Build-to-Rent and Build-to-Sell units will provide active surveillance of the outdoor spaces and pedestrian routes through the site. We note that communal residential amenities such as lounges, co-working space, coffee dock and a gym are provided, which will instill a community ethos.

- The Integration Test - Will the proposal aid an integrated approach to catering for the housing needs of all sections of society?

As previously noted, there is an acute housing shortage currently present in Ireland and a significant demand existing for accommodation. Now more than ever there appears to be a shortage of urban residential development, especially in light of the restrictions placed on construction works throughout the Covid-19 pandemic. The proposed application is considered to respond to the local need for high quality and suitable accommodation.

In relation to the Build-to-Rent element of the scheme, we note that the *Apartment Guidelines, 2020* states that Build-to-Rent developments:

*'can provide a viable long term housing solution to households where home-ownership may not be a priority, such people starting out on their careers and who frequently move between countries in the pursuance of career and skills development in the modern knowledge-based economy.'*

The Build-to-Rent typology will provide alternative and affordable purpose-built accommodation to meet the housing needs of a greater number of persons, while the Build-to-Sell units will provide the opportunity for people seeking to purchase a home in the area.

We highlight that the scheme will provide 10% social and affordable housing in accordance with Part V of the *Planning and Development Act 2000 (as amended)*.

The proposed scheme provides high quality public and communal external amenity areas in addition to extensive internal communal amenity areas which meet the housing needs of a greater number of persons.

Furthermore, the NSS states that:

*'efficient use of land by **consolidating existing settlements**, focusing in particular on development capacity **within central urban areas through re-use of under-utilised land and buildings as a priority, rather than extending green field development.**'*  
[Our Emphasis]

The subject development proposes the densification of an underutilised site in proximity to high quality public transport which offer frequent services to the city centre and wider employment areas, many of these areas are also accessible within cycling and/or walking distance of the site, as previously detailed. The development also includes the re-use of the Tabor House and Chapel buildings which is in line with the above policy of the NSS.

There is continued pressure and demand for accommodation within this area of Dublin. Therefore, the proposed development can simultaneously assist in addressing this demand and represents the proper planning and sustainable development of the area as the proposed mix of units will cater for a wide cohort of persons.

The development is consistent with the policy guidance as set out within the *National Spatial Strategy 2002 – 2020*.

#### 4.4 **Action Plan for Housing and Homelessness, Rebuilding Ireland**

The *Action Plan for Housing and Homelessness – Rebuilding Ireland* recognises that a significant increase in new homes is needed and is referenced in the long title to the *Planning and Development (Residential Tenancies) act 2016, as amended*. The Action Plan outlines a five-pillar approach:

- 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.

It is noted that a number of these pillars are inter-related and therefore the proposal will to an extent have a positive impact on each of the abovementioned pillars. It is considered that the proposed development directly addresses the objectives set out within Pillar 2, Pillar 3 and Pillar 4.

- Pillar 2: Increase the level and speed of delivery of social housing and other state-supported housing.
- Pillar 3: Build More Homes – Increase the output of private housing to meet demand at affordable prices.
- Pillar 4: Improve the Rental Sector – Address the obstacles to greater private rented sector delivery, to improve the supply of units at affordable rents.

The publication outlines that the affordability of property in the current economic climate is the basis for the decline in home ownership. As a result, there is a growing number of households paying a greater proportion of their incomes on accommodation which has subsequent impacts on their quality of life and their ability to save. In an attempt to manage this societal and economic shift, the document encourages development in the Build-to-Rent sector as follows:

*'Our current stock of housing, however, was not built with the needs of long-term renters in mind. A growing trend in other countries is homes built specifically for the rental market. Build-to-rent is larger scale, with on-site amenities, and targeted at institutional owners rather than individual buy-to-let landlords. Build-to-rent developments are designed with the occupants in mind – equal sized bedrooms clustered around a central shared space, or the inclusion of amenities such as gyms and creches and shared entertainment facilities.'*

The document also identifies that:

*'Rising rents have made accommodation more and more expensive for many families and individuals. This is particularly so for those who are on low to moderate incomes and do not qualify for social housing but who need some level of support to meet their housing cost.'*

The publication stipulates in relation to the delivery of housing that:

*'the housing challenge is not simply about providing more homes – it is also about moving away from cycles of volatility in supply and affordability. Ireland needs to move towards a more stable, cost effective, affordable housing provision model that also delivers the right level of housing, in the right places and at the right time.'*

As discussed throughout this document, the proposed development will comprise 604 No. Build-to-Rent units (88 No. studios, 262 No. one bed units, 242 No. two bed units and 12 No. three bed units) and 67 No. Build-Sell duplex units (11 No. studios, 9 No. one bed units,

32 No. two bed units and 15 No. three bed units). The development will directly address the evident housing need by significantly increasing housing accommodation in this highly attractive and sought-after location and responds proportionately to the pillars as set out above, with particular emphasis on Pillars 2, 3 and 4.

The Build-to-Rent accommodation will provide alternative, affordable residential accommodation whilst the Build-to-Sell units will benefit those seeking to purchase a home. Some 67 No. leased social housing units will also be provided as part of the development, which represents 10% of the proposed units in accordance with Part V of the *Planning and Development Act 2000 (as amended)*.

It has been demonstrated that the proposal subject of this statement is consistent with the policy guidance of the *Action Plan for Housing and Homelessness, Rebuilding Ireland*.

#### 4.5 ***Urban Development and Building Heights – Guidelines for Planning Authorities (December 2018)***

The *Urban Development and Building Heights Guidelines for Planning Authorities* (“*Building Height Guidelines*”) were adopted in December 2018 under Section 28 of the 2000 Act, some two and a half years after the adoption of the *Dublin City Development Plan 2016-2022*. It is our professional opinion that the Development Plan does not align with and support the objectives and policies of the *NPF* in relation to the provision of increased height as detailed below. This is significant in the context of the third “broad principle” under Section 3.1 of the *Building Height Guidelines*, which is considered further below. An Bord Pleanála and Planning Authorities must have regard to these Guidelines and, in particular, compliance with the Specific Planning Policy Requirements (SPPRs) is mandatory. This section is included in the Material Contravention Statement enclosed and is included here for ease of reference.

The *Building Height Guidelines* state that a key objective of the *NPF* is to significantly increase the building heights and overall density of developments.

The Minister's foreword to the *Building Height Guidelines* acknowledges that Ireland's classic development models for city and town cores has tended to be dominated by employment and retail uses, surrounded by extensive and constantly expanding low-rise suburban residential areas which is an unsustainable model. There is an opportunity for our cities and towns to be developed differently. Urban centres could have much better use of land, facilitating well located and taller buildings, meeting the highest architectural and planning standards. The Guidelines are intended to set a new and more responsive policy and regulatory framework for planning the growth and development of cities and towns upwards rather than outwards.

The *Building Height Guidelines* state that the:

*‘Government considers 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.**’* [Our Emphasis]

The Guidelines also emphasise that increasing prevailing building heights have a critical role to play in addressing the delivery of more compact growth in our urban areas, particularly

our cities and large towns through enhancing both the scale and density of development and it notes that the planning process must actively address how this objective will be secured.

The *Building Height Guidelines* expressly seek increased building heights in urban locations:

*'In relation to the assessment of individual planning applications and appeals, it is Government policy that **building heights must be generally increased in appropriate urban locations**. There is therefore a presumption in favour of buildings of **increased height in our town/city cores and in other urban locations with good public transport accessibility**.'* [Our Emphasis].

The *Building Height Guidelines* also advise that taller buildings can assist in contributing to a sense of place and can indicate important street junctions:

*'Furthermore, while **taller buildings** will bring much needed additional housing and economic development to well-located urban areas, they **can also assist in reinforcing and contributing to a sense of place** within a city or town centre, such as indicating the main centres of activity, **important street junctions**, public spaces and transport interchanges. In this manner, **increased building height is a key factor in assisting modern placemaking** and improving the overall quality of our urban environments'.* [Our Emphasis]

The layout of the proposed development has been subject to numerous design iterations to ensure that the scheme as proposed presents the optimal planning solution for the lands and its surrounding context. The proposed layout has positioned the highest forms at the least sensitive locations throughout the site (fronting Milltown Road and Sandford Road, fronting the large public open space to the east of the site, and towards the centre and southern portions of the subject lands), at a distance from sensitive residential receptors. It is considered that the scheme design strikes a balance between respecting the surrounding environment of the scheme and ensuring the development potential of a significantly scaled, strategically positioned and underutilised plot is maximised, in proximity to good public transport accessibility and is an appropriate location for increased height in line with the *Building Height Guidelines*.

At the eastern boundary of the site the proposed development gives better definition to the important junction of Sandford and Milltown Road, a key arterial crossroads between Milltown, Clonskeagh, Donnybrook and Ranelagh. It improves the legibility of the urban structure and the 10 No. storey A1 block will act as a 'visual marker' for the scheme.

A Visual Impact Assessment and Daylight/Sunlight Analysis have been carried out in conjunction with the design of the subject development. These assessments demonstrate that the proposed development will not have an undue negative impact on its receiving environment. It is our professional planning opinion that the site has the capacity and capability to accommodate increased height that is actively sought in National policy guidance, given the scale of this c. 4.26 Ha development site which allows additional height to be proposed at strategic locations within the site. It is considered that the scheme design strikes a balance between respecting the surrounding environment of the scheme and ensures that the development potential of a significantly scaled, strategically positioned and underutilised plot is maximised.

Chapter 3 of the *Building Height Guidelines* expressly seeks increased building heights in urban locations:

*'In relation to the assessment of individual planning applications and appeals, it is Government policy that **building heights must be generally increased in appropriate urban locations**. There is therefore a presumption in favour of buildings of increased height in our town/city cores and in other urban locations with good public transport accessibility.'* [Our Emphasis]

Under the heading, Development Management Principles, the *Building Height Guidelines* state (at paragraph 3.1) that it is Government policy that building heights must generally be increased, and that Planning Authorities must apply certain broad principles when considering development proposals for buildings taller than prevailing building heights in pursuit of the *Building Height Guidelines*. The third bullet point or "broad principle" in paragraph 3.1 requires consideration to whether the implementation of the pre-existing policies of a plan that predates the *Building Height Guidelines* align with and support the objectives and policies of the *NPF*. The *NPF* is considered above. As they were made before the *NPF* and *Building Height Guidelines* were published, it is not surprising that the pre-existing policies in relation to height do not align. There is no doubt, therefore, that the Specific Planning Policy Requirements in the *Building Height Guidelines* are relevant to the assessment of this proposed development.

Section 3.1 of the *Building Height Guidelines* states that '*Planning Authorities must apply the following broad principles in considering development proposals for buildings taller than prevailing building heights in urban areas in pursuit of these guidelines*':

***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?***

The proposed scheme involves the redevelopment of an existing underutilised, brownfield, infill site in a prominent sustainable location. The subject development will contribute towards delivering compact growth in our urban areas. The scheme is therefore fully in accordance with the preferred approach of the *National Planning Framework*.

***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?***

Other than as set out in the Material Contravention Statement, the proposal is in line with the *Development Plan*. The *Development Plan* has not yet been reviewed and updated in light of the *Building Height Guidelines*. However, as discussed further below, the proposal is consistent with the Guidelines, and in our professional opinion the *Development Plan* should be read in conjunction with the *Building Height Guidelines*. It is considered that the heights proposed principally ranging from part 2 No. storeys to part 10 No. storeys on this expansive site are appropriate at the subject lands in order to accord with Government policy to increase building heights in sustainable locations.

The subject scheme has been sensitively designed to have minimal impact on the residential amenity of surrounding existing dwellings. Examples of such design measures include the positioning of the highest forms at the least sensitive locations throughout the site (fronting Milltown Road and Sandford Road, fronting the large area of public open space to the east of the site, and towards the centre and southern portions of the subject lands), at a distance from sensitive residential receptors. Furthermore, we note that a key priority throughout the detailed design stage of the development was to provide sufficient setbacks and appropriate transitions from the residential properties along Cherryfield Avenue Upper and Lower along the western boundary and from the residential properties along Norwood Park to the north. In this regard, 3 No. storey duplexes and apartments have been provided along the western boundary of the site adjacent to the Cherryfield Avenue Upper and Lower residents, and importantly there are no balconies to the rear of these units which minimises the potential for overlooking. A high-level window is provided to the living/kitchen/dining room at first floor level of the duplexes with a pop-out bay window incorporating a solid back wall and glazing to the sides provided for the upper level bedroom at the rear.

Large setbacks of between c. 32.5 metres and c. 50 metres have been provided between the Norwood Park dwellings and Block C which comprises building heights of 2, 6 and 8 No. storeys. An 'inset' has been incorporated towards the centre of Block C along the northern boundary, which will provide a 45 No. metre setback from the rear of the Norwood Park dwellings. As well as providing this setback from neighbouring dwellings, this inset also provides a visual connection from the rear of Tabor House to the public open space to the north of Block C. Norwood Park is also protected by a tree belt along the northern boundary.

The variation in proposed heights across the site provides visual interest and is appropriate in this location in order to accord with Government policy to increase building heights in sustainable locations. In particular, the 10 No. storey element will front the junction of Sandford Road and Milltown Road and will represent a 'visual marker' at the intersection of Milltown, Clonskeagh, Donnybrook and Ballsbridge. The Daylight/Sunlight Analysis and the LVIA demonstrate that these design measures have been successful in reducing any potential adverse impact on the surrounding area.

***Where the relevant development plan or local area plan 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?***

The Material Contravention Statement submitted separately with this planning application clearly demonstrates that the prescriptive heights of the *Dublin City Development Plan 2016 – 2022* are now incompatible with the developments in National Policy, which have occurred since the Plan's adoption.

We note, in particular, National Policy Objective 35 of the *National Planning Framework*, which seeks an increase in residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights. Insisting on the application of the height requirements in the *Development Plan* would not align with NPO 35.

It is our opinion that the subject site has the potential for much greater heights than 16 No. storeys to sustainably densify this strategic site (albeit in some locations such as along

the western boundary, the height does not exceed 16 No. metres) having regard to the high quality architectural composition of the scheme, the large public open spaces provided and the site's location at a prominent junction which will all contribute towards absorbing the proposed building heights.

We note that a Visual Impact Assessment and Daylight/Sunlight Analysis have been carried out in conjunction with the design of the subject development and demonstrate that the proposed development will not have an undue negative impact on its receiving environment.

### Specific Planning Policy Requirement 3

SPPR<sub>3</sub> of the *Building Height Guidelines* sets out that:

*'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 [below]; 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.'* [Our Emphasis]

Section 9(3) of the SHD Act provides as follows:

*'(3) (a) When making its decision in relation to an application under this section, the Board shall apply, where relevant, specific planning policy requirements of guidelines issued by the Minister under section 28 of the Act of 2000.*

*(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.'* [Our Emphasis]

We now wish to consider how the proposed development complies with the specified criteria under Section 3.2 of the *Building Height Guidelines*, which are referred to in SPPR<sub>3</sub> as follows:

#### At the scale of the relevant city/town

*The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.*

The site is well served by public transport such as the Green Line Luas (Beechwood Luas 1 km / c. 13 minutes walking distance) and bus routes such as No. 11, 39a, 44, 46a, 61, 14 and 155 and 700 (Aircoach service). The Green Line Luas links with the Red Line Luas in the City Centre i.e. interchange at O'Connell Street / Abbey Street etc., which ultimately leads to various Train Stations e.g. Heuston Station and Connolly Station. The Green Line Luas frequency is every 3-5 No. minutes during peak hours and every 12 – 15 No. minutes frequency during off-peak hours and the bus services generally range in frequency from

every 7-30 No. minutes frequency and there are also some bus routes with hourly frequency (please see page 46-47 of this report for full details on the frequency of the relevant proximate bus services). The proximity of the site to high frequency public transport provides opportunities for residents of the scheme to travel to significant employment locations and business districts such as the Canal, the Docklands, Harcourt Street, Ballsbridge, Sandford Business District, Belfield Office Park and neighbourhood centres such as Ranelagh, Donnybrook and Rathmines. The majority of these areas are also located within cycling and walking distance of the site.

Furthermore, the following 4 No. hospitals are within close proximity to the subject site:

Hospitals		
No.	Name	Distance
1	Clonskeagh Hospital	→ c. 450 metres → c. 3 No. minutes cycling distance → c. 6 No. minutes walking distance
2	The Royal Hospital Donnybrook	→ c. 1.4 km → c. 5 No. minutes cycling distance → c. 17 No. minutes walking distance
3	St Vincent's Hospital	→ c. 2.3 km → c. 7 No. minutes cycling distance → c. 26 No. minutes walking distance
4	St Luke's Hospital	→ c. 2.9 km → c. 10 No. minutes cycling distance → c. 37 No. minutes walking distance

In addition, University College Dublin is located within c. 7 No. minutes cycling distance and c. 21 minutes walking distance from the subject site.

Therefore, it is clear that there are significant employment opportunities easily accessible from the subject site. The site is well located proximate to frequent public transport, some of which link to other forms of public transport e.g. Green Line Luas links with the Red Line Luas, which ultimately leads to various Train Stations.

*Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views. Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.*

**TOC Comment:** It has been detailed in the Masterplan & Architectural Design Statement, Landscape Design Statement and Thornton O'Connor Town Planning documents how the development will be assimilated into the surrounding context. In this regard we note that the subject site has strong frontage onto Milltown Road and Sandford Road at a prominent intersection between Milltown, Clonskeagh, Donnybrook and Ranelagh.

The site is located in proximity to an Architectural Conservation Area (Belmont Avenue ACA) which is to the north of the subject site. There are Protected Structures also located to the north on the opposite side of Sandford Road and to the east along Clonskeagh Road

with additional Protected Structures located to the north-west along Sandford Road and to the south along Milltown Road (greater distance). The proximity of the site to the ACA and Protected Structures has been duly considered as part of the design process of the subject scheme and the proposed development is integrated with the character and cultural heritage of the surrounding area by:

- The provision of public open space along the northern and eastern boundaries naturally ensures that the building forms are set back from the ACA and Protected Structures on Sandford Road and Clonskeagh Road;
- The natural set back provided between the site and the ACA/Protected Structures due to the position of Sandford Road which runs between the northern boundary of the site and the southern boundary of the ACA/Sandford Road Protected Structures and also due to the position of Milltown Road which runs along the eastern boundary of the site and the Protected Structures along Clonskeagh Road; and
- The position of built forms within the site which are set back from the boundary with Sandford Road.

In addition, the proposed development incorporates the refurbishment and reuse of Tabor House and the Chapel which will integrate with the new buildings proposed as part of the development. The proposal will repurpose the buildings to accommodate residential units (Tabor House) and amenity spaces (Tabor House and the Chapel), therefore promoting the character of the buildings. The reuse and refurbishment of Tabor House and the Chapel will allow a new characterful setting to be created in the landscape and the buildings will act as a focal point for the development especially entering the site from Milltown Road or walking through the pedestrian street from the northern end of the site with glimpses of Tabor House shown through the setbacks of Block B. The north of the site is slightly lower than the south of the site near Tabor House and the Chapel and the new blocks (in particular Block A<sub>1</sub>/A<sub>2</sub>) and the pedestrian boulevard have been cognisant of this change in levels and are laid out appropriately.

Chapter 7 of the EIAR (Architectural Heritage) prepared by Molloy and Associates Conservation Architects states the following:

*'The proposal to restore and adapt selective buildings, which are deemed to be both of heritage significance and suitable for purposeful adaptation, has been conceived to minimise the extent of loss across the site as a whole. The works proposed to the buildings selected for reuse, have been designed with the objective of preserving the character of the site and detailed to minimise unnecessary loss...The potential for positive impact is inherent in the rejuvenation of the site through the adaptation of existing building fabric of heritage interest and the provision of new buildings to secure a sustainable long-term use for the site...The retention of two buildings for purposeful re-use within the vast building range presents an inherently positive impact for the legibility of the original function of the site.'*

Furthermore, a key priority during the detailed design stage was to provide sufficient setbacks and appropriate transitions from the residential properties along Cherryfield Avenue Upper and Lower and from the residential properties along Norwood Park to the north. In this regard, 3 No. storey duplexes and apartments have been provided along the western boundary of the site adjacent to the Cherryfield Avenue Upper and Lower residents with importantly no balconies proposed along the rear elevation. A high-level

window is provided to the living/kitchen/dining room at first floor level of the duplexes with a pop-out bay window incorporating a solid back wall and glazing to the sides provided for the upper-level bedroom at the rear.

In addition, large setbacks of between c. 32.5 metres and c. 50 metres have been provided between the Norwood Park dwellings and Block C which comprises building heights of 2, 6 and 8 No. storeys. Furthermore, an 'inset' has been provided towards the centre of Block C along the northern boundary which will provide a 45 No. metre setback from the rear of the Norwood Park dwellings. As well as providing this setback from neighbouring dwellings, this inset also provides a visual connection from the rear of Tabor House to the public open space to the north of Block C. Norwood Park is also protected by a tree belt along the northern boundary.

Furthermore, Block D proposes heights of 3 to 5 No. storeys with the 3 No. storey element positioned adjacent to the neighbouring dwellings on Cherryfield Avenue Upper to provide an appropriate transition.

Block F to the south of the site ranges in height from 5 No. to 7 No. storeys and has been set back from the remaining Jesuit lands. This boundary between Block F and remaining Jesuits lands will be provided with the new 2.4-metre-high boundary wall proposed as part of this planning application to separate the Applicant's lands from the remaining Jesuit lands.

The scheme then transitions in height along the eastern boundary with Block A1 ranging in height from part 5 No. to part 10 No. storeys and Block A2 ranging in height from part 6 to part 8 No. storeys (including part double height at ground floor level). The 10 No. storey A1 block will act as a 'visual marker' for the scheme at the prominent junction of Sandford Road and Milltown Road at a key arterial crossroads between Milltown, Clonskeagh, Donnybrook and Ranelagh. The Block A1 focal point will act as a key landmark and improve legibility and wayfinding for the wider area and internally within the site.

The subject site has significant frontage onto Sandford Road and Milltown Road which facilitates the unique opportunity to provide permeable connections through the site. These connections include through the public park and the pedestrian boulevard and in tandem with the provision of pedestrian gates and the opening up of portions of the boundary wall, this represents a significant planning gain for the area as the site is closed from the public (the lands have always been in private use by the Jesuit community). The provision of these connections will encourage permeability through the site benefiting the wider public, whilst also assisting with the integration of the proposed scheme into the surrounding area and enhancing the public realm.

From the outset, the Design Team has sought to create a scheme that complies with daylight and sunlight requirements with respect to neighbouring properties, the public open spaces and the apartments themselves (tallest elements positioned away from surrounding dwellings).

The Daylight and Sunlight Assessment prepared by 3D Design Bureau concludes that the proposed development generally performs in line with BRE recommendations.

In addition, a Landscape and Visual Impact Assessment prepared by Modelworks has been carried out which considers key views through and surrounding the subject site. This has been submitted as part the EIAR (which assesses the verified views prepared by 3D Design Bureau) and notes that the site fronts a junction which:

*'The junction funnels traffic from three urban cores, i.e. Clonskeagh/UCD, Milltown and Donnybrook towards the city centre via Ranelagh. The site occupies the most prominent of the four quadrants around the junction. Due to a number of factors, including the non-orthogonal configuration of the junction, the absence of buildings at the corner of the site, and the wall and trees along the site boundary, the junction does not manifest as a distinct 'place' in the townscape. Despite the large houses and trees around the junction it does not figure clearly in people's mental map of the area and does not contribute positively to legibility.*

*The junction as a place, and the streets to which the site has frontage, warrant greater emphasis in the townscape – to give better definition to the junction locally, and to improve the legibility of the urban structure. This can be achieved only by built form on the site (the other quadrants around the junction all being already developed).'*

*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.*

**TOC Comment:**

**Place-Making**

The proposed development will contribute positively towards place-making due to the large spaces and streets provided throughout the scheme as set out in detail below. These large spaces will ensure that a sense of place and wayfinding is achieved in the scheme as residents and the wider public travel through the various routes provided.

The development proposes heights of principally part 2 to part 10 No. storeys across the site. There will be many 'destination' points in the scheme such as the forecourt to the retained Tabor House and the 10 No. storey pop-up element flanking Sandford Road, Milltown Road and the new public park and plaza, which will add architectural interest to the scheme by creating a strong architectural presence to announce the development for residents and the public on entering the site. The 10 No. storey element of the scheme will be a 'visual marker' or key landmark. It is our opinion that this vertical building form will assist in the wayfinding strategy of the scheme. O' Mahony Pike Architects note the following in their Masterplan & Architectural Design Statement:

*Height Baseline - Design strategy is to establish baseline height of 5 storeys within the centre of the scheme which, depending on the contextual edge condition and degree of separation, steps up or down 2 storeys.*

*Anchor buildings - These elements of 7-8 storeys provide accent and variation at either end of the axial route between the forecourt and the plaza which enhances legibility, wayfinding and connectivity.*

*Urban Marker - The proposed 10 storey 'urban marker' acts as a reference point within the local area to enhance legibility and placemaking by announcing the development sitting within an expansive site which is otherwise concealed from the wider community behind an existing 3M high perimeter wall and existing mature tree belt.*

*Placemaking - The location of this urban marker responds to the wider context and urban morphology by marking the key junction and transition between the merging neighbourhoods of Milltown, Ranelagh, Clonskeagh and Donnybrook. The design intent, massing and orientation of this building specifically responds to the view South from this junction on Eglinton road creating an elegant 'punctuation mark' as the building extrusion emerges at a suitable height above the horizontal 'green veil' around the perimeter of the site along the North and East edges. As such, at the neighbourhood scale it acts as a 'reference point' in the landscape.*

*Emerging Context - A taller building in this location it will add interest to the skyline and provide a visual reference point. While the site is on the periphery of the City Centre, it is in an area of emerging urban character with substantial developments to the South and East.*

*Green Belt - This urban marker addresses the flow of the park as it winds its way around the North/ East corner while also signifying the wide 3 storey pedestrian archway connection between the park and the central plaza space. With the exception of the urban marker the rest of the development will be below the height of the existing mature tree belts which are retained and provide a 'green veil' to the perimeter of the site along the North and East edges.*

It is our professional planning opinion that the proposed heights of principally part 2 to part 8 No. storeys across the site with Block A1 providing a pop-up 10 No. storey element, cannot be considered challenging on this large core urban site. It is clear that the Design Team has comprehensively considered the height of the blocks within the proposed development as the modulation of height throughout the site responds to the situational context of each block within the site. The 10 No. storey pop-up 'visual marker' is a key element of the proposed scheme in terms of its role in wayfinding for the local area and internally in the site and will act as a focal point for the scheme having regard to its position at the junction of Sandford Road and Milltown Road at a key arterial crossroads between Milltown, Clonskeagh, Donnybrook and Ranelagh.

It is our professional planning opinion that the proposed heights of principally part 2 to part 8 No. storeys across the site with Block A1 providing a pop-up 10 No. storey element, cannot be considered challenging on this large core urban site. It is clear that the Design Team has comprehensively considered the height of the blocks within the proposed development as the modulation of height throughout the site responds to the situational context of each block within the site. The 10 No. storey pop-up 'visual marker' is a key element of the proposed scheme in terms of its role in wayfinding for the local area and internally in the site and will act as a focal point for the scheme having regard to its position at the junction of Sandford Road and Milltown Road at a key arterial crossroads between Milltown, Clonskeagh, Donnybrook and Ranelagh.

## New Streets and Urban Spaces

The proposed design and strategic layout provides visual relief through the blocks and concentrates on providing high quality open spaces and permeable connections throughout the scheme, therefore creating play opportunities, functional public space and attractive routes to navigate for the future residents and wider public to utilise. For example, the height of Blocks B and C which face the courtyard space are proposed to be dropped to 2 and 3 No. storeys in height to allow visual permeability into the courtyard and beyond to the remainder of the development. The proposed pedestrian boulevard will link the north of the site to Tabor House and the set back of the ground and first floor levels of Block B will provide visual connections through to Tabor House which will contribute towards the legibility of the development.

The new streets, spaces and connections which will create visual interest for the surrounding streetscape and provide permeable connections for the residents and wider public will principally consist of:

### Streets and New Visual Connections:

1. A new public park along the east of the site from Sandford Road to Milltown Road;
2. A pedestrian avenue from Sandford Road through the plaza area, connecting through the pedestrian boulevard to the forecourt at the front of Tabor House and the Chapel (with access to Milltown Road also possible at this location). The ground and first floor levels of Block B have been set back (designed as a colonnade) to allow a visual connection through to Tabor House;
3. The provision of lower heights (2 and 3 No. storeys) within the central Blocks B and C will allow additional visual connections through the site into the courtyard and beyond;
4. Some 2 No. new pedestrian gates will be provided at each vehicular access point from Sandford Road and Milltown Road;
5. In addition to the pedestrian gates provided at the vehicular entrances, a pedestrian access point will be provided at the junction of Milltown Road and Sandford Road into the public park, which demonstrates that ample permeable opportunities are provided in the proposed development;
6. A portion of the boundary treatment of the existing wall will be modified along Milltown Road and Sandford Road. In this regard, a proposed upstand wall with railing will be provided in lieu of the existing cement or stone wall (predominately render removed) which will allow views into the site and will thus visually open the site up to the public and will enhance legibility in the area; and
7. There will be limited vehicular activity within the subject scheme. At the principal Milltown Road entrance, cars will predominately enter the basement on arrival to the site. Some 92-96% of cars will filter directly into the basement from Milltown Road (within c. 20 metres of the site entrance) and this will

ensure that the shared surface to the west of the site adjacent to the Block E duplexes and apartments will not be car dominated and will be a safe environment for all users. The existing Sandford Road entrance will be the secondary vehicular access to the site (principally for deliveries, emergencies and taxis for example with a small element of mobility impaired parking for residents) and thus will have very minimal traffic movements. The limited number of cars arriving through the Sandford Road access will be prevented from entering the plaza area due to the newly proposed bollards.

New Urban Spaces:

The Public Open Spaces will be provided as follows (total 14,848 sq m/34.9% of site area):

- **Public Park and Plaza Area Connected Through the Triple Height Undercroft of Block A1:**  
 c. 10,970 sq m (c. 25.8% of the c. 42,547 sq m developable site area)
- **Northern Woodland Glade:**  
 c. 3,328 sq m (c. 7.8% of the c. 42,547 sq m developable site area)
- **Boulevard between Blocks A and B providing a pedestrian and cycle connection between Milltown Road and Sandford Road:**  
 c. 550 sq m (c. 1.2% of the c. 42,547 sq m developable site area)



Figure 4.2: Public Open Space Provision at the Application Site

(Source: Cameo and Partners Design Studio, 2021)



**Figure 4.3: Public Open Space Provision at the Application Site**

**(Source: Cameo and Partners Design Studio, 2021)**

The majority of this space (25.8%) will be provided in the eastern parkland and the plaza area which are linked through the triple height undercroft of Block A1. We note that the large public park along the eastern boundary of the site is currently significantly overgrown and this space will be transformed by the subject development and will become a significant public amenity for the area.

The proposed development will remove all Category U<sup>3</sup> trees for ecological purposes. To improve the quality and usability of the open space areas to the north and east of the site, the poor-quality Category C<sup>4</sup> trees (91 No.) are recommended for removal and thus the proposed development will seek to open up this park for residents and visitors to enjoy. Therefore, the provision of a high quality useable public park available to the wider community at the site will be a significant planning gain for the area (as the public have never enjoyed any right of access to these privately owned lands).

<sup>3</sup> Trees in such condition that any existing value would be lost within 10 years and which should, in the current context, be removed for reasons of sound arboricultural management. Trees that are dead, dying or showing immediate and irreversible decline. (CMK, 2021)

<sup>4</sup> Trees of low quality and value (a minimum of 10 years). (CMK, 2021)

The public park links through the triple-height undercroft of Block A1 to the plaza area where there will be no vehicular access allowed to the plaza area, thus ensuring that the space is high-quality for public use. The entrance from Sandford Road will be a secondary vehicular entrance, principally for taxis, set down and deliveries and bollards will prevent access to the plaza area. The treatment of the public plaza will provide a safe and enjoyable environment for the public and residents.

The opening up of the area while maintaining the woodland feel will allow access to the general public for the first time and the imposing boundary wall will be modified in sections to provide views into the site which will invite the public into the open spaces provided and will improve permeability in the area.

In addition to public park and plaza area connected through the undercroft of Block A1, a parkland walk (known as the Northern Woodland Glade) will also be provided to the north of Block C which is positioned adjacent to the plaza and the communal amenity space in Block C. This northern space represents c. 7.8% of the site area (or c. 3,328 sq m) and will provide further amenity on site in excess of the 25% requirement. In addition to utilising the eastern public park to travel through the site, the public can also utilise the pedestrian connection from Milltown Road and Sandford Road through the pedestrian boulevard (550 sq m or 1.3% of site area) between Blocks A and B.

Natural play facilities for the scheme will be mainly focused within these areas, specifically aimed at children to reconnect with nature and there will also be opportunity for adult engagement through natural gym equipment. There will also be seating provided throughout the site.

The total communal open space proposed at ground level is 5,444 sq m (12.8% of developable site area) and is provided as follows:

1. **Belvedere Garden (North of Block C): 120 sq m**
2. **Tabor House and Formal Food Garden: 3,704 sq m**
3. **Courtyard between Block B and C: 1,510 sq m; and**
4. **Front of communal internal spaces in Block B and C: 110 sq m**

The communal open space at surface level (5,444 sq m) excluding upper-level terraces of 431 sq m represents 12.8% of the site area. The total provision of public (34.9%) and communal open space (12.8%) at surface level (47.7% of site area) in addition to upper-level communal terraces, will ensure that a high-quality standard of living that encourages social interaction will be provided for the future tenants.

The subject lands are currently enclosed from the public and have historically always been in private use. The opening of the site to the public and provision of glimpses in through the new boundary treatment will generate visual interest in the streetscape and the provision of new streets, open spaces and connections is therefore considered a significant planning gain for the area.

### **Massing and Height**

The proposed scheme is presented in various forms and heights across the site, transitioning from the lower heights along more sensitive boundaries to the highest forms which are positioned at the least sensitive locations such as fronting Milltown Road and

Sandford Road, fronting the public park, and towards the centre and southern portions of the subject lands. We note that 3 No. storeys are provided adjacent to the residential dwellings (Cherrywood Avenue Upper and Lower) along the west of the site and the 2 to 8 No. storeys heights of Block C are setback c. 32.5 to 50 No. metres from the Norwood Park dwellings to the north.

Elsewhere, the height transitions to principally between 5 and 8 No. storeys with a pop-up 10 No. storey (Block A<sub>1</sub>) at the least sensitive locations which will avoid any abrupt transitions in scale and height from neighbouring residential dwellings, therefore the positioning of the higher building forms has been subject to detailed consideration to ensure that the scheme can be assimilated into the receiving environment. The criterion relating to '*variety in scale and form to respond to the scale of adjoining developments*' is considered to be met and has been addressed further at page 52 above.

**At the scale of district/ neighbourhood/ street**

*The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape.*

**TOC Comment:** The high-quality design and strategic layout of the proposed development provides an appropriate transition to surrounding residential dwellings having regard to clear guidance provided in national planning policy which seeks the densification of core urban sites in close proximity to public transport such as the subject site. The large separation distances proposed and modulation of heights throughout the site will ensure that the development will not be overbearing. We submit that no material impacts on surrounding residential dwellings will occur as a result of the proposed development, having regard to the positive results of the Daylight/Sunlight assessment and the Visual Impact Assessment. The proposal therefore responds well to its overall built environment. The proximity of the site to the ACA and Protected Structures has also been duly considered as part of the design process of the subject scheme. This has already been shown above in the context of the setting back of the development to protect the setting of protected structures and the ACA.

The high-quality materials utilised in the scheme, the provision of a new public park, new pedestrian connections and the newly proposed upstanding wall with railings along sections of the boundary wall will ensure that the development will make a positive contribution to the streetscape. The development will respond to its natural environment by contributing to the green infrastructure of the city and by providing large areas of public and communal open spaces which will include ecological enhancements such as bat boxes and bird boxes etc. The new public park, pedestrian connections and provision of glimpses through the revised boundary treatment will encourage connectivity and permeability for the wider public, which will create a vibrant sense of place and will make a positive contribution to the urban neighbourhood and streetscape. The 10 No. storey pop-up Block A<sub>1</sub> fronting the junction of Sandford Road and Milltown Road will also positively contribute to the surrounding streetscape and neighbourhood which will enhance legibility for the area.

