

Strategic Housing Development: Planning Report and Statement of Consistency

Residential Development

At

Heuston South Quarter
St. John's Road West, Dublin 8

Submitted on Behalf of

HPREF HSQ Investments Ltd
32 Molesworth Street, Dublin 2

October 2021

TABLE OF CONTENTS

1.0	INTRODUCTION	5
1.1	Prospective Applicant	5
1.1.1	Interest in Site	5
1.2	Pre-application Consultation.....	5
1.3	Characteristics of Proposed Strategic Housing Development	6
1.3.1	Nature and Purpose	6
1.3.2	Strategic Housing Definition.....	6
1.3.3	Possible Effects on the Environment	8
2.0	SITE LOCATION & CONTEXT	10
2.1	Site Location	10
2.2	Site Description.....	11
3.0	PARTICULARS OF PROPOSED STRATEGIC HOUSING DEVELOPMENT	12
3.1	Site Preparation Works.....	12
3.1.1	Demolition and Works of Alteration.....	13
3.2	Layout and Design.....	13
3.3	Ancillary Residential / Communal Facilities.....	18
3.4	Non-Residential Development.....	18
3.5	Open Space, Access, Permeability and Parking.....	18
3.5.1	Lower-Level Courtyards	19
3.5.2	Podium Level Public Realm	20
3.5.3	Roof Terraces.....	21
3.5.4	Western Boundary Wall	21
3.6	Integration with Surrounding Land Use	22
3.7	Part V	23
3.8	Services Infrastructure.....	23
3.9	Architectural and Archaeological Heritage	24
3.10	Construction Compound and Associated Works and Structures	25
3.11	Possible Effects on the Environment.....	25
4.0	PRIOR CONSULTATION	28
4.1	Consultation with DCC	28

4.1.1	Details of Outcomes	28
4.2	Other Consultations	29
4.3	Consultation with ABP	30
4.3.1	Details of Outcomes	30
5.0	STATEMENT OF CONSISTENCY	32
5.1	Ministerial Guidelines	32
5.1.1	Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009).....	32
5.1.2	Sustainable Urban Housing: Design Standards for New Apartments (December 2020)	33
5.1.3	Urban Development and Building Heights Guidelines for Planning Authorities – December 2018.....	39
5.1.4	Design Manual for Urban Roads and Streets (2019).....	48
5.1.5	The Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009).....	48
5.1.6	Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (2009).....	49
5.1.7	Childcare Facilities – Guidelines for Planning Authorities (2001)	49
5.1.8	Statement of Consistency	50
5.2	National and Regional Planning Policy Context	50
5.2.1	National Planning Framework (NPF) - Project Ireland 2040.....	50
5.2.2	Rebuilding Ireland – Action Plan for Housing and Homelessness (2016)	52
5.3	Regional Spatial and Economic Strategy (RSES) for the Midlands and Eastern Region, 2019-2031.....	52
5.4	Dublin City Development Plan, 2016-2022 (DCDP).....	53
5.4.1	Zoning	53
5.4.2	Strategic Development and Regeneration Area 7	54
5.4.2.1	The Cone of Vision.....	55
5.4.2.2	General Development Standards.....	57
5.4.3	Public Open Space Provision.....	60
5.4.4	Apartment Development Standards.....	61
5.4.5	Car and Bicycle Parking Provision	66
5.4.6	Statement of Consistency	68
6.0	PLANNING HISTORY	69
6.1	Overview of Relevant Planning History pertaining to the Larger HSQ Precinct.....	69
6.1.1	Summary of Completed Development to Date (outside of application redline area)	69

6.1.2	Regularisation of 'As Built' Development – DCC Ref. 3794/13	70
6.2	Planning History Pertaining to the Subject Site – i.e. the Undeveloped Part of the Larger HSQ Precinct	70
6.2.1	Interim Landscaping of Undeveloped Part of Site - DCC Planning Ref. 2724/13	70
6.2.2	DCC Planning Ref. 2774/14.....	71
7.0	TRAFFIC AND TRANSPORTATION.....	72
7.1	Statement on Traffic and Transportation Issues	72
7.1.1	Pedestrian and Cycle Linkages.....	72
7.1.2	Public Transportation	72
7.1.3	Traffic Impacts.....	73
7.2	Statement of Consistency with Design Manual for Urban Roads & Streets	75
8.0	CONCLUSION	77

1.0 INTRODUCTION

This Report accompanies a planning application by (the applicant) for a residential development of 399 no. Build to Rent (BTR) apartments and associated ancillary residential uses including a retail unit at ground floor level, and ancillary and associated development and works. The application is made under the Strategic Housing Provisions of the Planning and Development (Housing) and Residential Tenancies Act, 2016 (the 2016 Act).

The proposed application site comprises part of the Heuston South Quarter (HSQ) development at St. John's Road West, Heuston, Dublin 8, on a site bounded by St. John's Road West to the north, Military Road to the east, and the Royal Hospital Kilmainham (RHK) and its attended grounds to the west.

The remaining undeveloped area at the HSQ development is being progressed as follows:

- Site A – The site of this SHD application (the subject site) for a Build to Rent (BTR) development comprising 399 no. apartments and associated ancillary development and works.
- Site B – The site adjoining the subject site to the north and bounded by St John's Road West to the north. A possible hotel and office development is the subject of pre-application consultation with DCC, and a planning application may be lodged later in 2021.

The development of the combined Sites A and B has been the subject of a masterplanning approach to provide a coherent design approach to urban design, height, massing, public realm and materials. Relevant design details in respect of Site B are provided in the submitted planning application documentation as appropriate, to facilitate an informed assessment and review of the proposed and planned development of the combined site within its established context.

This Report includes a statement setting out how the proposal will be consistent with the objectives of the relevant Dublin City Development Plan, 2016-2022 and relevant Section 28 Ministerial Guidelines.

1.1 Prospective Applicant

The application is made by HPREF HSQ Investments Ltd of 32 Molesworth Street, Dublin 2 (Company Reg. No. 651714).

1.1.1 Interest in Site

The Applicant is the legal owner of the majority of the application site.

Dublin City Council controls an area on the St. John's Road West frontage that is included within the application boundary to accommodate localised upgrade works along that frontage. A Letter of Consent from DCC to include those lands within the application boundary is submitted with the application.

1.2 Pre-application Consultation

Pre-application consultation with DCC was undertaken on 2 July 2020, 16 September 2020, and 18 August 2020.

A request for consultation under Section 5 of the 2016 Act was submitted to An Bord Pleanála on 3 December 2020. A Tripartite consultation meeting with An Bord Pleanála and DCC was held on 23 March 2021 (ABP Ref. 309058-20). An Bord Pleanála issued an Opinion dated 22 April 2021.

The application documentation has addressed the issues raised in the Board's Opinion. The cover letter submitted with the application provides a response to the opinion, as required, summarising how the matters raised have been incorporated in the proposed design and the relevant assessments, and where the relevant detail can be reviewed in the submitted drawings and documents.

1.3 Characteristics of Proposed Strategic Housing Development

1.3.1 Nature and Purpose

The proposed development will consist of site clearance works and localised demolitions to remove part of the podium and Basement Level -1 reinforced concrete slabs at the interface of the proposed Blocks A and B, together with the incorporation of part of the existing double basement level structure extending to approximately 7,613 sq.m (excluding an area of 3,318 sq.m that will be backfilled at Basement Level -1) together with the construction of 5 new buildings over reconfigured existing double basement to provide 399 no. Build to Rent apartments, comprising 46 studios, 250 no. 1 bed apartments, and 103 no. 2 bed apartments. The apartments are arranged in 5 blocks (Blocks A to E) that vary in height from 3 storeys to 18 storeys over basement levels.

The application site extends to approximately 1.08 ha, resulting in a gross residential density of approximately 369 units per hectare. The proposed development also includes a retail unit of 120 sq m GFA at ground floor / podium level at the northern end of Block B.

Ancillary car parking to serve the proposed residential development will be provided at basement level. A total of 80 no. car parking spaces (including 4 no. disabled spaces and 8 car club spaces) are proposed to serve the proposed development. Secure bicycle parking / storage is provided at basement level -1 in the form of 251 no. double stacked cycle parking spaces providing capacity for 502 no. secure bicycle storage spaces for residents. An additional 49 no. Sheffield type bicycle stands are provided at basement level -1 to provide 98 no. visitor cycle spaces (inclusive of 8 no. designated cargo bike spaces, that will also be available for the shared use with residents of the scheme) and a further 55 no. Sheffield type bicycle stands are provided at podium level to provide 110 no. cycle parking spaces (108 no. visitor cycle parking spaces (inclusive of 6 no. designated cargo bike spaces) and 2 no. cycle parking spaces in connection with the retail unit). All bicycle parking at basement level is accessed via a dedicated cycle lift from podium to basement level -1 that is situated to the south of Block B. Provision is also made within the basement car park for 4 no. dedicated motorcycle parking spaces.

The proposed basement car park is integrated with the existing larger basement car park and can be accessed from the St. John's Road West entrance and exit (to the north) and the existing eastern entrance and exit onto Military Road.

1.3.2 Strategic Housing Definition

Section 4 of the 2016 Act provides that an application for permission for strategic housing development shall be made directly to An Bord Pleanála during the specified period. Section 3 of the Act defines

'strategic housing development' as including:

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

The definition goes on to define the extent of other uses which may be included and states:

'.....may include other uses on the land, the zoning of which facilitates such use, but only if-

- (i) The cumulative gross floor area of the houses or student accommodation units, or both as the case may be, comprises not less than 85 per cent, or such other percentage as may be prescribed, of the gross floor space of the proposed development or the number of houses or proposed bed spaces within student accommodation to which the proposed alteration of a planning permission so granted relates, and*
- (ii) The other uses cumulatively do not exceed-*
 - (I) 15 square meters gross floor space for each house or 7.5 square meters gross floor space for each bed space in student accommodation, or both, as the case may be, in the proposed development or to which the proposed alteration of a planning permission so granted relates, subject to a maximum of 4,500 square meters gross floor space for such other uses in any development, or*
 - (II) Such other area as may be prescribed, by reference to the number of houses or bed spaces in student accommodation within the proposed development or to which the proposed alteration of a planning permission so granted relates, which other area shall be subject to such other maximum area in the development may be prescribed*

The proposed development provides for 399 BTR apartments together with associated ancillary residential accommodation uses (as described in section 3.2, below) to include a gym, co-working / lounge space, and family rooms, that are integral to the quality of life for future residents.

The total Gross Floor Area (GFA) of the proposed development is 32,089 sq.m and the following 'non-residential' floor areas are included within this total Gross Floor Area (GFA):

- A retail unit at the ground floor of Block B of 120 sq.m. (GFA);
- An area of 2,111 sq m at Basement levels -1 and -2 that is not ancillary to or necessary for the proposed SHD residential development but for the proper functioning of the basement levels serving the wider HSQ development; and
- Whilst not considered floorspace, works to an area of 587 sq.m comprising road upgrade works to the existing St Johns Road access serving the existing basement car park.

The remainder of the total floor area is residential and ancillary residential floorspace.

Accordingly, the residential and ancillary residential accommodation comprises a total of 29,271 sq.m (GFA) or 91.22% and is in excess of 85% of the total gross floor area as required under subsection (i) of the above definition.

The total area of 'non-residential accommodation' proposed is 2,818¹ sqm gross floor area and is therefore below the maximum permissible area of 4,500 sqm of non-residential use.

Accordingly, the proposed development complies with the definition of 'strategic housing development'.

1.3.3 Possible Effects on the Environment

An Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS) accompany the planning application.

The subject site, and the adjoining site (Site B), formed part of the larger HSQ development that was granted permission under ABP Ref. PL29S.206528 (the 'parent permission') on the 16th September 2004. That application was subject to EIA and was accompanied by an Environmental Impact Statement (EIS) that related to the overall HSQ site that extended to approximately 3.9 ha.

The parent permission was subsequently amended by a permission granted on 26 May 2005 under DCC Planning Ref. 2218/05, which in turn was further amended on an incremental basis. The following development has been completed:

- Block 3/4 is situated at the corner of St. John's Road West and Military Road and is occupied by Eir - formerly Eircom). This development comprises in the region of 25,000 sq.m of Commercial floorspace
- Blocks 7A and 7B to the east of the application site comprise a mixed-use development of Commercial floorspace (approximately 10,750 sq.m) and Residential (93 Units).
- Blocks 9a to 9h to the east of the application site comprise a mixed-use development of approximately 4,250 sq.m Commercial floorspace and 173 Residential units; and
- Blocks 8 / 10 situated to the south of the application site comprise a mixed-use development of approximately 2,150 sq.m of commercial floorspace (including an existing Childcare facility) and 79 residential units.

The completed HSQ development comprises of approximately 80,000 sq.m (GFA) commercial floorspace, and 345 apartments in Block 8 (Telford), Block 10 (Hibernia), Block 7b (Dargan), Block 9d-h (Sancton

¹ Comprising: Retail (120 sq.m); Ancillary works to wider basement (2,111 sq.m) and Upgrade works to St Johns Road access (587 sq.m). The basement floorspace and area of upgrade / roadworks do not fall within the definition of "gross floor space" in the 2016 Act, as it specifically excludes ancillary car parking, and other ancillary facilities. The applicant is providing these details and is including them within the calculated split of uses in answer to Q15(d) of the accompanying planning application form for information only, and to clearly demonstrate that the proposed development meets the applicable qualifying threshold(s) for Strategic Housing Development in terms of the split of uses proposed.

Wood) and Block 9a-c (Kestrel).

The proposed development represents an extension of a development that comes within the following Classes of development specified in Part 2 of Schedule 5 of the Planning and Development Regulations, 2001 (the 2001 Regulations):

- Class 10(b)(i): 500 residential units.
- Class 10(b)(iv): Urban development which would involve an area greater than 2 hectares in the case of a business district.

The proposed development also comes within the scope of Class 13:

"13. Changes, extensions, development and testing

(a) Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would: -

(i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and

(ii) result in an increase in size greater than –

- 25 per cent, or

- an amount equal to 50 per cent of the appropriate threshold, whichever is the greater."

The proposed number of units and site area do not exceed the Class 10 thresholds.

The quantum of development constructed under parent planning permission (as amended), in addition to the proposed development of 399 no. units exceeds the 500-unit threshold under Class 10 (b)(i) threshold of 500 dwelling units. The area of the site combined with the completed development also exceed the Class 10(b)(iv) area threshold for an 'urban development which would involve an area greater than 2 hectares in the case of a business district.