*The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered.*

**TOC Comment:** The scheme has been designed to ensure interesting and relieved facades which reduce the perceived mass and scale of the blocks. As discussed, the height varies across the site and the orientation of the blocks also alternates throughout the scheme layout which demonstrates that the blocks have been broken down to ensure that the scheme will not represent a monolithic form. Each block has a subtle shift in direction as a response to its particular urban condition. The material palette has comprehensively considered the surrounding neighbourhood. In this regard, the Architectural Design Statement states:

*'Both the historical and contemporary context heavily rely on brick as the predominant building material, with a wide variety of colours and types reflecting the piecemeal development of the area over a prolonged period of time. Although alternative materials have been explored, brick feels a natural choice for the base material for our proposal. It is our intention that through considered sampling and selection, brickwork for the body of the buildings will bring a domestic, softened and textural quality to the building, whilst also echoing character traits of its context in the area. However the three main contextual conditions surrounding Sandford Road are broadly coherent in three broad hues:*

*Buff/Brown Brick, reflecting the predominant brick type along Ranelagh Road, as well as working with the painted render St James Terrace. This colour choice also responds to the sites Tabor House & Chapel buildings.*

*Red/Brown, reflecting the predominant use of red along Eglinton Road, Sandford Road & Belmont Avenue.*

*Grey Brick, referencing the harder facing base and edge stone which is apparent on the historical housing façade typologies to create a hard wearing street interface plinth.*

*he completed building expression provides a simple building form that reinterprets the surrounding building fabric to relate positively to neighbouring structures and create a harmonious whole.*

*The architecture of each building varies enough to ensure a diverse and interesting urban fabric, albeit within a considered palette of complimentary materials and colours.*

*Subtle variations in the architectural expression and material palette of the different blocks to ensure a diverse and interesting urban fabric, albeit within a considered palette of complementary materials and colours that provide a degree of variation and interest as the building forms progress and relate to the different surrounding conditions.'*

Furthermore, the high-quality open spaces and permeable links provide visual relief throughout the scheme.

An interesting feature of the scheme is the views provided through the site from outside through the new entrance points. In addition, views through the triple-height undercroft within Block A will allow for an interesting journey for the pedestrian, and views from the north of the site towards Tabor House will be visible through the colonnade at the setback ground and first floor levels of Block B, which demonstrates that the proposal has been well considered as the massing of the blocks has been broken down to provide large areas of open space, visual links and pedestrian pathways through the scheme.

The Masterplan & Architectural Design Statement prepared by O' Mahony Pike Architects sets out the rationale for the design approach and how conscious efforts have been made to provide architecturally interesting forms and spaces and notes that the proposed Block A linear element is comparable to the constructed Mount Saint Anne's development in Milltown and serves to provide good edge containment to the open space. It is clear that a significant effort has been made to provide well considered and interesting building forms which enhances legibility, wayfinding and connectivity within the site for future residents and the existing wider area.

*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).*

**TOC Comment:** The provision of permeable links throughout the site (public park and pedestrian boulevard) and the opening up of the site as viewed from Milltown Road and Sandford Road represent key planning gains for the wider neighbourhood.

The development has been subject to a sensitive detailed design process creating significant quantum of public open space within the Public Park and Plaza area connected through the triple-height undercroft of Block A1 (c. 10,970 sq m), the Northern Woodland Glade (c. 3,328 sq m) and the pedestrian boulevard between Blocks A and B providing a pedestrian and cycle connection between Milltown Road and Sandford Road (c. 550 sq m).

In addition, the scheme also provides 5,444 sq m of communal open space provided in the Belvedere Garden (North of Block C): 120 sq m, Tabor House and Formal Food Garden: 36,704 sq m, Courtyard between Block B and C: 1,510 sq m in front of communal internal spaces in Block B and C: 110 sq m; in addition to Upper Level Terraces in Blocks A1, B and C: 431 sq m.

The large open spaces will allow the heights to be appropriately assimilated into the surrounding context. The proposed density of 157.5 No. units per Hectare at the core urban site is not considered excessive and reflects the extensive quantum of public and communal open space provided throughout the site. The proposed development of this Planning Application has a site coverage of 23.4% which is lower than the indicative standard provided in the Plan (50% for Z15 zoned lands). This further demonstrates the concerted efforts made by the Design Team to ensure that the development maximises opportunities to provide substantial tracts of open space (and separately generous separation distances).

The Specific Site Flood Risk Assessment prepared by DBFL Consulting Engineers identifies the site to be located within Flood Zone C and concludes that the proposed development is appropriate for the site's flood zone category.

*The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner.*

**TOC Comment:** The high-quality design of the scheme will ensure the development will be a legible and attractive addition to this area of Dublin. The provision of permeable links through the site (provision of a new public park, pedestrian boulevard, new pedestrian entrances and the facilitation of future potential links to the remaining institutional lands to the south-east) will positively contribute to the surrounding area as it will enhance permeability and wider connectivity for the wider area.

The public park setting along the east of the site will provide a high-quality attractive route for residents and the wider public to utilise for leisure, play or exercise and this area will be provided with natural play opportunities and high-quality landscaping. The layout of the scheme ensures that the development improves legibility in the area and will integrate into the surrounding context having regard to the open spaces, the permeable links, the visual connections through the site, the height transitions and the breakdown in massing provided.

The reuse of the Chapel and Tabor House will also provide a very characterful setting which will benefit from enhanced views via the newly proposed entrance from Milltown Road.

*The proposal positively contributes to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood.*

**TOC Comment:** The *Dublin City Development Plan 2016-2022* recognises the need to provide appropriately sized households. Policy SC14 stipulates that a wide variety of adaptable housing types must be provided as follows:

*'It is the policy of Dublin City Council...to promote a variety of housing and apartment types which will create a distinctive sense of place in particular areas and neighbourhoods, including coherent streets and open spaces.'*

Furthermore, the *National Planning Framework* states that:

*'the 2016 Census indicates that if the number of 1-2-person dwellings is compared to the number of 1-2-person households, there is a deficit of approximately 150%, i.e. there are approximately two and half times as many 1-2- person households as there are 1-2- person homes.'*

Therefore, it is clear that the mix of primarily 1 and 2 No. bed units with a smaller quantum of studios and 3 No. bed units proposed are urgently required in order to provide an appropriate mix of dwelling typologies in the area, as is recognised in the *Dublin City Development Plan 2016 – 2022*. The Build-to-Rent element of the scheme will provide rental options in the area whilst the Build-to-Sell units will provide an opportunity for people to purchase dwellings within the scheme and as such the scheme will cater for a wide cohort of persons.

In addition, the creation of public open spaces will enhance the amenity of the overall site for the community and the provision of communal internal and external amenities will provide a high quality living environment for future residents.

**At the scale of the site/building**

*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.*

**TOC Comment:**

The Design Team have comprehensively considered the scheme layout and modulation in order to ensure that the development improves legibility in the area and will integrate into the surrounding context. This has been achieved by providing a range of heights throughout the site and by breaking down the massing provided in addition to the significant quantum of open space and permeable links proposed throughout the site.

The results of the enclosed Daylight and Sunlight Assessment demonstrate that the proposed scheme will not have an unacceptable or adverse impact on itself or on the surrounding properties with regard to daylight and sunlight. The proposed development would not result in a significant reduction to the level of daylight and sunlight received by the surrounding existing properties. Future occupants will enjoy good levels of daylight within the vast majority of the proposed units (c. 91% meeting the ADF targets when the 2% ADF target is utilised for living/kitchen/dining rooms and over 96% meeting the ADF targets when the 1.5% ADF target is utilised for living/kitchen/dining rooms) and the units will have access to internal and external amenity areas and that are capable of receiving excellent levels of sunlight.

The inclusion of large open plan floorplates and large external open spaces will ensure high quality residential amenity is provided for the future tenants and the block orientation and massing also provide opportunities for light infiltration to the open spaces ensuring that these spaces will be attractive and useable.

*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<sup>nd</sup> edition) or BS 8206-2: 2008 – ‘Lighting for Buildings – Part 2: Code of Practice for Daylighting’. Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution.*

**TOC Comment:** As noted above, the results of the Daylight and Sunlight assessment are favourable in relation to the proposed development. A summary of results is provided below as extract from the Report:

- The effect on VSC has been assessed for 315 No. windows across the surrounding properties. Using the rationale as outlined on Page 6; 256 No. of these windows would be considered imperceptible, 33 No. not significant, 16 No. slight and 10 No. Moderate.

This shows that 81.3% of the assessed windows comply with the criteria as set out in the BRE guidelines for impact to VSC and thus, the level of effect can be considered imperceptible.

All 10 no. windows that have shown a moderate level of effect to VSC are located on the Rowan Hall / Cedar Hall apartments. In each instance, the assessed window is located beneath a recessed balcony. This is an important point as the BRE guidelines state:

*'Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction opposite may result in a large relative impact on the VSC'.*

The fact that all recessed windows along the elevation of Rowan Hall / Cedar Hall have shown an imperceptible level of impact demonstrates that the balconies are causing the level of effect to appear exaggerated.

Given the massing and density of the proposed development the results of the VSC study can be considered very favourable. Furthermore, it should be noted that there is a mature tree line along the north and west boundaries of the proposed site, of which a significant portion is made up of deciduous trees. These deciduous trees have not been included in the analytical model, as per the advice in the BRE Guidelines. This practice is to ensure the impacts that are calculated reflect the winter months, when deciduous trees will be bare and provide less of a natural barrier. During the summer months, when the existing trees are in full foliage, impacts caused by the proposed development will be less perceptible.

A slight improvement has been recorded on one of the windows within this study, Window 2c on 2 Norwood Park. This improvement, however minor, is as a result of the planned removal of some evergreen trees on the subject site and the fact that the buildings of the proposed development would not be visible from this window.

- The APSH assessment has been carried out on the relevant windows of the surrounding properties that have an orientation within 90 degrees of due south. The effect on APSH has been assessed for 192 No. of windows of the surrounding existing properties on number 87 Eglinton Road, 132-138 Sandford Road, 1-11 Norwood Park, 28-35 Cherryfield Avenue Lower and 1-20 Cherryfield Ave Upper.

The APSH study is broken into two parts, annual assessment and winter assessment.

In the annual assessment, the effect on the APSH of 175 No. of these windows would be considered imperceptible, 2 No. not significant, 5 No. slight, 5 No. Moderate and 5 No. Significant.

In the winter assessment, the effect on the APSH of 176 No. of these windows would be considered imperceptible, 1 No. Moderate, 2 No. Significant, 3 No. very significant and 10 No. Profound.

Despite the high level of compliance with the BRE Guidelines in both the annual and winter assessments, concerns could be raised by the number of impacts to winter sunlight that have been categorised as significant, very significant and profound, leading to closer inspection.

The vast majority of the affected windows are located along Cherryfield Avenue. The design of the rear of these houses includes a deep recess to each property which is a large contributing factor to the high levels of impact. Figure 6.1 of the 3D Design Bureau Report demonstrates the localized factors that are resulting in such high levels of impact to sunlight along Cherryfield Avenue. The window marked in this diagram as "3b" is situated in a deep recess. This window has an orientation that is predominately east-facing. Sunlight availability to predominately east facing windows is restricted to the early portion of the day. The available sunlight that window 3b on Number 3 Cherryfield Avenue Upper can expect is restricted further by the outcropped element of its own property as indicated by "3a" in Figure 6.1. During the winter months, the sun position in the sky is low. The combination of these factors means the only time window 3b will receive sunlight in the baseline state during wintertime is in the early hours of the morning. The proposed development would result in this window receiving no sunlight in the winter months, but this is due to the low angle of available sunlight during this period.

An additional hypothetical study was carried out to test if a reduction in density of the proposed development would yield more favourable results in this regard. To test this, Block E was omitted from the analytical model as it is the closest block to the shared boundary of the subject site and Cherryfield Avenue. The results to the winter APSH of window 3b were the same with Block E of the proposed development omitted which demonstrates that the high level of impact to this window is not a result of the density which is proposed as part of the proposed development.

The vast majority of the affected windows along Cherryfield Avenue are located in a similar configuration as that of 3b. Window 3a as illustrated in Figure 6.1 is one of a few affected windows that is not located in this configuration. However, a similar circumstance has occurred due to the extension of the neighbouring property that is situated directly to the south of window 4a. All windows that have a perceptible level of impact to APSH along Cherryfield Avenue have a strong easterly aspect and all have close obstruction directly to the south.

Further demonstration of how the localized factors are playing a significant role in the high level of impact to sunlight of these windows can be found in the assessment of window 4a as highlighted in the figure above. Given that this window is situated closer to the proposed development than 3a, one would expect the level of effect to be greater in this instance. Window 4a does in fact meet the criteria as set out in the BRE Guidelines for impact to APSH. In fact all the houses along Cherryfield Avenue that do not have an obstruction directly to the south

meet the BRE recommendations for APSH impact, which is proof that the impact caused by the proposed development is exaggerated by localized factors.

The only windows outside of Cherryfield Avenue that would experience a perceptible level of effect to APSH are windows 87b and 87c of Number 87 Eglinton Road. The impact on these windows is due to a similar situation to that of Cherryfield Avenue. In the case of 87 Eglinton Road, the windows are predominately West facing and therefore, would only expect any sun in the late evening. These windows also have an obstruction directly to the south, so the justification for not meeting the BRE guidelines is similar to that as demonstrated along Cherryfield Avenue.

Similar to the VSC study, a slight improvement has been recorded on one of the windows within this study, Window 2c on No. 2 Norwood Park. This improvement is due to the planned removal of some evergreen trees on the subject site.

Notwithstanding the high level of effect to some of the assessed windows, it is the opinion of 3DDB that the results of the APSH study can be considered to be favourable.

An APSH assessment has been carried out on the main living room windows of all units of the proposed development. The annual assessment has shown that circa 52% of the proposed units meet the criteria for sunlight as set out in the BRE Guidelines. This figure increases to circa 87% in the winter study.

The high compliance rate in the winter study is evidence of a high percentage of proposed living rooms windows having a southerly aspect. The notable difference between the annual study when compared with the winter study is indicative of balconies causing an obstruction to sunlight. It is good practice to provide balconies that are accessible by living areas, this can result in a reduction to sunlight availability, particularly in the summer months when the sun position is higher in the sky.

No recommendation is made regarding the performance of a development as a whole for APSH performance, but we consider the proposed development to perform adequately in this regard.

- This study has assessed the impact the proposed development would have on the levels of sunlight received in the rear gardens of 1-11 Norwood Park, 28-35 Cherryfield Avenue Lower and 1-20 Cherryfield Avenue Upper which all share a boundary with the proposed site.

In total 39 No. spaces have been assessed, 30 No. of which would experience an imperceptible level of effect, with a further 7 No. recording a not significant level of effect, 1 No. garden has shown a slight level of effect and 1 No. a moderate level of effect.

76.9% of the assessed gardens have met the criteria for effect on sunlighting as set out in the BRE Guidelines.

The most significant level of effect recorded would occur in the rear garden of No. 7 Cherryfield Avenue Upper, the level of impact to this garden has been categorised as moderate. The hourly renderings in the shadow study provided indicate that the proposed development will not cast any shadows into this garden after 11 o'clock at both the equinox and the summer solstice.

Given that the majority of assessed gardens comply with the BRE recommendations, it can be considered that the proposed development would not result in an undue level of overshadowing to the neighbouring properties.

- An assessment has been carried out on the proposed shared external amenity areas to determine what portion of each area is capable of receiving at least 2 hours of sunlight on March 21<sup>st</sup>. This study has assessed the level of sunlight on March 21<sup>st</sup> within the proposed amenity areas. In total 20 No. spaces have been assessed, all of which would meet the criteria as set out in the BRE Guidelines.

The assessed spaces are comprised of the proposed communal and public open space at ground level within the proposed development; the 4 No. roof gardens, two of which are located on Block A with the others on Blocks B & C; 14 No. private gardens, all of which are located to the rear of Block E.

All areas assessed have been defined by the landscape architect. The proposed communal open space is located throughout the site, some areas will receive better level of sunlight than others, but overall the development can be considered to have good potential for sunlight access

- This proposed development consists of 671 No. units, which makes up approximately 1585 No. habitable rooms. The ADF has been calculated for 599 No. rooms on the lowest habitable floors. Where individual rooms have fallen short of the recommended minimum target value, the equivalent room on the floor above has been assessed. This study has been carried out up to the floor where room meets the minimum recommended value in addition to spot checks been carried out to verify that assumptions made were correct. This further assessment tested another 147 No. rooms bringing the total number of assessed rooms up to 746 No. with reasonable assumptions being made that the remaining 839 No. rooms will achieve the recommended level of daylight. Our methodology in conjunction with this reasonable assumption gives us our circa compliance rate/s for the entire scheme. If the appropriate target value for LKDs is considered to be 2%, the ADF value in 605 No. of the 746 No. habitable rooms that have been assessed meet or exceed their target values. The combination of these rooms plus the 841 No. rooms that have been inferred as meeting the ADF recommendations, give a compliance rate of circa 91%. If the appropriate target value for LKDs is considered to be 1.5%, the ADF value in 685 No. of the 746 No. habitable rooms that have been assessed meet or exceed their target values. The combination of these rooms plus the 839 No. rooms that have been inferred as meeting the ADF recommendations, give a compliance rate of circa 96%.
- 3D Design Bureau worked closely with the project architects, OMP, to ensure a favourable outcome was achieved regarding the daylight (ADF) performance of the proposed development. Multiple design iterations were assessed in the lead up to this full application. With each iteration, mitigation measures were

implemented to improve levels of daylight. Such design interventions included the re-configuration of units, increased levels of glazing and alterations to balcony layouts.

As part of a compensatory design solution for the rooms that do not meet the recommended minimum average daylight factor, the proposed development includes communal amenity areas, all of which have been assessed and will have adequate levels of daylight. Furthermore, the scheme has incorporated a number of localised compensatory design measures. The rooms that do not meet the ADF target have been provided with either some or all of the following compensatory measures:

- Balcony space, some of which exceed the minimum requirement.
- Windows that face public open space in the development.
- Larger apartment floor areas, some of which are 10% larger (or more) of the minimum required standards.

We have included a list of the rooms that fall short of the daylight provisions and demonstrated the compensatory design measures provided in Appendix A to this Report.

### Specific Assessments

*To support proposals at some or all of these scales, specific assessments may be required, and these may include:*

*Specific impact assessment of the micro-climatic effects such as down-draft. Such assessments shall include measures to avoid/ mitigate such micro-climatic effects and, where appropriate, shall include an assessment of the cumulative micro-climatic effects where taller buildings are clustered.*

**TOC Comment:** A 'Microclimate-Wind' EIAR Chapter (Chapter 17) has been prepared by O' Connor Sutton Cronin Consulting Engineers which concludes that:

*'The modelling has included the proposed design, the proposed landscaping strategy and the existing landscape which will remain, in conjunction with the existing buildings surrounding the development. The combination of all interactions has resulted in a comfortable environment for pedestrians within the proposed development.'*

*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.*

**TOC Comment:** The AA Screening Report prepared by JBA Consulting Services has found that:

*'it can be concluded that the possibility of any significant impacts on any European Sites, whether arising from the project itself or in combination with other plans and*

*projects, can be excluded beyond a reasonable scientific doubt on the basis of the best scientific knowledge available’.*

The Biodiversity EIAR Chapter prepared by JBA Consulting notes that:

*‘Several surveys have been carried out to inform this report. The first ecological walkover survey was conducted on 03/12/2019 by Niamh Burke and Malin Lundberg, Ecologists with JBA Consulting, to inform the ecological baseline of the site. The survey recorded habitats and flora in the area within the development site, and to detect the presence or likely presence of protected species (fauna and flora), and the presence of good potential habitat for those species. The study was also concerned with recording habitats suitable for protected habitats and species and identifying the need for further, more specialist surveys where necessary. The findings from the first ecological walkover were subsequently confirmed when carrying out further three site visits during the summer months (20/05/2020, 15/06/2020 and 16/07/2020) which complemented the initial site visit and any new findings were recorded.*

### **Bats**

The Biodiversity EIAR Chapter notes the following:

*‘Bat emergence surveys and transect surveys were carried out at three occasions during the active bat season: 20/05/2020, 15/06/2020 and 16/07/2020. The surveys were carried out at dusk, starting 15 minutes before sunset and undertaken for 1.5-2 hours. Handheld bat detectors (Magenta 5 Heterodyne) were used for identifying bats. This data was recorded, and visual observations were noted throughout the surveys to identify usage of the site by bats. At each survey occasion, a static bat detector was installed and left for five nights to record bat activity. On the 16th July, two static detectors were installed. A static detector was also installed between 19th-23rd August. Data collected by the static bat detectors was analysed by Malin Lundberg and William Mulville using AnlookW software, with all results checked for quality control by JBA Bat Specialist Tanya Slattery’.*

The Chapter notes:

*‘Overall, the results show that the site is frequently used by three bat species, Leisler’s Bat, Common Pipistrelle and Soprano Pipistrelle, both for foraging and commuting. It cannot be ruled out that identified trees have bat roosts. No bats were seen emerging from the roofs of Tabor House, the Chapel or Milltown Park House, with results demonstrating that these spaces are not being used by bats as maternity roosts. However, as Milltown Park House is destined for demolition, using the precautionary principle, it is considered further in the impact assessment, together with the trees identified as having bat roost potential. The site has been valued as being of regional ecological importance for bats.’*

The following mitigation measures have been recommended and considered within the proposed development for the construction stage in relation to bats:

### **Lighting**

Lighting will be switched off during non-working hours where possible and directional lighting will be used during the construction phase. This will minimise spill to any other area forming part of the bats commute. The specification and colour temperature of light treatments is chosen based on their tolerability by bats. LED luminaires are ideal due to their sharp cut-off, lower intensity, and dimming capability. A warm white spectrum (2700 K – 3000 K) will be used to reduce the blue light component.

### ***Vegetation removal***

Three trees on site were identified to have bat roost potential. One of these trees (Arboricultural Tag Number 311) is destined for removal. The following tree felling procedure will be adhered to when felling trees identified as suitable to provide potential bat roosts:

All bats, and any trees that are identified as bat roosts, are legally protected by the Wildlife Acts and the EU Habitats Directive.

The tree with Arboricultural Tag Number 311, which is destined for removal, will be re-examined by an experienced bat specialist before tree felling starts. The examination will be carried out at height under derogation licence using torch and/or endoscope. If features are confirmed as not being suitable for use as roosts, then work can continue. If bats/evidence of bats/or suspected roosts are found, then these will be legally protected, and an application for a derogation licence will be made before moving forward with the works with appropriate mitigation in place, involving soft felling, lowering sections to the ground and then leaving in place overnight (to allow any bats to make their way out).

### ***Demolition of buildings***

A pre-construction bat survey of the roof space of Milltown Park House will be conducted prior to any demolition works in case conditions change over the timeframe of the planning application until construction starts. The survey will be conducted by a suitably qualified and licensed bat ecologist. If bats are present, demolition will have to be postponed and a derogation licence will be required before carrying out any works. Prior to works commencing, bats must have safely left the roost which can be done by an exclusion procedure involving installation of one-way valves over access points for bats following instructions from a bat ecologist. The majority of roosts are only used seasonally and demolition works should be adapted to this.

### ***Enhancement measures***

Three bat boxes will be installed on mature trees present within the woodland. The following trees have been identified as suitable, referring to Arboricultural Tag Number: 297, 352 and 324. These trees are selected due to being mature and in suitable location for bat boxes. Before the bat boxes are installed, Ivy will be removed from the area surrounding the placement of each Bat box (1m radius). Large multi chambered bat boxes will be used (e.g. <https://www.nhbs.com/large-multi-chamber-woodstone-bat-box> or similar) as they are likely to benefit species identified on site, including Common Pipistrelle *Pipistrellus pipistrellus*, Soprano Pipistrelle *Pipistrellus pygmaeus*, Leisler's Bat *Nyctalus leisleri* and potentially some *Myotis* Bat species.

The following mitigation measures have been recommended and considered within the proposed development at operation stage in relation to bats:

### *Lighting*

A dark corridor will be maintained around the boundary of the site to provide commuting and foraging habitat for bats. The key bat habitats include the woodland surrounding the site in the north and east which was identified as bat commuting habitat during the activity surveys and it connects the site to adjacent gardens and potential commuting routes outside of the site.

The second key bat habitat which is located to the west of Tabor House was identified as an important foraging area for bats during the activity surveys. This area will be planted with a wildflower meadow and fruit trees to attract insects and provide foraging opportunities for bats. The Holly treeline in the centre of the site was also identified as a commuting route for bats, however this will be removed as part of the new development. The key bat habitats including the woodland along the north and eastern boundary will not be lit by artificial lighting and the key bat foraging area of wildflower meadow west of Tabor house will have restricted lighting with light turned off at curfew time 22:30 during the summer months May to September inclusive. The open public space will act as supporting habitat providing a buffer zone around the key habitat and connecting the woodland with the wildflower meadow. The lighting in the buffer zone will be restricted

The dark corridor will maintain the sites connectivity with the surrounding area, providing connectivity with the wider urban landscape.

The following design mitigation is incorporated into the Lighting Report and Drawings prepared by Pritchard Themis which will alleviate the risk of light disturbance to bats.

- Hours of illumination:

Feature lighting of trees and on the west side facades of Tabor House and the Chapel will be turned off at curfew 22:30 all year round. Lighting in the formal garden area (wildflower meadow) west of Tabor House and the Chapel is set to turn off at this curfew during summer months May to September inclusive.

- Light levels and type:

The specification and colour temperature of light treatments is chosen based on their tolerability by bats. UV free LED luminaires will be used as they are ideal due to their sharp cut-off, lower intensity, and dimming capability. A warm white spectrum (no higher than 3000K) will be used to reduce the blue light component. The LED luminaires will also feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to the Bats.

Bollards that sit within the buffer zone of the dark corridor will have a light output set to a down-rated driver to ensure a lower lux level.

Street lighting in the area behind Building F is within the buffer zone of the dark corridor and will be set to average at a maintained average of 5 lux.

- Column heights of lamp posts and direction of light:

As bats most likely forage and commute in the unlit areas surrounding the site, the following measures are in place to reduce the amount of light spillage where it is not needed:

- The height of lamp columns will be 6m or less.
- Lighting will also be directed away from retained vegetation, i.e. the woodland.
- The use of uplighting will be restricted to the central route between the proposed buildings. Any uplighters will be fitted with louvres to control light spill. Downlighting will be used in locations close to the woodland and retained vegetation. Uplighting of trees and west side facades of Tabor House and the Chapel will be turned off at 22:30 during summer months.
- Bollards with a height of 800mm will be used on tertiary pedestrian routes, including the footpath along the woodland. The bollards along the woodland will have a spacing of 9-13m apart. The footpath surface will be of a natural material which does not create a reflection, minimising any potential upward reflection of the light.

Although it is deemed unlikely that light emitted from buildings will significantly impact on potential foraging and commuting areas for bats as these will largely lie along the extremities of the site, particularly along the north and eastern site boundary; night-time light spill from the interiors of the proposed buildings via windows/entrances; and the levels of spill/glare from outdoor lighting in place on the building exterior and throughout the site; will be minimised through selective lighting measures (such as fittings set back into the room) utilised for units facing towards the buffer zone.

### ***Loss of habitat***

The grassland to the western side of The Chapel and Tabor House was frequently used by foraging bats during the surveys. This area will be planted with wildflower meadow from native wildflower seed mix and an orchard (*Malus* spp.) which will provide valuable resource for pollinators and thus continue to provide foraging resource for bats. Green roofs planted with suitable species that support invertebrates can offer additional foraging habitat for bats. The restricted lighting in the buffer zone (supporting habitat) will ensure that bats can commute between the woodland and foraging area west of The Chapel and Tabor House.

### ***Enhancement measures***

Bat boxes will be installed on mature trees present within the woodland (Arboricultural Tag Number: 297, 352 and 324). Ivy will have to be removed from the area surrounding the placement of each Bat box (1m radius). It is recommended that large multi chambered bat boxes are used (e.g. <https://www.nhbs.com/large-multi-chamber-woodstone-bat-box> or similar) as it is likely to benefit species identified on site, including Common Pipistrelle, Soprano Pipistrelle, Leisler's Bat and potentially some *Myotis* Bat species.

Green roofs planted with suitable species that support invertebrates can offer additional foraging habitat for bats.

### Birds

The Biodiversity EIAR Chapter notes that:

*'Bird surveys were carried out 13/03/2020 and 23/03/2020 and during the winter months 2020/2021 including four visits on 30/11/2020, 17/12/2020, 07/01/2021 and 03/02/2021. The survey methodology followed the guidance provided by NRA (2009b). Each survey was three hours long. The survey was carried out to assess birds using the site during the winter period and focused on recording birds present on site and birds in flight nearby to the site, with particular focus on the potential presence of Light-bellied Brent Goose Branta bernicla hrota and other wintering birds known to feed on inland grasslands. The surveys were undertaken during high tide as wintering birds are most likely to utilise terrestrial habitats for grazing during this time. During the months of January and February 2021, surveys were undertaken both at high and low tide, as Brent Goose are known to move inland when resources are low in estuaries during these months. All bird species noted within the site were recorded during the above mentioned site visits.*

*Breeding bird surveys were carried out on 15/04/2021 and 18/05/2021, following guidance provided in Country Bird Survey (CBS) Manual (BWI, 2012). The first survey involved walking transects around the whole site and recording bird species and their activity, e.g. singing, bringing food to nest, carrying nest material, occupying nest. The second survey involved inspecting the buildings for nests of Swallow Hirundo rustica, Swift Apus apus and House Martin Delichon urbicum and using focal points to identify if any birds were nesting on the rooftops'.*

The following mitigation measures have been recommended and considered within the proposed development at construction stage in relation to birds:

### **Seasonality**

Any clearance of trees and scrub will be conducted outside of the bird nesting season (March to September inclusive).

Demolition or reroofing of buildings must take place outside of the bird nesting season (March to September included) as Jackdaw and Herring Gull are nesting in the chimneys. If works are to take place in 2022, or years thereafter, it should take place outside of the bird nesting season or the chimneys should be bird proofed by a specialist contractor prior to nest building/egg laying and a new breeding bird survey by a qualified ecologist should take place before any demolition works start.

### **Enhancement measures**

Four bird boxes will be installed in the woodland along the eastern boundary. Trees identified to install the bird boxes on have the Arboricultural Tag Number 11, 175, 191 and 269.

### **Planting**

Planting of native species of trees and scrub will compensate for loss of foraging, commuting and nesting habitat. The planting of native shrubs in the ground layer of woodland will provide cover and nesting opportunities for birds and the mixed planting of wildflowers, heritage lawn, fruit trees and green roofs will attract insects which is a food resource for many bird species.

The EIAR Chapter further notes the following general avoidance measures:

*'General avoidance measures that will be incorporated to minimise disturbance to mammals during construction:*

- *The hours of working will be limited to daylight; hours where possible, to limit disturbance to nocturnal and crepuscular animals.*
- *Contractors must ensure that no harm comes to wildlife by maintaining the site efficiently and clearing away materials which are not in use, such as wire or bags in which animals can become entangled;*
- *Any pipes should be capped when not in use (especially at night) to prevent animals becoming trapped. Any excavations should be covered overnight to prevent animals from falling and getting trapped. If that is not possible, a strategically placed plank should be placed to allow animals to escape; and*
- *During vegetation removal, caution is needed in case of nesting Hedgehogs within the woodland. The site will be visually checked by an Ecological Clerk of Works (ECoW) prior to bringing in any machinery and be cleared on a rotational basis with scrubby patches left to provide nesting habitat and cover for Hedgehog. In addition, piles of dead wood and brash piles shall be created in undisturbed areas of the site during construction.'*

The woodland in the north and east part of the site will be retained and enhanced by planting of groundcover with native scrub thus securing habitat for mammals habiting the site. There will be removal of low quality trees and scrub. However, high quality trees (mature and young) and Ivy will be retained. Planting of native species of trees and scrub will strengthen the woodland as a connecting habitat and will compensate for loss of foraging and commuting habitat.

According to the Biodiversity EIAR Chapter:

*'The site was not identified as providing habitat for wintering birds and it is not within any know flight line of sensitive bird species. Therefore, the buildings are not likely to cause collision. The impact on wintering birds is likely to be neutral...*

*Migratory birds have the highest risk of colliding with structures. The migration is concentrated along the coasts of Ireland, where song-birds arrive on the east and south coast and then spread through the country (AIP Ireland, 2020). Passage migrants continue northwards using the east coast as a leading line. There is still a risk that birds in the area of the proposed development will collide with glass*

*structures/windows if they are not appropriately designed. However, the design of the buildings are in general agreement with guidelines for bird-friendly best practices (City of Toronto, 2016). The design includes:*

- *Solid to Glass ratio is between 16-35% with an average of 30% , which is within the recommended ratio 25-40% (City of Toronto, 2016)*
- *The material palette of the buildings is well broken up with a varied material composition including brickwork, pigmented pre-cast concrete and PPC aluminium to complement brickwork. This will break up the reflective areas of the proposed structures and provide important visible cues to flying birds that the buildings are there.*
- *The gantry access deck of block C is designed with recessed own doors and bedroom windows which add both visual cues for birds to avoid, as well as reduce the amount of visible glass and the corresponding collision threat.*
- *The glass balustrade balconies of the taller element of Block A1 are inset balconies with a brick element at the corners which is in line with the broken-up material palette. This will break up the reflective areas of the proposed structures and provide visible cues for flying birds that the buildings are there.*

*The glass balustrades of the roof terraces could make a collision hazard for potential birds landing on the green roofs. It is anticipated that there will be a limited number of birds using these, with the majority of the birds inhabiting the woodland and it is not anticipated that they will be significantly impacted. However, it is recommended to use patterned glass, such as fritted or similar to be approved, on the roof top glass balustrades to provide visual cues for birds reduce the likelihood of collisions.'*

There, it is considered that the protection of bats and birds have been comprehensively considered in the proposed development for the construction and operational stage.

*An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links.*

**TOC Comment:** *A Telecommunications Report has been prepared by ISM (Independent Site Management) and is enclosed as a separate document. This report concludes that the development 'allows for the retention of important Telecommunications Channels, such as Microwave links, to satisfy the criteria of Section 3.2 of the Building Height Guidelines (2018)'.*

*An assessment that the proposal maintains safe air navigation.*

**TOC Comment:** *It is considered that the development will not have an impact on air safety having regard to the distance from the subject site to Tallaght Hospital helipad, Baldonnell Aerodrome, Weston Airport and Dublin Airport for example.*

*An urban design statement including, as appropriate, impact on the historic built environment.*

**TOC Comment:** *As set out in the Architectural Heritage EIAR Chapter (Chapter 7) completed by Molloy and Associates Conservation Architects, the site comprises a*

building range which consists of the original Milltown Park House and later extensions which are interconnected to varying degrees to form a single entity.

We note that The Chapel and Tabor House are proposed to be reused within the proposed development while the Archive, Finlay Wing, Milltown Park House, Milltown Park House Rear Extension and a portion of the Red Brick Link building within the subject lands are proposed to be demolished.

A Masterplan & Architectural Design Statement has also been prepared by O' Mahony Pike Architects and is enclosed as a separate document. As set out in the 'Existing Buildings Feasibility Study' (Appendix to the OMP Design Statement), by retaining Tabor House and The Chapel there is an opportunity to showcase these buildings which are detachable from the grouping and which will become a focal point within the development.

Full details regarding any potential impacts and mitigation measures are outlined in the Architectural Heritage EIAR Chapter 7 prepared by Molloy and Associates Conservation Architects.

*Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate.*

**TOC Comment:** A comprehensive EIAR has been submitted as part of this planning application. A Biodiversity Chapter (Chapter 8) and an Appropriate Assessment Screening Report have been prepared in conjunction with this planning application.

**Conclusion on compliance with criteria under Section 3.2 of the *Building Height Guidelines*:**

Having regard to the response to each element of the Development Management Criteria outlined above, it is our considered opinion that the proposed development meets the criteria under Section 3.2 of the Building Height Guidelines. The application proposes a development ranging principally ranging in height from 2 to 8 No. storeys with a pop-up 10 No. story element in Block A1, and includes the refurbished Chapel and Tabor House.