The proposed development of 399 units exceeds the 50% threshold (i.e., 250 units), being the greater of the thresholds under Class 13(a)(ii). The proposed development site of 1.08 ha also exceeds the 50% threshold (i.e., 1 ha), being the greater of the thresholds under Class 13(a)(ii).

Accordingly, this application is accompanied by an EIAR.

Vehicular access to the site is via existing accesses from St John's Road and Military Road that serves a communal basement level car park. The St. John's Road access is fully constructed and is serviced by a junction and traffic lights. Traffic approaching from the west can turn right at this junction and traffic from the City (east) can turn left as there is a slip lane designed to accommodate traffic onto St John's Road. The basement access ramp at St John's Road has been designed to accommodate incoming and outgoing traffic in a 4-lane design.

2.2 Site Description

Approximately 60% of the larger HSQ site has been developed, principally along the eastern and northern parts of the site addressing St. John's Road, Military Road and the RHK. The subject site comprises part of the undeveloped area of the site which has been landscaped as an interim measure to improve the aesthetic of the site and the visual amenities of the area pending its redevelopment.

Adjoining the site to the west are Royal Hospital Kilmainham (RHK) and its formal gardens, one of the most important Protected Structures in the country.

Adjoining the site to the north along St. John's Road West is the undeveloped site of the previously permitted and undeveloped Blocks 1 and 2 (Site B). Site B is also controlled by the applicant, and it is intended to progress an application for an office and hotel development in 2021.

Figure 2.2: Aerial View showing Site Context (Redline Indicatively, only and excludes area of works along St John's Road)



3.0 PARTICULARS OF PROPOSED STRATEGIC HOUSING DEVELOPMENT

The Heuston Gateway area is identified as a Strategic Development and Regeneration Area (SDRA 7) in the Dublin City Development Plan (2016-2022), focused on one of the nation's busiest public transportation interchanges. The SDRA area will develop as a Western Cluster and a counterpart to the Docklands at the eastern end of the city.

The HSQ development is a significant mixed-use precinct within the SDRA, and the remaining development sites have the capacity to accommodate a sustainable intensity of mixed-use development, consistent with the site's Objective Z5 City Centre zoning, its SDRA designation, and national and city planning policy that promotes consolidation of core urban areas through sustainable density and height. Previously permitted development at HSQ provided for buildings of significant scale and massing with heights ranging from 3 to 14 storeys, clearly establishing the potential and ability of the site to accommodate taller buildings and a relatively high intensity development, leveraging sustainability from the transportation node and its city centre context.

The principal contextual factors that determine and inform the urban design, form, massing, height and design quality are the site's interface with the RHK and its formal gardens, the urban form established by the completed elements at the HSQ development, the protection of the established residential amenities, and the completion and enhancement of the public realm.

With particular regard to the interface with the RHK, the design approach has sought to establish a materiality, rhythm and articulation of the massing that responds positively and respectfully to the RHK and its gardens, and enhances views and visual links from the gardens, re-establishing historic links and respecting the significance of the place. The proposed development incorporates a strong east-west visual and pedestrian connection through the HSQ development, consistent with the principles established in the parent permission and masterplan for the HSQ site. This east-west connection will, in time, link the city with the RHK gardens and the RHK/IMMA. The proposed design futureproofs this connection, and a proposed design of the connection incorporating new steps and a raised landing area entrance is shown for information purposes on RAU Drawing No. Drawing No. P19-213D-RAU-ZZ-00-DR-A-GAP-06131 (Rev. P01). In this regard it must be emphasised that the required opening up works to the boundary wall and provision of gates therein do not form part of this application and is not included within the red line application boundary. The details relating to opening up works and alteration of the existing boundary wall, as shown on the aforementioned drawing seeks solely to demonstrate that the proposed development has appropriately provided for a future connection that can be sensitively incorporated by way of a separate application if agreement can be reached with the OPW to deliver same.

The manner in which these matters have informed the design are addressed in detail in the documentation submitted with this application.

3.1 Site Preparation Works

The site is characterised by unfinished built elements associated with the larger double basement car park that was intended to serve the entirety of the HSQ precinct. Under DCC Planning permission Ref. 2724/13 interim landscaping measures have been implemented to improve the aesthetic of these abandoned and unfinished works / structures.

The proposed scheme has been designed to be integrated within this existing unfinished double basement structure below podium level and will involve some demolition and site clearance works and elements of retaining some of the existing structures where possible, as described below.

3.1.1 Demolition and Works of Alteration

Some localised demolitions will be required at the interface of the proposed Blocks A and B and the existing podium, as shown on submitted RAU Drawing No's RAU-ZZ-00-DR-A-DEMO-001; -002 and -003 (Revision P 01). The demolition will involve the removal of part of the podium and Level -1 reinforced concrete slabs. Part of the existing double basement level structure constructed under previously permitted and non-completed developments, will be incorporated within the proposed development. At the southern end of the site, it is proposed that an existing vehicular ramp between basement levels -1 and -2 will be realigned / reprofiled and a second vehicular ramp between basement level -1 and the raised basement level -1 under the Telford building will be closed / removed.

3.2 Layout and Design

The proposed development consists of 399 no. BTR/PRS apartments, comprising 46 no. studios, 250 no. 1 bed apartments, 90 no. 2 bed / 4 person apartments and 13 no. 2 bed / 3 person apartments in 5 blocks that vary in height from 3 storeys to 18 storeys over basement levels.

The proposed blocks are arranged in a grid pattern established by a central east-west pedestrian and visual axis that provides connectivity between the RHK Gardens and Military Road to the east, as follows:

- **Block A** is a rectangular shaped block that occupies the north-eastern corner of the application site. This block rises in height to 18-storeys above podium level and includes a lower ground floor level to provide a total of 154 no. apartments (comprising 12 no. studios; 108 no. 1 beds and 34 no. 2 beds). Block A has a Gross Floor Area (GFA) of 11,814 sq.m.
- **Block B** is a rectangular shaped block that occupies the south-eastern corner of the application site. This block is part 8- and part 12-storeys in height above podium level and includes a lower ground floor level to provide a total of 81 no. apartments (comprising 9 no. studios; 60 no. 1 beds and 12 no. 2 beds). Block B has a Gross Floor Area (GFA) of 5,446 sq.m, which includes a retail unit at the northern end of the block at podium level of approximately 120 sq.m (GFA).
- **Block C** is situated between Block B to the east and Block D to the west. Block C varies in height up to a maximum of 12-storeys above podium level and includes a lower ground floor level to provide a total of 86 no. apartments (comprising 19 no. studios; 45 no. 1 beds and 22 no. 2 beds). Block C has a Gross Floor Area (GFA) of 6,024 sq.m,
- **Block D** is a 5-storey over basement level rectangular block that occupies the south-western corner of the application site. It accommodates a total of 35 no. apartments (comprising 1 no. studio; 16 no. 1 beds; 6 no. 2 bed /3 person and 12 no. 2 beds). This block has a Gross Floor Area (GFA) of 2,786 sq.m.
- **Block E** is a part 3-, part 5-storey over basement level rectangular block that occupies the north-western corner of the application site to the west of Block A. It accommodates a total of 43 no.

apartments (comprising 5 no. studios; 21 no. 1 beds; 7 no. 2 bed / 3 person and 10 no. 2 bed / 4 person units). This block has a Gross Floor Area (GFA) of 3,321 sq.m.

Blocks A and E are situated to the north of this axis and are separated by a landscaped communal amenity space and garden at lower ground level.

Blocks B, C and D complete the grid pattern to the south of the east-west axis. Block D is the western-most block with Block C occupying the middle position between Blocks D to the west and Block B to the east. The three blocks address landscaped communal amenity spaces and gardens at lower ground floor level.

Blocks A and C are linked at 9th to 11th floor levels spanning north-south across the central east-west pedestrian spine route to frame the entrance to and from the RHK gardens to the west.

Figure 3.1: Site Layout Plan

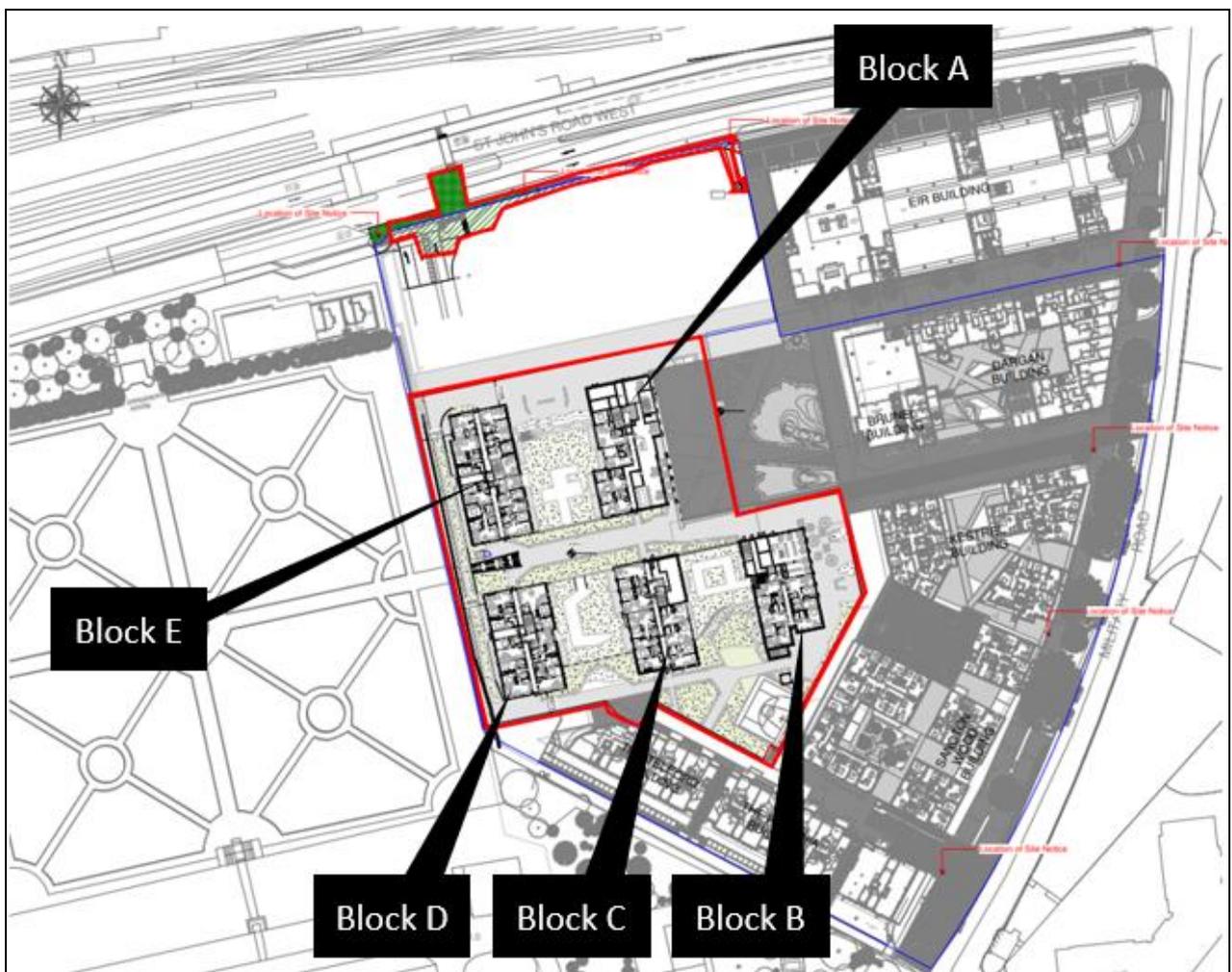


Table 3.1: Key Site Statistics

Site Statistics	Gross
Site Area	1.08 ha

Site Statistics	Gross
Total Gross Floor Area Proposed	32,089 sqm
Footprint of Buildings	2,881 sqm
Plot Ratio	2.97
Site Coverage	26.7%

A breakdown of the proposed 399 no. apartments is provided in Tables 3.2 and 3.3 below.

Table 3.2: Breakdown of Residential Unit Sizes

Description	Quantity	Mix %
Studios	46	11.5%
1 Bed, 2 Person Apartments	250	62.7%
2 Bed, 3 Person Apartments	13	3.3%
2 Bed, 4 Person Apartments	90	22.5%
TOTAL	399	100

The table below provides a summary of the number, by type, of the proposed residential units as identified in the accompanying Housing Quality Assessment (HQA).

Table 3.3: Description of Apartment Types

Type	Area	Aspect	Total No. of This Type
S.1	38	Single	10
S.1.1	38	Single	1
S.2	38	Single	8
S.3	39	Single	19
S.4	42	Dual	3
S.5	37	Single	1

Type	Area	Aspect	Total No. of This Type
S.6	41	Single	1
S.7	38	Single	2
S.8	41	Dual	1
1.1	52	Single	19
1.1.2	46	Single	3
1.1D	51	Dual	31
1.2	46.8	Single	32
1.2.1	45	Single	11
1.2D	47.8	Dual	70
1.3	46	Single	13
1.4	46.1	Single	10
1.4.1	46.1	Single	1
1.5	45.2	Single	12
1.5D	45	Dual	6
1.6	46.9	Single	11
1.6D	46.7	Dual	6
1.7	46.0	Single	1
1.8	63.8	Single	1
1.9	51.8	Single	12
1.10	45	Single	1
1.11	48.6	Single	2
1.12	52	Single	1

Type	Area	Aspect	Total No. of This Type
1.13	51	Single	7
2.1	76	Single	12
2.1D	76	Dual	1
2.2	77	Single	11
2.3	78.5	Single	1
2.3D	74.2	Dual	11
2.4	73.3	Single	17
2.5	74.3	Single	17
2.6	64	Single	12
2.7	75.8	Single	8
2.8	76.8	Single	1
2.8D	83.4	Dual	5
2.9	75.8	Single	4
2.10	73	Single	1
2.11	75	Single	1
2.12	63	Single	1
Total			399

The proposed development includes the provision of associated site works, including soft and hard landscaped open spaces and ancillary services and infrastructure provision to serve the proposed development.

The site measures approximately 1.08 ha, resulting in a gross residential density of approximately 369 u/ha.