The development can be appropriately assimilated within the surrounding context having regard to the location of the subject site within an existing built-up area at the prominent intersection of Milltown, Clonskeagh, Donnybrook and Ranelagh and which is well served by public transport and in proximity to employment locations, services and facilities. The 10 No. storey element will announce the development for residents and the wider public and this element is considered an appropriate contextual response to the receiving environment which will add architectural interest to the scheme by providing a focal point within the scheme to assist with wayfinding in the area.

It is our professional planning opinion that the subject site is capable of achieving additional height and density having regard to the introduction of the National Planning Framework and the Building Height Guidelines which encourages increased height and density on appropriate sites. It is considered that the design response ensures that the development potential of a strategically positioned underutilised plot is maximised without impacting

adversely on the amenity of adjacent properties and the surrounding area having regard to the position of the highest forms at the least sensitive locations at the subject site.

#### 4.6 ***Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, 2020***

The Department of Housing, Planning and Local Government published the updated *Sustainable Urban Housing: Design Standards for New Apartments* in December 2020 (“*Apartment Guidelines, 2020*”).

The purpose of the *Apartment Guidelines, 2020* published in December 2020 as an update to the *Apartment Guidelines* published in March 2018 (“*Apartment Guidelines, 2018*”) (only change related to Shared Living policies), is to reiterate ministerial guidance, setting out standards for apartment developments, mainly in response to circumstances that had arisen whereby some local authority standards were at odds with national guidance. The *Apartment Guidelines, 2020 and 2018* build on the content of the *Apartment Guidelines* published in 2015 (“*Apartment Guidelines, 2015*”) particularly in relation to design quality safeguards such as internal space standards for 1, 2 and 3 No. bedroom apartments, floor to ceiling height, internal storage and amenity space.

The *Apartment Guidelines, 2020 and 2018* update previous guidance 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 and projected need for additional housing supply. The Government’s *Rebuilding Ireland – Action Plan for Homelessness, 2016* (“*Rebuilding Ireland*”) and the *National Planning Framework – Ireland 2040* (“*NPF*”) have both been published since the *Apartment Guidelines, 2015*. We note that the Development Plan should be read in conjunction with the *Apartment Guidelines, 2020* which were issued after the publication of the Development Plan pursuant to Section 28 of the Planning Acts. The Specific Planning Policy Requirements of the *Apartment Guidelines, 2020* take precedence over any conflicting policies and objectives of development plans, local area plans and strategic development zone planning schemes.

The Build-to-Rent model is a new model of housing delivery within the Irish planning system as defined by policy within the *Apartment Guidelines, 2020* (and 2018). It is defined as the following:

*‘Purpose-built residential accommodation and associated amenities built specifically for long-term rental that is managed and serviced in an institutional manner by an institutional landlord’.*

It is considered that the subject site is located within a ‘Central and/or Accessible Urban Location’ as defined in the *Apartment Guidelines*:

*‘Such locations are generally suitable for small- to large-scale (will vary subject to location) and higher density development (will also vary), that may wholly comprise apartments, including:*

- *Sites within walking distance (i.e. up to 15 minutes or 1,000 – 1,500m), of principal city centres, or significant employment locations, that may include hospitals and third-level institutions;*
- *Sites within reasonable walking distance (i.e. up to 10 minutes or 800 – 1,000 m) to/from high capacity urban public transport stops (such as DART or Luas); and*
- *Sites within easy walking distance (i.e. up to 5 minutes or 400 – 500m) to/from high frequency (i.e. min 10 minute peak hour frequency) urban bus services.'*

A response to each category has been outlined below:

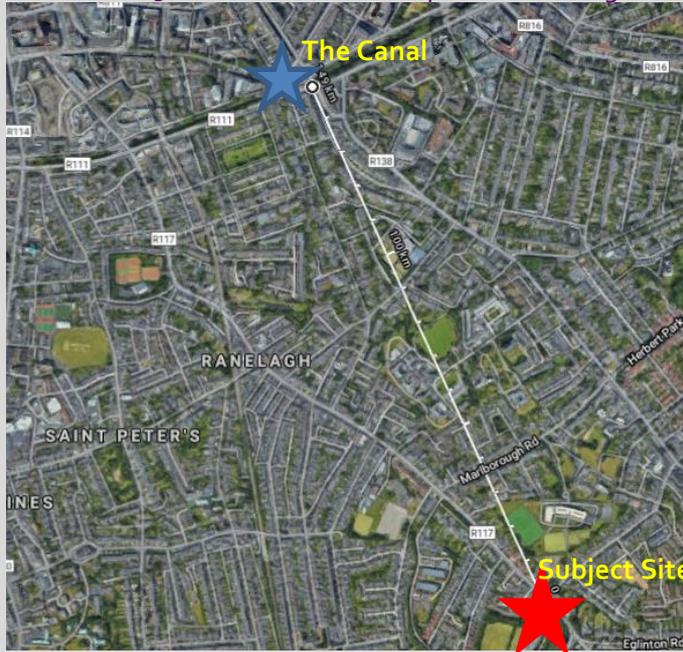
1. ***Sites within walking distance (i.e. up to 15 minutes or 1,000 – 1,500m), of principal city centres, or significant employment locations, that may include hospitals and third-level institutions;***

- The site is located within c. 350 metres/c. 6 minutes walking distance of Clonskeagh Hospital, c. 1.4 km/c. 17 minutes walking distance of The Royal Hospital Donnybrook and c. 1.5 km/c. 19 minutes walking distance of University College Dublin.
- Belfield Office Park/Beech Hill Office Campus is located within c. 1 km/ c. 13 minutes walking distance which contains employers such as Environmental Protection Agency (EPA), Circle K Head Office, McDonalds Restaurants of Ireland Head Office, Smurfit Kappa, KSN Construction Consultants and Project Managers and PeoplePoint HRSSC (Irish Civil Service);
- Ballsbridge is within c. 1.5 km/c. 20 minutes walking distance which contains the RDS, Zurich, Facebook<sup>5</sup>, Goodbody, Eirgrid, IBM, Labour Relations Commission, and in addition to many hotels, bars and restaurants;
- The site is located in proximity to many neighbourhood and district centres such as Donnybrook which contains the RTE Studios (c. 1.4 km/c. 17 minutes walking distance) and the Dublin Bus Depot (c. 750 metres/c. 9 minutes walking distance) and Rathmines which contains the Swan Shopping Centre (c. 1.7 km/c. 22 minutes walking distance) and the Central Statistics Office (c. 2 km/c. 25 minutes walking distance); and
- The Canal which defines the City Centre, is located within c. 1.6 km/c. 25 minutes walking distance of the subject site which contains significant employers such as Zendesk EMEA Headquarters, BOI Group HQ, Amazon Ireland<sup>6</sup>, Department of

<sup>5</sup> The new Facebook campus in Ballsbridge will employ c. 5,000 people which is a substantial increase of employees in the area (<https://www.irishtimes.com/business/commercial-property/facebook-move-to-ballsbridge-site-will-open-door-for-5-000-jobs-1.3690665>)

<sup>6</sup> As stated by the Irish Times, Amazon's decision to secure the Charlemont Square offices will give it the capacity to increase its existing Dublin-based workforce by an additional 1,700 workers (<https://www.irishtimes.com/business/commercial-property/amazon-strikes-deal-for-new-dublin-offices-1.4099458>)

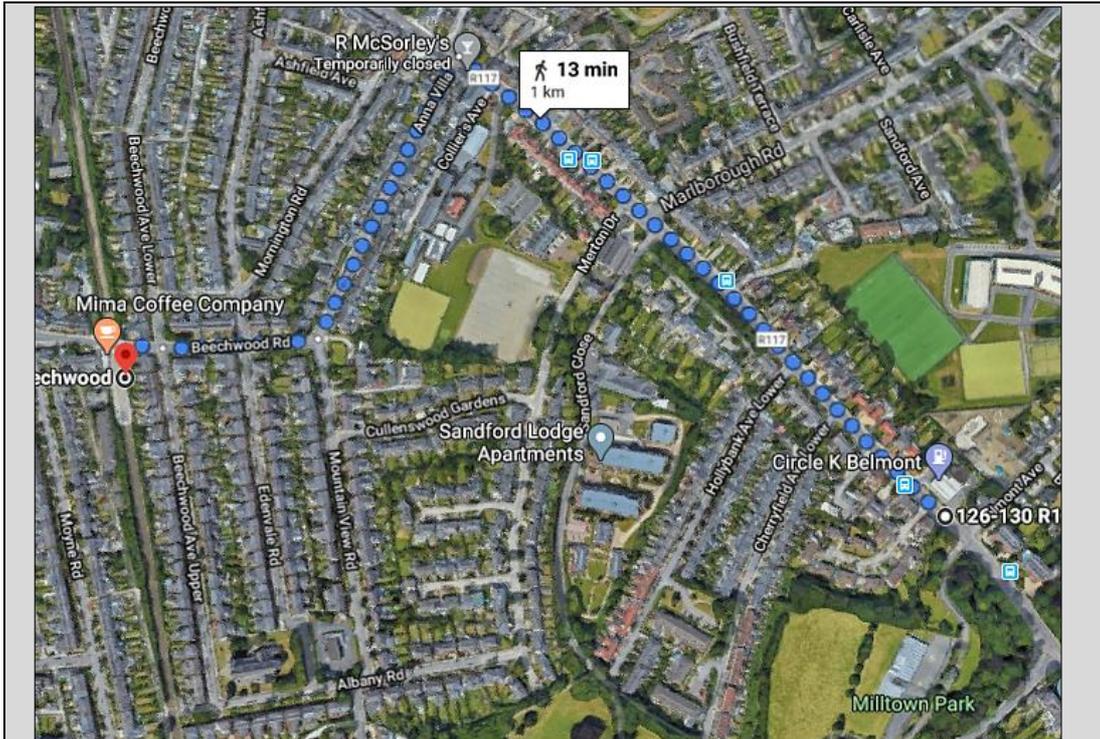
Communications, Marsh Ireland Ltd and AIB Burlington Road etc. The Canal is located c. 1.5 km as the crow flies (please see image below):



**Figure 3.8: Map Demonstrating Location of the Canal Proximate to the Subject Lands (c. 1.5 km as the crow flies)**

(Source: Google Maps, annotated by Thornton O'Connor Town Planning, 2021)

2. *Sites within reasonable walking distance (i.e. up to 10 minutes or 800 – 1,000 m) to/from high capacity urban public transport stops (such as DART or Luas);*
- In this regard, the subject site is located in proximity to the following Green Line Luas stops:
    - Beechwood: c. 720 metres as the crow flies (1 Km walk/ c. 13 minute walk)
    - Cowper: c. 740 metres as the crow flies (c. 1.3 Km walk/ c. 17 minute walk)
    - Milltown: c. 918 metres as the crow flies (c. 1.3 Km walk/ c. 17 minute walk)
    - Ranelagh: c. 1.1 Km as the crow flies (c. 1.1 Km walk/ c. 14 minute walk)



**Figure 3.9: Luas Stop Located 1 km/c. 13 minutes Walking Distance from the Subject Site**

(Source: Google Maps, annotated by Thornton O’Connor Town Planning, 2021)

The Green Line Luas allows easy access to a significant quantum of employment locations throughout the City Centre, North and South Dublin City, North and South of Dublin County in addition to the opportunity for users to change onto the Red Line Luas at O’Connell Street/Abbey Street which would provide access to employment locations to the east and west of the City Centre.

**3. ‘Sites within easy walking distance (i.e. up to 5 minutes or 400 – 500m) to/from high frequency (i.e. min 10 minute peak hour frequency) urban bus services.’**

We note that the nearest bus stop that operates with a 10-minute peak frequency is c. 550 metres from the subject site, just 50 No. metres outside the range outlined above. However, it is worth noting an example of the proximate bus services that are available in addition to the Green Line Luas at Beechwood which is located 1 km/c. 13 minutes walking distance from the site as discussed above:

**No. 39A (10 minute peak frequency)**

- Stop No. 775 (Inbound – c. 600 metres/c. 7 minute walk)
- Stop No. 758 (Outbound - c. 550 metres/c. 7 minute walk)

**No. 46A (7-10 minute peak frequency)**

- Stop No. 775 (Inbound - c. 600 metres/c. 7 minute walk)
- Stop No. 758 (Outbound - c. 550 metres/c. 7 minute walk)

**No. 145 (10 minute peak frequency)**

Stop No. 775 (Inbound - c. 600 metres/c. 7 minute walk)

Stop No. 758 (Outbound - c. 550 metres/c. 7 minute walk)

**No. 11 (15-30 minute peak frequency)**

Stop No. 884 (Inbound - c. 80 Metres/c. 1 minute walk)

Stop No. 855 (Outbound - Directly opposite the site on Sandford Road)

**No. 18 (20-30 minute peak frequency)**

Stop No. 2791 (Inbound – c. 1 km/13 minute walk)

Stop No. 416 (Outbound – c. 1.6 km/20 minute walk)

**Aircoach (15 minutes peak frequency)**

Stop No. 773 (Inbound – c. 700 metres/c. 9 minute walk)

Stop No. 759 (Outbound – c. 750 metres/c. 9 minute walk)

**No. 155 (20 minute peak frequency)**

Stop No. 775 (Inbound – c. 600 metres/c. 7 minute walk)

Stop No. 758 (Outbound - c. 550 metres/c. 7 minutes walk)

**No. 44 (Hourly peak frequency)**

Stop No. 884 (Inbound - c. 80 metres/c. 1 minute walk)

Stop No. 885 (Outbound - Directly Opposite the Site on Sandford Road)

**No. 61 (Hourly peak frequency)**

Stop No. 884 (Inbound - c. 80 metres/c. 1 minute walk)

Stop No. 855 (Outbound - Directly Opposite the Site on Sandford Road)

Therefore, as set out above, it is clear that the subject site can be considered as a central and/or accessible location as defined by the *Apartment Guidelines, 2020*. Furthermore, we note that the subject site will benefit from planned national bus network investments i.e. bus connects.

In terms of meeting future housing need, the *Apartment Guidelines, 2020* set out at Section 2.6 that 'demographic trends indicate that two-thirds of households added to those in Ireland since 1996 comprise 1-2- person, yet only 21% of dwellings completed in Ireland since then comprise apartments of any type'. Furthermore, the 2016 Census indicates that 'if the number of 1-2-person dwellings is compared to the number of 1-2-person households, there is a deficit of approximately 150%, i.e. there are approximately two and half times as many 1-2- person households as there are 1-2- person homes.'

The *Apartment Guidelines, 2020* recognises the need for alternative types of accommodation to facilitate the societal and economic changes which would be better suited to reflect current and evolving household formation and housing demand. The proposed application comprising 604 No. Build-to-Rent units and 67 No. Build-to-Sell units will therefore provide flexible and permanent housing accommodation types for people seeking residential accommodation in Dublin or seeking to purchase a home.

In addition, it is highlighted that the development provides 67 No. leased social housing units (10% of the total units), which is in accordance with Part V of the *Planning and Development Act 2000 (as amended)*.

### Specific Planning Policy Requirement 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. 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).*

This SPPR only relates to the Build-to-Sell element of the proposed development as SPPR 8 (i) of the Guidelines (which relates to Build-to-Rent) notes that *'no restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise'*.

The Build-to-Sell element of the scheme comprises 67 No. apartments and duplexes consisting of 11 No. studios, 9 No. 1 beds, 32 No. 2 beds and 15 No. 3 beds. This provides a breakdown of 16% studios, 13% one bed units, 48% two bed units and 23% three bed units and therefore is fully in accordance with SPPR 1 of the *Apartment Guidelines, 2020*.

### Specific Planning Policy Requirement 2

*'For all building refurbishment schemes on sites of any size, or urban infill schemes on sites of up to 0.25ha:*

- *Where up to 9 residential units are proposed, notwithstanding SPPR 1, there shall be no restriction on dwelling mix, provided no more than 50% of the development (i.e. up to 4 units) comprises studio-type units;*
- *Where between 10 to 49 residential units are proposed, the flexible dwelling mix provision for the first 9 units may be carried forward and the parameters set out in SPPR 1, shall apply from the 10<sup>th</sup> residential unit to the 49<sup>th</sup>;*
- *For schemes of 50 or more units, SPPR 1 shall apply to the entire development'*

The scheme includes the refurbishment and reuse of Tabor House and The Chapel. The Chapel will provide amenity space for the development and Tabor House will provide 24 No. Build-to-Rent units. We further note that SPPR 8 (i) states that no restrictions on dwelling mix apply to Build-to-Rent.

### Specific Planning Policy Requirement 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 majority of the apartments meet, and in many cases, significantly exceed the minimum apartment floor areas (all new build apartments). However, some 14 No. studios positioned within the existing Tabor House, an existing historical building, will not fully meet the required floor area. In this regard, we consider the provision of some studios ranging in size from 34.6 sq m to 35.5 sq m in this instance to be acceptable as the *Apartment Guidelines, 2020* expressly allow flexibility in relation to the refurbishment of historic buildings.

Section 6.9 of the *Apartment Guidelines, 2020* notes the following in relation to the refurbishment of historic buildings:

*'Planning authorities are also requested to practically and flexibly apply the general requirements of these guidelines in relation to refurbishment schemes, particularly in historic buildings, some urban townscapes and 'over the shop' type or other existing building conversion projects, where property owners must work with existing building fabric and dimensions. Ultimately, building standards provide a key reference point and planning authorities must prioritise the objective of more effective usage of existing underutilised accommodation, including empty buildings and vacant upper floors commensurate with these building standards requirements'. [Our Emphasis]*

Furthermore, the *Apartment Guidelines, 2020* state the following in Section 2.22:

*'All standards set out in this guidance shall generally apply to **building refurbishment schemes** on sites of any size, or urban infill schemes, **but there shall also be scope for planning authorities to exercise discretion on a case-by case basis, having regard to the overall quality of a proposed development.**'*

Separately, the *Dublin City Development Plan 2016-2022* states the following:

*'The standards for residential accommodation are divided into standards relating to apartments and houses (16.10.1 and 16.10.2 respectively) and apply to new-build residential schemes. **While the minimum standards set within these sections will be sought in relation to refurbishment schemes it is acknowledged that this may not always be possible, particularly in relation to historic buildings, 'living over the shop' projects, tight urban infill developments, and in the city regeneration area designated under the Living City Initiative. In such cases the standards may be relaxed subject to the provision of good quality accommodation, and where the proposal secures the effective usage of underutilised accommodation. In such cases it must be satisfactorily demonstrated that the internal design and overall layout is closely aligned to the specific needs of the intended occupiers.**' [Our Emphasis]*

It is noted that the 14 No. studio units within the existing historic building range in area from 34.6 to 35.5 sq m, which is only slightly below the *Apartment Guidelines, 2020* standard of 37 sq m.

It is considered that this slight shortfall is acceptable as the studio units follow the existing footprint of the building which is a positive intervention and reuse of a historic building. Although the units are slightly smaller than the required 37 sq m, the units will have wide frontages with a number of windows provided to the units and thus good access to daylight. Therefore, the residential units within Tabor House will be afforded excellent

residential amenity within this characterful historic building. Please see the Material Contravention Statement enclosed for full details.

#### Specific Planning Policy Requirement 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.*
- (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.*

Although it has been determined that the subject site is a central and/or accessible urban location, the proposed development has included 51% dual aspect units which exceeds the minimum requirement of 33% for central and/or accessible urban locations. In addition, we note that the dual aspect provision of 51% includes units within the refurbished Tabor House and we note that part (iii) of SPPR<sub>4</sub> states that discretion can be exercised for refurbishment schemes.

It is considered that a high-quality design is proposed that ensures the protection of surrounding residential amenity through appropriate set-backs with excellent frontage provided onto Milltown Road and Sandford Road.

#### Specific Planning Policy Requirement 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 ground floor of the proposed scheme meets the requirement for 2.7 m floor to ceiling heights. The proposal is fully in compliance with SPPR<sub>5</sub>.

### Specific Planning Policy Requirement 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.'*

This SPPR relates to Build-to-Sell units as SPPR 8 (v) states *'the requirement for a maximum of 12 apartments per floor per core shall not apply to BTR schemes, subject to overall design quality and compliance with building regulations.'*

The proposed development complies with building regulations by providing less than 12 No. apartments per floor per core in accordance with SPPR6 in the Build-to-Sell element of the scheme.

### Specific Planning Policy Requirement 7

*BTR development must be:*

(a) *Described in the public notices associated with a planning application specifically as a 'Build-To-Rent' housing development that unambiguously categorises the project (or part of thereof) as a long-term rental housing scheme, to be accompanied by a proposed covenant or legal agreement further to which appropriate planning conditions may be attached to any grant of permission to ensure that the development remains as such. Such conditions include a requirement that the development remains owned and operated by an institutional entity and that this status will continue to apply for a minimum period of not less than 15 years and that similarly no individual residential units are sold or rented separately for that period;*

(b) *Accompanied by detailed proposals for supporting communal and recreational amenities to be provided as part of the BTR development. These facilities to be categorised as:*

(i) *Resident Support Facilities - comprising of facilities related to the operation of the development for residents such as laundry facilities, concierge and management facilities, maintenance/repair services, waste management facilities, etc.*

(ii) *Resident Services and Amenities – comprising of facilities for communal recreational and other activities by residents including sports facilities, shared TV/lounge areas, work/study spaces, function rooms for use as private dining and kitchen facilities, etc.*

In response to part (a), part of the scheme is described as Build-to-Rent in the Statutory Notice and a Legal Covenant is enclosed with the planning application. As per part (a), the requirement that the development remains owned and operated by an institutional entity and that this status will continue to apply for a minimum period of not less than 15 years and that similarly no individual residential units are sold or rented separately for that period will apply to the Build-to-Rent units.

As the scheme is part Build-to-Sell, this is also referenced in the Notices.

In relation to part (b) of SPPR7, the proposed scheme will provide high-quality resident support facilities and support services and amenities as follows:

	Amenities	Sq m	Facilities	Sq m
Block A1 - GF	Lounge, Reading room	198.8	Concierge, Mail, WC	70.7
Block A1 - o4	Residents club	111.4		
Block B - GF	Lounge, Reading room	52.1	Concierge & Mail	45.6
Block B - o5	Residents Lounge	117.4		
Block C - GF	Co- working space	115.1		
Tabor House - GF	Lounge	15.2		
Tabor House - o1		0	Lobby & Mail	18.8
The Chapel GF (Residents Hub)	Gym, Games rooms, Kitchen, Garden room	288.9	Staff facilities	23.2
The Chapel o1 (Residents Hub)	Lounge, co working, Meeting room, Multipurpose space	349.9		
<b>TOTAL</b>		<b>1248.8</b>		<b>158.3</b>

As shown in the table above, the proposed development provides high quality amenity areas such as lounges and reading rooms in Blocks A1 and B, co-working space in Block C and gym, games room, lounge and multi-purpose hall in the Chapel. These spaces will include shared kitchen spaces/coffee docks, workstations and seating such as within the lounges. In addition, facilities such as a concierge and mail room will be provided in Blocks A1 and B and lobby and mail room in Tabor House. All apartments will be provided with a washing machine therefore a laundry facility is not required.

We have been advised that the Applicant are operating developers whose intention is to hold the assets long term and as such have designed them to international operating standards. The Applicant has travelled extensively looking at projects in other countries. A key element of successful Build-to-Rent offerings in particular is to provide useable and well managed tenant amenities that ultimately contribute to providing high-quality residential accommodation and a successful and integrated community setting.

It also proposed to provide public open space totaling 14,848 sq m which represents 34.9% of the developable site area and communal open space totaling 5,875 sq m including upper level terraces. The communal open space at surface level (5,444 sq m) excluding upper level terraces of 431 sq m represents 12.8% of the site area. This total provision of public and communal open space at surface level (47.7% of the site area) in addition to upper level communal terraces, will ensure that a high-quality standard of living that encourages social interaction will be provided for the future tenants.

### Specific Planning Policy Requirement 8

*'For proposals that qualify as specific BTR development in accordance with SPPR 7:*

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

- (ii) Flexibility shall apply in relation to the provision of a proportion of the storage and private amenity space associated with individual units as set out in Appendix 1 and in relation to the provision of all of the communal amenity space as set out in Appendix 1, on the basis of the provision of alternative, compensatory communal support facilities and amenities within the development. This shall be at the discretion of the planning authority. In all cases the obligation will be on the project proposer to demonstrate the overall quality of the facilities provided and that residents will enjoy an enhanced overall standard of amenity;
- (iii) There shall be a default of minimal or significantly reduced car parking provision on the basis of BTR development being more suitable for central locations and/or proximity to public transport services. The requirement for a BTR scheme to have a strong central management regime is intended to contribute to the capacity to establish and operate shared mobility measures;
- (iv) The requirement that the majority of all apartments in a proposed scheme exceed the minimum floor area standards by a minimum of 10% shall not apply to BTR schemes;
- (v) The requirement for a maximum of 12 apartments per floor per core shall not apply to BTR schemes, subject to overall design quality and compliance with building regulations.'

The Build-To-Rent element of the scheme is fully in accordance with SPPR8 as set out in the *Apartment Guidelines, 2020*.

1. The Built-to-Rent element provides 88 No. studios, 262 No. one bed apartments, 242 No. two bed apartments and 12 No. three bed apartments;
2. The majority of the proposed Build-to-Rent Apartments meet and in some cases, exceed the standards set out in relation to storage and private amenity space.

The majority of the Build-to-Rent apartments benefit from private balconies, with the exception of the 79 No. studio and 1 bed units proposed (including 10 No. studios and 8 No. 1 beds in Tabor House). Each new build studio unit will be provided with a Juliet balcony and it is considered appropriate to avoid providing any balconies in Tabor House to ensure that the character of the existing historic building is retained. The majority of units will be provided with storage space in line with the Apartment Guidelines, 2020 except for 14 No. studios units within Tabor House. However, as this is an existing historic structure that is being refurbished to provide residential units, we consider this slight shortfall to be acceptable.

The scheme provides 14,848 sq m of public open space in addition to communal open space and upper-level terraces totalling 5,875 sq m which will adequately address the needs of future residents. We note that internal communal amenity spaces (c. 1,248.8 sq m) will also be provided.

Therefore, this significant quantum of public and communal open spaces provided will be more than sufficient to cater for the proposed development including units without balconies. For example, there is an average of 10.62 sq m per unit of communal external and internal amenity space provided for entire development which will suitably cater for the proposed development, in addition to the extensive provision of public open space representing 34.9% of the developable site.

3. The site is located in a central and accessible urban location as discussed earlier in this section therefore reduced car parking is proposed (ratio of 0.50 No. per unit proposed for the entire development); and

4. The majority of apartments meet the minimum floor standards, and in some cases exceed the minimum floor area by 10% although this is not a criterion of Build-to-Rent. We note that 14 No. studios positioned within the existing Tabor House do not meet the required floor area. As this is an existing historic building, we consider the provision of some studios ranging in size from 34.6 sq m to 35.5 sq m in this instance to be acceptable. Flexibility is allowed in relation to existing historic buildings as per Section 2.2 and 6.9 of the *Apartment Guidelines, 2020*.

The subject Build-to-Rent elements of the scheme is fully in accordance and consistent with the criteria set out in the *Apartment Guidelines, 2020* and overall the fully scheme is in compliance with the *Apartment Guidelines, 2020*.

#### 4.7 ***Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and the Urban Design Manual – A Best Practice Guide (2009);***

The aim of *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)* ("*Sustainable Residential Development Guidelines 2009*") 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. The document sets out high level aims that:

*'Need to be translated into specific planning / design policy and objectives which can be applied at different scales of residential development, ranging from districts or neighbourhoods within large urban centres, to expansion of smaller towns and villages, and finally down to the level of the individual home and its setting.'*

There are 10 No. high-level aims set out in the document, which are set out and responded to below:

- 1) Prioritise walking, cycling and public transport, and minimise the need to use cars;

The scheme promotes sustainable modes of transport by providing a low car parking ratio and encouraging walking and cycling through the site, including permeable links.

- 2) Deliver a quality-of-life which residents and visitors are entitled to expect, in terms of amenity, safety and convenience;

The development will provide high-quality units with large areas of public and communal open spaces and residents' amenity space. The scheme provides 51% dual aspect units.

The development promotes safety and facilitates the natural surveillance of adjoining routes and spaces as all open spaces are overlooked by apartments and/or residents' amenity space. The site is located in proximity to public transport, employment, services and facilities, and is thus an ideal and convenient location for residential development.

- 3) Provide a good range of community and support facilities, where and when they are needed and that are easily accessible;

A 'Social Infrastructure Audit' has been prepared by KPMG Future Analytics and is enclosed as a separate document. This Audit demonstrates that a significant range of services and facilities are available in proximity to the site *'which contribute to quality of life'*. The Social Infrastructure Audit did not identify a need to provide specific facilities at the subject site, however a creche is provided in Block F. The scheme also provides residents' amenity space for the future residents.

- 4) Present an attractive, well-maintained appearance, with a distinct sense of place and a quality public realm that is easily maintained

The Masterplan & Architectural Design Statement details the proposed high-quality materials and façade treatments proposed and states as follows:

*'Both the historical and contemporary context heavily rely on brick as the predominant building material, with a wide variety of colours and types reflecting the piecemeal development of the area over a prolonged period of time. Although alternative materials have been explored, brick feels a natural choice for the base material for our proposal. It is our intention that through considered sampling and selection, brickwork for the body of the buildings will bring a domestic, softened and textural quality to the building, whilst also echoing character traits of its context in the area. However the three main contextual conditions surrounding Sandford Road are broadly coherent in three broad hues:*

*Buff/Brown Brick, reflecting the predominant brick type along Ranelagh Road, as well as working with the painted render St James Terrace. This colour choice also responds to the sites Tabor House & Chapel buildings*

*Red/Brown, reflecting the predominant use of red along Eglinton Road, Sandford Road & Belmont Avenue.*

*Grey Brick, referencing the harder facing base and edge stone which is apparent on the historical housing facade typologies to create a hard wearing street interface plinth.*

*The completed building expression provides a simple building form that reinterprets the surrounding building fabric to relate positively to neighbouring structures and create a harmonious whole.*

*The architecture of each building varies enough to ensure a diverse and interesting urban fabric, albeit within a considered palette of complimentary materials and colours.*

*Subtle variations in the architectural expression and material palette of the different blocks to ensure a diverse and interesting urban fabric, albeit within a considered palette of complementary materials and colours that provide a degree of variation and interest as the building forms progress and relate to the different surrounding conditions'.*

The development is designed to ensure that the long-term durability and maintenance of materials is an integral part of the design and specifications of the proposed development. The development will provide public open space and pedestrian links, which will ensure that the

scheme will enhance this area and will create a vibrant sense of place and will make a positive contribution to the urban neighbourhood, streetscape and public realm.

- 5) Are easy to access for all and to find one's way around;

Publicly accessible pedestrian and cyclist links are provided through the site. The public open space is predominantly provided in the parkland and plaza area with additional public open space provided in the northern woodland glade and pedestrian boulevard. These spaces will be easy to navigate and will contain a variety of activity for people to utilise such as pay-on-the-way, fitness areas and seating for example.

- 6) Promote the efficient use of land and of energy, and minimise greenhouse gas emissions;

The proposed development represents the sustainable and efficient development of underutilised, brownfield land in a core urban location, proximate to public transport, employment, services and facilities. An Energy & Sustainability Statement has been prepared by OCSC Consulting Engineers and is enclosed with this application, which sets out that the design has initially focus on an energy demand reduction through passive strategies such as an energy efficient envelope which in turn reduces the demands relating to items such as HVAC and renewable energy systems.

- 7) Provide a mix of land uses to minimise transport demand;

The development principally provides residential units with residents' amenity space in addition to public and communal open spaces and a creche. The development is a low car usage development and promotes sustainable modes of transport, especially due to the site's location proximate to public transport. The scheme also provides walking and cycling from the site, with several connections provided throughout the site and 1,361 No. bicycle parking spaces are proposed. Therefore, the development encourages sustainable modes of transport which will minimise car usage.

- 8) Promote social integration and provide accommodation for a diverse range of household types and age groups;

The development promotes social integration with the range of public and communal open spaces provided and the residents' amenity space and creche unit proposed. A diverse range of household types and age groups are catered for in the development (99 No. studios, 271 No. 1 beds, 274 No. 2 beds and 27 No. 3 beds), and 67 No. Part V units are provided in accordance with Part V of the *Planning and Development Act 2000 (as amended)*, which require 10% social and affordable housing.

- 9) Enhance and protect the green infrastructure and biodiversity; and

The development will enhance and contribute to the green infrastructure and biodiversity of Dublin City. The scheme will provide good quality tree planting and hedging on the site and will act as a green infrastructural link towards other green infrastructure networks in the City such as the Dodder Greenway, and will provide enhancement measures for biodiversity such as bat boxes, bird boxes and insect hotels.

10) Enhance and protect the built and natural heritage

The subject site will retain Tabor House and the Chapel and refurbish and reuse the buildings within the development. The reuse and refurbishment of Tabor House and the Chapel will allow a new characterful setting to be created in the landscape and the buildings will act as a focal point for the development especially entering the site from Milltown Road or walking through the pedestrian street from the northern end of the site with glimpses of Tabor House shown through the setbacks of Block B.

The *Urban Design Manual – A Best Practice Guide (2009)* is a companion document to the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)*.

**Housing Location in Urban Areas**

The Urban Design Manual sets out 12 No. key indicators for developments in urban areas:

1) Context – How does the development respond to its surroundings?

The proposed development has been subject to a high-quality design by O’ Mahony Pike Architects (OMP).

In our opinion, the heights provided in the subject development are appropriate having regard to the expressed requirement in National level policy to achieve compact growth, in addition to the careful modulation of height throughout the site, which responds to the situational context of each individual block, to protect the amenity of existing dwellings and also with respect given to the nearby Protected Structures and Architectural Conservation Area.

The comprehensive Masterplan & Architectural Design Statement prepared by OMP Architects states:

*‘the location of this urban marker responds to the wider context and urban morphology by marking the key junction and transition between the merging neighbourhoods of Milltown, Ranelagh, Clonskeagh and Donnybrook. The design intent, massing and orientation of this building specifically responds to the view South from this junction on Eglinton road creating an elegant ‘punctuation mark’ as the building extrusion emerges at a suitable height above the horizontal ‘green veil’ around the perimeter of the site along the North and East edges. As such, at the neighbourhood scale it acts as a ‘reference point’ in the landscape... This urban marker addresses the flow of the park as it winds its way around the North/ East corner while also signifying the wide 3 storey pedestrian archway connection between the park and the central plaza space. With the exception of the urban marker the rest of the development will be below the height of the existing mature tree belts which are retained and provide a ‘green veil’ to the perimeter of the site along the North and East edges’.*

In regard to the material palette for the scheme, OMP Architects note:

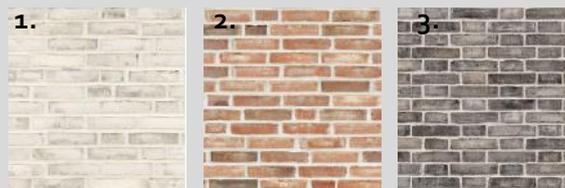
*‘Both the historical and contemporary context heavily rely on brick as the predominant building material, with a wide variety of colours and types reflecting the*

*piecemeal development of the area over a prolonged period of time. Although alternative materials have been explored, brick feels a natural choice for the base material for our proposal. It is our intention that through considered sampling and selection, brickwork for the body of the buildings will bring a domestic, softened and textural quality to the building, whilst also echoing character traits of its context in the area. However the three main contextual conditions surrounding Sandford Road are broadly coherent in three broad hues:*

*Buff/Brown Brick, reflecting the predominant brick type along Ranelagh Road, as well as working with the painted render St James Terrace. This colour choice also responds to the sites Tabor House & Chapel buildings*

*Red/Brown, reflecting the predominant use of red along Eglinton Road, Sandford Road & Belmont Avenue.*

*Grey Brick, referencing the harder facing base and edge stone which is apparent on the historical housing facade typologies to create a hard wearing street interface plinth.*



*The completed building expression provides a simple building form that reinterprets the surrounding building fabric to relate positively to neighbouring structures and create a harmonious whole.*

*The architecture of each building varies enough to ensure a diverse and interesting urban fabric, albeit within a considered palette of complimentary materials and colours.*

*Subtle variations in the architectural expression and material palette of the different blocks to ensure a diverse and interesting urban fabric, albeit within a considered palette of complimentary materials and colours that provide a degree of variation and interest as the building forms progress and relate to the different surrounding conditions’.*

The Design Team have comprehensively considered the scheme layout and modulation in order to ensure that the development improves legibility in the area and will integrate into the surrounding context. This has been achieved by providing a range of heights throughout the site, by considering the existing tree belt and by breaking down the massing provided in addition to the significant quantum of open space and permeable links proposed throughout the site.

Please refer to the Architectural Design Statement prepared by OMP Architects and a Landscape Design Statement and Masterplan by Cameo and Partners Design Studio enclosed with this planning application for more details.

2) Connections – How well connected is the new neighbourhood?

As previously noted, the application site is located at a prominent junction fronting Sandford Road and Milltown Road at a key arterial intersection between Milltown, Clonskeagh, Donnybrook and Ranelagh and is served by high frequency public transport such as Luas and Bus services.

The scheme is located within walking and cycling distance of many employment locations, services and facilities in addition to being well served by public transport. The site is also well connected to many Neighbourhood and District Centres such as Milltown, Ranelagh, Donnybrook, Clonskeagh, Beechwood and Rathmines which are all within easy walking and cycling distance from the subject site. It is evident that the site is well connected and sustainable modes of transport are encouraged within the proposed scheme. The proposed permeable links through the site will improve connections for the entire neighbourhood.

3) Inclusivity – How easily can people use and access the development?

The proposed development has been designed to encourage sustainable modes of transport e.g. walking, cycling and public transport. For example, some 1,361 bicycle parking spaces have been provided and there is ample public transport opportunities and employment locations within walking and cycling distance of the subject site.

The DMURS Design Statement prepared by DBFL Consulting Engineers states that:

*'It is DBFL's opinion that the proposed residential development is consistent with both the principles and guidance outlined within the Design Manual for Urban Roads and streets (DMURS) 2019. The scheme proposals are the outcome of an integrated design approach that seeks to implement a sustainable community connected by well-designed streets which deliver safe, convenient and attractive networks in addition to promoting a real and viable alternative to car-based journeys. This report outlines the specific design features that have been incorporated within the proposed development that had the objective of delivering a design that is in full compliance with DMURS'.*

The site layout provides designated bin storage areas located at basement and ground level. The bins from the development will be brought to a collection point in the forecourt, or directly from the ground level WSAs by the waste contractor or facilities management, immediately prior to collection. The basement level carpark is insufficient in height for a waste truck to access, all waste will be collected at grade. Temporary storage at the bottom of the basement ramp has been provided to move bins prior to collection.

Emergency vehicles can also safely access the site via both entrance points off Sandford Road and Milltown Road as illustrated on the accompanying architectural drawings.

There are a number of access points provided for residents of the scheme and the public and significant efforts have been made to ensure accessible routes have been provided throughout the scheme, particularly through the public park and pedestrian boulevard with additional pedestrian gates provided from Sandford Road and Milltown Road. The permeable connections will open the site up to the public and will allow easy access for the future residents to gain entry to their dwelling.

4) Variety – How does the development promote a good mix of activities?

The development provides 604 No. residential units comprising 604 No. Build-to-Rent apartments and 67 No. Build-to-Sell units. It is our professional opinion that the proposed mix of primarily one and two bed units directly responds to the need of this type of tenure, furthermore the mix of Build-to-Rent and Build-to-Sell units within the scheme reflects current societal and demographic trends. Build-to-Rent units are particularly attractive to the cohort of the population who do not have the financial means or desire to get on the property ladder and require mobility and flexibility.

In addition, a creche is provided within the ground floor of Block F and the development is supported by the provision of 1,248.8 sq m of residents’ amenities such as co-working space, lounges, gymnasium, libraries and multi-purpose hall for example.

The proposed scheme has been designed to ensure that a wide variety of amenities and facilities are available for future residents to utilise within the development. We note that the area surrounding the subject site contains a wide variety of services, facilities and amenities which are all within walking and cycling distance of the subject site such as in the proximate Neighbourhood and District Centres including Milltown, Ranelagh, Donnybrook, Clonskeagh, Beechwood and Rathmines. The subject scheme complies with the range of uses permitted in principle or open for consideration under the Z15 zoning objective.

5) Efficiency – How does the development make appropriate use of resources, including land?

National policy expressly seeks the densification of underutilised lands such as the subject site. The application site currently comprises the original Milltown Park House with subsequent extensions, which are vacant and no longer in use, in a highly accessible central and accessible urban location in Dublin in close proximity to high frequency public transport and employment locations. The existing plot ratio of the development site (c. 4.26 Ha) is 0.17 and the proposed plot ratio of the development site is 1.29 which represents efficient densification of core urban lands.

The proposed development is consistent with the zoning as set out in the *Dublin City Development Plan 2016-2022* as set out in Section 6.1. The proposed development represents the appropriate densification of this underutilised site while having regard to the need to protect the amenity of surrounding residential properties. The proposed scheme provides for large, high quality and valuable landscaped areas which will provide amenity and biodiversity.

6) Distinctiveness – How do the proposals create a sense of place?

The scheme provides large public and communal open spaces, including a new public park, which will allow the public and residents to enjoy high-quality outdoor spaces at this large site which will create a sense of place. The proposed configuration of the development blocks seeks to address the surrounding urban conditions by working with existing and historic building lines.

Several different massing options were tested against the surrounding building heights and urban grain which resulted in a number of new building datums, with each responding

to its adjacent urban condition. Each block has a subtle shift in direction as a response to its particular urban condition as detailed in the Design Statement prepared by O'Mahony Pike Architects. The layout and height of the proposed blocks in addition to the various open spaces provided throughout the site (including a new public park) will create a sense of place for the residents and the wider community, particularly with the provision of the Block A1 visual marker which will define the urban junction of Sandford Road and Milltown Road.

7) Layout – How does the proposal create people friendly streets and spaces?

A new public park and pedestrian boulevard have been provided through the site which provides for a high-quality and attractive streets and spaces. This will ensure that the proposal prioritises pedestrian and cyclist movements responding to the anticipated desire lines of the public and future residents of the scheme.

There will be limited vehicular activity within the subject scheme as the majority of vehicular traffic from Milltown Road (92%-96%) will use the basement car parking via a ramp proximate to the site entrance and this will ensure that the shared surface to the west of the site adjacent to the Block E duplexes and apartments will not be car dominated and will be a safe environment for all users. This new access will also facilitate pedestrians and cyclists.

The existing access from Sandford Road will be utilised as the secondary vehicular access to the site, principally for deliveries, emergencies and taxis with a small element of mobility impaired parking for example and thus will have very minimal traffic movements.

In addition to the private amenity spaces serving individual units, extensive public open space is provided (34.9% of the wider site area) and the communal open space at surface level represents 12.8% of the site area.



**Figure 4.7:**  
**Ground Floor Illustrative**  
**Landscape Masterplan**

(Source:  
 Cameo and Partners Design  
 Studio, 2021)

There are many tracts of public and communal open space provided in the scheme as demonstrated in Figure 4.7 above. In addition to the high-quality public and communal open spaces provided at surface level, we note that additional communal terraces are provided at the upper levels of Blocks A1, B and C (431 sq m). Cameo and Partners Design Studio have prepared a Landscape Design Report detailing how these spaces can be utilised e.g. location of play areas and seating areas for example.

8) Public Realm – How safe, secure and enjoyable are the public areas?

The outdoor spaces will be subject to a high level of passive surveillance as they will be overlooked by the residential units, ensuring that these areas are safe and secure. The open space will include various children’s play areas for families to enjoy. In addition, the provision of glimpses into the site through the new boundary treatment will give the perception that the public areas are monitored. The boundary wall is currently oppressive and encloses the site from the public and thus it is considered that the new boundary treatment will provide natural passive surveillance for the public areas.

The proposed development includes a comprehensive Landscape Plan and Landscape Design Report prepared by Cameo and Partners Design Studio which sets out the strategy for the provision of safe, secure and enjoyable public spaces.

9) Adaptability – How will the buildings cope with change?

The ground floor level of the development allows for minimum floor to ceiling heights of 2.7 metres which are capable of internal modification where deemed necessary as per SPPR 5 of the *Sustainable Urban Housing: Design Standards for New Apartments* (2020). The provision of residential accommodation in Tabor House and residential amenity space in the Chapel will provide for the continuation of the use of an historic structure, thereby

ensuring its conservation. According to OMP Architects, consideration has been given to the requirements of Building Regulations in relation to durability and design life. The development is designed to incorporate the guidance and best practice principles to ensure that the long-term durability and maintenance of materials is an integral part of the design and specifications of the proposed development.

10) Privacy and Amenity – How does the scheme provide a decent standard of amenity?

The contemporary design provides for versatile private units. All Build-to-Sell units have been provided with balconies and the majority of the Build-to-Rent apartments benefit from private balconies, exception of the 79 No. studio and 1 bed units proposed (including 10 No. studios and 8 No. 1 beds in Tabor House). Each new build studio unit will be provided with a Juliet balcony and it is considered appropriate to avoid providing any balconies in Tabor House to ensure that the character of the existing historic building is retained.

Any north facing units provided in the scheme will overlook either public or communal open spaces or the homezone for example which will ensure that an attractive outlook is provided for each unit.

The *Dublin City Development Plan 2016-2022* requires 25% of the total site area as public open space on Z15 Zoned lands. Therefore, the public open space requirement is 10,637 sq m (25% of 42,547 sq m). The scheme provides 14,848 sq m or 34.9% of the developable site area which significantly exceeds the 25% requirement.

Furthermore, according to the *Apartment Guidelines 2020*, some 3,881 sq m of communal amenity space is required to meet the minimum standards. The scheme provides 5,444 sq m of communal open space and an additional 431 sq m of communal terraces in the upper levels of Blocks A1, B and C. Therefore, the communal open space provision significantly exceeds the requirement.

The open space requirements for the scheme are summarised below. We reiterate that the proposal significantly exceeds the minimum requirements.

Open Space	Required	Provided	
Public Open Space	10,637 sq m	14,848 sq m	20,292 sq m of open space is provided at grade, representing 47.7% of the site area in addition to 431 sq m provided in upper level external communal terraces.
Communal Open Space	3,881 sq m	5,444 sq m + upper level terraces of 431 sq m	
Total	14,518 sq m	20,723 sq m	

Some 1,248.8 sq m of indoor communal amenity space is also provided enabling social interaction between residents within the development, if desired. Therefore, the provision of significant high-quality areas of open space are considered to offset the absence of private balconies on 110 No. BTR studio apartments (including studios in Tabor House) and 10 No. 1 bedroom units in Tabor House.

The proposed scheme provides for a high-quality development as detailed in the accompanying Planning Report prepared by Thornton O'Connor Town Planning, Architectural Design Statement by OMP Architects and Landscape Report by Cameo and Partners Design Studio.

11) Parking – How will the parking be secure and attractive?

The scheme proposes 344 No. car parking spaces within the development comprising 295 No. at basement level and 49 No. at surface level. Some 335 No. spaces have been designated for the residential units providing a ratio of 0.50 No. spaces per unit (which excludes creche/drop-off/taxi spaces). In addition, we note that the total car parking includes 10 No. car share spaces (5 No. GoCar and 5 No. development car share), 18 No. mobility impaired spaces, 35 No. EV parking spaces, 2 No. taxi spaces, 4 No. set-down/drop-off spaces and 3 No. spaces for the creche.

Sustainable modes of transport such as cycling and walking are promoted within the scheme, with the provision of 1,361 No. cycle parking spaces.

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

A detailed Architectural Design Statement prepared by OMP Architects and Landscape Design Report by Cameo and Partners Design Studio are submitted as part of this planning application which sets out the design rationale of the proposed development providing a high-quality innovative scheme.

The assessment of the proposed development above and in the context of the expert reports referred to demonstrates that the proposal is consistent with the guidance as set out in the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)* and the *Urban Design Manual – A Best Practice Guide (2009)*.

**4.8 Design Manual for Urban Roads and Streets (2019)**

The *Design Manual for Urban Roads and Streets (DMURS)* sets out an integrated design approach for creating new and redeveloping existing routes to ensure that they are secure, connected and attractive. The guidance document outlines several key objectives and design principles, most notably the promotion of sustainable modes of transport such as; prioritising walking, cycling and use of public transport. DMURS outlines practical guidance for the design of roads and streets which have been taken into consideration during the design process of the proposal at the subject of the report.

**4.8.1 Policy Background**

The *Design Manual for Urban Roads and Streets* references the *Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland 2009 – 2020* document which was published by the Department of Transport. The key goals as set out within the *Smarter Travel* document include:

- (i) To reduce overall travel demand;

- (ii) To maximise the efficiency of the transport network;
- (iii) To reduce reliance on fossil fuels;
- (iv) To reduce transport emissions; and
- (v) To improve accessibility to public transport.

Given the accessible location of the application site in proximity to a high frequency public transport and employment locations, it is projected that residents of the scheme would largely rely on walking, cycling or utilising existing public transport routes to reach their place of work. Due to high-quality public transport, car parking is limited to 344 No. spaces within the proposed development (including 10 No. car share spaces). The scheme is considered to be consistent with the key policy goals as set out in *Smarter Travel – A Sustainable Transport Future A New Transport Policy for Ireland 2009 – 2020*.

#### 4.8.2 Site Layout and Legibility

As noted previously, the proposed development promotes permeability and legibility through the site by providing a public park and a pedestrian boulevard for example in addition to pedestrian access points from Sandford Road and Milltown Road. Car parking is provided predominantly at basement level which is accessed from Milltown Road and 92-96% of traffic from Milltown Road will filter directly into the basement without needing to traverse through the site.

The existing vehicular access off Sandford Road will be a secondary vehicular access to the site, principally for deliveries, emergencies and taxis for example with a small element of mobility impaired parking for residents, and thus will have very minimal traffic movements.

We note that the development has been designed in accordance with DMURS. The proposed high-quality designed layout of the scheme by OMP Architects will ensure that the scheme will be legible in the streetscape while also sitting comfortably within its immediate context.

In particular, the 10 No. storey pop-up element fronting the prominent interchange of Sandford Road and Milltown Road will act as a 'visual marker' providing a focal point for the scheme which will enhance legibility and wayfinding for the wider community and internally in the site.

#### 4.8.3 Sustainable Transport

The site is well served by public transport with particular emphasis on the Luas and high frequency bus routes serving the subject site. The public transport availability in proximity to the site provides access to a wide range of business districts and employment locations such as the Canal Ring, the Docklands, Harcourt Street, Ballsbridge, Sandyford Business District and Belfield Office Park. We note that many of these business districts and employment locations are within walking and cycling distance of the site. Furthermore, University College Dublin and 4 No. hospitals are located within walking and cycling distance of the site (Clonskeagh Hospital, The Royal Hospital Donnybrook, Saint Vincent's Hospital and Saint Luke's Hospital). A Mobility Management Plan has been prepared by OCSC Consulting Engineers and is enclosed with this planning application.

The DMURS publication references that the Smart Travel document includes a 'vision to create a strong cycling culture in Ireland and ensure that all cities, towns and villages will be cycling friendly and that cycling will be a preferred way to get about, especially for short trips.' The proposed scheme provides 1,361 No. bicycle parking spaces in total ensuring that sustainable modes of transport are encouraged.

As established in the above commentary, it has been demonstrated that the proposed mixed use scheme is consistent with the guidance as per the *Design Manual for Urban Roads and Streets (2019)*.

In respect of achieving DMURS objectives, the DMURS statement prepared by DBFL Consulting states that:

*'It is DBFL's opinion that the proposed residential development is consistent with both the principles and guidance outlined within the Design Manual for Urban Roads and streets (DMURS) 2019. The scheme proposals are the outcome of an integrated design approach that seeks to implement a sustainable community connected by well-designed streets which deliver safe, convenient and attractive networks in addition to promoting a real and viable alternative to car-based journeys. This report outlines the specific design features that have been incorporated within the proposed development that had the objective of delivering a design that is in full compliance with DMURS'.*

The DMURS Statement sets out specific attributes of the scheme design which contribute to achieving this DMURS objective.

#### 4.9 ***The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009)***

The *Planning System and Flood Risk Management Guidelines (2009)* published by the Government of Ireland includes the following core objectives:

- Avoid inappropriate development in areas at risk of flooding;
- Avoid new developments increasing flood risk elsewhere, including that which may arise from surface water run-off;
- Ensure effective management of residual risks for development permitted in floodplains;
- Avoid unnecessary restriction of national, regional or local economic and social growth;
- Improve the understanding of flood risk among relevant stakeholders; and
- Ensure that the requirements of EU and national law in relation to the natural environment and nature conservation are complied with at all stages of flood risk management.

The Flood Risk Assessment has been prepared by DBFL Consulting Engineers and concludes the following:

*'Following the Flood Risk Assessment, it has been determined that the site is located in Flood Zone C as defined by the Guidelines.*

*It is concluded that the:*

- *Proposed residential development is appropriate for the site's flood zone category.*
- *The sequential approach outlined in Planning System and Flood Risk Management Guidelines has been adhered to and that the 'Avoid' principal has been achieved.*

*In conclusion, the proposed development is considered to have the required level of flood protection up to and including the 100 year return event.*

*Overland flow paths have been identified for pluvial flooding exceeding the capacity of the surface water drainage network.'*

Thus, the proposed development is acceptable having regard to the objectives of *The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009)*.

#### **4.10 Guidelines for Planning Authorities on Childcare Facilities (2001) and the Child Care Act 1991 (Early Years Services) Regulations 2016**

The *Guidelines for Planning Authorities on Childcare Facilities (2001)* ("Childcare Guidelines, 2001") sets out that:

*'Access to quality childcare services contribute to the social, emotional and educational development of children. There are clear economic benefits from the provision of childcare. The lack of accessible, affordable and appropriate childcare facilities makes it difficult for many parents/guardians to access employment and employment related opportunities...In relation to new housing areas, a standard of one childcare facility providing for a minimum 20 childcare places per approximately 75 dwellings may be appropriate.'*

The *Childcare Guidelines, 2001* further state:

*'The Planning and Development Act, 2000, makes it a mandatory requirement on planning authorities to include in their Development Plan objectives on the provision of services for the community, including creches and other childcare facilities.'*

The objectives of the *Childcare Guidelines, 2001* are to:

- Update and develop baseline data on the quality of existing and prospective childcare needs in association with the County Childcare Committees;

- Promote childcare facilities in the following locations as a key element in the provision of sustainable communities:
  - Residential areas;
  - Places of employment;
  - Educational establishments;
  - City and town centres, neighborhood and district centres;
  - Convenient to public transport nodes.
  
- Establish a system of monitoring the achievements of the above objectives.

The *Childcare Guidelines, 2001* identify appropriate locations for childcare facilities as identified below:

- New communities/Larger new housing developments - *'Planning authorities should require the provision of at least one childcare facility for new housing areas unless there are significant reasons to the contrary for example, development consisting of single bed apartments or where there are adequate childcare facilities in adjoining developments.'*
- The vicinity of concentrations of work places, such as industrial estates, business parks and any other locations where there are significant numbers working – *facilitating safe and efficient journeys to/from the workplace of parents/guardians.*
- In the vicinity of schools – facilitating parents dropping off school-going children and children attending childcare facilities on route to their place of employment;
- Neighbourhood, District and Town Centres – combating competitive pressure from larger commercial areas.
- Adjacent to public transport corridors, park and ride facilities, pedestrian routes and dedicated cycle ways.

The *Childcare Guidelines, 2001* stipulate that Planning Authorities should require one childcare facility (providing for a minimum 20 childcare places) per approximately 75 No. dwellings. However as noted above, a childcare facility does not need to be provided if there are significant reasons relating to the development consisting of single bed apartments or where adequate childcare facilities exist in adjoining developments. It is also noted that the *Apartment Guidelines, 2020* state the following:

*'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.'*

We note that although the Childcare Demand Assessment prepared by KPMG Future Analytics enclosed separately concludes that there is sufficient capacity in the area to cater for the proposed development, the Applicant has incorporated a crèche into the scheme, which as well as benefiting the future residents of the development, it will also cater for the immediate existing residents of the area, and thus will greatly enhance the amenity of the area.

The proposed development will provide a crèche (400 sq m) within the ground floor of Block F and will cater for c. 80 No. children. This crèche will contain 5 No. classrooms and includes a dedicated open space area (280 sq m) for staff and children to utilise. The *Child Care Act 1991 (Early Years Services) Regulations 2016* sets out the following floor area

requirements (also set out in Appendix 13 of the *Development Plan*), which the subject proposed creche fully complies with:

(1)	(2) AGE RANGE	(3) CLEAR FLOOR SPACE
1.	0-1 year	3.5 square metres
2.	1 — 2 years	2.8 square metres
3.	2 — 3 years	2.35 square metres
4.	3 — 6 years	2.3 square metres

## 5.0 REGIONAL POLICY

This section will demonstrate that the proposed development has been brought forward with due consideration of Regional Policy and is consistent with the objectives and guidance as set out within each of the respective policy documents. Within this section the development will be assessed against the *Regional Planning Guidelines for the Greater Dublin Area 2010-2022* and the *Regional Spatial and Economic Strategy for the Eastern and Midland Region*.

### 5.1 *Regional Planning Guidelines for the Greater Dublin Area 2010-2022*

The *Regional Planning Guidelines for the Greater Dublin Area 2010-2022* (RPG's) provides a long term sustainable planning framework for the GDA. The Regional Planning Guidelines (RPGs) is a policy document which aims to direct the future growth of the Greater Dublin Area over the medium to long term.

The RPG's set out that *'quality housing should be reflected equally in terms of the overall layout of the scheme and its urban design characteristics, the internal layout, form and design of housing and the external architectural form of housing which should relate to the wider urban area of which it is part while facilitating the creation of areas of distinct character.'*

In relation to Dublin, the RPG's states that:

*'A core element of the RPGs is the importance of integration of land use, employment and transport. Within the City, as the national hub of employment and transport, it is critical that the policy of encouraging high quality new housing within the core of the gateway continues. The City, with a large young population inflated by students, migration and a young mobile workforce, has lower occupancy rates, particularly in the inner City which drives higher housing demand per head of new population. The importance of the detailed urban plans and guidelines in setting clearly the template for successful infill and regeneration development needs to continue, taking the long term perspective. New transport hubs at metro stations and along the interconnector route line give these locations high accessibility and mobility and this needs to be capitalised on where possible.'*

The following Strategic Policies are considered relevant and have been assessed in respect to the consistency of the proposed development:

**Strategic Policy EP1** outlines the importance of the integration of climate change considerations into Development Plans, Flood Risk Assessments and Bio-diversity and Heritage plans.

The proposed development has had due regard to climate change, flood risk and biodiversity. A comprehensive Environment Impact Assessment Report has been submitted with the planning application which incorporates chapters such as Biodiversity and Water-Hydrology. In addition, an Appropriate Assessment Screening Report by JBA Consulting, a Flood Risk Assessment by DBFL Consulting Engineers and an Energy and Sustainability Report prepared by O'Connor Sutton Cronin Consulting Engineers have been submitted with this planning application which assess the specific environmental issues.

**Strategic Policy EP2** refers to the need to facilitate new employment opportunities for existing populations and seek to reduce the volume of unsustainable long-distance commuting.

The proposed residential scheme will assist in addressing the housing shortage for studios, 1, 2 and 3 No. bed units in the Dublin 6 area in particular. The availability of affordable, high quality and a range of tenures close to a number of significant employment nodes will allow employees to live closer to their place of work and reduce commuting distances and will allow new employers to have confidence that adequate residential development is available for their employees.

Therefore, the proposal is consistent with Strategic Policy EP2.

**Strategic Policy SP1** stipulates that the delivery of new housing in the GDA shall support the NSS, Smarter Travel and the DoEHLG Guidelines on Sustainable Residential Development. The RPG Settlement Strategy encourages the focusing of new housing development on:

- (i) *consolidation within existing built footprint with particular focus on the metropolitan area;*
- (ii) *supporting the achievement of sustainable towns;*
- (iii) *supporting national investment in public transport services by focusing new development areas to key locations to achieve the integration of land use and high quality public transport provision, and*
- (i) *build up economics of scale for services in identified growth towns.*

The proposed scheme will positively address each of the criteria above where relevant.

The subject development will:

- Provide residential units within Dublin City, which represents the consolidation within the existing urban footprint;
- Represent the sustainable development of this accessible urban area; and
- Provide residential units in a key urban location proximate to high-frequency public transport.

The subject lands are located in a sustainable location and will promote the increase in population at a location in proximity to high frequency public transport and employment locations.

The scheme is considered to be consistent with Strategic Policy SP1.

**Strategic Policy PIP5** relates to waste management and aims to ensure environmental, business and public health needs are met. It also sets out to promote and facilitate reuse and recycling.

The Operational Waste Management Plan enclosed as an Appendix to the EIAR states the following in relation to the operational production of waste:

*'Dedicated communal Waste Storage Areas (WSA) have been allocated within the development design at basement and ground floor levels for the residential units and can be viewed in the drawings submitted with the application. Communal amenity space waste will be accommodated in any of the residential WSAs.*

*Bins from the development will be brought to a collection point in the forecourt, or directly from the ground level WSAs by the waste contractor or facilities management, immediately prior to collection. The basement level carpark is insufficient in height for a waste truck to access, all waste will be collected at grade. Temporary storage the bottom of the basement ramp has been provided to move bins prior to collection. The creche unit has its own individual WSA allocated to them.'*

The proposal is consistent with Strategic Policy PIP5.

**Strategic Policy GIP1** is concerned with the protection of built heritage and protected species.

The site comprises the original Milltown Park House building with extensions attached to the original structure which have been extensively detailed in the Architectural Heritage Chapter 7 of the EIAR prepared by Molloy & Associates Conservation Architects. The Chapter states that:

*'The proposal to restore and adapt selective buildings, which are deemed to be both of heritage significance and suitable for purposeful adaptation, has been conceived to minimise the extent of loss across the site as a whole. The works proposed to the buildings selected for reuse, have been designed with the objective of preserving the character of the site and detailed to minimise unnecessary loss...The potential for positive impact is inherent in the rejuvenation of the site through the adaptation of existing building fabric of heritage interest and the provision of new buildings to secure a sustainable long-term use for the site...The retention of two buildings for purposeful re-use within the vast building range presents an inherently positive impact for the legibility of the original function of the site.'*

The site is not located within any statutory designated areas. An Appropriate Assessment Screening Report prepared by JBA Consulting is enclosed and concludes that the possibility of any significant impacts on any European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded beyond a reasonable scientific doubt on the basis of the best scientific knowledge available.

The subject site is not located within or directly adjacent to any Special Protection Areas (SPA), Special Areas of Conservation (SAC) or National Heritage Areas (NHA).

The proposal is consistent with Strategic Policy GIP1.

**Strategic Policy GIP2** aims to protect and conserve the natural environment, in particular EU designated sites.

The site is not located on or in close proximity to any EU designated sites. As noted above in GIP1, the AA Screening Report concludes that there will be no likely significant effects from the project on the stated Natura 2000 sites either alone or in combination with any other plans or projects.

The proposal is consistent with Strategic Policy GIP2.

**Strategic Policy GIP6** sets out to ensure the protection, enhancement and maintenance of the natural environment with specific emphasis on the value of green spaces.

The proposed scheme has been designed with due regard for the natural environment, the value of green space and the strategic green network. Extensive outdoor public open spaces, communal open spaces, balconies and green roofs have been provided. A comprehensive Landscape Design Report has been prepared by Cameo and Partners Design Studio and is submitted in conjunction with the application. The proposed Landscape Plan has due regard for the existing landscape character of the site and surrounding area.

The proposal is consistent with Strategic Policy GIP6.

**Strategic Policy SIP1** is in relation to planning for communities and outlines the need to identify and respond to the most vulnerable in planning for growth, for change or regeneration.

The scheme responds to the housing shortage for suitable tenure by primarily providing 1 and 2 No. bed units. The proposed supply of Build-to-Sell residential accommodation will contribute to alleviating the housing crisis which currently constrains first time home-ownership in particular, whilst the Build-to-Rent units will accommodate those who need to remain mobile or require flexibility and those who wish to rent a dwelling. It is also noted that the scheme provides 10% social housing as per Part V of the *Planning and Development Act, 2000*.

The proposal is consistent with Strategic Policy SIP1.

**Strategic Policy SIP2** acknowledges planning policy as a tool in creating a quality of life.

The proposed scheme will provide for 671 No. high-quality apartments and duplex units as illustrated in the supporting Design Statement and CGIs in addition to various high-quality amenity spaces provided such as the large public park. It is considered that the proposal will therefore provide a high quality of life.

The sustainable location will reduce commuting times, in addition to the provision of large external public and communal open spaces areas and the promotion of public transport, walking and cycling as main modes of transport which will contribute to the quality of life of residents within the proposed development in proximity to a range of services and facilities.

The proposal is consistent with Strategic Policy SIP2.

**Strategic Policy FP1** states that flood risk requires active management throughout the planning process.

The proposal has had due regard of flood risk and it is noted that the application site is located within Flood Zone C. A Flood Risk Assessment has been prepared by DBFL Consultants for the application site which concludes that the:

- *Proposed residential development is appropriate for the site's flood zone category.*
- *The sequential approach outlined in Planning System and Flood Risk Management Guidelines has been adhered to and that the 'Avoid' principal has been achieved.*

The proposal is consistent with Strategic Policy FP1.

This section has clearly demonstrated that the proposed residential development with supporting resident amenities and facilities, a creche and public and communal open spaces is consistent with the relevant strategic policies set out in the *Regional Planning Guidelines for the Greater Dublin Area 2010-2022*.

## 5.2 **Regional Spatial and Economic Strategy for the Eastern and Midlands Region**

The *Regional Spatial and Economic Strategy* ("RSES") for the East and Midlands Regional Assembly comprises a number of core Regional Policy Objectives which coincide with the National Planning Framework ("NPF"). The purpose of the guidelines is to direct all Local Authority future plans, projects and activities requiring consent of the Regional Assembly.

Under RPO 4.3 '*Consolidation and Re-intensification*' the following objective is set:

*'Support the consolidation and re-intensification of infill/brownfield sites to provide high density and people intensive uses within the existing built up area of Dublin city and suburbs and ensure that the development of future development areas is coordinated with the delivery of key water infrastructure and public transport projects'*

The subject scheme will consist of 671 No. unit residential development comprising 604 No. Build-to-Rent apartment units and 67 No. Build-to-Sell duplexes and apartments with a resultant density of 157.5 No. units per hectare in the overall scheme. Therefore, the proposed development will result in the intensification of an underutilised, infill, brownfield site in a core urban area.

The Metropolitan Area Spatial Plan (MASP) for Dublin contained within the *RSES* states the following:

- RPO 5.4: '*Future development of strategic residential development areas within the Dublin Metropolitan area shall provide for higher densities and qualitative standards as set out in the 'Sustainable Residential Development in Urban Areas', 'Sustainable Urban Housing; Design Standards for New Apartments Guidelines', and 'Urban Development and Building Heights Guidelines for Planning Authorities'*

As stated previously in this Statement, the proposed development fully responds to the National Planning Policy, in particular Section 4.6 - *Sustainable Urban Housing; Design Standards for New Apartments' Guidelines* and Section 4.5 - *Urban Development and Building Heights Guidelines for Planning Authorities*.

**MASP Housing and Regeneration:**

**RPO 5.5 states:**

*'Future residential development supporting the right housing and tenure mix within the Dublin Metropolitan Area shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, and the development of Key Metropolitan Towns, as set out in the Metropolitan Area Strategic Plan (MASP) and in line with the overall Settlement Strategy for the RSES. Identification of suitable residential development sites shall be supported by a quality site selection process that addresses environmental concerns.'*

The subject site is zoned Z15 where residential use is open for consideration and a creche is permitted in principle (see Section 6.1 below). The sustainably located site is positioned on a key route in and out of Dublin City Centre and is centrally located in proximity to high frequency public transport and employment locations (most within walking and cycling distance). The scheme subject to this application is located on a large and underutilised brownfield plot fronting Milltown Road and Sandford Road and incorporates a significant quantum of public and communal open space (47.7% of the wider site area).

It is our professional opinion that the proposed development provides an appropriate design response that will consolidate the surrounding residential land uses as per RPO 5.5. We note that the accompanying Planning Report prepared by Thornton O'Connor Town Planning provides a robust rationale for the provision of a higher density residential development with ancillary residential facilities and amenities, a crèche and public and communal open spaces at this location.

The RSES sets out the following in relation to *'Economic Strategy: Smart Specialisation, Clustering, Orderly Growth and Placemaking'*:

*'Orderly Growth: Though the identification of locations for strategic employment development in line with our Growth and Settlement Strategy, compact growth will be achieved. This involves managing and facilitating the growth of Dublin and to increase the scale of our Regional Growth Centres to be able to provide the range of functions to their hinterlands. **This needs to be facilitated by appropriate, effective and sustainable infrastructure development in these centres, and at the same time avoid sprawl. This encompasses connectedness aimed at facilitating a network of skills and talent living in our settlements. It requires a support network of infrastructure** - including broadband - in order to make the Region more connected and competitive. This will help to deliver high quality jobs that are well-paid and sustainable.'* [Our Emphasis]

The proposed development is located on appropriately positioned lands in close proximity to a range of public transport and business districts/major centres of employment including the Canal Ring, the Docklands, Harcourt Street, Ballsbridge, Sandyford Business

District and Belfield Office Park. We note that many of these business districts and employment locations are within walking and cycling distance of the site. Furthermore, University College Dublin and 4 No. hospitals are located within walking and cycling distance of the site.

The proposed scheme addresses the economic strategy by providing an appropriate, effective and sustainable development by virtue of the high-quality design and higher density residential development in a central and/or accessible location preventing urban sprawl. Appropriately located residential accommodation within Dublin is important to the continued growth and maintenance of Ireland’s competitiveness in both the private residential market and Build-to-Rent sector and its response to the evolving needs of the modern, mobile workforce.

Under Section 8.1, the RSES states the following with regard to integrating land use and transport planning:

*‘The RSES identifies regional strategic outcomes which include integrated transport and land use planning, the transition to a low carbon economy by 2050, compact growth, enhanced regional and international connectivity, enhanced green infrastructure and the provision of sustainable settlement patterns.’*

The subject development contributes to consolidated growth and the reduction in carbon emissions through lower parking standards and the provision of 1,361 No. bicycle parking spaces.

Through the provision of green roofs, landscaping, tree protection and planting, the development also helps maintain a high standard of natural and green infrastructure within an intensified and more dense residential setting. The substantial quantum of public and communal open spaces provided within the development will also significantly enhance the green infrastructure of the area and will also contribute to sustainable settlement patterns by providing permeable routes through these spaces and the overall site.

By locating in close proximity to key public transport and in close proximity to employment, services and facilities, the subject development can be seen as a sustainable development pattern, which seeks to increase density, reduce car dependency, and provide permeability throughout the scheme.

Under Section 8.2, the RSES discusses responses to urban sprawl and justification for the move towards compact growth:

*‘The Strategy aims to provide a spatial framework to **promote smart compact growth** as an alternative to continued peri-urban sprawl around our cities and towns, with a resultant negative impact on the environment and people’s health and wellbeing due to increased commuting and loss of family and leisure time.’ [Our Emphasis]*

The subject development seeks to provide a welcoming and attractive alternative to a car dominated development, which is well located in proximity to high-quality public transport, employment locations, services and facilities. Car parking is predominately provided at basement level (295 No. representing 86% of the total provision) allowing for maximum use of the available surface level amenity spaces.

Additionally, the development comprises c. 20,723 sq m of public and communal open space at grade, representing 47.7% of the wider site area, in addition to 431 sq m provided in upper-level external communal terraces and 1,248.8 sq m of internal communal amenities, which will aid in the facilitation and promotion of healthy lifestyles and social-cohesion. Similarly, the location of this higher density development close to public transport and proximate to major employers (and services and facilities) allows for reduced commuting times and greater work-life balance for future residents.

The RSES Objective RPO 9.4 states that in relation to new apartment developments:

*'Design standards for new apartment developments **should encourage a wider demographic profile which actively includes families and an ageing population.**'*  
 [Our Emphasis]

Currently the surrounding area of the subject site is predominantly low density semi-detached and detached dwellings many of which are very large. There is a lack of diversity with a few examples of apartments and duplexes in the immediate area of the subject site.

It is our opinion that there is a significant opportunity to densify this area of Dublin with a mix of studio, one, two and three bedroom units, which will better serve the demographic profile of the area, allowing people to rent in this area or to trade down from large houses to smaller units. The Build-to-Rent element of the scheme will provide rental options in the area whilst the Build-to-Sell units will provide an opportunity for people to purchase dwellings within the scheme and as such the scheme will cater for a wide cohort of persons.