3.3 Ancillary Residential / Communal Facilities

The proposed scheme includes c. 533 sq.m of indoor communal and ancillary facilities that are available to residents of the scheme at the following localities:

- A Gym (102 sq.m) and adjoining Co-working / Lounge area (178 sq.m) at Lower ground floor level situated beneath the central east-west pedestrian axis;
- Two lounges (measuring 84 sq.m and 34 sq.m) to either side of a residential foyer (78 sq.m) along the eastern side of the ground floor of Block A at podium level; and
- A lounge (57 sq.m) situated at the northern end of Block C, at podium level.

Communal outdoor open spaces are also provided at lower ground level between the blocks and in the form of roof terraces and to the south of the proposed blocks at podium level, as described under section 3.5, below.

3.4 Non-Residential Development

A retail unit (measuring approximately 120 sq.m) is provided at the northern end of Block B to provide activity onto the public square and the main east-west pedestrian route immediately to the north thereof. Other works include construction works to the wider basement (2,111 sq.m) and upgrade works to the existing St Johns Road access (587 sq.m).

3.5 Open Space, Access, Permeability and Parking

A Public Realm and Landscape Report accompanies this Request, prepared by Doyle + O'Troithigh Landscape Architecture Ltd in association with the Project Architect, Reddy Architecture + Urbanism.

In summary the proposed landscaping and public realm works are provided at different levels within the development, which collectively provide an overall landscaping and public realm strategy for the site. These spaces are situated at:

- Lower-Level Courtyards;
- Ground floor / podium level, and
- Roof terraces.

These elements were considered and designed in a collective manner to provide an overall landscape treatment to the site that is coherent and legible. The location and positioning of open spaces have been considered in terms of proximity to users and to benefit from passive surveillance. The open spaces are varied in size and form, aspect and intended function, to provide a range of opportunities for the future residents. These spaces and the surrounding built elements have the ability to create a localised character offering an opportunity for living and play. The three landscaping elements are discussed in more detail below.

The design of the public realm was informed by existing site conditions, including:

- The existing phase one development to the east and south of the subject site.
- The wider surrounding urban environment, and the
- Western interface / relationship with the Royal Hospital Kilmainham (RHK).

A design brief was established to inform the landscaping strategy for the site, which identified a number of key components to be incorporated within the landscaping strategy. These are:

- Permeability with connection to the surrounding built environment,
- The development of a strong east – west pedestrian link through the site to connect with the RHK gardens;
- A coherent design which connects visually with the built phase one development,
- A respectful planting palette that acknowledges and respond positively to the planting in the RHK Gardens;
- The provision of a strong visual landscape which provides year-round interest, and
- The development of amenity areas which can cater for passive and active recreation for all abilities and age groups.

3.5.1 Lower-Level Courtyards

The private and communal open space areas are situated at lower level in the form of courtyard arrangements between the constituent apartment blocks. These areas have been designed to provide amenity landscape areas for use by residents and are designed and arranged to allow for low impact amenity activities and passive recreational pursuits.



These communal areas will be defined by a buffer of dense planting to provide a green boundary to screen and separate private patios from communal open space. It is envisaged that this green boundary will provide an appropriate interface between private and communal amenity areas allowing inter-visibility between the communal open space and the private patio but will prevent direct access between areas.

In total, the three courtyard communal amenity spaces extend to approximately 960 sq.m, as follows:

- Block A & E Courtyard – 390 sq.m;
- Block C & D Courtyard – 340 sq.m; and
- Block B & C Courtyard – 230 sq.m.

Landscaping proposals for the lower-level courtyard areas are shown on the submitted Drawing No. LP-03-PP.

In this regard it is noted that sub-section 4.1 of the accompanying Daylight and Sunlight report clarifies that the Block C & D Courtyard space do not meet the required sunlight penetration target, as less than 50% of the space achieves the compliance target of 50%. Based on this qualitative criterion approximately 94 sq.m of this space (340 sq.m) has not been factored into any quantitative calculation to demonstrate compliance in terms of communal open space provision, as set out in detail under sub-section 5.1.2, below.



3.5.2 Podium Level Public Realm

The landscape design to the podium level / public realm has been designed to provide a seamless public realm between the existing built environment and the proposed development. The materials and raised planters employed in the as built development will continue into the proposed development to give greater connection.

The provision of a prominent east-west pedestrian link through the development to provide a future² direct link between the RHK gardens to the west and Military Road to the east is key to the legibility of the proposed development and improving permeability through the site and the larger HSQ development precinct. This east-west pedestrian link will create a formal public realm with high quality surface finishes, seating and formal tree planting.

A buffer of native hedge and ornamental shrub planting will frame the linear pathway to provide a visual buffer between the linear pathway and the adjoining lower-level courtyards.

The spaces between the buildings have been designed to offer opportunities for passive and active recreation. The areas will be planted with appropriately sized trees, ornamental shrubs and hedge planting which will develop to provide visual division between the building and the semi-private open space areas, central points of planting and screening to ventilation as necessary. In selected areas with good aspect social space focal points will be created offering opportunities for residents to meet. In key areas small low impact play areas are proposed to provided amenity for younger children with surrounding seating areas to allow for passive supervision.

² The proposed design futureproofs this connection, and a proposed design of the connection incorporating new steps and a raised landing area entrance is shown for information purposes on RAU Drawing No. Drawing No. P19-213D-RAU-ZZ-00-DR-A-GAP-06131 (Rev. P01). In this regard it must be emphasised that the required opening up works to the boundary wall and provision of gates therein do not form part of this application and is not included within the red line application boundary. The details relating to 'opening up' works and alteration of the existing boundary wall, as shown on the aforementioned drawing seeks solely to demonstrate that the proposed development has appropriately provided for a future connection that can be sensitively incorporated by way of a separate application if agreement can be reached with the OPW to deliver the connection.

In accordance with the commentary received from Dublin City Council Parks Department, greater amenity has been provided to the southern area of the site (south of Blocks B and C) with the landscape design including a MUGA (Multi Use Games Area) and ping pong tables, informal play areas and social spaces to give opportunities for active recreation for children of all ages, in particular children from the ages of 9-15 years.

Landscaping proposals for the podium level spaces are shown on the submitted Drawing No. LP-02-PP, prepared by Doyle + O'Troithigh Landscape Architects.

The proposed communal amenity space to be provided at podium level, which is situated primarily to the south of the proposed apartment blocks extend to approximately 1,670 sq.m.



3.5.3 Roof Terraces

A number of roof terraces are proposed to provide residents with outdoor communal open space areas. A total of approximately 1,179 sq.m of communal roof gardens are provided in the following locations:

- Block E – Rooftop level (6th floor level) – approximately 160 sq.m.
- Block D – Rooftop level (6th floor level) – approximately 145 sq.m;
- Block B – Southern end at 8th Floor level – approximately 136 sq.m; and
- Blocks A and C (including bridge element) at 12th floor level – approximately 738 sq.m.

The design of the roof terraces has been developed to sub divide each area into smaller spaces for social interaction and passive amenity purposes. The provision of seating areas, lawns, yoga / dance areas and break out spaces create open spaces which provide a variety of amenity opportunities for residents with impressive westerly views towards the RHK gardens and northwards of the Phoenix Park.

Landscaping proposals for the proposed roof terrace areas are shown on submitted Drawing No. LP-04-PP.

In summary the proposed 1,670 sq.m of communal open space at podium level together with the rooftop amenity spaces (1,179 sq.m) and the communal courtyard areas (960 sq.m) would provide a total combined communal amenity space provision of c. 3,809 sq.m.

3.5.4 Western Boundary Wall

The current treatment and appearance of the existing western boundary wall of the site is unsatisfactory and requires enhancement.

This aspect has been discussed at preplanning meetings with DCC. The agreed treatment is for a Portuguese laurel hedge to be planted at the base of the wall with climbing plants to be planted at the rear of the hedge to provide a planted cover to the existing wall to enhance its appearance and to provide an appropriate landscaped backdrop for the residents.

3.5.5 Car and Bicycle Parking

Ancillary car parking to serve the proposed residential development will be provided at basement level. The proposed basement car park is integrated with the existing larger basement car park and can be accessed off the St. John's Road West entrance and exit (to the north) and via the existing eastern ramped access / egress onto Military Road. A total of 80 no. car parking spaces (including 4 no. disabled spaces and 8 car club spaces) are provided to serve the proposed development. Provision is also made within the basement car park for 4 no. dedicated motorcycle parking spaces.

Secure bicycle parking / storage in the form of 251 no. double stacked cycle parking spaces providing capacity for 502 no. secure bicycle storage spaces for residents are provided at basement -1 level. An additional 49 no. Sheffield type bicycle stands are provided at basement level -1 to provide 98 no. visitor cycle spaces (inclusive of 8 no. designated cargo bike spaces, that will also be available for the shared use with residents of the scheme). A further 55 no. Sheffield type bicycle stands are provided at podium level to provide 110 no. cycle parking spaces (108 no. visitor cycle parking spaces (inclusive of 6 no. designated cargo bike spaces) and 2 no. cycle parking spaces in connection with the retail unit). All bicycle parking spaces at basement level is accessed via a dedicated cycle lift from podium to basement level -1 that is situated to the south of Block B.

The application is accompanied by a Traffic and Transport Assessment (TTA), prepared by Cronin Sutton Consulting Engineers which addresses all traffic and transport related matters.

3.6 Integration with Surrounding Land Use

The proposed development provides a high degree of integration with the earlier completed built phases of the HSQ development. Two of the key unifying elements is the integration and completion of the public square to the east of Block A with the continuation of an identical palette of materials and public realm. The second key element is the provision of the central east-west visual axis, and in time pedestrian access, to connect the RHK gardens to the west with Military Road and the city to the east and running immediately to the south of the central public square.

A range of retail and service outlets are accessible from podium level in the completed phases of the HSQ development.

The proposed development has had due regard to future development proposals on Site B to the north to provide a permeable, legible and interconnected series of pedestrian routes, and a vista from the public Square to the Wellington Monument.

Item No. 1 of the Board's Opinion requested detail in respect of integration of existing and proposed development within the overall HSQ block, with particular regard to the overarching design principles for the wider urban block. The submitted Design Statement provides a comprehensive overview of the Masterplanning principles for the site established under the parent permission and masterplan, and how the proposed development, and future proposals for Site B, respect and integrates with those principles.

3.7 Part V

Included with this submission is Drawing No. RAU-ZZ-00-DR-A-GAP-06130, prepared by the Project Architects showing the location of the proposed 40 no. Part V units within Block E at the north-western corner of the site.

Accompanying this plan is a costing schedule prepared by the applicant in response to Question 19(B)(ii) of the accompanying SHD Application Form together with correspondence from DCC housing Department dated 30th November 2020, confirming liaison between the applicant and DCC Housing Department and that an agreement in principle has been reached with DCC Housing in terms of the delivery of the required Part V units.

3.8 Services Infrastructure

Accompanying this report is an Engineering Services Report prepared by CS Consulting Engineers. Set out below is a summary of proposed services infrastructure, as discussed in more detail in the aforementioned Engineering Services report:

Water Supply: There is an existing 450mm diameter public watermain along the eastern boundary of the larger HSQ site adjacent to military Road. This watermain has an existing connection into the subject lands. It is proposed to utilise this existing water connection to supply the proposed development. The proposed watermain arrangements will be designed in accordance with the Irish Water Specifications and Code of Practice.

A Pre-Connection Enquiry has been submitted to Irish Water, based on predicted water demand and a favourable response have been received – refer to Appendix B of the accompanying Engineering Services report for copies of the Confirmation of Feasibility Acceptance received from Irish Water.

The proposed watermain infrastructure and routing plan is shown on submitted CS Consulting drawing HSQ-CSC-XX-XX-DR-C-0103 included with this application.

Foul Drainage: All foul effluent generated by the proposed development will be collected via 225mm diameter pipes and flow under gravity to an existing outfall manhole located at the top of the site's existing ramp adjacent to St. Johns Road West. This existing foul sewer drains to the east and ultimately falls out into the Regional Wastewater Treatment Plant at Ringsend.

A Pre-Connection Enquiry has been submitted to Irish Water, based on the predicted water demand for foul water flows and a favourable response have been received – Refer to Appendix B of the submitted Engineering Services Report.

The proposed foul water drainage infrastructure and routing plan are shown on CS Consulting drawings HSQ-CSC-XX-XX-DR-C-0101 and HSQ-CSC-XX-XX-DR-C-0102 included with this application.

Surface Water: There is an existing 375mm storm sewer to the north of the site along St. Johns Road West. The proposed development will have a separate, attenuated storm water drainage system designed in accordance with the Greater Dublin Strategic Drainage Study and the Regional Code of Practice for Drainage Works. Stormwater collected within the proposed development shall be collected in pipes

ranging in diameter from 225mm – 300mm and flow under gravity into a proposed storm water attenuation tank. It is proposed to pump the storm water from the attenuation tank to a standoff manhole located at the top of the existing basement carpark ramp adjacent to St. Johns Road. The proposed discharge rate will be 5.0l/sec. The proposed discharging of the storm water into the existing 375mm sewer at a controlled rate for all storm water events will aid in freeing up hydraulic capacity during high intensity storms.

A range of SuDS measures are proposed, as follows:

- Water butts for local water rainwater reuse;
- Use of green roof technology to cater for the initial interception storage (refer to architect's plans),
- Low water usage appliances, to restrict potable water demand; and
- Attenuation tank with flow control device, sized to contain a 1-in-100-year storm event and increased by 20% for predicted climate change effects, to limit discharge from the site during extreme rainfall events.

The proposed storm water drainage infrastructure and routing plan are shown on CS Consulting drawings HSQ-CSC-XX-XX-DR-C-0101 and HSQ-CSC-XX-XX-DR-C-0102 included with this application.

3.9 Architectural and Archaeological Heritage

Chapter 13 of the submitted Environmental Impact Assessment Report (EIAR) describes the archaeological and historical implications of the proposed development based on both a desk- based archaeological evaluation and the results of archaeological excavation on the site. Similarly, Chapter 14 of EIAR provides a detailed assessment of the potential and predicted impacts on the architectural heritage of the subject site and surrounding areas, including designated and non-designated architectural heritage of merit in the vicinity of the site.

In addition to the above, An Architectural Heritage and Visual Impact Assessment (AHVIA), prepared by Howley Hayes Architects, accompanies the application. This assessment includes an assessment of the proposed development on the adjoining Royal Hospital Kilmainham (RHK) and its formal gardens and also includes an assessment of the proposed development on the identified Cone of Vision (COV) as described under Point 8 of the guiding principles for SDRA 7.