Overall, as demonstrated throughout this section, the proposed scheme is consistent with all relevant Regional Policy Documents.

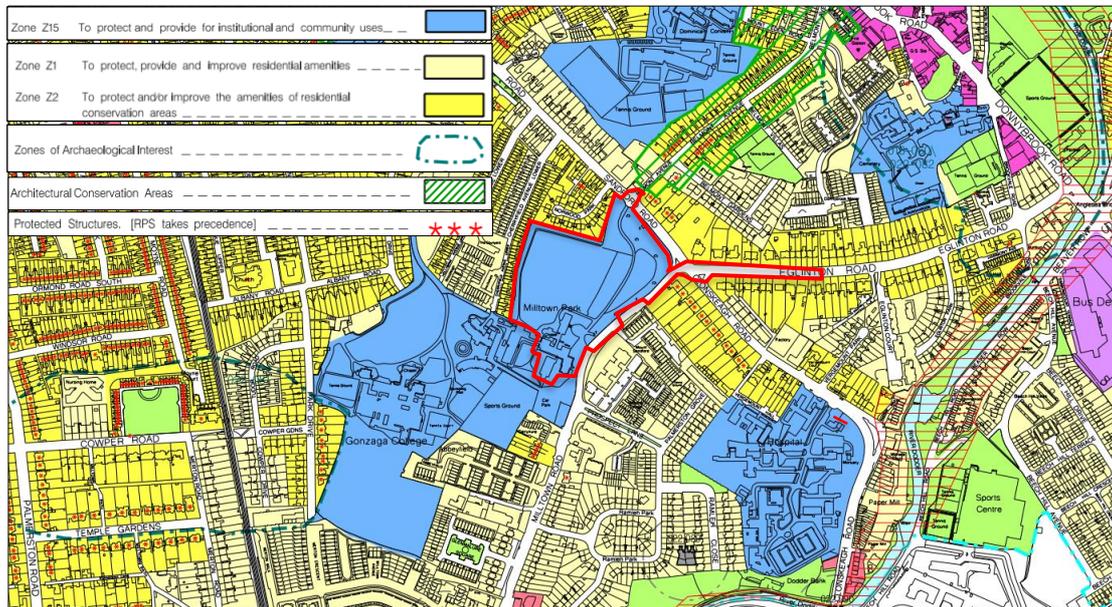
## 6.0 LOCAL POLICY

This section will demonstrate that the proposed development has been designed in accordance with Local Policy and is consistent with the objectives and guidance as set out within the *Dublin City Development Plan 2016-2022*.

### 6.1 *Dublin City Development Plan 2016 – 2022*

#### 6.1.1 Zoning

The subject site is zoned Z15 'Institutional and Community' in the *Dublin City Council Development Plan 2016-2022* where the stated aim is 'to protect and provide for institutional and community uses'. Please see Figure 6.1 below with the subject application site annotated indicatively in red, noting that the road and infrastructure works proposed on Milltown Road, Sandford Road and Eglinton Road are also outlined in red.



**Figure 6.1:** Zoning Map Demonstrating the Location of the Subject Site

(Source: *Dublin City Council Development Plan 2016-2022*, annotated by Thornton O'Connor Town Planning, 2021)

Please see the image below in Figure 6.2 prepared from O' Mahony Pike Architects, which highlights the land uses across the entirety of the Z15 lands.



**Figure 6.2: Image Demonstrating the Land Uses of the Entire Z15 Land Zoning at the Subject Location**

(Source: O’ Mahony Pike Architects, 2021)

### 1. Application Site

Building range within the subject red line boundary which were formally utilised by the Jesuit Community at Milltown Park for institutional purposes from the 1850s. It has been confirmed by the Jesuit Community that the lands are surplus to their requirements due to a decline in vocations and are no longer required for the purposes of its function and mission. As a result, the buildings are currently vacant and have become impossible to maintain. It is noted that these lands were always in private use and the buildings and the lands subject to development were never publicly accessible lands.

### 2. Milltown Park Campus (Retained Jesuit Lands)

The Jesuits will retain these institutional lands to the south/south-west of the proposed development, which addresses their future operational needs due to this decline in vocations, and they will also retain the separate access already established from Milltown Road. The Jesuits have invested substantially in these lands in recent years to cater for their future operational needs in terms of residential accommodation and training. These lands currently comprise the Cherryfield Lodge Nursing Home and

Milltown Park Community House. We note that a 2.4 metre high boundary wall is proposed to separate the proposed development from the retained Jesuit lands. The proposed development can facilitate future potential links to the remaining institutional lands through the wall should this be required in the future, if the retained Jesuit lands become further surplus to requirements and are redeveloped.

### 3. Gonzaga College

The third parcel of land within the Z15 landholding is occupied by the Gonzaga College Secondary School. Gonzaga School has always been a separate use and the lands were purchased at a later date to the main Jesuit campus in the 1950s. The subject development building range and lands and the school are separated functionally and physically from the other. The tenuous relationship between the subject group and the school in particular will therefore be unaffected by the severance of links between the two.

The application site does not contain any Protected Structures or any other conservation designations, although the Belmont Avenue/Mount Eden Road Architectural Conservation Area is located to the north of the site and neighbouring dwellings in Norwood Park and Cherryfield Avenue Upper and Lower are zoned Z2 – Residential Conservation Areas. There are Protected Structures located to the north on the opposite side of Sandford Road; to the west along Sandford Road; to the east along Clonskeagh Road; and to the south along Milltown Road. A full list of potential impacts is provided in Chapter 7 of this EIAR (Architectural Heritage) prepared by Molloy and Associates Conservation Architects and in Chapter 9 of this EIAR (Landscape and Visual Impact Assessment) prepared by Modelworks.

The *Development Plan* states that lands zoned Z15 are predominantly large blocks of land consisting of buildings and associated open spaces. These lands are generally located in the suburbs of Dublin City. The present use on the lands generally include community-related development including schools, colleges, resident institutions and healthcare institutions such as hospitals.

In relation to the land-use zoning objective for lands zoned Z15, the *Development Plan* states that:

*'These lands play an important role in the achievement of a more compact city in that they contribute to the creation of vibrant neighbourhoods and a sustainable well-connected city through the provision of such infrastructure as schools, hospitals and open space. The city also includes nationally important institutions, such as hospitals and educational facilities, which as stated in Section 14.1 – Zoning principles, is Council policy to cooperate with, in order to promote the strategic long-term needs of the city and the country.'*

The subject lands have not been in institutional use since 2015 when the institutional operations on the site ceased permanently, and the property was vacated by the Jesuits in 2019. A letter has been received from the Jesuit Community which confirms that *'the former Jesuit Community property...is no longer required by the Society for the purposes of its functions and mission'*. The Jesuit Community has *'experienced a dramatic decline and falling vocations leading the Society to close these facilities and seek other options for training of priests'*. This letter also confirms that the application lands have become surplus to their requirements and are impossible to maintain. The Jesuit Community is retaining the residential and administration accommodation to the south of the application lands with separate access

already established from Milltown Road. Unlike some of the other Z15 sites, the application site has always been in private use and is not open or accessible to the public and has never provided any community facilities on site. The public have never enjoyed any right of access to these privately owned lands.

The *Development Plan* notes that where there is an existing institutional and/or community use, any proposed development for 'Open for Consideration' uses (which include residential) on part of the landholding, is required to demonstrate to the Planning Authority:

1. How the proposal is in accordance with and assists in securing the aims of the zoning objective;
2. How it secures the retention of the main institutional and community uses on the lands, including space for any necessary expansion of such uses;
3. How it secures the retention of existing functional open space; and
4. The manner in which the nature and scale of the proposal integrates with surrounding lands.

Since 2019, the subject lands are no longer in active use by the Jesuit order. However, in light of the continuing zoning objective and need for development on the lands to comply with the requirements in relation to Z15 zoning, notwithstanding the lands are no longer in active use, we have provided a response to each Z15 zoning criterion below:

**1. How the proposal is in accordance with and assists in securing the aims of the zoning objective**

The site is zoned Z15 'Institutional and Community' which aims 'to protect and provide for institutional and community uses'.

We note that the entire Z15 land holding can be broken down as follows:

1. The Application Site (lands and buildings formally used by the Jesuit Community for Institutional purposes which have been sold to the Applicant);
2. The 'Retained Jesuit Community Lands' (The Lands that have been retained by the Jesuit Community which have been confirmed as adequate for their future operational needs); and
3. The Gonzaga College Secondary School.



**Figure 6.3: Image Demonstrating the Land Uses of the Entire Z15 Land Zoning at the Subject Location**

(Source: O' Mahony Pike Architects Dwg No. 19031-OMP-ZZ-ZZ-DR-A-1010, 2021)

The area of the entire Z15 land holding including the 3 No. different parcels of land highlighted above is c. 148,625 sq m/ c. 14.86 Ha. With the proposed development in place at the application site (Parcel No. 1), 71.4% of the Institutional uses will still remain on the entire Z15 lands.

We reiterate that the former institutional lands and buildings at the application site (Land Parcel No. 1) are vacant and are no longer required by the Jesuit Community, with the Jesuit's retaining the lands they require within Parcel No. 2 for the current and future needs. Available land has been held by the Institutional landholders that may be developed in future if required (i.e. open spaces retained by the Jesuits and Gonzaga).

The Gonzaga site which is in separate ownership is a large site with plenty of room to expand if required as evidenced on Figure 6.3. It is noted that the existing Gonzaga College is not located on part of the historical Milltown Park site. Rather, Gonzaga is located on the former Bewley estate and was purchased by Gonzaga for the school in 1950. Thus, historically, the Z15 lands comprised two distinct use and owners, Gonzaga lands and the Jesuit's lands.

Figure 6.4 below demonstrates that when the application site is developed, the entirety of the Z15 will still provide significantly more than 25% open space across the entirety of the Z15 lands, with 58.7% open space provided across the entire extent of the Z15 lands. It is important to note that the public have never enjoyed any right of access to these privately owned lands. The subject application serves to open up the lands within the Applicant’s control for the first time, providing 34.9% of their site as open space that will be available to the community<sup>7</sup> (details on extent and layout of public open space provided in this section below).



**Figure 6.4: OS Map Demonstrating in Excess of 25% Open Space (58.7%) Will Still be Provided Across the Wider Z15 Lands with the Development in Place**

(Source: O’ Mahony Pike Architects, Dwg No. 19037-OMP-ZZ-ZZ-DR-A-1013, 2021)

The *Development Plan* notes the following in relation to Z15 lands:

*‘They often provide ancillary and incidental activities for the local community such as use of part of the site for recreational purposes or the use of rooms for local meetings. These lands play an important role in the achievement of a more compact city in that they contribute to the creation of vibrant neighbourhoods and a sustainable well*

<sup>7</sup> Please note that any reference to open space in this section excludes the provision of communal open space on the application lands.

*connected city through the provision of such infrastructure as schools, hospitals and open space’.*

The opening up of the site to the public will provide significant additional open space for the surrounding local community to utilise for recreational purposes, which will provide a vibrant neighbourhood, will enhance legibility in the area and will provide large areas of open space for the public and residents to enjoy and thus contributing towards providing a sustainable well connected city. Some elements of the public open space that will be created as part of the development includes publicly accessible walkways, grassland, benches, a jogging route, fitness areas and play-on-the-way for example.



**Figure 6.5: CGI of Part of the Public Open Space Showing People Jogging, Walking and Kids Playing**

(Source: 3D Design Bureau, 2021)



**Figure 6.6: Illustration of Part of the Public Open Space Showing Seating Areas, Cyclists and Kids Playing**

(Source: Cameo and Partners Design Studio, 2021)

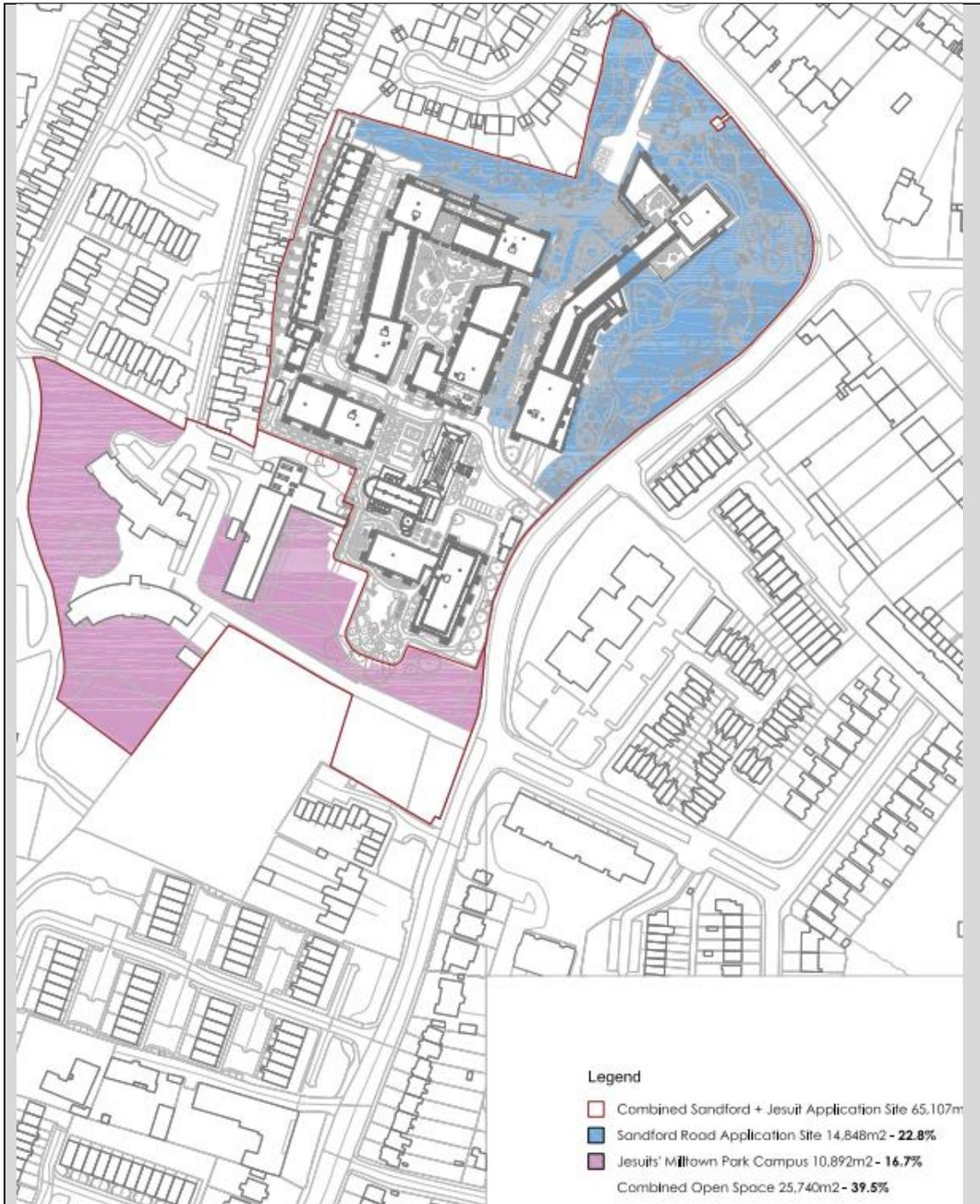
**2. How it secures the retention of the main institutional and community uses on the lands, including space for any necessary expansion of such uses**

As noted previously, a letter has been received from the Jesuit Community which confirms that the lands sold to the Applicant are no longer required by the Community due to a decline in vocations. The Jesuit Community have retained the institutional lands/buildings on land parcel No. 2 which address their future operational needs and have invested in these retained lands which shows their commitment to this location. Therefore, it is clear that much of the Z15 lands will remain in institutional use and as there is no longer an active institutional use at the development site, there will be no net loss of institutional uses.

It has been confirmed by the Jesuit Community that the application lands are surplus to their requirements due to a decline in vocations and are no longer required for the purposes of its function and mission and are vacant and have become impossible to maintain. Therefore, the Jesuit Community do not require the lands for their current needs or for any expansion which ultimately led to the sale of the application lands to the Applicant. Available land has been held by the Institutional landholders that may be developed in future if required (i.e. open spaces retained by the Jesuits and Gonzaga).

The Community have also confirmed that the application lands and the 'retained lands' have never been in public use nor publicly accessible. The Masterplan facilitates a future link from the application site to the remaining Institutional Jesuit lands should this link be required at a future date.

We note that 39.5% of open space will be provided on the application lands and the 'retained Jesuit lands' (i.e. lands under the control of the Jesuit's and lands under the control of the Applicant) after the proposed scheme has been implemented. See Map below prepared by OMP Architects:



**Figure 6.7:** OS Map Demonstrating 25% Open Space Will Still be Provided Across the Application Lands and the remaining Jesuit Community lands

(Source: OMP Architects, Dwg No. 19037-OMP-ZZ-ZZ-DR-A-1017, 2021)

### 3. How it secures the retention of existing functional open space

The current site contains c. 22,249 sq m open space of limited amenity or recreational value, which is not accessible to the public (not including the overgrown and inaccessible areas along the north/eastern boundary). The space along the north/eastern boundaries is currently overgrown and the remaining space is of very limited amenity or recreational value. The public

have never enjoyed any right of access to these privately owned lands. In the event that permission is granted, access will be opened up to the public to the 14,848 sq m of public open space to be provided as part of the development. The proposed development would involve construction of buildings, with much of the parkland and wooded area benefiting from landscaping works, to open it up and make it useable for the public and residents. The proposed development would result in 14,848 sq m of highly accessible landscaped parkland and open space.

It is noted that the proposed development will not 'remove' existing functional open space from Z15 Institutional lands as none of the lands within the Z15 zoning have ever been publicly accessible as they have all been privately owned heretofore. On the contrary, the development will provide significant new public open space at the application lands for the first time, which can be utilised and enjoyed by the wider community.

The proposed development will transform the large overgrown and dark parkland along the eastern boundary of the site into a high-quality and usable public park for residents and the wider public to utilise, which is linked through the triple height undercroft of Block A1 to a plaza area where vehicular access is not allowed. The scheme also provides additional public open space along the northern boundary and through the boulevard area between Blocks A and B, which facilitates pedestrian and cycle access through the site from Milltown Road to Sandford Road.

The opening up of the site to the public will provide significant additional open space for the surrounding neighbourhood to utilise, which is a significant planning gain given that the lands have been historically closed up (and are currently closed up) from the public. This will improve the public open space provision at the subject Z15 lands rather than simply securing the retention of existing functional open space (which is currently only available for private use). In addition, we note that there are multiple pedestrian points provided to access the public open space from outside the site. The public open space incorporated into the scheme will provide a wide variety of activities such as publicly accessible walkways, grassland, benches, jogging route, fitness areas and play-on-the-way for example, which may be enjoyed by residents and wider members of the public.

#### **4. The manner in which the nature and scale of the proposal integrates with surrounding lands**

The scheme layout will improve legibility in the area and the proposed development will integrate into the surrounding context having regard to the large open spaces, the permeable links, the height transitions, the setbacks provided from boundaries and the breakdown in massing proposed. The scheme is in accordance with Section 14.7 of the *Development Plan*, which notes that abrupt transitions in scale and use should be avoided in areas proximate to other zoning objectives. The development has set back much of the development from the surrounding areas having regard to public open space and roads and in addition, the western boundary is made up of modest 3 No. storey buildings for example, which highlights that the proposed development has appropriately considered the transition between the development and surrounding spaces. Section 16.10 of the *Development Plan* has also been duly considered during the preparation of this planning application to ensure the proposal will integrate with surrounding lands i.e. such as in relation to aspect, natural lighting, sunlight, layout and private open space.

The rejuvenation and integration of the Chapel and Tabor House within the development will also contribute towards the assimilation of the scheme into the surrounding environment and the improved character of these structures will benefit from enhanced views via the newly proposed entrance from Milltown Road. A significant effort has been made by the Design Team to provide well considered and interesting building forms which enhances legibility, wayfinding and connectivity within the site for future residents and the existing wider area and thus will appropriately integrate with the surrounding area.

We note that the *Dublin City Development Plan 2016 - 2022* sets out the following requirements in relation to the extent and layout of public open space on Z15 zoned lands:

*'A masterplan may assist in demonstrating how the requirements of this paragraph may be satisfied. The masterplan, which may necessitate a variation, shall set out a clear vision for the lands zoned Z15, to provide for the identification of 25% of the lands for open space and/or community facilities.'*

*The Masterplan must incorporate landscape features which retain the essential open character of the lands zoned Z15, setting out a clear vision for the lands which includes the provision of 25% of the lands for open space and/or community facilities. It must also ensure that the space will be provided in a manner designed to facilitate potential for future public use and protect existing sporting and recreational facilities which are available predominantly for community use. The 25% public open space shall not be split up, unless site characteristics dictate otherwise, and shall comprise mainly of soft landscaping suitable for recreational and amenity purposes and should contribute to, and create linkages with, the strategic green network.'*

A Masterplan has been prepared for the site and has incorporated all the requirements of the Z15 zoning objective including public open space and potential future connections to adjacent wider lands.

At the outset, residential use is open for consideration at the subject lands and a crèche is permitted in principle. As demonstrated in Section 4.4 (Planning History) of the Planning Report, there are many examples of lands zoned Z15 which have been utilised for residential development which include a large quantum of public open space.

Section 14.8.14 of the *Development Plan* notes the following in relation to 'Open for Consideration' uses:

*'An **open for consideration use** is one which may be permitted where the planning authority is satisfied that the proposed development would be compatible with the overall policies and objectives for the zone, would not have undesirable effects on the permitted uses, and would otherwise be consistent with the proper planning and sustainable development of the area.'*

The proposed development will not have undesirable effects on the permitted uses or on the surrounding area, rather it will have a significant positive impact due to the sustainable utilisation of these lands that are currently completely closed off from the public, which proximate to public transport, employment locations, services and facilities. The site has always been in private use, and this will be replaced by a high-quality, aesthetically pleasing development providing 671 No. residential units, a large quantum of public open space and many permeable links through the site, which will be a significant planning gain for the area,

and thus will be consistent with the proper planning and sustainable development of the area. This section demonstrates that the proposal is fully in accordance with the policies and objectives of the Z15 zoning pertaining to the site.

As set out above previously, the Jesuit Community have confirmed that the development lands which have been sold to the Applicant (which have always been in their private ownership and use), are surplus to their requirements due to a decline in vocations and are no longer required by the Jesuits for the purposes of its function and missions, and the lands and buildings have thus become impossible to maintain for the Jesuits. We reiterate that the Jesuits have retained the institutional lands to the south/south-west of the proposed development which addresses their future operational needs. A 2.4 metre high boundary wall is proposed to separate the proposed development from the remaining Jesuit lands. The proposed development can facilitate future potential connections to the remaining institutional lands through the wall should this be required.

The proposed 2.4 metre high boundary wall will be provided across the site from east to west between the lands that are being retained by the Jesuit Community (area to the south of the proposed wall), and the surplus lands that have been sold to the Applicant. As described in the Statutory Notices, a portion of the red brick link building will be demolished within the Applicant's lands, and once this portion of the 'link' building has been demolished and 'made good' and the new boundary wall is provided, this will facilitate a new permanent site boundary line which will delineate between the remaining Jesuit Community lands and the proposed new residential development on lands.

The proposed development requires 25% of the site area to be designated as public open space in accordance with the Z15 zoning objective. The developable site area is 42,547 sq m which therefore requires the provision of 10,637 sq m public open space:

The public open space is provided as follows:

- **Public Park and Plaza Area Connected Through the Triple Height Undercroft of Block A1:**  
c. 10,970 sq m (c. 25.8% of the c. 42,547 sq m developable site area)
- **Northern Woodland Glade:**  
c. 3,328 sq m (c. 7.8% of the c. 42,547 sq m developable site area)
- **Boulevard between Blocks A and B providing a pedestrian and cycle connection between Milltown Road and Sandford Road:**  
c. 550 sq m (c. 1.2% of the c. 42,547 sq m developable site area)



Figure 6.8: Public Open Space Provision at the Application Site

(Source: Cameo and Partners Design Studio, 2021)



Figure 6.9: Public Open Space Provision at the Subject Lands

(Source: Cameo and Partners Design Studio, 2021)

Therefore, a total of 14,848 sq m (c. 34.9% of the developable site area) has been designated as public open space which significantly exceeds the requirement to provide 25% public open space.

The majority of this space (25.8%) will be provided in the public park and the plaza area which are linked through the triple height undercroft of Block A1. This triple height linked archway through Block A1 will create a strong connection between the public park and the public plaza and thus it is clear that the required 25% public open space has not been split up as demonstrated in Figures 6.8/6.9. The plaza area will not allow vehicular access to ensure a safe and attractive space is provided for pedestrians.

We note that the large parkland along the eastern boundary of the site is currently significantly overgrown and inaccessible and this space will be transformed by the subject development and will become a significant public amenity for the area. The eastern boundary will now comprise a new public park which will open up the lands to the community for the first time as the lands have always been in private use. Natural play facilities for the scheme have been provided at various locations throughout the public open space, specifically aimed at children to reconnect with nature and there will also be opportunity for adult engagement through natural gym equipment. There will also be seating provided throughout the site.

The proposed development will remove all Category U<sup>8</sup> trees for ecological purposes. To improve the quality and usability of the open space areas to the north and east of the site, the poor-quality Category C<sup>9</sup> trees (91 No.) are recommended for removal and thus the proposed development will seek to open up this park for residents and visitors to enjoy. The transformation of this space into a public park will ensure that this large existing landscape feature has been retained in the masterplan which as discussed above, will be significantly improved and made usable.

We consider that the provision of a high-quality useable public park at the site with a connection to the public plaza area will be a significant planning gain for the area, allowing access to previously inaccessible private lands. The plaza area will provide a meeting point for the public to sit and talk.

The open space provided in the site will be high-quality and functional and will provide a wide variety of activities for the residents and public to utilise. High-quality and functional public open space will be provided, which includes publicly accessible walkways, grassland, benches, jogging route, fitness areas and play-on-the-way for example.

In addition to public park and plaza area connected through the triple height undercroft of Block A1, public open space will also be provided to the north of Block C (known as the Woodland Glade) which is positioned adjacent to the plaza. This Woodland Glade represents c. 7.8% of the site area (or c. 3,328 sq m) and will provide further amenity on site in excess of the 25% requirement. The Woodland Glade will include pathway, play spaces for children such as stepping stones and logs, outdoor fitness equipment and seating such as picnic table, which

<sup>8</sup> Trees in such condition that any existing value would be lost within 10 years and which should, in the current context, be removed for reasons of sound arboricultural management. Trees that are dead, dying or showing immediate and irreversible decline. (CMK, 2021)

<sup>9</sup> Trees of low quality and value (a minimum of 10 years). (CMK, 2021)

will contribute towards providing a high-quality environment for the public and future residents.

In addition to utilising the eastern public park/plaza/woodland glade, the public can also utilise the pedestrian connection from Milltown Road and Sandford Road through the pedestrian boulevard between Blocks A and B.

The entrance from Sandford Road will be a secondary vehicular entrance, principally for taxis, set down and deliveries with a small element of mobility impaired parking and there will be no vehicular access allowed to this plaza area which will ensure this area is a high-quality public space.

In the interests of robustness, as noted earlier in this section, we reiterate that when the application site is developed, the entirety of the Z15 lands will still provide more than 25% open space, with 58.7% open space provided across the entire extent of the Z15 lands. In addition, we reiterate that 39.5% of open space will be provided on the application site and the retained Jesuit Community lands (i.e. lands under the control of the Jesuit's who sold the site and the Applicant) after the proposed scheme has been implemented. We also reiterate that it is important to note that none of the Z15 lands were ever publicly available and were always in private ownership. The subject application serves to open up the lands within the Applicant's control for the first time as the public have never enjoyed any right of access to these privately owned lands, providing 34.9% of their site as open space that will be available to the community.

Furthermore, the *Development Plan* states:

*'It must also ensure that the space will be provided in a manner designed to **facilitate potential for future public use and protect existing sporting and recreational facilities which are available predominantly for community use**.'* [Our Emphasis]

As noted above, the subject application lands at Milltown Park have always been in private use and the public have never had right of access to the lands. Therefore, the provision of 14,848 sq m of public open space at the site will significantly increase the provision of public recreational facilities in the area, and thus rather than "retaining" sporting and recreational facilities at the subject site for public use (as there currently is none), the development will provide a large amenity for the public which has never been available at Milltown Park.

The public open space will be provided within soft and hard landscaping and will include play areas and outdoor gyms in addition to pathways for pedestrians and cyclists to utilise for example. The scheme layout will improve legibility in the area and the proposed development will integrate into the surrounding context having regard to the open spaces in addition to the permeable links, the height transitions, the setbacks provided from boundaries and the breakdown in massing provided. The rejuvenation of the Chapel and Tabor House within the development will also contribute towards the assimilation of the scheme into the surrounding environment and the improved character of these structures will benefit from enhanced views via the newly proposed entrance from Milltown Road.

Therefore, it is clear that the proposed development incorporating a detailed landscaping strategy has been '*designed to facilitate potential for future public use*' particularly having regard to the attractive and high-quality public open space provided, where public access has never been previously available.

The *Development Plan* states:

*'In considering whether there is no longer a need for the existing institutional use and a material contravention or variation to the development plan is proposed, the planning authority shall consult with the owner/ operator of the existing institutional and community uses and the relevant statutory provider (e.g. the Department of Education and Skills in the case of schools, and the Department of Health and the HSE in the case of hospitals). A masterplan is required in these circumstances.'*

As noted previously, the existing Institutional users, the Jesuit Community, no longer require the subject lands and have sold them to the Applicant. We reiterate that available land has been held by the Institutional landholders that may be developed in future if required (i.e. open spaces retained by the Jesuits and Gonzaga). Therefore, it is clear that the existing institutional use is being protected and provided for into the future by excluding a significant number of institutional buildings from the application site which meets the requirement of the Jesuit community. We would like to re-emphasise that the subject development provides significant quantum of public open space (c. 14,848 sq m) for the public to utilise, which represents a significant planning gain for the area as this space is currently non-existent for the public at this location at present.

The *Development Plan* also notes the following:

*'With any development proposal on these lands, consideration should be given to their potential to contribute to the development of a strategic green network and to the delivery of housing in the city.'*

The *Development Plan* notes the following objectives:

- *'Balancing the need of the city to consolidate with the need to protect and enhance vulnerable natural areas;*
- *Addressing deficits of publicly available green space;*
- *Protecting the existing green infrastructure network from fragmentation and creating sustainable connectivity between green areas; and*
- *Providing for the recreational and amenity needs of the population.'*

The proposed development complies with these objectives of the *Development Plan* as the development balances the need to densify this sustainable urban site in order to consolidate the city while also appropriate setting back the development from surrounding areas having regard to public open space and roads and in addition, the western boundary is made up of modest 3 No. storey buildings for example, which highlights that the proposed development has appropriately considered the transition between the development and surrounding spaces. The development will enhance the local area by providing permeable links and a large quantum of high-quality public open space for the locality, which provides for the recreational and amenity needs of the population.

The proposed development will significantly contribute to housing supply by converting previously inaccessible, private lands to publicly available housing units with large open spaces, which is consistent with the Z15 zoning objective and will also contribute to the city's strategic green infrastructure networks by providing public routes through the site within the landscaping layout. The development will thus facilitate connections for the public through

the site towards the Dodder Greenway route and other green infrastructure areas, which will positively contribute to, and create linkages with, the surrounding strategic green network. It is clear that the proposed development will significantly contribute to the green infrastructure of Dublin City.

To conclude this section, the proposed development which comprises 671 No. residential units with ancillary resident amenities and facilities in addition to a creche is consistent with the zoning objective pertaining to the lands.

Please see Section 2.1 and 2.2 of the Thornton O'Connor Town Planning Response to ABP Opinion document for full details in relation to the Z15 requirements in response to the An Bord Pleanála Opinion.

### 6.1.2 Architectural Conservation Area and Protected Structures

Policy CHC4 of the Development Plan notes the following in relation to Architectural Conservation Areas (ACAs):

*'To protect the special interest and character of all Dublin's Conservation Areas. Development within or affecting a conservation area must contribute positively to its character and distinctiveness, and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.*

*Enhancement opportunities may include:*

1. *Replacement or improvement of any building, feature or element which detracts from the character of the area or its setting*
2. *Re-instatement of missing architectural detail or other important features*
3. *Improvement of open spaces and the wider public realm, and re-instatement of historic routes and characteristic plot patterns*
4. *Contemporary architecture of exceptional design quality, which is in harmony with the Conservation Area*
5. *The repair and retention of shop- and pub-fronts of architectural interest'.*

The *Development Plan* further states that:

*'Development will not:*

1. *Harm buildings, spaces, original street patterns or other features which contribute positively to the special interest of the Conservation Area*
2. *Involve the loss of traditional, historic or important building forms, features, and detailing including roof-scapes, shop-fronts, doors, windows and other decorative detail*

3. *Introduce design details and materials, such as uPVC, aluminium and inappropriately designed or dimensioned timber windows and doors*
4. *Harm the setting of a Conservation Area*
5. *Constitute a visually obtrusive or dominant form.'*

In addition, Policy CHC5 states the following:

*'To protect Protected Structures and preserve the character and the setting of Architectural Conservation Areas'.*

The subject site is not located within an Architectural Conservation Area (ACA), however the Belmont Avenue/Mount Eden Road Architectural Conservation Area is located to the north of the site.

The sensitive status of the ACA has been duly considered as part of the design process of the subject scheme having regard to the following:

- The natural set back provided between the site and the ACA due to the position of Sandford Road which runs between the northern boundary of the site and the southern boundary of the ACA;
- The position of built forms within the site which are set back from the northern boundary with Sandford Road; and
- The provision of public open space along this northern boundary naturally ensures that the building forms are set back from the ACA.

In addition, the proposed development has comprehensively considered the neighbouring Protected Structures in the vicinity along Sandford Road and Clonskeagh Road in the scheme layout. The large parkland provided with significant tree cover along the northern and eastern boundaries results in the building forms being set back from the boundaries which will ensure that the development is appropriately screened as viewed from the Protected Structures opposite on Sandford Road and opposite on Clonskeagh Road.

We note there are existing dwellings located in Norwood Park between Protected Structures to the north-west of the site and the subject development. Nonetheless, there is a large area of public open space provided along this northern boundary which will provide a natural setback between the subject development and the Protected Structures. Therefore, it is considered that the character of the Protected Structures will not be materially impacted by the proposed development.

The EIAR Architectural Heritage Chapter prepared by Molloy and Associates notes the following in this regard:

*'Accordingly, considerable effort has been made to retain the sylvan character of the boundary separating the development site from protected structures on Sandford Road and Clonskeagh Road, which, whilst outside the ACA, frame the character of Belmont Avenue.*

*Notwithstanding measures taken to mitigate impacts, the proposed scheme will alter the current character of lands and consequentially, views from the surrounding areas.*

*The view of the Sandford Road entrance and the mature tree canopy that extend above it is prominent at the south end of Belmont Avenue. The vegetative buffer along the northern and eastern site boundary obscures present vistas of the extant building complex. The outward character of Milltown Park is defined by this enclosing boundary wall and mature tree planting which will remain unchanged by the proposed development.*

*Although the parkland was not purposefully designed as an integral part of the early suburban streetscape, the mature planting now contributes to its leafy character and effectively screens outward views from within the ACA. Whilst larger in scale than surrounding residences, which are predominantly 2-3 storeys in height, the considered positioning of the new residential development at a respectful distance from the perimeter of the site, inside the established tree boundary, effectively screens the new structures and inherently reduces the potential for visual impact.*

*The landscaping design concentrates on protecting and supplementing the existing vegetative buffers between the protected structures to the north-east and the subject lands. Open spaces have been designed to protect and meaningfully incorporate specimen trees at perimeters.*

*The proposed development is designed within a parkland setting, exploiting previously private lands that were inaccessible to the public since the site's evolution in the 18th century.*

*The Belmont Avenue/Mount Eden Road ACA does not have access to a public park.*

*Its architectural character, being defined by dense terraces could benefit from open space such as that provided by the subject development, providing 30% open space. Increased footfall through the site from established residential communities from the west and vice versa, will, albeit indirectly, enhance the connectivity of the ACA to linear parks to the west, generating a positive amenity for the quality of the historic urban environment.*

*Visual connections through the depth of the parkland amenity, previously denied by the hostility of the boundary wall to the east of the site, will be established with the ACA'.*

### 6.1.3 Building Height

The subject site is located in the Outer City as defined by the *Dublin City Development Plan 2016-2022*. The *Development Plan* which came into force on 21<sup>st</sup> October 2016 permits a maximum height of 16 No. metres for both commercial and residential development at this location.

*We note however that the adopted *Urban Development and Building Heights Guidelines for Planning Authorities* (December 2018) ("*Building Height Guidelines*") post-dates the *Development Plan*, and the *Development Plan* must be read in light of the changes to building height requirements introduced by the Guidelines. Therefore, the height proposed in the subject scheme has taken the opportunity to explore the potential for*

increased height. The height of the subject scheme is modulated throughout the site, principally ranging from 8.948 metres – 31.6 metres (plus lift overruns).

It is our professional planning opinion that this large site has the capacity to absorb increased height as the site has significant frontage onto Milltown Road and Sandford Road and the site is positioned on a main arterial route into the city centre.

The highest elements of the scheme are located at the least sensitive locations away from neighbouring residential properties and the lower elements positioned adjacent to these properties. It is considered that appropriate heights have been provided responding to the recently adopted *Building Height Guidelines* as illustrated on the accompanying Architectural Drawings prepared by OMP Architects.

We note that a Material Contravention Statement has been prepared by Thornton O'Connor Town Planning, which provides a comprehensive justification for increased height at this location, having regard to the high quality architectural composition of the scheme and the site's receiving context.

In addition, Policy SC7 of the *Development Plan* states:

*'To protect and enhance important views and view corridors into, out of and within the city, and to protect existing landmarks and their prominence.'*

The proposed heights in the subject development cannot be considered challenging having regard to the positioning of the blocks and transitions in heights proposed as detailed above. The Block A1 focal point will be a key landmark at this prominent junction which will enhance views coming in and out of the city at this location, and will improve legibility and wayfinding for the wider area and internally within the site.

Furthermore, Section 16.7.2 of the *Development Plan* 'Assessment Criteria for Higher Buildings' states:

*'All proposals for mid-rise and taller buildings must have regard to the assessment criteria for high buildings as set out below:*

- *Relationship to context, including topography, built form, and skyline having regard to the need to protect important views, landmarks, prospects and vistas*
- *Effect on the historic environment at a city-wide and local level*
- *Relationship to transport infrastructure, particularly public transport provision*
- *Architectural excellence of a building which is of slender proportions, whereby a slenderness ratio of 3:1 or more should be aimed for*
- *Contribution to public spaces and facilities, including the mix of uses*
- *Effect on the local environment, including micro-climate and general amenity consideration*
- *Contribution to permeability and legibility of the site and wider area*

- *Sufficient accompanying material to enable a proper assessment, including urban design study/masterplan, a 360 degree view analysis, shadow impact assessment, wind impact analysis, details of signage, branding and lighting, and relative building height*
- *Adoption of best practice guidance related to the sustainable design and construction of tall buildings*
- *Evaluation of providing a similar level of density in an alternative urban form'*

The proposed development has had due regard to the above items i.e the surrounding context has been appropriately considered and proposed buildings have been appropriately set back and transitioned, Tabor House and the Chapel will be repurposed within the development which will have a positive effect on the historic environment of the areas, high quality public transport is available in the vicinity, the 3:1 slenderness ratio which is to be aimed for has been targeted however to achieve this Block A1 for example would be required to provide 20 No. storeys which not considered appropriate in the site's current receiving context. The design and layout of the proposed urban blocks have fully considered the surrounding environment and the development proves large areas of open spaces which assists in allowing the development to be assimilated into its surrounding context. A wind assessment and daylight sunlight analysis has been carried out. The permeability and legibility of the site and wider areas will be significantly improved by the development i.e. pedestrian links provided through the site and views through the modified boundary wall. Sufficient accompanying material has been submitted and best practice guidance has been incorporated. The proposal evaluated several different options which looked to provide a similar level of density in alternative urban forms. These have been outlined in Chapter 4.0 of the Environmental Impact Assessment Report, (Examination of Alternatives).

#### 6.1.4 Density and Plot Ratio

It is a stated policy of the Development Plan to facilitate higher densities where there is the appropriate infrastructure to support development, such as public transport.

##### **Policy SC13:**

*'To promote sustainable densities, particularly in public transport corridors, which will enhance the urban form and spatial structure of the city, which are appropriate to their context, and which are supported by a full range of community infrastructure such as schools, shops and recreational areas, having regard to the safeguarding criteria set out in Chapter 16 (development standards), including the criteria and standards for good neighbourhoods, quality urban design and excellence in architecture. These sustainable densities will include due consideration for the protection of surrounding residents, households and communities.'*

##### **Policy QH7:**

*'To promote residential development at sustainable densities throughout the city in accordance with the core strategy, having regard to the need for high standards of*

*urban design and architecture and to successfully integrate with the character of the surrounding area.'*

The density of the scheme will be 157.5 No. units per hectare. It is clear that there is supporting policy within the *Development Plan* (particularly with reference to Policy SC13 and QH7) which promotes greater densities (albeit the *Development Plan* is not prescriptive in terms of density) and the provision of a variety of housing and apartment types by utilising sustainable sites in core urban areas. The proposed scheme has been designed to a high standard and will be a positive insertion into the area. It is our opinion that the proposed density is appropriate at the subject core urban lands, particularly having regard to the significant quantum of public and communal open spaces provided, representing c.47.7% of the wider site area.

The Applicant and Design Team have been cognisant of the need to ensure that the development can integrate with the surrounding residential character and context of the subject site in the detailed design process, as required by Policy QH7. A Social and Community Infrastructure Audit has been carried out by KPMG Future Analytics and is submitted with this planning application. An Architectural Heritage EIAR Chapter has been prepared by Molloy and Associates Conservation Architects which sets a description of the existing buildings and outlines the appropriateness of refurbishing Tabor House and the Chapel as part of the proposed development. The reuse and refurbishment of Tabor House and the Chapel will allow a new setting to be created in the landscape and the buildings will act as a focal point for the development especially entering the principal entrance from Milltown Road or walking through the pedestrian boulevard from the northern end with glimpses of Tabor House shown through the setbacks of Block B.

The proposed development represents the sustainable development of the area and has had appropriate regard to the safeguarding standards outlined in Chapter 16 of the *Development Plan*. The enclosed Daylight/Sunlight Assessment prepared by 3D Design Bureau concludes that the proposed development performs generally in line with BRE recommendations. A Landscape and Visual Impact Assessment EIAR Chapter prepared by Modelworks has also been carried out as part of this planning application which notes that the site has frontage onto a prominent junction and:

*'The junction does not manifest as a distinct 'place' in the townscape... The junction as a place, and the streets to which the site has frontage, warrant greater emphasis in the townscape – to give better definition to the junction locally, and to improve the legibility of the urban structure. This can be achieved only by built form on the site (the other quadrants around the junction all being already developed). However, the site's main landscape asset, the belt of trees inside the boundary, is a constraint to development that would seek to address the roads and junction. Any building in the corner must be set back behind the trees. It is only through substantial height that a building on the site will achieve the dual objective of place-making and legibility.'*

**Plot Ratio:**

The *Development Plan* sets out the following in relation to plot ratio:

*'Plot ratio is a tool to help control the bulk and mass of buildings. It expresses the amount of floorspace in relation (proportionally) to the site area, and is determined by the gross floor area of the building(s) divided by the site area. Plot ratio will apply to both new buildings and extensions to existing buildings.'*

The indicative plot ratio for lands zoned Z15 outlined in the Development Plan is 0.5-2.0. The proposed development of this Planning Application has a plot ratio of 1.29 which is within the plot ratio limitations prescribed by the *Development Plan* demonstrating the appropriateness of the overall development and the extent of the open space provided on the site.

### Site Coverage

The *Development Plan* sets out that:

*'Site coverage is a control for the purpose of preventing the adverse effects of overdevelopment, thereby safeguarding sunlight and daylight within or adjoining a proposed layout of buildings. Site coverage is the percentage of the site covered by building structures, excluding the public roads and footpaths.'*

The indicative site coverage for lands zoned Z15 outlined in the *Development Plan* is 50%. The proposed development has a site coverage of 23.4% which is therefore lower than the indicative standard provided in the Plan, demonstrating that the Design Team have made concerted efforts to provide high-quality tracts of open space and appropriate separation distances from boundaries.

#### 6.1.5 Dual Aspect

The *Development Plan* stipulates that:

*'Dual aspect apartments maximise the available of sunlight and should be provided where possible. It is a specific planning policy requirement in the 2015 Department Guidelines that the minimum number of dual aspect apartments that may be provided in any single apartment scheme shall be 50%. In certain circumstances, usually on inner urban sites, this may be further reduced to an absolute minimum of 33% where it is necessary to ensure good street frontage and subject to high quality design.'*

Since the adoption of the *Development Plan*, updated National Planning Policy has been adopted such as the *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, 2020* ("Apartment Guidelines, 2020"). In respect of dual aspect, the updated SPPR<sub>4</sub> of the *Apartment Guidelines, 2020* state:

*'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.

(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’.

In accordance with the *Development Plan and Apartment Guidelines, 2020*, the proposed development provides 51% dual aspect apartments which is significantly in excess of the minimum standards. In addition, we note that the dual aspect provision of 51% includes units within the refurbished Tabor House. It is considered that a high-quality design is proposed that ensures the protection of surrounding residential amenity through appropriate set-backs with excellent frontage provided onto Milltown Road and Sandford Road.

### 6.1.6 Variety of Accommodation Types

The *Development Plan* supports a mix of housing and apartment types that will contribute to the surrounding neighbourhood:

**Policy SC14:**

*‘To promote a variety of housing and apartment types which will create a distinct sense of place in particular areas and neighbourhoods, including coherent streets and open spaces.’*

**Policy 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’.*

**Policy QH5:**

*‘To promote residential development addressing any shortfall in housing provision through active land management and a coordinated planned approach to developing appropriately zoned lands at key locations including regeneration areas, vacant sites and under-utilised sites.’*

**Policy SN30:**

*‘To promote sustainable neighbourhoods which cater to the needs of persons in all stages of their lifecycle, i.e. children, people of working age, the elderly, people with disabilities.’*

The subject development provides a range of unit types including 604 No. Build-to-Rent units (88 No. studios, 262 No. one bed units, 242 No. two bed units and 12 No. three bed units) and 67 No. Build-Sell duplex units and apartments (11 No. studios, 9 No. one bed units, 32 No. two bed units and 15 No. three bed units) and is thus in accordance with Policy SC14 of the *Development Plan* which will add variety to the area and includes 67 No. Part V units in accordance with Part V of the *Planning and Development Act 2000* (as amended), which requires 10% social and affordable housing. The Build-to-Rent element of the scheme will provide rental options in the area whilst the Build-to-Sell units will

provide an opportunity for people to purchase dwellings within the scheme/trade down and as such the scheme will cater for a wide cohort of persons.

A 'Social Infrastructure Audit' has been prepared by KPMG Future Analytics and is enclosed separately. This Audit demonstrates that a significant range of services and facilities are available in proximity to the site '*which contribute to quality of life*' and concludes that '*the existing social infrastructure provision within close proximity to the subject site is capable of serving the population*'. In addition, as noted previously, the site is well served by public transport options available and many services, facilities and employment locations are within walking and cycling distance. The development includes a creche (although the existing childcare facilities in the areas could cater for the development), which will provide an additional service to the residents and wider public. A large quantum of public open space is provided which will be a significant benefit to the area. Residents' amenity spaces and communal open spaces are also provided for the sole use of future residents. It is clear that the proposed development represents the sustainable development of appropriately zoned lands that are vacant and underutilised and will cater for a wide range of people.

**Policy QH17:**

*'To support the provision of purpose built, managed high-quality private rented accommodation with a long-term horizon.'*

The proposed development includes 604 No. Build-to-Rent units which will be managed and are designed to a high-quality standard.

Furthermore, Section 16.10.1 of the *Development Plan* also notes that evidence should be submitted to demonstrate that there is not an over-concentration of 'Build-to-Let' schemes within an area, including a map showing similar facilities within 0.25km of a proposal. We carried out a search of the Dublin City Council Online Planning Database and Google Maps and it appears that there are no such schemes, either built or currently planned, within 0.25km of the subject development site.

**Policy QH21:**

*'To ensure that new houses provide for the needs of family accommodation with a satisfactory level of residential amenity, in accordance with the standards for residential accommodation.'*

This Statement of Consistency sets out how the development is in accordance with the development standards of the *Development Plan*. The proposed dwellings will be provided with a high standard of residential amenity having regard to the daylight/sunlight results and the large provision of public and communal open spaces that have been provided in the scheme, which will provide an attractive outlook from the units and the large quantum of open spaces will provide a high-quality living environment for the future residents.

**6.1.7 Infill Development and Redevelopment Policies**

The *Development Plan* also supports infill development which contributes to greater utilisation of serviced and accessible locations within the built fabric of the city.

**Policy QH8:**

*'To promote the sustainable development of vacant or under-utilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and the character of the area.'*

**Policy QH22:**

*'To ensure that new housing development close to existing houses has regard to the character and scale of the existing houses unless there are strong design reasons for doing otherwise.'*

**Policy SC17:**

*'To protect and enhance the skyline of the inner city, and to ensure that all proposals for mid-rise and taller buildings make a positive contribution to the urban character of the city, having regard to the criteria and principles set out in Chapter 15 (Guiding Principles) and Chapter 16 (development standards). In particular, all new proposals must demonstrate sensitivity to the historic city centre, the River Liffey and quays, Trinity College, the cathedrals, Dublin Castle, the historic squares and the city canals, and to established residential areas, open recreation areas and civic spaces of local and citywide importance'.*

**Section 16.2.2.2:**

*'As such Dublin City Council will seek:*

*To ensure that infill development respects and complements the prevailing scale, architectural quality and the degree of uniformity in the surrounding townscape'.*

As stated previously, the subject site is currently an underutilised corner site located in a central and accessible urban location, and the proposed development has sensitively considered its surrounding context by providing the highest points at the least sensitive locations throughout the site (e.g. centre of the site and north-east of the site) with the lowest heights of 3 No. storeys provided adjacent to low-density dwellings and large setbacks provided between the proposed development and neighbouring dwellings, therefore Policy QH8, QH22 and Section 16.2.2.2 have been appropriately considered.

The development will make a positive contribution to the urban character of the area in accordance with Policy SC17, particularly due to the large quantum of public open space provided and new linkages provided throughout the site.

**6.1.8 Social and Community Infrastructure Audit**

The Development Plan provides policy to ensure that an appropriate level of services area available to support residential development.

**Policy QH18:**

*'To promote the provision of high-quality apartments within sustainable neighbourhoods by achieving suitable levels of amenity within individual apartments, and within each apartment development, and ensuring that suitable social infrastructure and other support facilities are available in the neighbourhood, in accordance with the standards for residential accommodation.'*

**Policy QH19:**

*'To promote the optimum quality and supply of apartments for a range of needs and aspirations, including households with children, in attractive, sustainable, mixed-income, mixed-use neighbourhoods supported by appropriate social and other infrastructure.'*

**Policy SN5:**

*'To ensure that applications for significant large new developments (over 50 units) are accompanied by a social audit and an implementation and phasing programme in relation to community infrastructure, so that facilities identified as needed are provided in a timely and co-ordinated fashion.'*

**Section 12.5.5:**

*'Proposals for large-scale residential and/or mixed-use schemes must demonstrate how the proposal will contribute to the range of supporting community infrastructure necessary for a sustainable community, as set out in the standards for development management (see Section 16).'*

**Policy QH9:**

*'To require that larger schemes which will be developed over a considerable period of time are developed in accordance with an agreed phasing programme to ensure that suitable physical, social and community infrastructure is provided in tandem with the residential development and that substantial infrastructure is available to initial occupiers.'*

**Policy SN7:**

*'To support and encourage the future growth of a wide range of public, social and community services essential to local community life, and to promote and seek to provide multi-use, fit-for-purpose community facilities which are suitable for all ages and all abilities, are operated according to an effective and efficient management strategy, and which are accessible in terms of physical design, location, cost of use, and opening hours.'*

**Policy SN17:**

*'To facilitate the provision in suitable locations of sustainable, fit-for-purpose childcare facilities in residential, employment, and educational settings, taking into account the existing provision of childcare facilities and emerging demographic trends in an area.'*

**Section 16.10.4:**

*'Proposals for new large development must make a contribution to an area in terms of community facilities and social infrastructure where significant shortfalls are identified. When submitting plans for large-scale residential, typically over 50 units depending on local circumstances, and/or mixed-use schemes (i.e. circa 5,000 sq.m and above), developers will be required to submit an audit of existing facilities within the area and to demonstrate how the proposal will contribute to the range of supporting community infrastructure.'*

*Proposals in excess of 50 dwelling units must be accompanied by an assessment of the capacity of local schools to accommodate the proposed development in accordance with the above guidelines and the DES and DEHLG's Code of Practice on the Provision of Schools and the Planning System 2008.'*

**Section 16.16:**

*'Planning applications for over 50 dwellings shall be accompanied by a report identifying the demand for school places likely to be generated and the capacity of existing schools in the vicinity to cater for such demand.'*

The new build apartments in the development comprise floor areas that meet the minimum standards (many exceed the minimum), private and communal open space, good levels of daylight/sunlight infiltration and 51% dual aspect units for example. Therefore, it is clear that a high-quality apartment development has been provided.

A 'Social Infrastructure Audit' has been prepared by KPMG Future Analytics and is enclosed as a separate document. This Audit demonstrates that a significant range of services and facilities are available in proximity to the site *'which contribute to quality of life'*. In addition, a wide variety of public transport options are available in proximity to the site in addition to the availability of services and facilities and employment locations within walking and cycling distance.

Furthermore, we note that the proposed development includes a 400 sq m creche. Resident amenity spaces such gymnasium, co-working space, lounges, reading rooms and multi-purpose space are also provided for the sole use of the future residents. Some 10% Part V units have also been provided (67 No. units).

A Childcare Demand Assessment has been carried out by KPMG Future Analytics and is enclosed with this planning application. Although the report concludes that there is sufficient capacity in the area to cater for the development, the scheme has included a proposed creche within Block F. The Social Infrastructure Audit did not identify a need to provide specific facilities at the subject site, but the creche will be delivered in Phase 3 of 4 of the development. The Social Infrastructure Audit has also assessed the school capacity in the area and concludes the there is sufficient capacity in the area to cater for the proposed development.

**6.1.9 Transport Policies**

The *Development Plan* sets out the following relevant Transport Policies:

**CCO15:**

*'To facilitate the provision of electricity charging infrastructure for electric vehicles.'*

The scheme facilitates electric charging for 35 No. vehicles in line with Policy CCo15 (10% of the total parking spaces). The remaining on-site car parking will benefit from having the electric vehicle infrastructure implemented thereby enabling easy retro fitting of charge points in the future as and when they may be required.

The *Development Plan* states that:

*'to maximise the use of public transport infrastructure and minimise car dependence, higher densities and interactive mixed uses will be encouraged within walking distance of public transport corridors and nodes (rail stations and interchanges) and at other key locations such as key district centres.'*

The proposed development provides 335 No. car parking spaces (excluding crèche, drop off and taxi parking spaces) for the 671 No. residential units (a ratio of 0.50 per unit). As detailed extensively in this Report, the subject site is situated in a prime urban location in proximity to high frequency public transport, employment locations, services and facilities and thus it is considered acceptable to provide a reduced parking ratio in order to encourage sustainable modes of transport.

**Section 8.5.6:**

*'Wherever possible developers will be encouraged to supply a car, preferably electric, as part of a shared transport pool in lieu of parking spaces as well as the supply of push bikes.'*

Some 10 No. car share spaces are provided in the scheme in addition to 1,361 bicycle parking spaces.

**Section 16.38.4:**

*'All applications for high density new development should include details of how taxis can be accommodated.'*

As noted above, some 2 No. taxi spaces are provided for in the development.

**Section 16.38.5:**

*'At least 5% of the total number of spaces should be designated car-parking spaces, with a minimum provision of at least one such space.'*

Some 18 No. mobility impaired spaces are provided for in the development, which represents 5% of the development parking.

**Section 16.38.6**

*'New developments shall include provision for motorcycle parking in designated, signposted areas at a rate of 4% of the number of car parking spaces provided.'*

Some 14 No. motorcycle spaces are provided for in the development, which represents 4% of the development parking.

**Policy MT2:**

*'Whilst having regard to the necessity for private car usage and the economic benefit to the city centre retail core as well as the city and national economy, to continue to promote modal shift from private car use towards increased use of more sustainable forms of transport such as cycling, walking and public transport, and to co-operate with the NTA, Transport Infrastructure Ireland (TII) and other transport agencies in progressing an integrated set of transport objectives. Initiatives contained in the government's 'Smarter Travel' document and in the NTA's draft transport strategy.'*

As noted in Section 4.8 of this Report, the proposed development is consistent with the *Design Manual for Urban Roads and Streets* which references the *Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland 2009 – 2020* document which was published by the Department of Transport. Sustainable modes of transport will be encouraged from the subject site in order to promote a shift away from private car use.

**Policy MT3:**

*'To promote best practice mobility management and travel planning to balance car use to capacity and provide for necessary mobility via sustainable transport modes.'*

A Mobility Management Plan, Parking Strategy and Traffic and Transport Assessment prepared by DBFL Consulting Engineers are enclosed with this planning application. The Traffic and Transport Assessment concludes that:

*'The site is already strategically located to avail of excellent sustainable travel options in the form of public transport as well as walking and cycling links'.*

Furthermore stating:

*'The site of the proposed residential development is ideally located to maximise access to / from the site by sustainable forms of travel including walking, cycling and public transport'.*

**Policy MT17:**

*'To provide for sustainable levels of car parking and car storage in residential schemes in accordance with development plan car parking standards (section 16.38) so as to promote city centre living and reduce the requirement for car parking.'*

As noted above, the scheme provides for 344 No. car parking spaces, with 335 No. spaces provided for the residential units (a parking ratio of 0.50 spaces per residential unit provided). Given the sustainable location of the subject site in close proximity to public transport, walking and cycling distance of employment locations, services and facilities and declining car ownership trends, the quantum of car parking is considered to be appropriate.

**Policy MT18:**

*'To encourage new ways of addressing the parking needs of residents (such as car clubs) to reduce the requirement for car parking.'*

The scheme provides for 10 No. car share parking spaces (5 No. GoCar spaces and 5 No. Development Car Share spaces) and 1,361 No. bicycle parking spaces. The site is located in proximity to the Luas Green Line stops and Dublin bus stops which will provide alternative modes of sustainable transport reducing the need to provide car parking spaces.

**6.1.10 Environmental and Sustainability Policies**

**Section 14.8.14** of the *Development Plan* notes that for lands zoned Z15:

*'With any development proposal on these lands, consideration should be given to their potential to contribute to the development of a strategic green network and to the delivery of housing in the city'.*

The proposed development will significantly contribute to housing supply by converting previously inaccessible, private lands to publicly available housing units with large open spaces, which is consistent with the Z15 zoning objective and will also contribute to the city's strategic green infrastructure networks by providing public routes through the site within the landscaping layout. The development will thus facilitate connections for the public through the site towards the Dodder Greenway route and other green infrastructure areas, which will positively contribute to, and create linkages with, the surrounding strategic green network.

The *Development Plan* notes the following further policies:

**Policy GI1:**

*'To develop a green infrastructure network through the city, thereby interconnecting strategic natural and semi-natural areas with other environmental features including green spaces, rivers, canals and other physical features in terrestrial (including coastal) and marine areas'.*

The site will form part of a Green Infrastructure Network throughout this part of the city and will join up to create a necklace with the existing identified areas open space defined of Open Space (Z9) and Environmental Amenity (Z12) within the *Development Plan*. In addition, the development will facilitate connections for the public through the site towards the Dodder Greenway route which will positively contribute to, and create linkages with, the surrounding strategic green network.

**Policy GI3:**

*'To develop linear parks, particularly along waterways, and to link existing parks and open spaces in order to provide green chains throughout the city'.*

See the response for policy GI1. The site will contribute to the green infrastructure network in this part of the city and will provide public access to open space on a site that is currently closed up from the public.

**Policy GI4:**

*'To co-ordinate open space, biodiversity and flood management requirements, in progressing a green infrastructure network'.*

For the purpose of this Planning Application, we have ensured that an exceptionally high standard of Public Open Space is provided within the scheme. An exercise has been undertaken to demonstrate that the Zoning Z15 requirement has been fully met with a large portion of the scheme identified as public open space. Careful list of planting has been selected in collaboration with the ecologist in order to provide the most suitable softscape layout and enhance the biodiversity of the area. SUDS measures are incorporated into development such as green roofs and permeable paving. Please also refer to the Engineers Flood Risk Assessment which concludes that the proposed development is appropriate for the site's flood zone category and the sequential approach outlined in Planning System and Flood Risk Management Guidelines has been adhered to and the 'Avoid' principal has been achieved.

**Policy GI5:**

*'To promote permeability through our green infrastructure for pedestrians and cyclists.'*

The public space concept is based on a principle that promotes social engagement, sustainability, site connectivity & permeability and a healthy lifestyle for the future residents and the public and various pedestrian and cycle links are provided through the site. The scheme will consolidate the neighbourhood and increase legibility for the wider community.

**Policy SC15:**

*'To recognise and promote green infrastructure and landscape as an integral part of the form and structure of the city, including streets and public spaces.'*

The proposed development recognises and promotes green infrastructure and landscape as an integral part of the design layout to contribute to the form and structure of the city, and will include streets and public spaces. The subject development will significantly contribute to the strategic green network in Dublin City. The provision of public open space representing 34.9% of the site area represents a key planning gain for this area of Dublin and the proposed pedestrian link will promote legibility and permeability through the site for pedestrians and cyclists. In addition, communal open spaces are provided for the future residents which will include a play area.

**Objective GIO1:**

*'To integrate Green Infrastructure solutions into new developments and as part of the development of a Green Infrastructure Strategy for the city.'*

See the response for Policy GI1. The development promotes and integrates green infrastructure and landscaping into the scheme. The scheme incorporates areas of publicly accessible natural and semi-natural open space that will form part of the Green Infrastructure of this part of the city, in particular through the retention of the existing trees and proposed areas of native planting and wildflowers.

**Objective GIO2:**

*'To apply principles of Green Infrastructure development to inform the development management process in terms of design and layout of new residential areas, business/ industrial development and other significant projects.'*

A key feature of the scheme design is the retention and enhancement of the existing natural asset of the site, and opening the site up for the public to utilise.

**Objective GIO4:**

*'To improve pedestrian and cycle access routes to strategic level amenities while ensuring that ecosystem functions and existing amenity uses are not compromised and existing biodiversity and heritage is protected and enhanced.'*

The scheme incorporates pedestrian and cycle routes through the areas of publicly accessible natural and semi-natural open space that will form part of the Green Infrastructure of this part of the city. Therefore, the development will enhance existing amenity uses (currently non-existent at the site). The development includes planting of native shrubs as groundcover in the woodland which will provide habitat for mammals and breeding birds and strengthen the boundary woodlands function as a green infrastructure

corridor. Measures are implemented to ensure that biodiversity is not compromised, including lighting designed to accommodate bats commuting and foraging in the area.

**Policy GI6:**

*'To support and implement the objectives of the National Landscape Strategy'.*

Through compliance with the *Development Plan* Green Infrastructure Policies in support of the National Landscape Strategy, we will be supporting and implementing their objectives.

**Policy GI7:**

*'To continue to protect and enhance landscape, including existing green spaces through sustainable planning and design for both existing community and for future generations in accordance with the principles of the European Landscape Convention.'*

We are providing large public open spaces which will improve and enhance the current setting of the landscape which will be fully accessible for the existing community and future generations.

**Policy GI8:**

*'To protect and enhance views and prospects which contribute to the appreciation of landscape and natural heritage'.*

Refer to the LVIA which assesses viewpoints in the surrounding urban context. As part of the scheme multiple views have been provided into the existing site and the proposed public open spaces. The site will become publicly accessible through the introduction of pedestrian links into the site and through openings in the boundary wall which will enhance legibility in the area.

**Objective GIOg:**

*'To maximise managed access to key landscape and amenity areas of Dublin city'.*

The proposed development will enhance the landscape and amenity area available in this area of Dublin City.

**Policy GI9:**

*'To incorporate open space into the green infrastructure network for the city, providing a multi-functional role including urban drainage, flood management, biodiversity, outdoor recreation and carbon absorption.'*

The proposed landscape setting aims to provide substantial benefit to the urban drainage due to the large permeable areas that will be provided on site. The biodiversity of the area would increase due to a large number of retained existing trees and new trees generation provided. The woodland will be retained and enhanced by planting of native shrubs in the groundcover. Furthermore, the variety of outdoor recreation areas will offer a great opportunity to the future residents and the public to use the zone immersed in a lush green area. The open spaces and pedestrian/cyclist links will contribute towards the green infrastructure network of the city and will include sustainable urban drainage systems and will promote sustainable modes of transport.

**Policy GI10:**

*'To continue to manage and protect and/or enhance public open spaces to meet the social, recreational, conservation and ecological needs of the city and to consider the development of appropriate complementary facilities which do not detract from the amenities of spaces'.*

The strategic location of the site and the provision of high-quality public open space and permeable links will increase legibility for the wider community and will meet the social, recreational, conservation and ecological needs of the city. Resident amenity spaces have been provided fronting onto some of these spaces which will complement the spaces by providing active frontage etc.

**Policy GI13:**

*'To ensure that in new residential developments, public open space is provided which is sufficient in quantity and distribution to meet the requirements of the projected population, including play facilities for children'.*

**Policy GI33:**

*'To seek the provision of children's play facilities in new residential developments. To provide playgrounds to an appropriate standard of amenity, safety, and accessibility and to create safe and accessible places for socialising and informal play.'*

The proposed development provides significant play facilities for children such as in the north-east corner of the public park and smaller play areas distributed around the landscaped open spaces. The play spaces will be high-quality and will be safe, accessible spaces for socializing and include informal play.

**Policy GI14:**

*'To promote the development of soft landscaping in public open spaces, where feasible, in accordance with the principles of Sustainable Urban Drainage Systems'.*

The nature of the proposed development including a large parkland where it will naturally allow for infiltration and subsequent evaporation of rainfall.

Planting areas at podium level, both in the public realm and within communal courtyard areas, will allow for infiltration and subsequent evaporation of rainfall and reduce runoff to the drainage system. Extensive green roof areas have been provided.

**Section 14.3:**

*'In relation to developing the city's green infrastructure (G.I.), the co-operation of owners/occupiers of lands zoned Z6, Z9, Z12, Z14 and Z15 is sought towards progressing the GI network. This shall include, as part of any re-development of the site, setting back of boundaries and/or adequate provision for greenways in accordance with routes illustrated and any local area plan content'.*

The development is proposed on land zoned Z15. The development will contribute towards the green infrastructure network particularly due to the large areas of public open space provided and pedestrian and cyclist links proposed through the site. A generous setback is provided from the northern and eastern boundaries where the large public park

will be provided. The boundary treatment will provide glimpses into the site which will enhance legibility for the area.

**Section 16.3.3:**

*'The successful retention of suitable trees is a benchmark of sustainable development. Trees of good quality and condition are an asset to a site and significantly increase its attractiveness and value. They add a sense of character, maturity and provide valuable screening, shelter and privacy and will often have a useful life expectancy beyond the life of new buildings. Dublin City Council will consider the protection of existing trees when granting planning permission for developments and will seek to ensure maximum retention, preservation and management of important trees, groups of trees, and hedges'.*

Tree protection and enhancement was a key tenet of the proposed design. The trees that will be removed will be replaced by a significant number of large and medium size trees that will have a greater long-term benefit to local ecology and biodiversity. Some 238 No. new trees will be provided across the site. The subject development will significantly contribute to the strategic green network in Dublin City. The provision of a significant quantum of public open space representing 34.9% of the wider site area and communal open spaces representing 12.8% of the wider site area is a key planning gain for this area of Dublin. This will promote biodiversity and will contribute to the green infrastructure and will provide legibility and permeability through the site for pedestrians and cyclists through the provision of pathways and a pedestrian boulevard. In addition, play areas are provided throughout the public open spaces which will benefit the subject development and the wider community.

In relation to the tree strategy, the Arboricultural Report prepared by the CMK Horticulture & Arboriculture Ltd and enclosed as part of this planning application:

*'Design team meetings were strongly influenced by existing trees. The overall objectives are to retain the maximum number of good quality trees whilst also achieving densities of housing compliant with current standards and planning recommendations'.*

We note that the large parkland area along the eastern boundary of the site is currently significantly overgrown and this space will be transformed into a public park by the subject development and will become a significant public amenity for the area. The proposed development will remove all Category U<sup>10</sup> trees for ecological purposes. To improve the quality and usability of the open space areas to the north and east of the site, the poor-quality Category C trees (91 No.) are recommended for removal and thus the proposed development will seek to open up this park for residents and visitors to enjoy.

The transformation of this public park will ensure that this large existing landscape feature has been retained in the masterplan which as discussed above, will be significantly improved and made usable.

<sup>10</sup> Trees in such condition that any existing value would be lost within 10 years and which should, in the current context, be removed for reasons of sound arboricultural management. Trees that are dead, dying or showing immediate and irreversible decline. (CMK, 2021)

Some 283 No. trees are proposed to be removed with the remaining 121 No. to be retained. Details of the proposed removal of trees is provided below:

Category	Number	% of total
A	4	1.4%
B	118	41.7%
C*	45	15.9%
C**	91	32.2%
U	25	8.8%

**Table 3. Tree Removal Categories**

Note: C\*: Cat C trees removed to facilitate development.

C\*\*: Cat C trees to be removed in the interests of improving the ecological and arboricultural value of open space areas.

The report notes the following in relation to tree removal:

*'The direct impact of the proposed development (table 3) will necessitate the removal of 57.3% of the existing category B & C trees (refer to drawings TSAN001 104-106 RevG). Four category A trees will be removed. In addition, all category U trees (6.1%) will be removed or managed for ecological purposes. To improve the quality and usability of the open space areas to the north and east of the site the poor-quality category C\*\* trees (8.8%) are recommended for removal. The rationale for the removal of these trees is outlined below.*

*The removal of trees will be most pronounced on the western boundary and within the central section of the site where the main footprint of the development is located and where all the existing trees will be removed. The trees in these areas are primarily early-mature moderate value (category B) cherry, lime and holly.*

*The main concentrations of trees are on the eastern boundary with Milltown Road and to a lesser degree the northern boundary with Norwood Park. Both of these areas have been identified as having potential to provide high value recreational space for future residents with tree management central to this objective.*

*Currently the eastern area is dominated by self-seeded specimens (categories C & U) many of which are drawn up for light and poorly formed as a result. The very high density of trees, which is the result of limited management interventions, restricts light from penetrating the canopy thereby reducing the diversity potential of the ground flora and also the areas overall habitat and recreational potential.*

*The management objective here is to remove the low value trees (categories C & U) whilst retaining better-quality specimens (categories A & B) with the aim to improve the overall ecological and recreational potential of the area.'*



**Figure 6.10: Image of Current Dark and Overgrown Area Which will be Made Useable as Part of the Proposed Development**

**(Source: CMK Horticulture & Arboriculture Ltd)**

Proposed new tree planting is contained within the accompanying Landscape Masterplan drawings by Cameo & Partners (some 238 No. large multi-stem and large shrubs proposed to be planted), submitted as part of the planning package. The Standalone Tree Report prepared by Cameo and Partners notes that:

*'The trees that will be removed will be replaced by a significant number of large and medium size trees that will have a greater long term benefit to local ecology and biodiversity. Our design will include native species trees and shrubs. Ground cover and understory layer will be set out to maximise local habitats for roosting birds and mammals. Proposed planting will be set-out to encourage and support the local bee and insect families. This too will include planting which supports berry, nuts etc for other mammals'.*

We further note that a number of trees will be retained in close proximity to proposed buildings such as the mature Atlantic Blue Cedar (#110). The Arboricultural Report notes the following in relation to the Blue Cedar:

*'It has been retained following extensive discussions between the project arboriculturist and the design team and has become an integral element of the proposed development. The building layout and associated services have been designed to be sympathetic to the tree and it's need for adequate canopy and root clearance. This species relatively slow growth will limit the trees potential impact on the building in terms of its structure and its open crown will allow light through for residents. As with all other trees on this site this tree will be monitored by the project arboriculturist during construction to ensure its protection and ongoing health. It is considered that the tree has the potential to be a very valuable*

*landscape asset for the proposed development for many years to come and is worthy of the extensive efforts which have been undertaken to retain it within the site’.*

Therefore, we submit that a key tenet of the proposed scheme has been to provide maximum protection to any trees worthy of retention within the subject lands while also benefiting the recreational potential of the site.