This assessment identifies that the most significant building of architectural heritage in the vicinity of the site is the RHK which is *'indisputably Ireland's most significant public building, a fact recognised by its inclusion on both the Record of Protected Structures and the NIAH, which deems it to be of International significance for its qualities as follows:*

'Prominently sited on an elevated site overlooking the Liffey, the Royal Hospital is Dublin's earliest large-scale classical building, and makes a strong contribution to the architectural heritage of the city. The chapel has been described as the finest surviving seventeenth-century interior in Ireland. It was constructed as a hospital for veteran soldiers, following the example of Les Invalides in Paris...'

The Assessment concludes as follows:

'The proposed development screens the irregular forms and materiality of the first phase of the HSQ

development - and other large more recent structures in the COV - that have so fundamentally altered the RHK's historic setting. The proposals respond to its formality and materiality while maintaining the visual link between the Royal Hospital and the Gandon Cupola from the central axis. Accordingly, there is no adverse impact on the cone of vision.'

3.10 Construction Compound and Associated Works and Structures

An Outline Construction Management Plan (OCMP) is submitted with the application. Section 8 of the submitted OCMP clarifies that:

'The construction compound for the works shall be entirely within the site boundary. The compound shall be constructed using a clean permeable stone finish and will be enclosed with security fencing. Site accommodation to be provided will include suitable washing / dry room facilities for construction staff, canteen, sanitary facilities, first aid room, office accommodation etc. Access to the compound will be security controlled and all site visitors will be required to sign in on arrival and sign out on departure. During sign in all visitors will be required to comply with all site regulations.

A permeable hardstand area will be provided for staff parking and these areas will be separate from designated machinery / plant parking.

A material storage zone will also be provided in the compound area. This storage zone will include material recycling areas and facilities.

A series of 'way finding' signage will be provided to route staff / deliveries into the site and to designated compound / construction areas.

On completion of the works all construction materials, debris, temporary hardstands etc. from the site compound will be removed off site and the site compound area reinstated in full on completion of the works.'

Schedule 2, Part 1 (Exempted Development) of the Planning and Development Regulations set out exemptions under Classes 16 and 17 for construction compounds that could be availed off. Given that the site compound and associated works and structures would be located on-site and only for the duration of the construction phase, it is considered to be exempted development. As such, the proposed construction compound and associated works do not form part of the development for which planning permission is sought. Notwithstanding, all construction phase environmental impacts associated with the carrying out of the proposed development are considered in full within the submitted EIAR that accompanies the planning application.

3.11 Possible Effects on the Environment

An Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS) accompany the planning application.

The EIAR has sought to comprehensively address the issues listed in Schedule 6 of the Regulations having

regard to the requirements of the Directive EIA (2014/52/EU) and all relevant transposing legislation, and all relevant European and national guidance. The following issues have been assessed in the context of the proposed development:

- Population & Human Health
- Biodiversity: Flora and Fauna
- Soil, land, and Geology
- Water
- Air, Dust and Climatic Factors
- Noise and Vibration
- Material Asset: Traffic & Transport
- Material Asset: Water Supply, Drainage & Utilities
- Cultural Heritage: Archaeology Heritage
- Cultural Heritage: Architectural Heritage
- Landscape & Visual Impact Assessment

The comprehensive assessments undertaken for the EIAR have concluded that with proposed mitigation measures in place, the proposal will not result in any significant singular or synergistic adverse effects on the environment. It is therefore considered that the environmental impact of the proposed development is acceptable.

An Appropriate Assessment of the project has determined that:

'...in the absence of mitigation, there is potential for contaminated water emanating from the HSQ development site to enter the River Liffey system and ultimately the aquatic and intertidal environment of Dublin Bay, during the construction and (to a lesser extent) operational phases of the proposed development. The significance of any subsequent effect on the qualifying interests/special conservation interests of the Natura 2000 sites would vary depending on the type of pollutant, as well as the magnitude and duration of the event. As the conservation objectives of the four identified Natura 2000 sites could potentially be affected adversely, measures are required to avoid or reduce harmful effects of the proposed project (i.e., mitigation measures). Therefore, as the risk of potential significant effects on these European sites cannot be ruled out, Section 3 of this report provides information to allow the competent authority to carry out a Stage 2 Appropriate Assessment in respect of the proposed development.'

Having regard to the above findings a NIS has been prepared. Section 3 of the NIS goes on to describe the risks of potential water pollution during the construction and operational phases of the development.

In terms of the construction phase, it states that *'...the HSQ site and the River Liffey are in relative close proximity (c.250 m apart), it is noted that there are no watercourses or open channels linking the two locations, i.e. no direct flow path. Also, it is noted that the area between the site and the river is long*

established built ground dominated by the Heuston Train Station complex.

With best practice construction methods adhered to during the construction phase, it is considered that the risk of contaminated water emanating from the site and discharging to local drains and watercourses, and ultimately to the Dublin Bay conservation area (a distance of approximately 8 km from the Heuston/Kilmainham area), is not significant.'

In considering the surface water drainage proposals for the site during the operational phase of the development the NIS considers '*...that there is no potential for the operational phase of the project to cause significant adverse effects on any qualifying interest or special conservation interest of a European site.'*

Finally, the NIS considers in-combination effects of the proposed development and goes on to conclude that:

'Taking into account that all of the associated HSQ developments could only proceed on the basis that there would not be significant effects on any European site, it is concluded that in the context of the overall HSQ development, the present residential application will not contribute to an in-combination effect on any European site.

In a wider context, the HSQ site is located in a long-established area of Dublin City, with a range of industrial, commercial, cultural and residential developments and activities. Construction, re-development and maintenance projects are on-going, with all subject to planning approval. As it can be objectively demonstrated that the proposed project at the HSQ site will not have any significant effects, direct or indirect, on any designated European site, it can be demonstrated objectively that when other projects are considered along with the proposed HSQ development there will not be any in-combination effect on the European sites as discussed.'

4.0 PRIOR CONSULTATION

4.1 Consultation with DCC

In accordance with Section 5(2) of the Planning and Development (Housing) and Residential Tenancies Act 2016, formal pre-planning consultation has taken place with Dublin City Council on 2 July 2020, 16 September 2020 and 18 August 2020.

In addition, informal consultation took place with Traffic & Transport and Water & Drainage in respect of the detailed design of the proposed development.

4.1.1 Details of Outcomes

The principal issues arising from the initial pre-application discussion on 2 July 2020 are summarised as follows:

- The simplicity of the classical design approach is appropriate.
- The interface with RHK and cone of vision to be further considered.
- The layout and proposed heights of the residential elements are generally acceptable and require further justification.
- The height and massing of the commercial element presents a large block form and needs further consideration.
- The stepped approach between the residential and commercial is appropriate. (18 storey residential element is acceptable but maybe some consideration should be given to elevational treatment when the commercial is more advanced.)
- Consider raising the height of the bridge element and further consideration of design language and expression required.
- Importance of sunlight penetration to the Public Square emphasised – i.e., meeting BRE standard of direct sunlight on at least 50% of the area for 2 continuous hours on the 21st March.
- Daylighting of apartments at courtyard level to be carefully considered.
- Proximity of block to established Block 7/9 to be further considered with regard to proximity and privacy.

The key considerations discussed at a second meeting on 18 August 2020 are summarised as:

- Cone of Vision:
 - Identification of the entire extent of the cone of vision that is worthy of protection and assessment of the impact of the proposed development on the view cone.
 - Address the appropriateness of the Development Plan line taken from the northeast corner of the Master's House – this should be illustrated by photographs and other visual aids, as appropriate.

- Public Realm / Public Spaces – The intended hierarchy and use(s) of spaces to be clearly articulated. The articulation of ground floor uses and thresholds onto the Square and public realm to be further refined.
- Residential Amenity - The interface of the residential units with the hotel/office to the north needs further consideration with particular regard to the protection of residential amenities.
- Private Open Space Interface of courtyard units onto open space to be further considered with regard to privacy and security, and the usability of the spaces together with enhanced privacy of the courtyards from the public realm to be further considered.
- Western Boundary Wall – The treatment of the wall to be further considered to improve aspect from apartments addressing it and the public realm.
- Private Amenity Space – Provision of balconies or winter gardens to be considered for some units (agreed not on western elevations addressing RHK).
- Arch / Bridge Element between Block A and Block C - Further consideration required of the height, position and architectural language. In terms of overall quality DCC emphasised the importance of quality design and materials on facades.
- Daylight and Sunlight - Findings of draft report to be provided to DCC when complete.

The proposed design went through a series of design iterations to address the matters raised and having regard to environmental considerations addressed as part of the preparation of the Environmental Impact Assessment Report. All revisions were rigorously tested for associated visual impacts, particularly on the Cone of Vision and the interface with the RHK and its formal gardens through the production of 3D verified views.

Micro climatic assessments including wind and daylight and sunlight assessments were undertaken as part of this iterative process to identify areas that require further refinement either by way of adjusting the massing or through revised façade design to improve daylight penetration of apartments. The proposed hard and soft landscaping measures were further considered to ensure a seamless integration of public open spaces at podium level with the existing public realm, whilst detailed landscaping measures to provide screening and appropriate interfaces between courtyard units and adjoining communal open space areas are achieved. Similarly, the interface between communal courtyard spaces and the public realm at a higher level were further considered.

Active ancillary and communal residential uses, and a retail unit are provided at ground floor to activate at key locations along main pedestrian routes or interfaces with public realm.

The design rationale for the proposed building heights is provided in Section 6 below.

4.2 Other Consultations

Discussions have been held with Irish Water, in the form of pre-connection enquiries and feedback.

4.3 Consultation with ABP

In accordance with Section 5 of the 2016 Act, formal pre-planning consultation took place with An Bord Pleanála on 23 March 2021.

4.3.1 Details of Outcomes

The Board's Pre-Application Consultation Opinion dated 22 April 2021 identified matters that required further consideration and justification. The cover letter accompanying this application sets out a response to the Opinion, identifying how these matters have been addressed, and the drawings and documents in which the detail of the responses is provided. Matters identified are summarised as follows:

- Consideration and/or justification in respect of the development strategy for the site and its relationship with existing and proposed development within the overall Heuston South Quarter urban block. Particular regard should be had to the following:
 - The overarching design principles for the wider urban block.
 - The selection of materials and finishes in buildings and open spaces.
 - The design and management of pedestrian, cycle and vehicular access for all existing and proposed uses across the block.
 - The design and layout of water and drainage service provision.
- Further consideration and / or justification of the documents as they relate to the development strategy for the site and the relationship with the Royal Hospital Kilmainham. In particular:
 - interaction with the Cone of Vision and guiding principles set out in the Dublin City Development Plan in respect of SRDA 7 Heuston and Environs;
 - pedestrian connection between the proposed development and the formal gardens of the Royal Hospital and possible architectural heritage impacts arising; and
 - design of the archway connection between Block A and C and its relationship with the setting of the Royal Hospital and its formal gardens.
- Further consideration and / or justification of the documents as they relate to the overall quality of residential amenities and the potential impact of the proposed development on the residential amenities of existing adjoining residential amenities, in particular as it relates to:
 - the extent of private amenity space proposed and the provisions of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, and in particular SPPR 7 and SPPR 8 set out therein; and
 - potential impact of the proposed development on the residential amenities of existing adjoining residential amenities in respect of overlooking, daylight and sunlight / overshadowing. The relationship of the development with existing adjoining development should be illustrated in cross sections and contextual elevations.

The Board has also identified specific information to be submitted with the application pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017 (in addition to the requirements specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017 (as set out under Section 1 above) and relevant authorities to be notified of the making of the planning application, as set out in the cover letter, that accompanies this application.

5.0 STATEMENT OF CONSISTENCY

This section provides an overview of the relevant planning policy guidance, including national and regional policy, Section 28 guidelines, and the Dublin City Development Plan, 2016-2022. The design and detail of the proposed development has been informed by and is consistent with the relevant policies and objectives set out below.

5.1 Ministerial Guidelines

The following Section 28 Ministerial Guidelines are relevant to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual') (2009)
- 'Sustainable Urban Housing: Design Standards for New Apartments' (December 2020)
- 'Urban Development and Building Heights – Guidelines for Planning Authorities' (December 2018) published by the Department of Housing, Planning and Local Government.
- 'Design Manual for Urban Roads and Streets' (2019)
- 'The Planning System and Flood Risk Management' – Guidelines for Planning Authorities (November 2009)
- Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (2009)
- 'Childcare Facilities – Guidelines for Planning Authorities' (2001)

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

The Guidelines contain specific policies and objectives regarding the scale and location of new residential development, the need for high quality design of residential areas, and the use and development of infill, greenfield and brownfield sites.

Section 1.9 recites general aims of sustainable residential development, including the need to prioritise walking, cycling and public transport over the use of cars, and to provide residents with quality of life in terms of amenity, safety and convenience.

Chapter 3 identifies core principles of design as including place-making, environmental responsibility, social equity and economic viability that are required when creating places of high quality and distinct identity. Box 2 in the Guidelines identifies 12 'Best Practice Design Manual' criteria which should be incorporated in the new residential as follows.

1. Context: How does the development respond to its surroundings?
2. Connections: How well is the new neighbourhood / site connected?
3. Inclusivity: How easily can people use and access the development?
4. Variety: How does the development promote a good mix of activities?
5. Efficiency: How does the development make appropriate use of resources, including land?
6. Distinctiveness: How do the proposals create a sense of place?
7. Layout: How does the proposal create people-friendly streets and spaces?

8. Public realm: How safe, secure and enjoyable are the public areas?
9. Adaptability: How will the buildings cope with change?
10. Privacy / amenity: How do the buildings provide a high-quality amenity?
11. Parking: How will the parking be secure and attractive?
12. Detailed design: How well thought through is the building and landscape design?

Due to the proximity of the subject site to bus routes, heavy rail and light rail interchange facilities at Heuston Station, all within a 500m radius of the site, the site is located within a Public Transportation Corridor as defined under section 5.8 of the Guidelines. For such areas, the Guidelines state:

'In general, minimum net densities of 50 dwellings per hectare, subject to appropriate design and amenity standards, should be applied within public transport corridors, with the highest densities being located at rail stations / bus stops, and decreasing with distance away from such nodes. Minimum densities should be specified in local area plans, and maximum (rather than minimum) parking standards should reflect proximity to public transport facilities.'