Bat boxes will also be installed on Tree Nos. 297, 324 and 352 and bird boxes will be installed on Tree Nos. 11, 175, 191 and 269 as detailed in the Biodiversity EIAR Chapter 8 prepared by JBA Consulting.

The Softscape Strategy prepared by Cameo and Partners Design Studio in tandem with CMK Horticulture and Arboriculture Ltd sets out the existing trees, trees to be removed, trees to be retained, newly proposed trees and the condition of the trees. The report also clarifies the need for removal of trees, i.e. for the useability of the public open space, location of buildings, services, new 2.4 metre high boundary wall etc.

We note a recent decision in relation to a Strategic Housing Development at Eglinton Road for 148 No. apartments (PL29S.307267) granted permission by An Bord Pleanála on 31<sup>st</sup> August 2020. The An Bord Pleanála Inspector noted the following in relation to trees:

*‘In relation to the trees, I note the Dublin City Tree Strategy 2016-2020 which asks that in the assessment of development, the maximum possible tree retention be sought. However, **I consider that the retention of trees on site (and in the long term adjacent to the site on Eglinton Road), is not compatible with the proposed development. I note that there is no specific protection for the existing trees on the site** and that 39 new trees, including Fastigiatae Oak, Cherry, Hazel, Pine and Birch will be included in the proposed development.*

*The proposed development will include substantial new hedge and shrub planting along with 16 new trees along Eglinton Road, Donnybrook Road, and the corner to Brookvale Road. **The new tree planting on these boundaries will contribute to the public realm and it is my view that these new semi-mature trees will adequately replace the existing trees to be lost on the site that are currently visible from the street.** In addition, this new tree planting will form an adequate replacement for street trees on Eglinton Road, in recognition that the proposed works on the site will undoubtedly shorten the lifespan of those street trees. The remaining 23 new trees to be planted within the proposed development courtyard area will offer further adequate replacement for the other trees to be removed from the site. Overall, I consider that the proposed arrangements for tree removal and replacement on the site are acceptable.’ [Our Emphasis]*

In summary, we consider that the removal of 283 No. trees, retention of 121 No. trees and introduction of 238 No. newly proposed trees/large multi-stem shrubs will result in an improved environment at the subject lands.

**Section 23.8 (Appendix 23):**

*‘For a proposed development area for which there is a local area plan, the policies contained therein shall apply. For proposed developments outside these areas,*

measures to strengthen the city green infrastructure (GI) network plan will be required. These may include measures to:

- *Increase habitat protection to support the wider GI network.*

The development will provide habitat enhancement measures such as bat boxes, bird boxes and insect hotel to benefit biodiversity at the subject site.

- *Provide additional green space to meet deficiencies in connectivity of the GI network.*

Additional green space will be provided at the subject site, which will significantly enhance this area, particularly as there is no public open space available at the developable lands.

- *Ensure retention of mature habitats and provide for long-term ecological succession.*

Ecological enhancement measures are incorporated in the scheme and include planting of native scrub as ground cover in the woodland which will provide habitat and cover for mammals and birds using the site and it will strengthen the woodlands function as a connecting habitat for wildlife in the wider area. Further enhancements include provision of bird boxes, bat boxes, planting of native wildflowers and installing insect hotels to provide habitat for solitary bees.

- *Increase connections and improve accessibility for pedestrians and cyclists to the wider GI network.*

The development will increase connections and improve accessibility for pedestrians and cyclists to the wider GI network, with the provision of pedestrian/cyclist links through the site.

- *Apply sustainable urban drainage systems (SUDS) and soft engineering solutions to protect water quality and mitigate the environmental impacts of flooding and erosion.*

SUDS measures such as permeable paving and green roofs have been incorporated into the scheme's design.

- *Provide for public access to ensure that the benefits of access to the GI network is available to all citizens.*

The scheme provides access for all and therefore all citizens will benefit from enhanced connections to the GI network

- *Ensure that proposed developments do not create negative impacts on the existing GI network.*

The development will not have a negative impact on the existing GI network, rather, the subject site will benefit the GI network by providing public access through the site, which will eventually connect with the surrounding strategic green network., which is a significant planning gain for the area especially given the current closed off nature of the site.

**Section 23.11 (Appendix 23):**

*'The zoning objectives set out general requirements for open space provision and contribution to green infrastructure in relation to institutional lands, outer suburban lands and large tracts of land with re-development potential zoned for enterprise and employment (Z15, Z12, Z6). For proposed development in these zones, potential applicants will be required to submit a landscape masterplan at the appropriate scale(s) and a green infrastructure strategy for the development to demonstrate how the proposal supports the City Green Infrastructure Network. Potential applicants should give consideration to connectivity, where it exists, with the current GI Network and how to ensure that this can be preserved and enhanced. In particular, adequate spatial planning and provision for corridors which can provide ecological function and strengthen the network will be required.*

*For proposed developments in areas which are covered by local area plans, potential applicants should consult the GI Strategy within these plans. Potential applicants should refer to the City Biodiversity Action Plan to address local biodiversity issues in the proposed development. For sites adjacent to rivers, additional considerations, as stated above, concerning control of urban run-off, flood risk and maintenance of habitat corridors of the GI network, will need to be addressed in the green infrastructure strategy.*

*As many of these land-use types include mature habitats, potential applicants should demonstrate retention of these, particularly those categorised as high priority in the City Biodiversity Action Plan (2015 – 2020), in any proposed development.*

The landscape drawings demonstrate the green infrastructure strategy for the development and demonstrates the key publicly available pedestrian and cyclist linkages throughout the site, which will support the green infrastructure strategy of the city. New generation of trees, retained trees and selected planting aim to enhance the biodiversity of the site; planting of wildflower meadow and green roofs will provide habitat for pollinators, planting of native shrubs in woodland will enhance its function as a wildlife corridor providing habitat and cover for mammals and birds.

**Objective SIO17:**

*'To promote the re-use of building materials, recycling of demolition material and the use of materials from renewable sources. In all developments in excess of 10 housing units and commercial developments in excess of 1000 sq m, a materials source and management plan showing type of materials/proportion of re-use/recycled materials to be used shall be implemented by the developer'.*

A Construction and Demolition Waste Management Plan (C&D WMP) has been provided as part of this application and has been prepared to comply with Objective SIO17 of the *Development Plan*. The plan promotes the re-use of building materials, recycling of demolition material and the use of materials from renewable sources. The C&D WMP provides a materials source and management plan showing the predicted types of materials/proportion of re-use/recycled materials for both the demolition and construction phase of the proposed development.

**Section 16.2.1.2:**

*'To minimise the waste embodied energy in existing structures, the re-use of existing buildings should always be considered as a first option in preference to demolition and new-build. Buildings should be designed to minimise resource consumption, reducing waste, water and energy use. The re-use of existing buildings and/or building materials should be considered in appropriate cases'.*

A Construction and Demolition Waste Management Plan (C&D WMP) has been provided as part of this application and has been prepared to comply with Section 16.2.1.2 of the *Development Plan*. The plan aims to minimise the waste embodied energy in existing structures, promote the re-use of existing buildings as the priority option and as preference to demolition and new build. The re-use and recycling of building materials is considered as part of the C&D WMP. In addition, a key requirement early in the design process was to determine which buildings could be functionally retained and reused within the development (this is fully detailed in the Examination of Alternatives Chapter of the EIAR (Chapter 4.0)). In conclusion, after assessing the building range on site and determining which could be viably adapted and used, it was considered that the reuse of Tabor House and The Chapel within the development would provide a new and characterful setting within the landscape with the remainder of the site utilised to incorporate new structures to provide a range of residential units and tenures as well as the extensive open spaces provided.

**Policy GI23:**

*'To protect flora, fauna and habitats, which have been identified by Articles 10 and 12 of Habitats Directive, Birds Directive, Wildlife Acts 1976–2012, the Flora (Protection) Order 2015 S.I No. 356 of 2015, European Communities (Birds and Natural Habitats) Regulations 2011 to 2015'.*

A full Biodiversity Chapter prepared by JBA Consulting has been submitted as part of this planning application. the Chapter concludes that the residential ecological impact during construction and operation phases will be negligible.

**Policy GI24:**

*'To conserve and manage all Natural Heritage Areas, Special Areas of Conservation and Special Protection Areas designated, or proposed to be designated, by the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs'.*

There will be no impact on designated/proposed designated sites. The preservation and enhancement of the woodland will ensure connectivity for Dodder Valley pNHA is not lost due to the development.

**Policy Gl25:**

*'To make provisions for habitat creation/ maintenance and facilitate biodiversity by encouraging the development of linear parks, nature trails, wildlife corridors, urban meadows and urban woodlands'.*

**Policy Gl26:**

*'To have regard to the conservation and enhancement of significant non-designated areas of ecological importance in accordance with development standards set out in this plan'.*

Ecological enhancement measures are incorporated in the scheme and include planting of native scrub as ground cover in the woodland which will provide habitat and cover for mammals and birds using the site and it will strengthen the woodlands function as a connecting habitat for wildlife in the wider area. Further enhancements include planting of native wildflowers and installing insect hotels to provide habitat for solitary bees.

Installation of bat boxes, bird boxes, insect hotels; planting of wildflower meadows and green roofs will support pollinators, providing food for birds, bats. Woodland within the site will be retained and enhanced with planting of native shrubs and trees. Therefore, it is clear that the project is consistent with Policies Gl25 and Gl26.

**Policy Gl27:**

*'To minimise the environmental impact of external lighting at sensitive locations to achieve a sustainable balance between the needs of an area, the safety of walking and cycling routes and the protection of light sensitive species such as bats'.*

The lighting design has been adapted to support bats foraging and commuting within the site. Although it is deemed unlikely that light emitted from buildings will significantly impact on potential foraging and commuting areas for bats as these will largely lie along the extremities of the Site, particularly along the north and eastern site boundary; night-time light spill from the interiors of the proposed buildings via windows/entrances; and the levels of spill/glare from outdoor lighting in place on the building exterior and throughout the site; will be minimised through selective lighting measures (such as fittings set back into the room) utilised for units facing towards the buffer zone.

**Policy Gl28:**

*'To support the implementation of the Dublin City Tree Strategy, which provides the vision for the long-term planting, protection and maintenance of trees, hedgerows and woodlands within Dublin City'.*

121 No. individuals of high quality trees will be retained within the site and 238 large multi-stem and large shrubs will be planted across the site which will have greater long term benefit to local biodiversity and ecology.

**Policy Gl29:**

*'To adopt a pro-active and systematic good practice approach to tree management with the aim of promoting good tree health, condition, diversity, public amenity and a balanced age-profile'.*

Tree protection and enhancement was a key tenet of the proposed design. The trees that will be removed will be replaced by a significant number of large and medium size trees that will have a greater long-term benefit to local ecology and biodiversity in particular 15 No. different species of trees will be planted in order to increase the biodiversity asset of the area.

**Policy GI30:**

*'To encourage and promote tree planting in the planning and development of urban spaces, streets, roads and infrastructure projects'.*

See the response for policy GI29. Careful attention has been undertaken in order to provide the most suitable trees species of the new generation of trees on site. Some 238 No. new trees will be provided across the site.

**Objective GIO23:**

*'To support the implementation of the 'Dublin City Biodiversity Action Plan 2015–2020', including inter alia (a) the conservation of priority species, habitats and natural heritage features, and (b) the protection of designated sites'.*

The *Dublin City Biodiversity Action Plan 2015–2020* has been reviewed and considered by the ecologist in the preparation of this planning application as set out in the EIAR Biodiversity Chapter (Chapter 8.0).

**Objective GIO24:**

*'To develop Biosecurity Codes of Practice to deal with invasive species and ensure compliance with EU (Birds and Natural Habitats) Regulations 2011 and EU Regulations 2014 on the prevention and management of the introduction and spread of invasive alien species'.*

Invasive Alien Plant Species: Site Assessment Report attached as an appendix to Chapter 8.0 of the EIAR (Biodiversity) deals with invasive species management on site.

**Policy GI2:**

*'That any plan/project, either individually or in combination with other plans or projects that has the potential to give rise to significant effect on the integrity of any European site(s), shall be subject to an appropriate assessment in accordance with Article 6(3) and 6(4) of the EU Habitats Directives'.*

An Appropriate Assessment Screening Report prepared by JBA Consulting is enclosed with this planning application.

This Report concludes:

*'In carrying out this AA screening, mitigation measures have not been taken into account. Standard best practice construction measures which could have the effect of mitigating any effects on any European Sites have similarly not been taken into account.*

*On the basis of the screening exercise carried out above, it can be concluded that the possibility of any significant impacts on any European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded beyond a reasonable scientific doubt on the basis of the best scientific knowledge available.'*

**Objective SIO27:**

*'To give careful consideration to the location of noise-sensitive developments, including the horizontal and vertical layout of apartment schemes, so as to ensure they are protected from major noise sources where practical.'*

**Section 16.10.3**

*'Acoustic privacy is a measure of sound insulation between dwellings and between external and internal spaces. Development should have regard to the guidance on sound insulation and noise reduction for buildings contained in BS 8233:2014. The following principles are recommended for minimising disruption from noise in dwellings:*

- *Utilise the site and building layout to maximise acoustic privacy by providing good building separation within the development and from neighbouring buildings and noise sources*
- *Arrange units within the development and the internal layout to minimise noise transmission by locating busy, noisy areas next to each other and quieter areas next to quiet areas*
- *Keep stairs, lifts, and service and circulation areas away from noise sensitive rooms like bedrooms. Particular attention should be paid to the siting and acoustic isolation of the lift motor room.'*

A Noise and Vibration EIAR Chapter 13 has been prepared by AWN Consulting, which has considered the layout of the apartment scheme to ensure high-quality living environment will be provide for future residents. For example, specific facades along the east / north-east fronting onto Sandford and Milltown Road will be provided with glazing and ventilation that achieves minimum sound insulation performances. Other facades in the development have no minimum requirement for sound insulation. The chapter has had regard to BS 8233:2014.

**Policy QH12:**

*'To promote more sustainable development through energy end-use efficiency, increasing the use of renewable energy, and improved energy performance of all new development throughout the city by requiring planning applications to be supported by information indicating how the proposal has been designed in accordance with the development standards set out in the development plan'.*

This Statement of Consistency sets out how the development is in accordance with the development standards of the *Development Plan*. An Energy & Sustainability Report has been prepared by OCSC Consulting Engineers and is enclosed with this application.

**Objective SIO33:**

*'To support the development of energy efficient initiatives such as use of District Heating and Combined Heat and Power, and to promote the use of CHP in large developments'.*

**Policy CC3:**

*'To promote energy efficiency, energy conservation, and the increased use of renewable energy in existing and new developments.'*

Please find enclosed Energy and Sustainability Statement prepared by OCSC Consulting Engineers. The following renewable energy efficient sources have been considered as outlined in the report:

*Exhaust Air Heat Pump*

Exhaust air heat pumps collect warm air as it leaves a building via the ventilation system and then reuse the heat that would otherwise be lost to the outside to heat fresh air coming into the building or to heat water. Exhaust air heat pumps operate on a similar basis to other heat pumps such as air source heat pumps and ground source heat pumps and are suitable for providing hot water and heating for buildings such as houses, apartments or flats.

*Variable Refrigerant Flow Heat Pumps*

Variable Refrigerant Flow systems utilise heat pumps in order to provide space heating as well as space cooling. These systems are capable of serving multiple zones with different heating and cooling requirements and they can modulate their output according to zone requirements, increasing system efficiencies and reducing the energy demand of these systems.

*Solar Photovoltaics*

Photovoltaic (PV) Panels convert the solar radiation into electricity, which can be connected to the mains supply of a dwelling. The panels are placed on the roof and are most efficient with an incline angle of 30°. Panels are typically arranged in arrays on building roofs, with the produced electricity fed either directly into the dwelling, apartment or into the landlord's supply.

**Policy CC4:**

*'To encourage building layout and design which maximises daylight, natural ventilation, active transport and public transport use.'*

The subject scheme maximises daylight infiltration and natural ventilation have regard to the positive results of the daylight/sunlight assessment (i.e.c.91% compliance with ADF when the 2% target is targeted and c. 96% compliance with ADF when the 1.5% target is targeted).

**Objective CCO12:**

*'To ensure high standards of energy efficiency in existing and new developments in line with good architectural conservation practice and to promote energy efficiency and conservation in the design and development of all new buildings in the city, encouraging improved environmental performance of building stock.'*

As noted in response to Objective SIO33 and Policy CC3, energy efficiency is promoted in the subject scheme. We note that after assessing the building range on site and determining which could be viably adapted and used, the reuse of Tabor House and The Chapel within the development will represent a focal point in the development, which represents good architectural conservation practice.

**Policy S119:**

*'To support the principles of good waste management and the implementation of best international practice in relation to waste management in order for Dublin city and the region to become self-reliant in terms of waste management.'*

An Operational Waste Management Plan and Construction and Demolition Waste Management Plan have been prepared by AWN Consulting as part of the EIAR which will ensure effective management of waste at the development site.

**Policy SI25:**

*'To seek to preserve and maintain air and noise quality in the city in accordance with good practice and relevant legislation.'*

The temporary noise emitted during the construction phase of the development will have the potential to impact on the surrounding areas. The construction works will be carried out in accordance with the recommendations of the Preliminary Construction Management Plan prepared by DBFL Consulting Engineers enclosed and further detailed in the EIAR Chapters such as Air Quality and Climate and Noise and Vibration.

It is anticipated that the operation of the development would not result in any long term noise impacts to surrounding site due to the nature of the development.

**Policy SI26:**

*'To ensure that the design of external lighting proposals minimises light spillage or pollution in the surrounding environment and has due regard to the residential amenity of the surrounding area.'*

A Lighting Proposal has been prepared by Pritchard Themis and is enclosed as part of this planning application which considers the design of external lighting, with particular consideration provided to the protection of bats. The internal light spill from interiors of the buildings via windows/entrances along the buffer zone will be minimised through selective lighting measures, such as setting fittings back into the room.

**6.1.11 Infrastructure Policies**

**Objective SIO3:**

*'To require all new development to provide a separate foul and surface water drainage system and to incorporate sustainable urban drainage systems'*

A separate foul and surface water drainage system will be provided, and sustainable urban drainage systems have been incorporated into the development such as green roofs and pervious paving.

**Policy SI3:**

*'To ensure that development is permitted in tandem with available water supply and wastewater treatment and to manage development, so that new schemes are permitted only where adequate capacity or resources exists or will become available within the life of a planning permission.'*

Pre-connection enquiry feedback has been received from Irish Water which advises that *'based upon the details that you have provided with your pre-connection enquiry and on the capacity currently available in the network(s), as assessed by Irish Water, we wish to advise you that, subject to a valid connection agreement being put in place, your proposed connection to the Irish water network(s) can be facilitated'*.

**Objective SIO8:**

*'All development proposals shall carry out, to an appropriate level of detail, a Site-Specific Flood Risk Assessment (SSFRA) that shall demonstrate compliance with:*

- *The Planning System and Flood Risk Management, Guidelines for Planning Authorities, Department of the Environment, Community and Local Government, November 2009, as may be revised/updated and the Strategic Flood Risk Assessment (SFRA) as prepared by this Development Plan.*
- *The site-specific flood risk assessment (SSFRA) shall pay particular emphasis to residual flood risks, site-specific mitigation measures, flood-resilient design and construction, and any necessary management measures (the SFRA and Appendix B4 of the above mentioned national guidelines refer). Attention shall be given in the site-specific flood risk assessment to building design and creating a successful interface with the public realm through good design that addresses flood concerns but also maintains appealing functional streetscapes. All potential sources of flood risk must be addressed in the SSFRA.'*

A Site-Specific Flood Risk Assessment has been prepared by DBFL Consulting Engineers and is enclosed separately.

**Policy SI18:**

*'To require the use of Sustainable Urban Drainage Systems in all new developments, where appropriate, as set out in the Greater Dublin Regional Code of Practice for Drainage Works. The following measures will apply:*

- *The infiltration into the ground through the development of porous pavement such as permeable paving, swales, and detention basins*
- *The holding of water in storage areas through the construction of green roofs, rainwater harvesting, detention basins, ponds, and wetlands*
- *The slow-down of the movement of water.'*

The proposed surface water drainage network accords with SuDS principles, divides the site into five drainage catchments and discharges to an existing surface water drain on Eglinton Road (east of the site) at a controlled greenfield runoff rate of 2.0 l/sec/ha (as per GSDSD requirements).

Proposed SuDs measures include permeable paving, green roofs, tree pits, drainage board over podium and installation of a Class 1 full retention fuel / oil separator. Attenuation of the 30 and 100 year return period storms within Stormtech Attenuation Chambers is also provided for within the surface water drainage design.

Refer to DBFL's Infrastructure Design Report for full details of the proposed SUDS methodologies.

**Objective SIO14:**

*'To require that any new paving of driveways or other grassed areas is carried out in a sustainable manner so that there is no increase in storm water run-off to the drainage network.'*

All paving and grassed areas have been designed to ensure no increase in storm water run-off.

**Section 16.9**

*'All services must be provided underground in the interests of amenity except where it is clearly shown by a statutory undertaker that underground location is of an impractical nature. This provision shall not apply to temporary cabling necessary for the servicing of development site workshops or offices.'*

All services will be provided underground.

**6.1.12 Urban Design Policies**

**Policy 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.'*

**Policy SN2:**

*'To promote neighbourhood developments which build on local character as expressed in historic activities, buildings, materials, housing types or local landscape in order to harmonise with and further develop the unique character of these places.'*

**Section 12.5.2:**

*'There will be a requirement for all proposals to demonstrate a positive urban design response. Applications for large-scale proposals will need to include an Urban Design Statement.'*

**Policy SN25:**

*'To actively support urban regeneration in areas across the city in order to enhance social cohesion and potential for positive change in areas of social exclusion.'*

The proposed dwelling mix of 99 No. studios, 271 No. 1 beds, 274 No. 2 beds and 27 No. 3 beds (including both the Build-to-Sell units and Build-to-Rent units) ensures that a variety of age groups and tenure are catered for in this area (such as younger generation looking for flexibility, young couples seeking to purchase their first home and for older person to trade-down to a smaller home for example). The proposed development will promote permeability through the site from Sandford Road to Milltown Road through the public park and a pedestrian boulevard from Sandford Road through the plaza area which connects to the forecourt of Tabor House and the Chapel (with access to Milltown Road also possible at this location). The public park will be suitable for all age groups and tenures and will contain gathering tables, seating areas, informal planting, play on-the-way and fitness furniture for example. The scheme will thus promote a good urban neighbourhood in accordance with Policy SN1.

As noted throughout this Report, the site is well served by public transport and is within walking and cycling distance of services and facilities in addition to employment locations.

The scheme has retained the existing Tabor House and the Chapel within the proposed development which will ensure that the local history of the Jesuit Community use is retained at the subject lands. The entrance from Milltown Road will provide direct views of Tabor House and the Chapel ensuring that they will be a focus of the development. Therefore, the development will build on the character of the buildings in line with Policy SN2.

The site's large frontage onto Milltown Road and Sandford Road provides a rare opportunity to open the site up to the surrounding area (as the site has always been in private use). The provision of significant quantum of open spaces and permeable links in the scheme is therefore considered a unique planning gain for the area. In addition, an Urban Design Statement has been prepared by OMP Architects and is enclosed separately (entitled Masterplan + Architectural Design Statement) in accordance with Section 12.5.2 which demonstrates how the proposal will provide a positive urban design. The development supports urban regeneration in support of Policy SN25.

**Policy SC19:**

*'To promote the development of a network of active, attractive and safe streets and public spaces which are memorable, and include, where appropriate, seating, and which encourage walking as the preferred means of movement between buildings and activities in the city. In the case of pedestrian movement within major developments, the creation of a public street is preferable to an enclosed arcade or other passageway.'*

**Policy SC20:**

*'To promote the development of high-quality streets and public spaces which are accessible and inclusive, and which deliver vibrant, attractive, accessible and safe places and meet the needs of the city's diverse communities.'*

**Policy SC3:**

*'To develop a sustainable network of safe, clean, attractive pedestrian routes, lanes and cycleways in order to make the city more coherent and navigable.'*

The proposed development provides a network of active, attractive, safe and high-quality streets and public spaces, which are memorable, accessible and inclusive, and will allow access through the site. Seating is also provided in the public areas and permeable links are provided through the site to and from Sanford/Milltown Road.

**Policy QH10:**

*'To support the creation of a permeable, connected and well-linked city and discourage gated residential developments as they exclude and divide established communities.'*

The development will not be gated and as noted above, the development provides permeable link through the site.

**Section 16.2.1:**

*Gated developments will be discouraged as they prevent permeability. Development must incorporate design measures for:*

1. *Maintaining a clear distinction between public and private spaces*
2. *Promoting safety, visibility and facilitating the natural surveillance of adjoining routes and spaces.*

As noted above, the development will not be gated at the vehicular entrances and will provide public links through the site, which will enhance the amenity of the area.

The public open spaces are provided in the public park/plaza/woodland glade/pedestrian boulevard which is clearly the public space for the wider area to utilise. The communal spaces will be provided internal to the scheme i.e. within the courtyard between Blocks B and C and adjacent to Block F for example.

The development promotes safety and visibility and facilitates the natural surveillance of adjoining routes and spaces as all open spaces are overlooked by apartments and/or the residents' amenity space.

**Policy QH11:**

*'To ensure new developments and refurbishments are designed to promote safety and security and avoid anti-social behaviour in accordance with the Safety and Security Design Guidelines contained in Appendix 14.'*

All public and communal spaces will be passively surveilled by the proposed units and/or internal amenity spaces, therefore safety and security is promoted in the scheme which will reduce the potential for anti-social behaviour.

**Section 16.10.2:**

*'At the rear of dwellings, there should be adequate separation between opposing first floor windows. Traditionally, a separation of about 22 m was sought between the rear of 2-storey dwellings but this may be relaxed if it can be demonstrated that the development is designed in such a way as to preserve the amenities and privacy of adjacent occupiers'.*

This policy notes that the separation distances may be relaxed if the amenities and privacy of adjacent occupiers is preserved. The following measures have been provided between the proposed apartments and duplexes (Block E) along the western boundary and the neighbouring properties:

- No balconies provided to the rear at the upper levels
- High—level window provided to the living/kitchen/dining room at first floor level of the duplexes
- A pop-out bay window incorporating a solid back wall and glazing to the sides provided for the upper-level bedroom at the rear.

Therefore, it is clear that the privacy and amenity of adjacent occupiers has been duly considered and preserved.

**Section 16.10.3**

*'A landscaping plan will be required for all developments, identifying all public, communal (semi-private) and private open space.'*

This has been prepared by Cameo and Partners Design Studio. Please also refer to the Landscape Design Statement which fully details the various spaces provided in the development.

**Section 16.10.4**

*'Proposals for new development greater than 100 dwellings or 10,000 sq.m and for public transport infrastructure, in addition to making a contribution to social infrastructure, shall include an Urban Design Statement that addresses the following issues:*

*How any proposed access points, routes or new streets are interconnected logically with the existing local network of streets, to aid legibility, permeability and walkability and complement local 'desire lines'*

*How the development will contribute positively to the quality of the streets and public spaces surrounding it; this should include graphic material showing how the development will contribute to the character of the street and its activity and to the quality of the pedestrian environment*

*How the development will contribute to a coherent enclosure for the street or public space including consideration of the proportions and activities of the buildings on both sides of a street or surrounding a public space*

*How the proposals impact on, or are affected by, other planned development in the local area. Where a number of developments are proposed in proximity to each other, they may have the potential to cumulatively exert significant change on a neighbourhood. Where this is the case, any potential conflicts or opportunities for synergies or economies should be examined How the layout and design of buildings, public realm or infrastructure respond to the series of non-prescriptive questions as set out in the DEHLG's Urban Design Manual, to be considered during the key stages of the design and planning process; proposals should also demonstrate how they address the principles as set out in the Neighbourhood Section of the Urban Design Manual*

*How communal amenity spaces within residential developments are designed to be clearly distinct from fully public spaces and their scale and activities appropriate so as to fit within the local network of planned or existing public spaces.*

Please see the Urban Design Statement (entitled Masterplan & Architectural Design Statement) enclosed and prepared by O' Mahony Pike Architects which addresses these items

**6.1.13 Architectural Heritage**

**Policy SC28:**

*'Promote understanding of the city's historical architectural character to facilitate new development which is in harmony with the city's historical spaces and structures'*

The subject development will include the reuse of The Chapel and Tabor House which will integrate with the new buildings proposed as part of the development. The proposal will repurpose the buildings to accommodate residential units (Tabor House) and amenity spaces (Tabor House and the Chapel) therefore promoting the character of the buildings. Please see the EIAR Architectural Heritage Chapter (Chapter 7.0) prepared by Molloy and Associates Conservation Architects enclosed separately for full details.

**Section 16.10.17:**

*'In assessing applications to demolish older buildings which are not protected, the planning authority will actively seek the retention and re-use of buildings/structures of historic, architectural, cultural, artistic and/or local interest or buildings which make a positive contribution to the character and identity of streetscapes and the sustainable development of the city.*

*Where the planning authority accepts the principle of demolition a detailed written and photographic inventory of the building shall be required for record purposes.'*

We note that after assessing the building range on site and determining which could be viably adapted and used, the reuse of Tabor House and The Chapel within the development will represent a focal point in the development, and the development layout has utilised the remainder of the site to incorporate new structures to provide a range of residential units and tenures as well as the extensive open spaces provided. Chapter 4.0 of the EIAR (Examination of Alternatives) outlines how various options were considered for all of the buildings on site (all unprotected) and it was considered that Tabor House and the Chapel could be viably adapted. Chapter 7.0 of the EIAR (Architectural Heritage) and Appendices contains a written and photographic inventory of the buildings.

**6.2 Other Relevant Development Standards in the *Dublin City Development Plan 2016-2022***

**Section 16.10:**

*'The standards for residential accommodation are divided into standards relating to apartments and houses (16.10.1 and 16.10.2 respectively) and apply to new-build residential schemes.'*

**-Minimum overall apartment floor area**

- Studios 40 sq m
- 1-bed 45 sq m
- 2-bed 73 sq m
- 3-bed 90 sq m

All 1, 2 and 3 No. bedroom units meet, and in many cases, exceed the minimum apartment floor areas. New build studio units in the scheme range from 37.1 sq m to 50.7 sq m in size. New build studio units in the scheme range from 37.1 sq m to 49.2 sq m in size. Some 85 No. studio units exceed the Apartment Guidelines, 2020 standards of 37 sq m and of these 85 No. studios, 25 No. are above the 40 sq m standard for studios set out in the Development Plan. However, SPPR<sub>1</sub> of the *Apartment Guidelines, 2020* sets out that studio units should be a minimum area of 37 sq m and 100% of new build units meet this standard. Some 14 No. studio units within Tabor House, an existing historic building, are slightly below the required floor area set out in the *Development Plan/Apartment Guidelines, 2020* (range in area from 34.6 to 35.5 sq m),

Flexibility is allowed in the *Development Plan/Apartment Guidelines, 2020* in relation to historic buildings, which is fully set out in the Material Contravention Statement enclosed.

**-Minimum aggregate floor areas for living/dining/kitchen rooms:**

Apartment type	Width of living /dining room	Aggregate floor area of living/dining/kitchen area*
Studio	5 m	30 sq m
1-bed	3.3 m	23 sq m
2-bed	3.6 m	30 sq m
3-bed	3.8 m	34 sq m

\*Note: an enclosed (separate) kitchen should have a min floor area of 6.5 sq m. In most cases, the kitchen should have an external window. N/A

\*\* Note: Combined living/dining/bedspace

**-Minimum bedroom floor areas/widths:**

Apartment type	Width of bedroom	Floor area of bedroom*
Studio	5 m**	30 sq m**
Single bedroom	2.1 m	7.1 sq m
Double Bedroom	2.8 m	11.4 sq m
Twin Bedroom	2.8 m	13 sq m

\*Note: Minimum floor areas exclude built-in storage presses.

\*\* Note: Combined living/dining/bedspace

We note that the *Apartment Guidelines, 2020* allows a variation of up to 5% to be applied to room areas and widths subject to overall compliance with required minimum overall apartment floor areas.

This 5% variation in aggregate floor space and/or room widths has been applied to the following, which all meet the overall minimum floor area requirements of the *Apartment Guidelines, 2020*, as per the Housing Quality Assessment Table enclosed separately:

- Living/Kitchen/Dining Area – 154 No. units
- Living/Kitchen/Dining Width – 32 No. units
- Bedroom widths - 24 No. units
- Bedrooms areas – 22 No. units

Therefore, as a result, these units within the scheme will not meet the *Development Plan* standards in relation to aggregate room areas and/or widths in some cases, however this flexibility is allowed under the *Apartment Guidelines, 2020*. This is fully detailed in the Material Contravention Statement enclosed.

**-Minimum Storage Area\***

Apartment type	Aggregate Area
Studios	3 sq m
One bedroom	3 sq m
Two Bedroom	6 sq m
Three Bedroom	9 sq m

\* All apartments shall be provided with designated internal storage space separate to the area for kitchen presses, bedroom furniture or areas containing the cold and hot water tanks, and should be designed for ease of access and use.

All new apartments meet, and in some cases, exceed the minimum storage areas standards. Some 14 No. units in Tabor House will provide storage areas slightly below the minimum as detailed in the Material Contravention Statement, which is considered acceptable in this existing historic building. There is no separate standard provided in the Development Plan for a two bedroom, three-person unit and the *Apartment Guidelines, 2020* state a minimum storage requirement of 5 sq m for this type of unit, which has been complied with.

**-10% of minimum floor areas**

It is a requirement that the majority of all apartments in a proposed scheme of 100 units or more must exceed the minimum floor area standard by at least 10% (studio apartments must be included in the total but are not calculable as units that exceed the minimum). In schemes of 10-99 No. units the same approach is applied but it is acceptable to redistribute part of the minimum 10% additional floor space throughout the scheme, (refer to 2015 Department Guidelines for worked examples of this approach).

As demonstrated by the Housing Quality Assessment prepared by O’ Mahony Pike Architects enclosed separately, some 384 No. (or 57%) of the units will exceed the minimum floor area by 10%, which is in accordance with this policy (56% excluding studios that exceed by 10%).

**-Dual Aspect**

Dual aspect apartments maximise the availability of sunlight and should be provided where possible. It is a specific planning policy requirement in the 2015 Department Guidelines that the minimum number of dual aspect apartments that may be provided in any single apartment scheme shall be 50%. In certain circumstances, usually on inner urban sites, this may be further reduced to an absolute minimum of 33% where it is necessary to ensure good street frontage and subject to high quality design. Ideally 3-bedroom apartments should be dual aspect. Dual aspect can include corner units.

The scheme provides 51% dual aspect units.

**-Single Aspect Units**

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. 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.

Any single aspect north facing units provided in the scheme will overlook either public or communal open spaces or the homezone for example which will ensure that an attractive outlook is provided for each unit.

**-Overshadowing**

Particular care is needed where windows are located on lower floors that may be overshadowed by adjoining buildings and/or balconies.

The enclosed Daylight and Sunlight Analysis prepared by 3D Design Bureau sets out that multiple design iterations were assessed and with each iteration, mitigation measures were implemented to improve levels of daylight. Such design interventions included the re-configuration of units, increased levels of glazing and alterations to balcony layouts. Living rooms are prioritised by positioning adjacent to the external facade to avail of good daylight, views and ease of access to external private balcony amenity space. This benefits the usability and functionality of the space with the kitchen area located deeper in the plan which are considered 'non-habitable' spaces and not frequently used or enjoyed for comfort and relaxation.

As part of a compensatory design solution for the rooms that do not meet the recommended minimum average daylight factor, the proposed development includes communal amenity areas, all of which have been assessed and will have adequate levels of daylight. Furthermore, the scheme has incorporated a number of localised compensatory design measures. The majority of the rooms that do not meet the ADF target have been provided with either some or all of the following compensatory measures:

- Balcony space, some of which exceed the minimum requirement
- Windows that face public open space in the development
- Larger apartment floor areas, some of which are 10% larger (or more) of the minimum required standards.