The submitted Architectural Design Statement sets out the design rationale and the key criteria considered in the design process for the proposed development. In addition, the accompanying cover letter provides a detailed response to Item 1 of the Board's Opinion (dated 22 April 2021) which relate to design matters and the development strategy for the site and its relationship with existing and proposed development within the overall Heuston South Quarter urban block. It is note that these considerations are closely related to a number of the identified 12 no. design criteria of the above guidance (and as outlined above), especially criteria 1, 2 and 3.

5.1.2 Sustainable Urban Housing: Design Standards for New Apartments (December 2020)

The Guidelines on Sustainable Urban Housing: Design Standards for New Apartments (2020) update previous guidance in the context of future housing demand in Ireland taking account of the Housing Agency National Statement on Housing Demand and Supply, the Government's action programme on housing and homelessness 'Rebuilding Ireland', Project Ireland 2040, and the National Planning Framework, published since the 2015 guidelines.

These Guidelines contain qualitative and quantitative measures for the design of apartments and related facilities including storage areas, open spaces and communal facilities. Specific Planning Policy Requirements (SPPRs) included in the Guidelines take precedence over policies and objectives of the City Development Plan.

The Guidelines apply to all apartments which may be made available for sale or constitute 'build to rent' or 'shared accommodation' as defined in the Guidelines.

Section 2.4 of the Guidelines identify a range of locations in cities and towns that may be suitable for apartment development. In this regard, the guidelines identify '*Central and/or Accessible Urban Locations*' as locations that '*...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 1,000-1,500 m), 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.'*

Section 5 of the Guidelines provides express guidance on the Built to Rent (BTR) development typology as proposed in the subject application. SPPR 7 states:

'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.'

SPPR 8 provides distinct planning criteria applicable to BTR development, as follows:

'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.'

Section 6 of the Guidelines identifies the information required to accompany a planning application for an apartment scheme or mixed-use development including apartments. This is set out in a Housing Quality Assessment (HQA). Schedules and floor plans demonstrating compliance with the standards are part of a detailed Housing Quality Assessment submitted with this application.

The design and layout of the proposed apartments are consistent with the standards for internal floor areas, rooms sizes, private amenity space and communal amenity space, as demonstrated in the submitted HQA.

The following is a summary of compliance with the key provisions of the Guidelines.

- Floorspace Schedule - Floorspace Schedules as required by the Guidelines and floor plans demonstrating compliance with the Apartment Guidelines have been provided within the enclosed Housing Quality Assessment (RAU) which includes detailed Floorspace Schedules as required by the Guidelines.
- Apartment Sizes / Floor Areas - All proposed apartments are in accordance with the minimum size requirements of the Guidelines – SPPR3 and Annex 1. The requirement that the majority of units exceed the minimum standards by 10% is not a requirement for Specific BTR development. In this regard the provisions of SPPR7 (iv) are noted.
- Apartment Mix – Table 3.1 above provides a summary of the proposed apartment mix. From this table it is evident that the unit mix is weighted towards one-bedroom units, which comprise the majority of the proposed apartments. This is considered typical of and reflect the nature of the development as a Specific BTR scheme which includes communal / ancillary indoor and outdoor amenity provision (see below).
- Aspect - The subject site is considered to be a central and accessible location and therefore the minimum applicable threshold criteria is considered to be a 33% requirement in terms of the minimum number of dual aspect units pursuant to SPPR 4 of the Guidelines. No single aspect units are north facing, and a total of 201 apartments, or 50%, are dual aspect units, which exceeds the target. Further details are provided in the accompanying HQA.
- Floor to Ceiling Heights – Units below ground level achieve a floor to ceiling height of 2.85m. The ground floor apartments have a floor to ceiling height of 3.7m, which are higher than the typical floor to ceiling height on the upper floors. This is with the exception of Blocks D and E which have floor to ceiling heights at ground floor of 2.7m. Typical Floor to ceiling heights of 2.7m is achieved on all of the upper levels (above ground floor level), as shown in the submitted section drawings.

- Lift and Staircore Provision - The proposed arrangement of apartments relative to primary, secondary and escape staircores is addressed in the HQA. This is in accordance with SPPR 6 of the Guidelines and the flexibility for more than 12 units per core provided by SPPR7 (v) is also noted.
- Storage Provision - All individual apartments are provided with internal storage in accordance with the requirements of Appendix 1 of the Guidelines. Further details are provided in the accompanying HQA.
- Private Amenity Space – The guidelines require that private amenity space shall be provided in the form of gardens or patios/terraces for ground floor apartments and balconies at upper levels. Appropriate boundary treatment is required to ensure privacy and security for ground level units, and balconies should adjoin and have a functional relationship with the main living areas of apartments incorporating a minimum depth of 1.5 metres in one useable length. SPPR8 (ii) states: *'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.'* Section 1.4.3 of the submitted HQA sets out the approach to private amenity space provision and identifies that a total of 94 no. units (23.6%) benefit from private amenity space provision in the form of either a private patio / terrace (22 units) or a balcony (72 units). It is submitted that this level of private amenity space provision is sufficiently offset through the generous provision of a range of communal recreational facilities and amenities, as provided for under SPPR8(ii), as set out below.

This matter is raised under Item 3(a) of the Board's Opinion and a detailed response is provided in the submitted cover letter and Architectural Design Statement, HQA and Landscape Report, which address the level and detail of private amenity space provision and the quantitative and qualitative aspects of communal amenity space and communal support facilities and amenities provision within the proposed development with specific reference to the requirements of SPPR 7(b)(i) and (ii) and SPPR 8 (ii) of the Guidelines.

- Security Considerations - The scheme will be under central management with a full-time concierge and security arrangements will be an integral part of the resident support services and will be detailed in the tenant handbook to be provided to every resident. In terms of design considerations, ground floor apartments and courtyard units at lower ground floor level benefit from defensible buffer space planting and screened by a privacy strip to improve security and privacy of those units.
- Childcare Facilities - The proposed development is not considered to generate the required demand that would necessitate the provision of a creche on site. In this regard, Paragraph 4.7 of the Guidelines is noted where it states that:

'Notwithstanding the Planning Guidelines for Childcare Facilities (2001), in respect of which a review is to be progressed, and which recommend the provision of one child-care facility (equivalent to a minimum of 20 child places) for every 75 dwelling units, the threshold for provision of any such facilities in apartment schemes should be established having regard to the scale and unit mix of the proposed development and the existing geographical distribution

of childcare facilities and the emerging demographic profile of the area. One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms. [Emphasis Added]

The capacity of existing childcare facilities in the study area is set out in Chapter 5 of the accompanying EIAR, specifically section 5.6.3. In this regard, a response to the Board's Opinion is also provided under line item 4 of Table 4.1 contained in the submitted cover letter.

- Refuse Storage – The provisions outlined in Para. 4.9 of the Guidelines have been incorporated into the refuse storage and collection strategy for the proposed scheme. Refuse storage is provided for the scheme at lower ground floor level. An Operational Waste Control Strategy will be developed by the development Management Company to clearly outline the approach to waste disposal. An Operational Waste Management Plan accompanies the planning application.
- Communal Facilities: SPPR7 (b) of the guidelines requires that BTR schemes are 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:
 - Resident Support Facilities³ – In this regard it is envisaged that the proposed development would benefit from concierge / management facilities and waste management facilities that will be provided at lower ground floor level.
 - Resident Services and Amenities⁴ - A range of communal recreational facilities are provided, which include shared co-working area / lounge and gym at lower ground floor level and lounges on either side of a residential foyer within Block A and a TV Room / lounge in Block C – all at ground floor / podium level, as described in detail under sub-section 3.2, above. Communal gardens / amenity spaces are provided in the form of roof terraces and communal courtyards at lower ground level, as described under sub-section 3.4, above.
 - The quantitative requirement for Communal Amenity Space (based on the Annex 1 standards) is 2,142 sq.m – refer to the table, below.

3 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.

4 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.

Apartment Type / Size	No. of Apartments	Standard requirement in sq.m	Minimum Requirement in sq.m
Studios	46	4	184
1 Bed, 2 Person Apartments	250	5	1,250
2 Bed, 3 Person Apartments	13	6	78
2 Bed, 4 Person Apartments	90	7	630
TOTAL	399		2,142

Communal amenity spaces have been provided in the form of:

- 1,179 sq.m of secure, accessible roof gardens;
- 960 sq.m of communal residential courtyards at lower ground floor level between blocks;
- 1,670 sq.m of communal open space at podium level, which includes the provision of a MUGA at the southern end of the site to encourage active recreational uses.

The overall quanta of outdoor communal open spaces are 3,809 sq.m. However, the submitted Daylight and Sunlight Report clarifies under sub-section 4.1 that a total of 94 sq.m of the proposed communal courtyard space for Blocks C and D should be discounted from the quantitative calculation in order to achieve the BRE sunlight penetration / exposure standard of 50% for this space. Accordingly, only 866 sq.m of the proposed 960 sq.m of communal courtyard space is counted towards the communal open space provision, resulting in an adjusted / revised total community open space provision of 3,715 sq.m, which still significantly exceeds the minimum required level of provision (2,142 sq m) and is therefore considered to be in accordance with the quantitative requirements of the Guidelines.

When communal open space provision is considered on an incremental basis for Blocks C and D it is noted that the proposed 121 no. apartments (comprising 20 no. studios; 61 no. 1 beds; 6 x 2 bed / 3 person and 34 no. 2 bed / 4 person units) require a minimum of 659 sq.m of communal open space by applying the prescribed standards contained in Appendix 1 of the Apartment Guidelines. In this regard it is noted that the total communal open space of 1,129 sq.m associated with Block C and D (comprising 246⁵ sq.m of courtyard space; 145 sq.m of rooftop amenity space on Block D and 738 sq.m of combined rooftop amenity space on Blocks A and C) significantly exceeds the minimum requirement of 659 sq.m on an incremental basis also.

The above outdoor amenity space provision is supplemented by a further 533 sq.m of indoor communal amenity facilities, as described under section 3.3 above.

⁵ Adjusted to account for sunlight provision (i.e. 340 sq.m minus 94 sq.m)

As noted, a response to Item 3(a) of the Board's Opinion is provided within the accompanying cover letter which sets out in detail the level of private amenity space provision and the quantitative and qualitative aspects of communal amenity space and communal support facilities and amenities provision within the proposed development with specific reference to the requirements of SPPR 7(b)(i) and (ii) and SPPR 8 (ii). It also demonstrates how the generous level of communal open space provision seeks to offset the provision of private amenity space for future residents of the proposed BTR units.

A Site Specific Apartment Management Strategy accompanies the application. The Strategy sets out the detail required under SPPR7(b).

- Children's Play - While the scheme is unlikely to have a significant population of children (refer to Childcare Facilities, above), the landscape proposals for the outdoor public amenity space areas at podium level provide for incidental play facilities at the southern end of the site, as shown on the submitted Drawing No. LP-02, which includes a Multi-Use Games Area (MUGA).
- Bicycle Parking - Secure bicycle parking / storage in the form of 251 no. double stacked cycle parking spaces providing capacity for 502 no. secure bicycle storage spaces for residents are provided at basement level -1. An additional 49 no. Sheffield type bicycle stands are provided at basement level -1 to provide 98 no. visitor cycle spaces (inclusive of 8 no. designated cargo bike spaces, that will also be available for the shared use with residents of the scheme) and a further 55 no. Sheffield type bicycle stands are provided at podium level to provide 110 no. cycle parking spaces (108 no. visitor cycle parking spaces (inclusive of 6 no. designated cargo bike spaces) and 2 no. cycle parking spaces in connection with the retail unit). All bicycle parking spaces at basement level is accessed via a dedicated cycle lift from podium to basement level -1 that is situated to the south of Block B. The design and provision of the cycle storage facilities is in accordance with Para. 4.17 of the Apartment Guidelines and the NTA Cycle Manual Standards.
- Car Parking – 80 no. car parking spaces are provided at basement level (including 4 no. disabled spaces and 8 no. car club spaces for shared use) that will be allocated to residents of the apartments. This level of provision is in accordance with Para. 4.19 of the Apartment Guidelines that promotes a default policy position of reduced car parking in central and / or accessible urban locations that are well served by public transport. Full details of the development's parking management strategy, as well as an analysis of residential parking demand patterns, are provided in Section 6 of the accompanying TTA.
- Building Lifecycle – The Guidelines also require a *'building lifecycle report which in turn includes an assessment of long-term running and maintenance costs as they would apply on a per residential unit basis at the time of application, as well as demonstrating what measures have been specifically considered by the proposer to effectively manage and reduce costs for the benefit of residents.'* A Building Lifecycle Report accompanies this application.

5.1.3 Urban Development and Building Heights Guidelines for Planning Authorities – December 2018

The Urban Development and Building Heights Guidelines for Planning Authorities (2018) states that generic maximum height limits, if inflexibly or unreasonably applied, can undermine wider national policy objectives to provide more compact forms of urban development as outlined in the National Planning

Framework, and instead continue an unsustainable pattern of development whereby cities and towns continue to grow outwards rather than consolidating and strengthening the existing built up area. The Guidelines provide that blanket limitations can also hinder innovation in urban design and architecture leading to poor planning outcomes.

The Guidelines include wider and strategic policy considerations and a more performance criteria driven approach that planning authorities should apply alongside their statutory development plans in securing the strategic outcomes of the National Planning Framework and in particular compact growth of urban areas.

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

Section 3.1 of the Guidelines state that it is Government policy that building heights must be generally increased in appropriate urban locations and therefore there is a presumption in favour of buildings of increased height in our towns/city cores and other urban locations with good public transport accessibility. As a broad principle, the Guidelines provide that proposal for buildings taller than prevailing building heights will be considered where they positively assist in securing National Planning Framework objectives of focusing development in key urban centres; fulfil targets relating to brownfield, infill development supporting compact growth in urban centres; and increase residential density and unit numbers, including student accommodation, in core areas and inner suburbs.

The proposed development proposes the intensification and consolidation of the HSQ precinct in a central and accessible urban location that is well served by public transport modes and being located proximate to high-capacity public transportation links and within the designated City Centre area. The height, massing and scale of the proposed development have afforded due regard to the existing development forming part of the wider HSQ precinct, and the need to protect the setting and context of the adjoining Royal Hospital Kilmainham and the need to protect and preserve the 'Cone of Vision' (COV) as identified under point 8 of the guidance for SDRA 7 in the Dublin City and Development Plan, 2016-2022 (DCDP). As detailed below, SDRA 7 provides that the area has the potential for increased building heights above 50 metres, establishing at City plan level that the area is suitable for increased height and intensity of development.