In addition, residents will have access to the internal communal amenity spaces which will all receive good levels of daylight. Given the compensatory design measures, the level of ADF compliance for the development as a whole could be considered acceptable regardless of whether 2.0% (91% compliance) or 1.5% target (96% compliance) is deemed to be applicable for the LKDs.

#### **-Floor to Ceiling Heights**

It is a specific planning policy requirement in the Department of Environment, Community and Local Government (DECLG) 2015 Guidelines that a minimum floor to ceiling height of 2.7 m shall be required for ground floor level units and 2.4 m for all other levels, measured from finished floor level to finished ceiling height.

Where apartments front onto or adjoin busy commercial streets in the city centre and key district centres with significant pedestrian footfall, ground floor apartment floor-to-ceiling heights shall be a minimum of 3.5-4 m to allow for future potential commercial uses.

The Department Guidelines also specify that in schemes with less than 50% dual aspect units, floor to ceiling heights must be a minimum of 2.7 m, with 3.0 m at ground floor.

As noted above the scheme provides 51% dual aspect units. The ground floor of the proposed scheme provides floor to ceiling heights of 2.7 metres, and generally provides floor to ceiling heights of 2.5 metres on the upper levels which exceeds the minimum requirement of 2.4 metres.

#### **-Deck Access**

In certain circumstances, deck access may be acceptable as long as bedrooms do not face out on to the deck and it is well proportioned and designed.

In some cases, secondary bedrooms facing on to the deck may be acceptable if quality issues are satisfactorily addressed by careful design such as providing a semi-private external buffer zone.

O' Mahony Pike Architects have advised that there are 56 No. 1 bedroom units within Block C which provide the bedroom facing onto the deck. As these are 1 No. bedroom units, the primary bedroom has been provided facing the deck. The 56 No. bedrooms will be provided with a semi-private buffer zone outside the bedroom windows to maintain sufficient privacy. We note that all 56 No. units are dual aspect and the bedrooms will have views onto the internal courtyard. The provision of bedrooms facing onto the deck in these locations will allow a variation of unit types with the scheme, will provide a different character along the deck access in their locations and will provide varied and interesting external facades. This is fully detailed in the Material Contravention Statement enclosed.

**-Privacy Strip**

Where ground floor apartments are to be located adjoining the back of a public footpath or other public area, consideration may be given to the provision of a 'privacy strip' of approximately 1.5 m in depth, subject to appropriate landscape design and boundary treatment.

A c. 1.5 m privacy strip has been provided for all ground floor units.

**-Safety and Security**

Apartment design should provide occupants and visitors with a sense of safety and security, by maximising natural surveillance of streets, open spaces, play areas and any surface bicycle or car parking. Accordingly, blocks and buildings should overlook the public realm. Entrances and lobbies should be spacious and welcoming, be illuminated and covered, be highly visible from adjoining dwellings, have good natural light and ventilation and level access. The lobby should orientate visitors and occupants and the stairs should be prominently positioned to encourage use. The lobby and associated circulation spaces should be generous enough to allow for furniture deliveries. If the lobby gives access to the courtyard it should also be spacious with a strong visual link. Particular attention should be given to the security of ground floor apartments and access to internal and external communal areas.

Natural surveillance has been maximized with all public and communal spaces and external parking areas overlooked by apartments or the internal residents' amenity spaces. Entrances and lobbies are welcoming and spacious and include easily accessible stairs and lift cores. Ground floor units have been provided with strips where appropriate and will have direct access onto the western external communal space.

**-Aspect, Natural Light and Ventilation**

Living rooms and bedrooms shall not be lit solely by roof lights and all habitable rooms must be naturally ventilated and lit.

Living rooms and bedrooms are provided with windows and will be naturally lit and ventilated.

**-Lifecycle**

Applications for apartment developments should include an assessment of long term running and maintenance costs as well as demonstrating what measures have been specifically considered to reduce costs for the benefits of residents.

A Building Lifecycle Report is enclosed with this application.

**-Schedule of apartments, aspect and areas**

All applications for apartment schemes or mixed housing developments that include apartment buildings, shall submit a schedule that details the following:

- (a) The number and type of apartments and associated individual unit floor areas as part of the planning application process. This shall identify the proposed apartments that are at least 10% greater than the minimum floor area standard in schemes with 100 or more apartments and all those apartments that exceed the minimum floor area standard in schemes with 10–99 apartments. Floor area shall be calculated from internal room dimensions;
- (b) Details of apartment aspect (dual or single) and orientation;
- (c) Principal dimensions of each room as well as the aggregate floor areas of each room;
- (d) Details of internal and any external storage space associated with each apartment;
- (e) Quantum of proposed private amenity space.

Please find enclosed Housing Quality Assessment prepared by OMP Architects which details all of the above requirements.

**6.2.1 Public Open Space**

In relation to the provision of public open space, the Development Plan requires 25% of the site area due to the Z15 zoning objective (as opposed to the 10% normally required for residential developments) and as noted in Section 16.3.4, thus 10,637 sq m of open space is required. The proposed development includes 14,848 sq m of public open space (34.9% of the wider site area) which significantly exceeds the standards prescribed by the Z15 zoning. majority We further note that the majority of this space (25.8%) will be provided in the public park and the plaza area which are linked through the undercroft of Block A1. This linked triple height archway through Block A1 will create a strong connection between the public park and the public plaza. We reiterate that the plaza area will not allow vehicular access to ensure a safe and attractive space is provided for pedestrians.

**6.2.2 Communal Open Space**

The *Dublin City Development Plan 2016-2022* states the following in relation to communal open space:

*'In schemes of 25 or more units small play spaces of 85-100 sq m are considered suitable for toddlers and children up to the age of six, with suitable play equipment, seating for parents/ guardians, and within sight of the apartment building. For larger schemes of 100 or more apartments, play areas of 200-400 sq. m for older children and young teenagers should be provided.'*

The *Apartment Guidelines, 2020* provides an updated version of this policy as follows:

*'The recreational needs of children must be considered as part of communal amenity space within apartment schemes. Experience in Ireland and elsewhere has shown that children will play everywhere.*

*Therefore, as far as possible, their safety needs to be taken into consideration and protected throughout the entire site, particularly in terms of safe access to larger communal play spaces. Children's play needs around the apartment building should be catered for:*

- within the private open space associated with individual apartments (see chapter 3);
- *within small play spaces (about 85 – 100 sq. metres) for the specific needs of toddlers and children up to the age of six, with suitable play equipment, seating for parents/guardians, and within sight of the apartment building, **in a scheme that includes 25 or more units with two or more bedrooms;** and*
- *within play areas (200–400 sq. metres) for older children and young teenagers, in a scheme that includes **100 or more apartments with two or more bedrooms.***

*The perimeter block with a central communal open space is particularly appropriate for children's play, especially if access from the street is controlled. The landscape design and orientation of play areas can contribute significantly to their amenity value. However, the noise from courtyard play areas can diminish residential amenity, particularly in smaller schemes, and designers must find solutions which balance all the factors involved.' [Our Emphasis]*

We note that a large c. 400 sq m play area has been provided to the northeast of the public park, adjacent to the new pedestrian gate. In addition, the development has been provided with smaller equipped play spaces for toddlers, and for older children/teenagers, which are dispersed throughout the development, such as within the public parkland, courtyard between Blocks B and C and adjacent to Block F. Therefore, it is clear that a wide range of play areas have been provided within the proposed development, which are located proximate to buildings and seating is provided throughout.

The *Development Plan* further notes that proposals should demonstrate the following:

- complies with the minimum standards set out below ✓
- will be soft and/or hard landscaped with appropriate plant species and landscaping materials such as those with good resistance to accidental damage and low maintenance characteristics ✓
- is secure for residents and benefits from passive surveillance considers the needs of children in particular in terms of safety and supervision ✓
- is wheelchair accessible ✓
- achieves good sunlight penetration ✓

- has appropriate arrangements for maintenance and management such as a conveniently accessed garden maintenance and storage area with water and drainage connections. ✓ [i.e. storage areas in basement and hoses will be provided throughout the landscaped areas]

The *Development Plan* and (*Apartment Guidelines, 2020*) further set out the following standards:

Minimum Floor Areas for Communal Open Space	
Studio	4 sq m
One Bedroom	5 sq m
Two Bedroom (3 No. persons)	6 sq m
Two Bedroom (4 No. persons)	7 sq m
Three Bedroom	9 sq m

The development comprises 99 No. studios, 271 No. 1 beds, 274 No. 2 beds and 27 No. 3 beds 99 No. studios, 271 No. 1 beds, 274 No. 2 beds (31 No. 3-person and 243 No. 4-person) and 27 No. 3 beds which results in a total requirement for 3,881 sq m to accord with the minimum areas for communal amenity space. The development proposes to provide 5,444 sq m of communal open space, which represents 12.8% of the site area, 431 sq m of communal space in upper level terraces of Blocks A1, B and C and in addition to the outdoor space provided, the development will also provide dedicated internal communal space of 1,248.8 sq m including co-working space, library/reading rooms, lounges and a multi-purpose room ensuring that high quality internal and external communal amenity space is provided for future tenants. Thus, the proposed communal open space significantly exceeds the minimum communal amenity space standards.

Therefore, the proposed development provides a total of 7,123.8 sq m of internal and external communal space which is an average of 10.62 sq m per unit.

### 6.2.3 Private Open Space

The *Development Plan* and the *Apartment Guidelines, 2020* set out the following standards for private open space requirements:

Minimum Area for Private Open Space	
Studio	4 sq m
1 No. bedroom unit	5 sq m
2 No. bedroom unit	7 sq m
3 No. bedroom unit	9 sq m

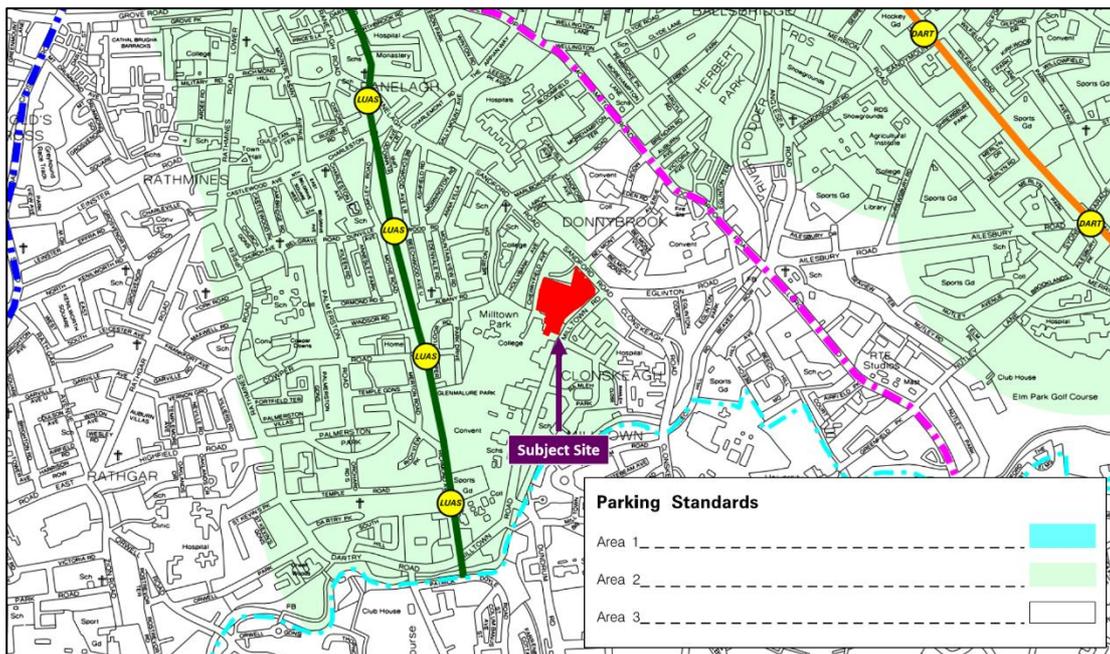
The Housing Quality Assessment prepared by OMP Architects demonstrates that all Build-to-Sell units and the majority of the Build-to-Rent apartments benefit from private balconies, with the exception of the 79 No. studio and 1 bed units proposed (including 10 No. studios and 8 No. 1 beds in the existing Tabor House proposed to be refurbished). Each new build studio unit will be provided with a Juliet balcony and it is considered appropriate to avoid providing any balconies in Tabor House to ensure that the character of the existing historic building is retained.

We note that a significant quantum of communal and public open space has been provided which will cater for the units that have been not provided with a balcony and as permitted in the *Apartment Guidelines, 2020* (adequate compensatory communal support facilities and amenities are provided). Please see Section 3.7 of the Material Contravention Statement enclosed. Flexibility is also allowed in relation to existing historic buildings as per Section 6.9 of the *Apartment Guidelines, 2020*.

In addition Section 16.10.1 of the *Development Plan* sets out that where the applicant cannot meet all of the requirements (e.g. private open space), a rationale for any alternative, compensatory design measures should be set out.(e.g. large quantum of communal and public open space and internal amenities). Please see the Material Contravention Statement for full details.

### 6.2.4 Car Parking Standards

The subject site lies within Area No. 2 for car parking where the applicable standard as per Table 16.1 of the *Development Plan* is a maximum of 1 No. car parking space per dwelling and 1 No. space per class (with respect to the creche). The *Development Plan* notes that ‘parking provision below the maximum may be permitted provided it does not impact negatively on the amenities of surrounding properties or areas and there is no potential negative impact on traffic safety’.



**Figure 6.11: Map Demonstrating that the Subject Site is Located within Area No. 2**

(Source: *Dublin City Council Development Plan 2016-2022, Map J, annotated by Thornton O'Connor Town Planning, 2021*)

As the subject lands are located in a ‘Central and/or Accessible Urban Location’ proximate to public transport services, employment locations, services and facilities, the proposed development has been provided with a parking ratio of 0.50 spaces per residential unit (i.e. 335 No. spaces for the 671 No. units – excluding creche parking/drop off/taxi). Some 3 No. spaces have been provided for the creche which will be provided with 5 No. classrooms.

We also note that 10 No. car share spaces are proposed (5 No. GoCar and 5 No. development car share) and in addition the total car parking includes 18 No. mobility impaired spaces, 35 No. EV parking spaces, 2 No. taxi spaces, 4 No. set-down/drop-off spaces and 3 No. spaces for the creche.

The following table sets out the breakdown of the parking spaces proposed:

Use Type	Basement	Surface
<b>Apartments</b>	290 (including 14 mobility impaired and 35 EV parking)	35 No. (including 4 No. mobility impaired)
<b>Car Share</b>	5 No. Development Car Share	5 No. (all GoCar)
<b>Collection/Drop-Off/Set-Down</b>	-	4
<b>Taxi</b>	-	2
<b>Crèche</b>	-	3
<b>Total</b>	<b>295</b>	<b>49</b>

Please refer to the enclosed Traffic and Transport Report, Parking Strategy and Mobility Management Plan prepared by DBFL Consulting Engineers for further details.

We note a recent grant of permission issued by An Bord Pleanála on 31<sup>st</sup> August 2020 in relation to a proximate development at Nos. 1, 3, 5, 7, 9 and 11, Eglinton Road, Donnybrook, Dublin 4 (ABP Reg. Ref. PL29S.307267).



Figure 6.12: Location of DCC Reg. Ref. 3047/18 [ABP Reg. Ref. PL29S.307267] (Orange Star) in Proximity to the Subject Lands at Sandford Road (Red Star)

(Source: Google Maps, annotated by Thornton O'Connor Town Planning, 2021)

This development also proposed a parking ratio of 0.50 No. spaces per unit (for 148 No. units) and the An Bord Pleanála Inspector noted the following in their assessment:

*'The quantum of parking proposed follows the approach in the Apartment Guidelines, minimising the level of car parking in central and/or accessible*

*locations, such as where the application site is located. This is in recognition of the excellent accessibility that future residents will have to high frequency bus links and the good access to other forms of public transport, including DART services via a short walk to Sandymount Station and Luas services that are located a short cycle ride away. The submitted report describes how surrounding car ownership levels (using census data) has influenced the car parking level included in the development and a submitted Mobility Management Plan further supports this. Surrounding the site, parking in streets is controlled by double yellow lines and pay and display schemes.*

**As a result of the above, and in consideration of the cycle storage level and car club spaces included in the development, I consider the proposed car parking level to be acceptable.** [Our Emphasis]

Having regard to the site’s sustainable location in close proximity to excellent modes of public transport which will generate less parking demand than a standard residential development and having regard to this recent decision on Eglinton Road, it is considered that this level of reduced parking is appropriate for the scheme, having regard to the *Apartment Guidelines, 2020*. We further note that the parking standards of the *Development Plan* are maximum standards.

### 6.2.5 Bicycle Parking Standards

The subject scheme will provide for a significant quantity of bicycle parking spaces to accommodate a sustainable modal shift away from car dependency. The Dublin City Council Development Plan requirement for bicycle parking is 699 No. (residential and creche) and the requirement of the *Apartment Guidelines, 2020* is 1,335 No. (plus 26 No. required for the crèche).

Land Use	No Units / (Beds) Creche	DCC Requirement	Apartment Guidelines Requirement	
		Long Stay	Long Stay	Short Stay
Apartments	671 No. units (999 No. beds)	1 space per unit = 671 No. spaces	1 space per bedroom = 999 No. spaces	1 space per 2 units = 336 No. spaces
Creche	80 children	1 per 3 children = 26 No. spaces	N/A	N/A
<b>Total Requirement</b>		<b>698 No. spaces</b>	<b>999 No.</b>	<b>336 No.</b>
			<b>1,335 No. total plus 26 No. for creche= 1,361 No. spaces</b>	
<b>Total Provided</b>	<b>1,361 No. spaces including 5 No. cargo spaces at basement and 4 No. cargo spaces at surface</b>			

There is a requirement to provide 698 No. bicycle parking spaces in accordance with the *Development Plan* standards and a requirement to provide 1,335 No. bicycle spaces in

accordance with the *Apartment Guidelines, 2020*, in addition to 26 No. for the creche (total required = 1,361 No).

The proposed development provides a total of 1,361 No. bicycle parking spaces (including 9 No. cargo bicycle spaces-5 No. at basement and 4 No. at surface) which exceeds the *Apartment Guidelines, 2020* requirement and significantly exceeds the *Development Plan* requirement.

Some 14 No. motorcycle space have been provided in the basement to serve the proposed development.

Please see the Parking Management Strategy prepared by DBFL Consulting Engineers enclosed separately for further details in relation to this Item.

### 6.3 Summary

The proposed development to provide a residential development comprising 604 No. Build-to-Rent units and 67 No. Build-to-Sell units with ancillary facilities and amenities, a creche, and public and communal open spaces fully accord with National, Regional and Local planning policies and objectives.

It is considered that the design response provides a contemporary architectural solution that maximises the development potential of the subject lands in the interests of sustainable development and having regard to the location of the lands in close proximity to high-frequency public transport employment locations, services and facilities. The design has sought to respond to the locational characteristics of the site proximate to low density houses yet provide a development that also responds to the site characteristics and opportunities presented by a very large corner underutilised plot that is positioned on a key arterial route in Dublin.

## 7.0 CONCLUSION

Having regard to the assessment of compliance with the relevant objectives of the *Development Plan* and Ministerial Guidelines in this Statement of Consistency, it is concluded that the proposed development is consistent with the relevant development plan objectives (except to the extent identified in the material contravention statement accompanying this application) and the relevant ministerial guidelines.

## APPENDIX A – COMPENSATORY DESIGN MEASURES

Block	Level	Unit number	Room Discription	Recommended Mimimum ADF	ADF	Meets lower target	GFA as a % of Required floor area (units 110% highlighted)	Private Open Space (POS) area proposed (required) SQM (POS/Balconies that exceeded requirement highlighted)	Windows facing proposed open space
Block A1	OGF	BA1.B101	Studio	2.0%	1.80%	No	117	0(4)	Y
Block A1	OGF	BA1.B105	LKD	2.0%	1.95%	Yes	103	18.5 (7)	Y
Block A1	OGF	BA1.B109	LKD	2.0%	1.44%	No	138	6.1 (5)	Y
Block A1	OGF	BA1.B109	Bedroom	1.0%	0.37%	No	138	6.1 (5)	Y
Block A1	UOGF	BA1.G201	LKD	2.0%	1.24%	No	147	5.8 (5)	Y
Block A1	UOGF	BA1.G205	LKD	2.0%	1.47%	No	103	18.5 (7)	Y
Block A1	UOGF	BA1.G206	LKD	2.0%	1.65%	Yes	111	18 (6)	Y
Block A1	UOGF	BA1.G209	LKD	2.0%	1.62%	Yes	144	5 (5)	Y
Block A1	UOGF	BA1.G209	Bedroom	1.0%	0.53%	No	144	5 (5)	Y
Block A1	UOGF	BA1.G210	LKD	2.0%	1.31%	No	108	7 (7)	Y
Block A1	UOGF	BA1.G214	LKD	2.0%	1.96%	Yes	112	5.4 (5)	Y
Block A2	UOGF	BA2.G201	LKD	2.0%	1.88%	Yes	104	5.4 (5)	Y
Block A2	UOGF	BA2.G202	LKD	2.0%	1.92%	Yes	113	5.4 (5)	Y
Block A2	UOGF	BA2.G205	LKD	2.0%	1.95%	Yes	108	7 (7)	Y
Block A2	1stF	BA2.G106	Bedroom 1	1.0%	0.94%	No	143	13.1 (7)	Y
Block A2	1stF	BA2.G107	Bedroom 1	1.0%	0.92%	No	143	12.5 (7)	Y
Block A2	1stF	BA2.G108	Bedroom 1	1.0%	0.96%	No	142	12.7 (7)	Y
Block A2	2ndF	BA.0217	LKD	2.0%	1.25%	No	110	5.4 (5)	
Block A2	2ndF	BA.0218	LKD	2.0%	1.04%	No	113	5.4 (5)	
Block A2	2ndF	BA.0218	Living Space^	1.5%	1.41%	No	113	5.4 (5)	
Block A2	2ndF	BA.0219	LKD	2.0%	1.01%	No	113	5.4 (5)	
Block A2	2ndF	BA.0220	LKD	2.0%	1.20%	No	111	5.4 (5)	
Block A2	2ndF	BA.0221	LKD	2.0%	1.30%	No	111	5.4 (5)	
Block A2	2ndF	BA.0222	LKD	2.0%	1.23%	No	113	5.4 (5)	
Block A2	2ndF	BA.0223	LKD	2.0%	1.38%	No	113	5.4 (5)	
Block B	OGF	BB.G103	LKD	2.0%	1.25%	No	100.5	0 (4)	
Block B	OGF	BB.G104	LKD	2.0%	1.34%	No	110	7 (7)	
Block B	OGF	BB.G105	LKD	2.0%	1.36%	No	112	7 (5)	
Block B	OGF	BB.G106	LKD	2.0%	1.45%	No	110	7 (5)	
Block B	OGF	BB.G107	LKD	2.0%	1.63%	Yes	112	7 (5)	
Block B	OGF	BB.G113	LKD	2.0%	1.91%	Yes	112	7 (5)	Y
Block B	OGF	BB.G114	LKD	2.0%	1.68%	Yes	111	6 (5)	Y
Block B	1stF	BB.0104	LKD	2.0%	1.51%	Yes	112	5.4 (5)	Y
Block B	1stF	BB.0105	LKD	2.0%	1.02%	No	124.5	12.6 (9)	
Block B	1stF	BB.0105	Living Space^	1.5%	1.45%	No	124.5	12.6 (9)	
Block B	1stF	BB.0105	Bedroom 1	1.0%	0.84%	No	124.5	12.6 (9)	
Block B	1stF	BB.0106	LKD	2.0%	0.95%	No	112	7 (5)	
Block B	1stF	BB.0106	Living Space^	1.5%	1.42%	No	112	7 (5)	

## APPENDIX A – COMPENSATORY DESIGN MEASURES

Block B	1stF	BB.0107	LKD	2.0%	1.04%	No	110	7 (5)	
Block B	1stF	BB.0108	LKD	2.0%	0.99%	No	112	7 (5)	
Block B	1stF	BB.0108	Living Space^	1.5%	1.36%	No	112	7 (5)	
Block B	1stF	BB.0109	LKD	2.0%	1.15%	No	106	7 (7)	Y
Block B	1stF	BB.0109	Living Space^	1.5%	1.49%	No	106	7 (7)	Y
Block B	1stF	BB.0110	LKD	2.0%	1.94%	Yes	101	7 (7)	Y
Block B	1stF	BB.0111	LKD	2.0%	1.65%	Yes	106	16.6 (5)	Y
Block B	1stF	BB.0112	LKD	2.0%	1.36%	No	112	7.5 (5)	Y
Block B	1stF	BB.0113	LKD	2.0%	1.44%	No	112	7 (5)	Y
Block B	1stF	BB.0114	LKD	2.0%	1.63%	Yes	112	7 (5)	Y
Block B	1stF	BB.0115	LKD	2.0%	1.33%	No	110	5.4 (5)	Y
Block B	1stF	BB.0116	LKD	2.0%	1.11%	No	103	7 (7)	Y
Block B	1stF	BB.0116	Living Space^	1.5%	1.49%	No	103	7 (7)	Y
Block C	OGF	BC.G202	LKD	2.0%	1.26%	No	111	9.5 (7)	
Block C	OGF	BC.G209	LKD	2.0%	1.75%	Yes	111	5.5 (5)	
Block C	OGF	BC.G221	LKD	2.0%	1.90%	Yes	103	5.9 (4)	
Block C	1st	BC.0104	LKD	2.0%	1.01%	No	108	7 (7)	Y
Block C	1st	BC.0104	Living Space^	1.5%	1.39%	No	108	7 (7)	Y
Block C	1st	BC.0105	LKD	2.0%	1.61%	Yes	115	5.4 (5)	Y
Block C	1st	BC.0106	LKD	2.0%	1.87%	Yes	115	5.4 (5)	Y
Block C	1st	BC.0111	LKD	2.0%	1.42%	No	111	5.4 (5)	Y
Block C	1st	BC.0124	LKD	2.0%	1.58%	Yes	112	7 (7)	
Block D	1stF	BD.0104	LKD	2.0%	1.80%	Yes	112	7 (5)	Y
Block D	1stF	BD.0105	Studio	2.0%	1.97%	No	100.5	5.4 (4)	
Block D	1stF	BD.0109	LKD	2.0%	1.70%	Yes	103	7 (7)	
Block D	1stF	BD.0110	LKD	2.0%	1.64%	Yes	112	7 (5)	
Block E	OGF	BE.0003	LKD	2.0%	1.80%	Yes	112	53.6 (7)	
Block E	OGF	BE.0004	LKD	2.0%	1.50%	Yes	112	57.4 (7)	
Block E	OGF	BE.0005	LKD	2.0%	1.64%	Yes	112	60.2 (7)	
Block E	OGF	BE.0006	LKD	2.0%	1.73%	Yes	112	59.4 (7)	
Block E	OGF	BE.0007	LKD	2.0%	1.79%	Yes	112	55.7 (7)	
Block E	OGF	BE.0008	LKD	2.0%	1.76%	Yes	112	100.2 (7)	
Block E	OGF	BE.0010	LKD	2.0%	1.83%	Yes	134	9.1 (9)	
Block E	OGF	BE.0011	LKD	2.0%	1.75%	Yes	134	9.1 (9)	
Block E	OGF	BE.0012	LKD	2.0%	1.72%	Yes	134	9.1 (9)	
Block E	OGF	BE.0013	LKD	2.0%	1.81%	Yes	134	9.3 (9)	
Block F	OGF	BF.0003	LKD	2.0%	1.91%	Yes	110	7 (5)	Y
Block F	OGF	BF.0010	LKD	2.0%	1.67%	Yes	103	7 (7)	Y
Block F	OGF	BF.0010	Bedroom 1	1.0%	0.80%	No	103	7 (7)	Y
Block F	1st	BF.0103	LKD	2.0%	1.35%	No	110	7 (5)	Y
Block F	1st	BF.0104	LKD	2.0%	1.87%	Yes	109	7 (5)	Y
Block F	1st	BF.0106	LKD	2.0%	1.63%	Yes	109	7 (5)	Y
Block F	1st	BF.0110	LKD	2.0%	1.33%	No	103	7 (7)	Y
Block F	1st	BF.0110	Bedroom 1	1.0%	0.77%	No	103	7 (7)	

## APPENDIX A – COMPENSATORY DESIGN MEASURES

Block F	1st	BF.0111	LKD	2.0%	<b>1.74%</b>	Yes	106	7 (7)	Y
Tabor House	0GF	BT.0004	LKD	2.0%	<b>1.63%</b>	Yes	94	-	Y
Tabor House	0GF	BT.0001	LKD	2.0%	1.34%	No	94	-	Y
Tabor House	1stF	BT.0101	LKD	2.0%	<b>1.51%</b>	Yes	95	-	Y
Tabor House	1stF	BT.0104	LKD	2.0%	1.22%	No	94	-	Y
Tabor House	1stF	BT.0105	LKD	2.0%	<b>1.94%</b>	Yes	122	5	Y
Block A1	1stF	BA1-0101	LKD	2.0%	1.44%	No	143	5.8 (5)	Y
Block A1	2ndF	BA1-0201	LKD	2.0%	<b>1.61%</b>	Yes	143	5.8 (5)	Y
Block A1	3rdF	BA1-0301	LKD	2.0%	<b>1.85%</b>	Yes	143	5.8 (5)	Y
Block A1	1stF	BA1-0105	LKD	2.0%	<b>1.75%</b>	Yes	103	18.5 (7)	Y
Block A1	3rdF	BA1-0305	LKD	2.0%	<b>1.65%</b>	Yes	103	18.6 (7)	Y
Block A1	1stF	BA1-0106	LKD	2.0%	<b>1.98%</b>	Yes	111	18 (6)	Y
Block A1	3rdF	BA1-0306	LKD	2.0%	<b>1.81%</b>	Yes	111	18 (6)	Y
Block A1	1stF	BA1-0109	Bedroom	1.0%	0.66%	No	138	5 (5)	Y
Block A1	2ndF	BA1-0209	Bedroom	1.0%	0.80%	No	138	5 (5)	Y
Block A1	1stF	BA1-0109	LKD	2.0%	<b>1.72%</b>	Yes	138	5 (5)	Y
Block A1	2ndF	BA1-0209	LKD	2.0%	<b>1.93%</b>	Yes	138	5 (5)	Y
Block A1	1stF	BA1-0110	LKD	2.0%	1.50%	No	108	7 (7)	Y
Block A1	2ndF	BA1-0210	LKD	2.0%	<b>1.72%</b>	Yes	108	7 (7)	Y
Block A2	3rdF	BA2-0315	LKD	2.0%	<b>1.52%</b>	Yes	110	5.4 (5)	Y
Block A2	4thF	BA2-0415	LKD	2.0%	<b>1.88%</b>	Yes	110	5.4 (5)	Y
Block A2	5thF	BA2-0511	LKD	2.0%	<b>1.76%</b>	Yes	110	5.4 (5)	Y
Block A2	3rdF	BA2-0316	LKD	2.0%	1.28%	No	113	5.4 (5)	Y
Block A2	4thF	BA2-0416	LKD	2.0%	<b>1.61%</b>	Yes	113	5.4 (5)	Y
Block A2	3rdF	BA2-0317	LKD	2.0%	1.24%	No	113	5.4 (5)	Y
Block A2	4thF	BA2-0417	LKD	2.0%	<b>1.62%</b>	Yes	113	5.4 (5)	Y
Block A2	5thF	BA2-0513	LKD	2.0%	<b>1.55%</b>	Yes	113	5.4 (5)	Y
Block A2	3rdF	BA2-0318	LKD	2.0%	<b>1.51%</b>	Yes	111	5.4 (5)	Y
Block A2	3rdF	BA2-0319	LKD	2.0%	<b>1.66%</b>	Yes	111	5.4 (5)	Y
Block A2	3rdF	BA2-0320	LKD	2.0%	<b>1.61%</b>	Yes	113	5.4 (5)	Y
Block A2	3rdF	BA2-0321	LKD	2.0%	<b>1.80%</b>	Yes	113	5.4 (5)	Y
Block B	2ndF	BB-0204	LKD	2.0%	<b>1.58%</b>	Yes	134	7 (6)	
Block B	2ndF	BB-0206	Studio	2.0%	1.94%	No	109	0 (4)	Y
Block B	2ndF	BB-0207	LKD	2.0%	1.12%	No	106	7 (7)	Y
Block B	3rdF	BB-0304	LKD	2.0%	1.26%	No	106	7 (7)	
Block B	2ndF	BB-0208	LKD	2.0%	1.06%	No	112	7 (5)	
Block B	3rdF	BB-0305	LKD	2.0%	1.23%	No	112	7 (5)	
Block B	4thF	BB-0405	LKD	2.0%	<b>1.77%</b>	Yes	112	7 (5)	
Block B	2ndF	BB-0209	LKD	2.0%	1.17%	No	112	7 (5)	
Block B	3rdF	BB-0306	LKD	2.0%	<b>1.57%</b>	Yes	110	7 (5)	
Block B	2ndF	BB-0210	LKD	2.0%	1.13%	No	112	7 (5)	

## APPENDIX A – COMPENSATORY DESIGN MEASURES

Block B	3rdF	BB-0307	LKD	2.0%	<b>1.50%</b>	Yes	112	7 (5)	
Block B	2ndF	BB-0211	LKD	2.0%	<b>1.30%</b>	No	106	7(7)	Y
Block B	3rdF	BB-0308	LKD	2.0%	<b>1.56%</b>	Yes	106	7 (7)	Y
Block B	2ndF	BB-0213	LKD	2.0%	<b>1.95%</b>	Yes	106	16.6 (5)	Y
Block B	2ndF	BB-0214	LKD	2.0%	<b>1.59%</b>	Yes	112	7.5 (5)	Y
Block B	3rdF	BB-0311	LKD	2.0%	<b>1.84%</b>	Yes	112	7 (7)	Y
Block B	2ndF	BB-0215	LKD	2.0%	<b>1.67%</b>	Yes	112	7 (7)	Y
Block B	3rdF	BB-0312	LKD	2.0%	<b>1.91%</b>	Yes	112	7 (7)	Y
Block B	2ndF	BB-0216	LKD	2.0%	<b>1.88%</b>	Yes	112	7 (5)	Y
Block B	2ndF	BB-0217	LKD	2.0%	<b>1.54%</b>	Yes	110	5.4 (5)	
Block B	3rdF	BB-0314	LKD	2.0%	<b>1.76%</b>	Yes	110	5.4 (5)	
Block B	2ndF	BB-0218	LKD	2.0%	1.41%	No	103	7 (7)	Y
Block B	3rdF	BB-0315	LKD	2.0%	<b>1.75%</b>	Yes	103	7 (7)	Y
Block C	2ndF	BC-0204	LKD	2.0%	1.03%	No	108	7 (7)	Y
Block C	3rdF	BC-0304	LKD	2.0%	1.34%	No	108	7 (7)	Y
Block C	3rdF	BC-0404	LKD	2.0%	<b>1.94%</b>	Yes	108	7 (7)	Y
Block C	2ndF	BC-0204	<b>Living Space^</b>	1.5%	1.39%	No	108	7 (7)	Y
Block F	2ndF	BF-0210	LKD	2.0%	1.48%	No	142	7 (5)	Y
Block F	3rdF	BF-0310	LKD	2.0%	<b>1.72%</b>	Yes	142	7 (5)	Y
Block C	2ndF	BC-0205	LKD	2.0%	<b>1.81%</b>	Yes	115	5.4 (5)	Y
Block C	2ndF	BC-0222	LKD	2.0%	<b>1.79%</b>	Yes	112	7 (7)	Y
Block D	2ndF	BD-0110	LKD	2.0%	<b>1.74%</b>	Yes	112	5 (5)	
Block F	2ndF	BF-0203	LKD	2.0%	<b>1.56%</b>	Yes	110	7 (5)	Y
Block F	2ndF	BF-0206	LKD	2.0%	<b>1.92%</b>	Yes	110	7 (5)	Y
Block F	2ndF	BF-0211	LKD	0.02	<b>1.98%</b>	Yes	106	7 (7)	Y
Tabor House	2ndF	BT-0204	LKD	0.02	1.47%	No	130	0 (5)	Y
Tabor House	3rdF	BT-0304	LKD	0.02	1.29%	No	128	0 (5)	Y