Section 3.2 of the Urban Development and Building Height Guidance state that 'In the event of making a planning application, the applicant shall demonstrate to the satisfaction of the Planning Authority/An Bord Pleanála, that the proposed development satisfies the following criteria...'. The Guidelines then specify a range of criteria to be addressed where proposed heights exceed those specified in the Development Plans (SPPR 3). These are specified at a macro level (at the scale of the relevant city/town); intermediate level (at the scale of district/ neighbourhood/ street); and, at a micro level (at the scale of the site/building) need.

Section 16.7.2 of the DCDP provides for a maximum building height of 24 m for residential development in the inner-city area, unless the provisions of an adopted LAP/SDZ/SDRA provide otherwise. The site is located within the SDRA7 area. The SDRA7 guidance provides that the area has the potential for increased building heights above 50 metres (16-storeys). As such, there is no limit on height in the SDRA 7 area. The heights of the proposed apartment blocks vary between 3-storeys and 18-storeys (up to a maximum

of 56.35 m (level +64550) above corresponding podium level (+8200) for the tallest block – Block A). The heights of the other constituent blocks, as measured to the top of their respective parapet levels, are as follows:

- Block B – 38.35m above corresponding podium level;
- Block C – 42.65m above corresponding podium level; and
- Block D and E – 16.05m above corresponding podium level (as measured to shoulder parapet height).

In the interest of providing a comprehensive assessment of the proposed development, Table 5.1 (below) provides an assessment of compliance of the proposed development with the 'Development Management Criteria' as set out in sub-section 3.2 of the above guidance. The relevant criterion is set out in the left-hand column, and the corresponding compliance response in the right-hand column in Table 5.1.

Table 5.1: Response to Development Management Criteria

1. At the scale of the relevant city/town	
<p>a) <i>The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.</i></p>	<p>The site is well served and connected with high frequency public transport modes and due to its city centre location will facilitate sustainable modes of transport, as follows:</p> <ul style="list-style-type: none"> • <u>Bus Services</u> - The submitted Residential Travel Plan (RTP) identifies that within a 5-minute walk of the site are 3 no. Dublin Bus routes (nos. 51d, 79, 79a) of which route 79 (between Aston Quay and Spiddal Park/Parkwest) operates at intervals of less than 10 minutes at peak times. An additional 29 no. bus routes (nos. 4, 13, 20, 22, 25, 26, 40, 66, 67, 69, 115, 120, 121, 123, 126, 130, 145, 363, 735, 737, 747, 842, X8, X12, X20 and variants) are accessible within a 10-minute walking distance of the site. • <u>Rail Services</u> - The site is located within a 10-minute walking distance from Heuston Station. Intercity rail services operating to and from this station connect the development directly to many towns and cities in the west of Ireland, such as Cork, Waterford, Galway and Limerick. A Commuter service also terminates at Heuston Station, serving commuter towns to the south-east of Dublin. Commuter trains serve Heuston Station at intervals of approximately 20 minutes at peak times. • <u>Light Rail Services</u> - The subject site is located within a 10-minute walking distance of the Heuston Station Stop on the Luas Red Line. Light rail services operating to

	<p>and from this stop connect it directly to the Point in the east (via Dublin city centre) and to Tallaght / Saggart in the south; interchange with the Luas Green Line is possible at Abbey Street. Trams serve the Heuston stop at intervals of approximately 3-4 minutes at peak times.</p> <ul style="list-style-type: none"> • Walking and Cycling – Existing pedestrian facilities along Military Road, St. John’s Road, Kilmainham Lane and neighbouring streets in the vicinity of the development site are generally in good condition. Raised footpaths and public lighting are in place on Military Road and St. John’s Road West in the vicinity of the subject development site. Pedestrian accessibility is enhanced by the urban nature of the wider environment, which includes ample footpaths. <p>There is no cycle infrastructure present on Military Road adjacent to the subject development site to the east. However, a cycle lane is present on St. Johns Road to the north in both an eastbound and westbound direction. There is no other existing cycle infrastructure in the immediate vicinity of the subject site. It is noted that under the <i>Cycle Network Plan for the Greater Dublin Area</i>, administered by the National Transport Authority (NTA), it is proposed that a greenway - the River Camac Greenway, be implemented along Military Road to the east, which will to the existing facilities along St John’s Road West cycle path and eventually lead the Liffey Greenway. No information is yet publicly available on the proposed design or delivery timeframe of this objective.</p>
<p><i>b) 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.</i></p>	<p>This application is accompanied by an Architectural Heritage and Visual Impact Assessment (AHVIA). The Report is relevant in its entirety to the assessment of this criterion. Indeed, this assessment acknowledges the importance of how the form and composition of the proposed development relates to the existing context and geometrical formality of the Royal Hospital and its splendid garden setting.</p> <p>The above assessment also assesses the impact of the proposed development on a designated view of importance, as described under Point 8 of the SDRA 7 guidance, set out in the DCDP.</p> <p>In this regard the AHVIA concludes that:</p>

	<p><i>'The proposed development screens the irregular forms and materiality of the first phase of the HSQ development and other large more recent structures in the COV - that have so fundamentally altered the RHK's historic setting. The proposals respond to its formality and materiality while maintaining the visual link between the Royal Hospital and the Gandon Cupola from the central axis. Accordingly, there is no adverse impact on the cone of vision.'</i></p>
<p><i>c) 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.</i></p>	<p>The proposed layout provides a prominent east-west visual link and, in time pedestrian link, through the development to provide a connectivity between the RHK gardens to the west and Military Road and the city to the east, which is key to the legibility of the proposed development and improving permeability through the site and the larger HSQ development precinct. This east-west link will create a formal public realm with high quality surface finishes, seating and formal tree planting that will also connect with the existing main public square to the east of Block A at the heart of the wider HSQ precinct. The proposal futureproofs the re-establishment of the lost nineteenth-century link between the RHK gardens and the city. The design has been demonstrated to be capable of accommodating the provision of an access, subject to agreement with the OPW and planning permission for the works, via ceremonial steps and paving that will reflect the materiality, formality and spirit of the gardens by creating a strong sense of approach through the proposed archway formed by the linked built form between Blocks A and C on arrival from the east.</p> <p>The proposed development comprises of 5 rectangular shaped blocks arranged in a grid pattern of varying heights with the lowest blocks (Blocks D and E) at the western end of the site to provide an appropriate interface with the RHK setting / gardens. Building heights generally rise from south to north and from west to east across the site culminating in the tallest block – Block A being situated immediately to the west of the main and largest public space at podium level that serves as an intersection point of north-south and east-west desire lines across the site.</p> <p>Block B at the south-eastern corner of the site is a part 8- and part 12-storey building and Block C immediately to the west thereof is a part 10- and part 13-storey building. In both instances the blocks step down in height at their southern ends to provide an appropriate transition in height</p>

to respond to the established building heights of the existing Telford, Hibernia and Sancton Wood buildings to the south, south-east and east of the proposed Blocks B and C.

Please refer to the following documents that set out in detail how the proposed development addresses this criterion:

- Architectural Design Statement;
- Public Realm and Landscape Strategy Report; and,
- Architectural Heritage and Visual Impact Assessment (AHVIA).

2. At the scale of district/ neighbourhood/ street

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

Section 4 of the Architectural Heritage and Visual Impact Assessment (AHVIA) accompanying this submission describes the historic evolution of the HSQ development and describes the sensitive and responsive design, massing and interaction of the proposed development with the RHK and its formal gardens as follows:

'The proposals for the second (SHD) phase of the Heuston South Quarter have been designed specifically to respond to its highly significant neighbour, the RHK. It was therefore felt that there is a strong case for the proposed massing of the design to relate formally and orthogonally to the gardens and the RHK. The design responds to address the gardens orthogonally with two lower residential blocks, D&E. These are in a contemporary classical language and materiality, the top floors of which will form a mediated backdrop to an arch-like opening between blocks A&B, framing views of the HSQ 1 development and the city beyond. This arch-like opening is to be framed by two twelve-storey blocks with a three-storey infill between the sixth and tenth floors forming the top of the archway.

The proposals respond to the sensitive formal geometry of the Royal Hospital building and its splendid gardens, and screen the irregular unsatisfactory forms of the first phase of the HSQ development that have so fundamentally altered the setting of the RHK.'

Please refer to the following documents that set out in detail

	<p>how the proposed development responds to this criterion:</p> <ul style="list-style-type: none"> • Architectural Design Statement • Public Realm and Landscape Strategy Report • Architectural Heritage and Visual Impact Assessment (AHVIA)
<p><i>b) The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered.</i></p>	<p>The proportionality and massing of the blocks are well considered to avoid long uninterrupted walls of buildings. The scheme offers great variety in height from the lower western elements at 5-storey heights rising eastwards to include a part 9- and part 12-storey block; a part 8- and part 12 storey block and the tallest block being a part 12- and part 18-storey block.</p> <p>The Architectural Design Statement and the Public Realm and Landscape Strategy Report address the durability and quality of the intended materials and finishes of the proposed buildings and the public realm.</p>
<p><i>c) 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).</i></p>	<p>The proposed development provides for strong built edge conditions along the main east-west pedestrian axis and framing public open spaces, especially the main public square to the north-east of the application site. Building heights are responsive in scale to provide an appropriate degree of enclosure of these spaces whilst ensuring appropriate micro-climatic conditions, as discussed below to ensure high quality, functional spaces of high amenity value to local residents and visitors to the area.</p> <p>With regard to the Flood Management Guidelines (November 2009), A Site-Specific Flood Risk Assessment (SSFRA) accompanies the application.</p> <p>The SSFRA indicates that the subject site falls within Flood Zone C. On this basis a Justification Test is not required. The assessment provides a flood risk assessment from various sources, including fluvial, tidal, pluvial, groundwater and failing infrastructure. In all instances the subject site and proposed development is not identified to be at risk of flooding. In summary the flood risk to the site has been assessed and considered insignificant.</p>
<p><i>d) The proposal makes a positive contribution to the improvement of legibility through the site or wider</i></p>	<p>The submitted Architectural Design Statement sets out the rationale for the varied scale, massing and height of the constituent buildings is consistent with and complimentary</p>

<p><i>urban area within which the development is situated and integrates in a cohesive manner.</i></p>	<p>to the surrounding urban context, including the sensitive historic setting of the RHK and its gardens to the west.</p> <p>Having regard to the specific guidance provided in the DCDP for SDRA7, the provision of a high-density housing development cluster with building heights ranging up to 18-storeys can make a positive and sustainable contribution to establishing a 'western counterpoint' of taller and denser development at the Heuston Gateway. This can serve as an appropriate counterpoint to the Docklands at the eastern end of the city, which is not only applicable to the neighbourhood scale (i.e., Heuston Gateway) and also at a city-wide scale.</p> <p>Please refer to the following documents that set out in detail how the proposed development this criterion:</p> <ul style="list-style-type: none"> • Architectural Design Statement • Public Realm and Landscape Strategy Report • Architectural Heritage and Visual Impact Assessment (AHVIA)
<p>e) <i>The proposal positively contributes to the mix of uses and/or building/dwelling typologies available in the neighbourhood.</i></p>	<p>The proposed Specific BTR residential development will contribute towards meeting annual strategic housing delivery targets whilst improving the range and quantity of rental dwellings available in Dublin.</p> <p>A review of Dublin City Council's Planning register has indicated that there are no other permitted BTR housing schemes within a 250m radius of the subject site. As such the proposal will introduce a new housing typology in the locality that will complement and enhance the existing mix and type of apartments at Heuston South Quarter.</p>
<p>3. At the scale of the site/building</p>	
<p>a) <i>The form, massing and height of proposed developments should be carefully modulated to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light.</i></p>	<p>The design process was an iterative process whereby revisions were rigorously tested in respect of visual impact, and micro-climatic effects including wind and daylight and sunlight assessments.</p>
<p>b) <i>Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like the</i></p>	<p>A Daylight and Sunlight Report accompanies the application, prepared in accordance with the BRE and all relevant guidance.</p>

<p><i>Building Research Establishment's 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'.</i></p>	<p>With regard to internal amenity, the assessment concludes:</p> <p>The analysis determined that 95% of rooms were in excess of the prescribed guidelines as set out within this report, for average daylight factors (ADF). This extent of compliance was achieved through design development, with increased glazing/ reduced balcony depths / balcony locations etc. applied to ensure the residences can benefit from maximised daylight availability.</p>
<p><i>c) 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.</i></p>	<p>As noted above, 95% of rooms assessed were in excess of the prescribed guidelines for average daylight factors (ADF), and that the vast majority of spaces were determined to comfortably exceed the values. Sub-standard daylighting performance was avoided wherever viable and practical by maximising glazing and minimising and offsetting balcony structures to maximise natural light availability and therefore internal environments.</p> <p>In the rooms where the standards were not fully achieved, the majority of these units benefit from a balcony or terrace. All units have access to a roof level amenity space from within the respective blocks. The Daylight and Sunlight Report has assessed the sunlight levels achieved on these spaces, and at the podium and courtyard spaces, and concludes:</p> <p>The proposed amenity space was found to receive excellent sunlight availability with 67% of the amenity spaces at ground and lower ground level and 97% of the upper spaces (roof terraces) receiving more than two hours of daylight on March 21st significantly more than the BRE minimum of 50%. On an incremental basis, it is noted that the Courtyard amenity space between Blocks C and D was found to be below the 50% target. However, it is noted that a reduction in the area of assessment in this courtyard by 94 sq.m is sufficient to achieve the compliance target of 50%. Importantly, such a reduction for quantification purposes would not undermine the achievement of quantitative standards in respect of communal open space provision on either an incremental basis for Blocks C and D, or cumulatively for the entire scheme, as demonstrated under sub-section 5.1.2 above.</p> <p>As detailed in this Report, the site represents an infill urban consolidation site that will assist in completing the regeneration of this large regeneration site in a manner</p>

consistent with the principles established in the parent permission. The physical and policy context of the site also mandate a sustainable level of density. It is submitted that the level of compliance achieved on the site is very high and is an appropriate and acceptable level to achieve on this site, given this context. In this regard the submitted Daylight and Sunlight Report identifies compensatory measures at Section 7.

It is submitted that the proposed development is consistent with the overall objectives of the Guidelines to maximise the opportunity afforded by central and accessible urban sites, to facilitate urban consolidation objectives, and to achieve compact growth of the HSQ precinct to contribute towards the achievement of a Western Cluster at the eastern end of Dublin City. It is submitted that the proposed development is consistent with the Urban Development and Building Height Guidelines for Planning Authorities (December 2018), and the objective to deliver compact, sustainable urban growth.

5.1.4 Design Manual for Urban Roads and Streets (2019)

The Design Manual for Urban Roads and Streets (DMURS) aims to create well-designed streets which are not dominated by traffic but balanced to the needs of all users and appropriate to the type of place in which the street is located. A DMURS Statement has been prepared by CS Consulting Engineers and accompanies this planning submission. The Statement confirms that the proposed design and layout of the road and street network is consistent with the Design Manual for Urban Roads and Streets 2019.

The Board's Opinion dated 22 April 2021 requested specific information to accompany the application pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017 (in addition to the requirements specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017. The requested information includes at Item 7(b) a *'report demonstrating compliance with the principles and specifications set out in DMURS and the National Cycle Manual. This should incorporate a Quality Audit that includes (i) a Road Safety Audit, (ii) an Access Audit, (ii) a Walking and Cycle Audit.'*

This information is provided within the accompanying DMURS Statement of Consistency prepared by CS Consulting Engineers. In addition, section 7.10 of the submitted Traffic and Transport Assessment (TTA) sets out the detail of an Independent Quality Audit that includes: i) a Road Safety Audit, (ii) an Access Audit, (iii) a Walking and Cycle Audit.

5.1.5 The Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009)

The Ministerial Guidelines provide a systematic approach to flood risk which is integrated into the planning process through the spatial planning process at regional, county, city and local levels, and also in the assessment of development proposals by planning authorities and An Bord Pleanála. The Guidelines introduce comprehensive mechanisms for the incorporation of flood risk identification, assessment and management into the planning process. The guidelines require the planning system to:

- Avoid development in areas at risk of flooding unless proven wider sustainable development grounds and risk can be mitigated without increasing risk elsewhere.
- Adopt a sequential approach to flood risk management for new development location based on avoidance, reduction and mitigation of flood risk.
- Incorporate flood risk assessment into decision making on planning applications.

A Site-Specific Flood Risk Assessment (SSFRA) has been undertaken by CS Consulting Engineers and accompanies this submission. The SSFRA identifies the site within Flood Zone C. On this basis a Justification Test is not required. The SSFRA provides a flood risk assessment from various sources, including fluvial, tidal, pluvial, groundwater and failing infrastructure. In all instances the subject site and proposed development is not identified to be at risk of flooding.

5.1.6 Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (2009)

The Habitats Directive sets out an obligation under Article 6(3) and 6(4) to undertake appropriate assessment to minimise the effects of development on protected sites.

Screening for Appropriate Assessment has been conducted by Biosphere Environmental Services (BES) for the proposed development in accordance with the Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (2009).

An AA Screening and Natura Impact Statement accompanies this application. The findings of the AA Screening and NIS are summarised under section 3.11, above.

5.1.7 Childcare Facilities – Guidelines for Planning Authorities (2001)

Section 2.4 of the Guidelines consider appropriate locations for childcare facilities, and with reference to facilities 'in new communities/larger new housing developments' provides that:

'For new housing areas, an average of one childcare facility for each 75 dwellings would be appropriate... Authorities could consider requiring the provision of larger units catering for up to 30/40 children in areas of major residential development on the basis that such a large facility might be able to offer a variety of services – sessional/drop in/after-school, etc.'

Section 3.3.1 of the guidelines requires the provision of childcare facilities at a ratio of 20 childcare spaces for every 75 proposed dwellings. Paragraph 4.7 of the Apartment Guidelines provides flexibility in respect of childcare facilities provision and removed the requirement for 'blanket provision' across all residential schemes. The Apartment Guidelines acknowledge that notwithstanding the Planning Guidelines for Childcare Facilities (2001), the threshold for provision of childcare facilities in apartment schemes should be established having regard to the scale and unit mix of the proposed development and the existing geographical distribution of childcare facilities and the emerging demographic profile of the area. In this regard, the guidance state that 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 bedrooms.

The Board's Opinion dated 22 April 2021 requested at Item 4 'A Social and Community Infrastructure Audit of existing facilities within the area demonstrating how the proposal will contribute to the range of supporting community infrastructure. This should be accompanied by an assessment of the capacity of

schools and childcare facilities in the area to accommodate the needs of the proposed development.'
[Emphasis Added]

An assessment of the capacity of schools and childcare facilities within the study area is provided within Chapter 5 of the submitted EIAR. In particular, section 5.6.3 of the EIAR assesses the construction and operational impacts of the proposed development on existing childcare facilities.

Having regard to the conclusions of the assessment contained in the EIAR, the predominance of studio and one-bedroom apartments within the scheme, and the nature of the proposed development as a BTR development, it is submitted that the proposed development will not generate the level of demand that would necessitate the provision of a childcare facility on-site as sufficient capacity exists among the existing childcare facilities in the study area.

5.1.8 Statement of Consistency

The proposed development has been informed by the foregoing Guidelines and has incorporated the relevant policies and objectives as contained therein. Accordingly, it is submitted that the proposed development is consistent with the overarching purpose and principles of the relevant Section 28 Guidelines, as set out above.

5.2 National and Regional Planning Policy Context

5.2.1 National Planning Framework (NPF) - Project Ireland 2040

The National Planning Framework (NPF) (Project Ireland 2040) was published in 2018. It sets out both the national strategic outcomes (NSO's) and National Policy Objectives (NPO's) for the future growth and sustainable development to 2040.

The NPF acknowledges the critical role that Dublin City plays in the country's competitiveness. It therefore supports Dublin's growth (jobs and population) and anticipates the city and suburbs to accommodate an extra 235,000 - 293,000 people by 2040. To support and manage Dublin's growth, the NPF is seeking that the city needs to accommodate a greater proportion of the growth it generates within its footprint than was the case heretofore and that housing choice, transport mobility and quality of life are key issues in the future growth of the city. The NPF therefore sets a target of at least 50% of all new homes targeted for Dublin City and suburbs are delivered within its existing built-up footprints.

To achieve these targets of compact growth and urban consolidation, the NPF identifies as key, the re-using of large and small 'brownfield' land, infill sites, and underutilised lands at locations that are well served by existing and planned public transport for housing and people intensive employment purposes. The NPF particularly highlights the need to focus on underutilised lands within the canals and the M50 ring and the relocating of less intensive uses outside the M50 ring and the existing built-up area generally.

The proposed development will contribute positively towards the achievement of this targeted growth whilst promoting compact growth and urban consolidation objectives through the intensification of a centrally located and accessible brownfield infill site that is well served by existing public transport. Accordingly, the application site is considered highly suitable for high-density residential development

purposes.

Each chapter of the NPF contains NPOs that promote coordinated spatial planning, sustainable use of resources, and protection of the environment and the Natura 2000 network. The NPOs most relevant to the subject application are included in Chapter 4 Making Stronger Urban Places and Chapter 6 People, Homes and Communities. These are the following:

Chapter 4 - 4 Making Stronger Urban Places

National Policy Objective 4

Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

National Policy Objective 11

In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.

National Policy Objective 13

In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

Chapter 6 People, Homes and Communities

National Policy Objective 27

Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.

National Policy Objective 33

Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

National Policy Objective 35

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.

In accordance with the NPOs, the proposed BTR Residential Scheme will deliver a high-density development of modern and adaptable new homes in the core city area adjacent to existing public transport and local services provision. It is submitted that the proposed development accords with national policy/guidance, which seeks to secure compact growth in urban areas and deliver higher densities in suitable locations and thereby enabling the city *'to accommodate a greater proportion of its*

growth within its metropolitan boundaries through regeneration and redevelopment projects' (National Strategic Outcome 1) and *'encourage more people and generate more jobs and activity within the city'* (National Policy Objective 11).

5.2.2 Rebuilding Ireland – Action Plan for Housing and Homelessness (2016)

This Action Plan seeks to improve the viability of housing construction and ensure that an average of 25,000 homes are delivered year-on-year for the period up to 2021 in order to effectively address housing demand in Ireland. In order to achieve this, 5 no. Pillars are outlined, each with its own specific key actions: -

- Pillar 1 – Address Homelessness
- Pillar 2 – Accelerate Social Housing
- Pillar 3 – Build More Homes
- Pillar 4 – Improve the Rental Sector
- Pillar 5 – Utilise Existing Housing

The proposed BTR residential development will contribute towards achieving some of the objectives of this Action Plan, particularly Pillars 3 and 4 insofar as it would contribute towards achieving an annual strategic housing delivery target for Dublin city and improving the range and quantity of rental homes available in Dublin.

5.3 Regional Spatial and Economic Strategy (RSES) for the Midlands and Eastern Region, 2019-2031

The Regional Spatial and Economic Strategy for the Eastern and Midland Regional Area (RSES) translates the National Planning Framework objectives to the regional level. It sets out the vision for growth (homes and jobs) and Regional Policy Objectives (RPO) for the Eastern and Midland Region (9 counties).

The growth and settlement strategy of the RSES reflects the compact growth and urban consolidation objectives of the NPF; seeking to promote the consolidation and re-intensification of infill, brownfield and underutilised lands with Dublin City and its suburbs, with 50% of all new homes targeted for Dublin and its suburbs to be located within the existing built up area in tandem with the delivery of key infrastructure to achieve, in Dublin City Council's administrative area, an increase in population of c. 100,000 people by 2031.

A more detailed planning and investment framework for the Dublin Metropolitan Area is set out in the Dublin Metropolitan Area Strategic Plan (MASP), which forms part of the RSES. The RSES include a number of Regional Policy Objectives (RPOs). Under the RSES MASP the following RPO in respect of strategic residential development within the Dublin Metropolitan area is relevant:

- 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'.

To support Dublin's sustainable growth and continued competitiveness the MASP identifies a number of

large-scale strategic sites (strategic development lands), based on key corridors that will deliver significant development (housing and employment development) up to the year 2031.

The strategic development lands within the DCC administrative area include Dublin Docklands, Poolbeg West and the potential of brownfield lands in the Naas Road area. It identifies the Docklands and large industrial and other strategic land banks along major transport corridors within the city as Strategic Employment locations and seeks the intensification of all employment lands within the M50. However, the MASP recognises that strategic sites, other than those outlined in the Plan, will come forward during the lifetime of the MASP through the ongoing development and intensification of brownfield and infill opportunities.

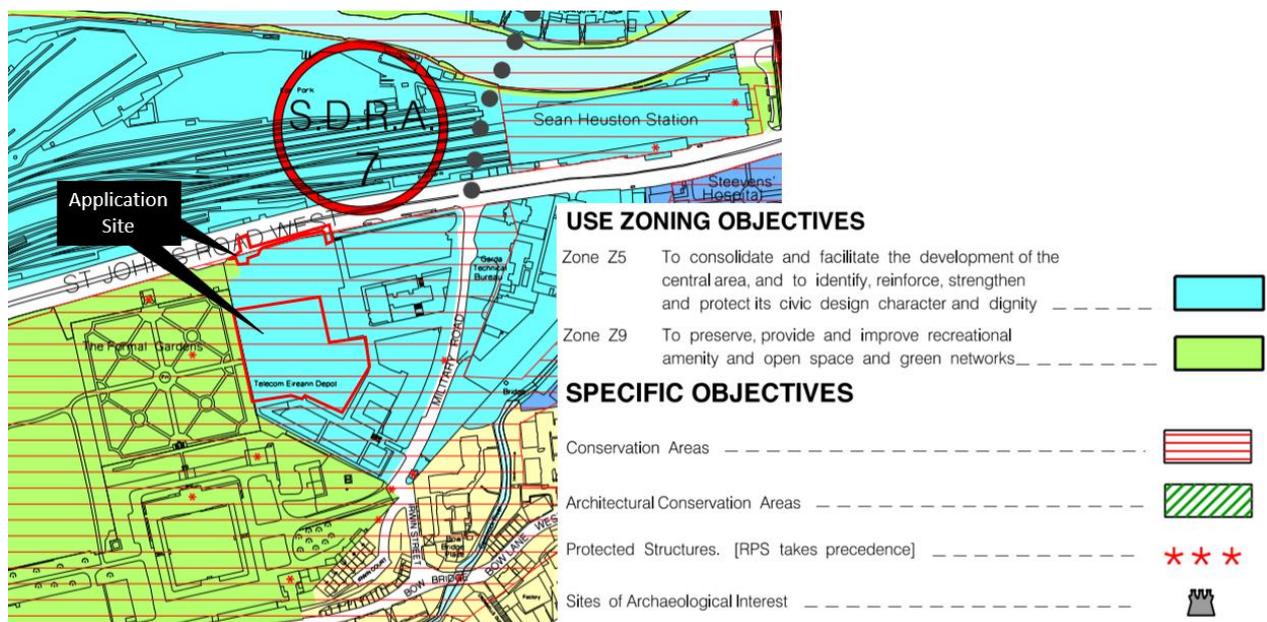
The proposed development will deliver a high density BTR scheme of modern and adaptable new homes, on an infill, brownfield site that is well served by public transport provision and local service provision. This is in accordance with the principles and vision of the Metropolitan Area Strategic Plan (MASP).

5.4 Dublin City Development Plan, 2016-2022 (DCDP)

The relevant Development Plan is the Dublin City Development Plan, 2016-2022 (DCDP), which provides the relevant zoning context and development guidance for the subject site, as set out below. The DCDP designated the site as a Strategic Development and Regeneration Area (SDRA) and includes design guidance and development control standards for the development sites within the designated SDRA area, which includes HSQ. The site is included within SDRA 7 – Heuston Station and Environs Area.

5.4.1 Zoning

Figure 5.1: Zoning Context: Dublin City Development Plan 2017-2023 (Extracted from Map E)



The subject site is zoned Objective Z5 (SDRA7), 'to consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity.' This zoning objective applies to the city centre area. Residential and retail uses are permitted in principle.

Although the proposal comprises primarily a residential-led scheme and does not provide for the mix of land uses envisaged by the Z5 zoning objective on a standalone basis. However, the proposed Built to rent scheme will contribute a significant residential component to the broad mix of uses that already / currently exist within the SDRA7 and complement the existing mix of non-residential uses within the wider HSQ precinct. It is also the applicant's intention to submit a planning application in the near future in respect of Site B for a mixed-use commercial scheme comprising a hotel and office block, which will further enhance the mix of uses within the wider HSQ development.

On this basis, the proposed primarily residential scheme is considered to be consistent with the Zoning Objective as there is currently a vibrant mix of uses, existing and proposed, within the wider area.

5.4.2 Strategic Development and Regeneration Area 7

HSQ is located within the Heuston Gateway area, designated as SDRA 7. The City Plan sets out the following guiding principles for the SDRA:

1. To develop a new urban gateway character area focused on the transport node of Heuston Station with world class public transport interchange facilities, vibrant economic activities, a high-quality destination to live, work and socialise in, a public realm and architectural designs of exceptional high standard and a gateway to major historic, cultural and recreational attractions of Dublin City.

2. To incorporate sustainable densities in a quality contemporary architecture and urban form which forges dynamic relationships with the national cultural institutions in the Heuston environs.

3. To ensure the application of best practice urban design principles to achieve:

- A coherent and legible urban structure within major development sites*
- A prioritisation on the provision of public space*
- A successful interconnection between the development site and the adjacent urban structure*

4. To protect the fabric and setting of the numerous protected structures and national monuments, many of which are major national cultural institutions.

5. To incorporate mixed-use in appropriate ratios in order to generate urban intensity and animation. This will require the major uses of residential and office to be complemented by components of culture, retail and service elements.

*6. To improve pedestrian and cycle linkages throughout the area and through key sites, with a particular focus on seeking the following new linkages/improvements: along St. John's Road West; **from St. John's Road to the Royal Hospital Kilmainham via Heuston South Quarter**, subject to agreement with the OPW/RHK, on the nature of the proposed linkage; from Dr. Steeven's Hospital to IMMA, with consideration give to a new path along the banks of the river Camac.*

7. As a western counterpoint to the Docklands, the Heuston gateway potentially merits buildings above 50 metres (16-stories) in height in terms of civic hierarchy. Sites particularly suited for tall buildings include:

- OPW building: corner site on OPW lands adjacent to Dr. Steeven's Hospital and Park, and opposite the south façade of the station building.*

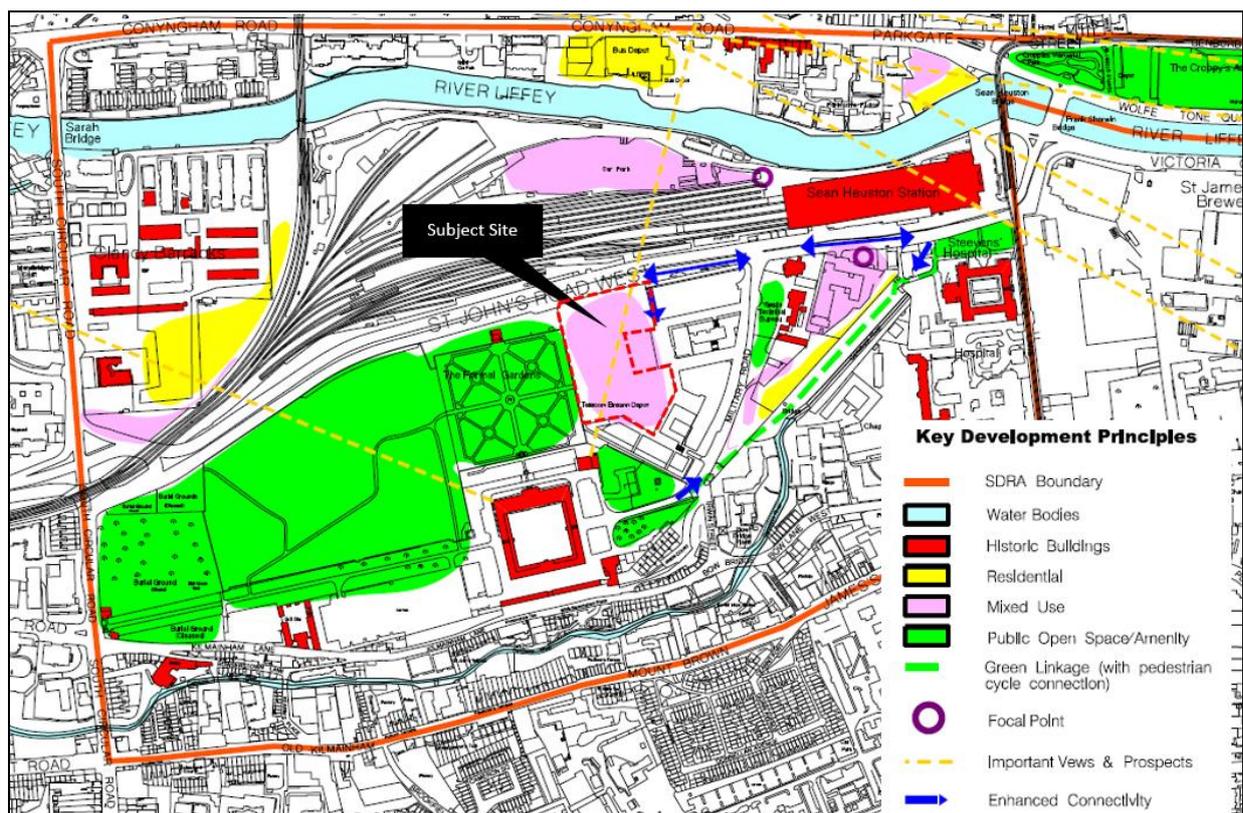
- *CIE building: site to the north of the station building on the river relating to the West Terrace and River Terrace.*

Any new mid or high-rise buildings must provide a coherent skyline and not disrupt key vistas and views.

8. The “**cone of vision**”, as set out in the 2003 Heuston Framework Plan, represents a significant view between. The Royal Hospital Kilmainham and the Phoenix Park extending from the west corner of the north range of the Royal Hospital Kilmainham and the north-east corner of the Deputy Master’s House to the western side of the Magazine Fort and east edge of the main elevation of the Irish Army Headquarters (former Royal Military Infirmary) respectively. **Any new developments within this zone shall not adversely affect this view. A visual impact analysis shall be submitted with planning applications to demonstrate this view is not undermined.**

9. Other important visual connections to be respected include Chesterfield Avenue to Guinness Lands and from key parts of the City Quays to the Phoenix Park (Wellington Monument).’

Figure 5.2: SDRA7 Development / Planning Framework (Redline indicative only inclusive of adjoining commercial development site that does not form part of the SHD Application site)



5.4.2.1 The Cone of Vision

The SDRA 7 principles establish a cone of vision (COV), extending from the west corner of the north range of the Royal Hospital Kilmainham and the north-east corner of the Deputy Master’s House to the western side of the Magazine Fort and east edge of the main elevation of the Irish Army Headquarters (former Royal Military Infirmary) respectively. The outer extents are identified by yellow hatched lines on Figure 5.2 above. The relevant policy ‘test’ in respect of any development within the cone of vision is as set out

under Point 8 of the SDRA principles:

'Any new developments within this zone shall not adversely affect this view. A visual impact analysis shall be submitted with planning applications to demonstrate this view is not undermined.'

The submitted Architectural Heritage and Visual Impact Assessment (AHVIA) provides a comprehensive assessment of the impact of the proposed development on the COV and the setting of the RHK and its formal gardens. The Assessment identifies the Royal RHK as *'indisputably Ireland's most significant public building, a fact recognised by its inclusion on both the Record of Protected Structures and the NIAH, which deems it to be of International significance for its qualities'*.

The Assessment describes the historic evolution and development of the HSQ development and describes the sensitive and responsive design, massing and interaction of the proposed development. The following design responses are noted:

'The proposals for the second (SHD) phase of the Heuston South Quarter have been designed specifically to respond to its highly significant neighbour, the RHK. It was therefore felt that there is a strong case for the proposed massing of the design to relate formally and orthogonally to the gardens and the RHK. The design responds to address the gardens orthogonally with two lower residential blocks, D&E. These are in a contemporary classical language and materiality, the top floors of which will form a mediated backdrop to an arch-like opening between blocks A&B, framing views of the HSQ 1 development and the city beyond. This arch-like opening is to be framed by two twelve-storey blocks with a three-storey infill between the sixth and tenth floors forming the top of the archway.'

'The proposals respond to the sensitive formal geometry of the Royal Hospital building and its splendid gardens, and screen the irregular unsatisfactory forms of the first phase of the HSQ development that have so fundamentally altered the setting of the RHK.'

With specific regard to the COV, the Assessment notes that of the three relevant monuments within the Cone referenced in the City Plan, the magazine fort is obscured by mature trees, while the Royal Military Hospital is so distant, that only the cupola, and the unsatisfactory large three-storey 1935-40 extension, are discernible. The cupola is small but with a distinctive form, while the extension is in a crude pastiche style that detracts from the purity of the Gandon building.

The Assessment states that the area within the COV has been much altered over the past 150 years, with the advent of the railways and associated infrastructure, and the incremental addition of numerous large developments within the cone, both in the near and far grounds which include tall, mixed used developments at Clancy Barracks, offices and apartment blocks of variable quality along Conyngham Road, the dominant new Courts of Criminal Justice building at Parkgate Street, the beginning of the construction of the new six-storey Garda Command Centre on Military Road, and the large pastiche 1935-40 office extension added to the south-eastern side of Gandon's Royal Military Infirmary, which is considerably more prominent visually than the original building. Importantly, it notes that trees have also obscured all views of the magazine fort on the west side of the cone of vision as outlined in the development plan.

In terms of the impact on the COV, the assessment goes on to conclude as follows:

'The proposed development screens the irregular forms and materiality of the first phase of the HSQ development - and other large more recent structures in the COV - that have so fundamentally altered

the RHK's historic setting. The proposals respond to its formality and materiality while maintaining the visual link between the Royal Hospital and the Gandon Cupola from the central axis. Accordingly, there is no adverse impact on the cone of vision.'

5.4.2.2 General Development Standards

Plot Ratio and Site Coverage:

The DCDP includes a site Coverage standard of 90% for Z5 lands and an associated Plot Ratio range 1:2.5 to 3. Those standards can be exceeded under the following circumstances:

- Adjoining major public transport termini and corridors, where an appropriate mix of residential and commercial uses is proposed.
- To facilitate comprehensive re-development in areas in need of urban renewal.
- To maintain existing streetscape profiles.
- Where a site already has the benefit of a higher plot ratio.

The proposed development has a plot ratio of 1:2.97 and a site coverage of 26.7% (based on a gross site area of 1.08ha), both of which are consistent with the DCDP standards. Both plot ratio and site coverage are useful planning tools that seek to ensure / safeguard against adverse effects of overdevelopment and to protect the amenities of existing adjoining and proposed development. Having regard to the character of the surrounding area and the form of the development laid out as 5 no. blocks of residential units with communal and private open space, it is submitted that the resultant site coverage and plot ratio achieve this objective and are therefore acceptable. In this respect the low site coverage figure achieved is a reflection of the generous level of communal open space and public open space provision throughout the scheme. This level of communal and public open space provision seeks to offset the level of private amenity space provision.

Building Height:

The DCDP includes a blanket building height standard for all areas in the inner city unless the provisions of an adopted LAP/SDZ/SDRA provide otherwise. As detailed above, the SDRA allows for buildings above 50 m within the SDRA area, and as such no height limit applies in the SDRA area.

Section 16.7.2 of the DCDP provides that all proposals for mid-rise and taller buildings must have regard to the assessment criteria for high buildings as set out in the left-hand column of Table 5.2, below. It is noted that there is a significant overlap between the DCDP criteria, and the more recent criteria identified under section 3.2 of the Urban Development and Building Height Guidelines (2018), as set out under section 5.1.3 (Table 5.1), above. Accordingly, the right-hand column of the table below provides either an appropriate reference to a submitted planning document addressing the criteria, or a discussion demonstrating how the proposed development satisfies the relevant criterion.

Table 5.2: Summary of Compliance with DCDP Criteria for Mid-rise and Taller Buildings

DCDP Criteria	Response to DCDP Criteria
Relationship to context, including topography, built form, and skyline having regard to the need to protect important views, landmarks, prospects and	These issues are addressed under Criterion 1(b) as set out in Table 5.1 above. Please also refer to the submitted Architectural

DCDP Criteria	Response to DCDP Criteria
vistas.	Heritage and Visual Impact Assessment.
Effect on the historic environment at a city-wide and local level. Relationship to transport infrastructure, particularly public transport provision.	As above. Public transport accessibility is discussed under Criterion 1(a), as set out in Table 5.1.
Architectural excellence of a building which is of slender proportions, whereby a slenderness ratio of 3:1 or more should be aimed for.	Please refer to the submitted Architectural Design Statement
Contribution to public spaces and facilities, including the mix of uses.	<p>The proposed layout would facilitate the provision of a new access to the RHK gardens to the west to form a public route towards Military Road along a new east-west axis through the site. The proposed building blocks are set out in a grid pattern north and south of this new pedestrian axis.</p> <p>The proposed blocks would address both the historic gardens and the existing public square within the HSQ precinct. A combination of amenity uses within Block A and a commercial use within Block B would provide activation of this space at podium level.</p> <p>The proposal is based on a Masterplan approach which provides for integration within the completed phases of the HSQ development located to the east and south where there is an existing range of complimentary retail and services. The mix of uses within the wider HSQ precinct will benefit from further enhancement with the delivery of the proposed commercial (office) and hotel development on the adjoining site to the north of the application site.</p> <p>The proposed design and layout seek to complete the original scheme proposals in a coherent manner with a responsive approach on detail design and materials.</p> <p>Further commentary on these matters is provided under Criteria 1(c); 2(c) and 2(e), as</p>

DCDP Criteria	Response to DCDP Criteria
	set out in Table 5.1 above.
Effect on the local environment, including micro-climate and general amenity considerations.	<p>The design process was an iterative process whereby revisions were rigorously tested for associated visual impacts arising whilst being assessed for micro-climatic effects through wind and daylight and sunlight assessments.</p> <p>Daylight and Sunlight considerations are discussed under Criteria 3, as set out in Table 5.1, above. Wind and Microclimatic effects are discussed in more detail in the cover letter accompanying the application submission which provides a response under line item 2 of Table 4.1. Amenity considerations are also discussed under the response Item No. 3(b) of the Board's Opinion as discussed under sub-section 3.3.2 of the above letter.</p>
Contribution to permeability and legibility of the site and wider area.	Refer to Criteria 2(d), as set out in Table 5.1 above.
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 height studies.	Refer to the responses provided under line items 1, 2 and 3 of Table 4.1 as set out in the submitted cover letter.
Adoption of best practice guidance related to the sustainable design and construction of tall buildings.	Section 4.1 of the submitted Energy and Sustainability Report states that the proposed development will avail of a Centralised Plant room linked to the existing site wide district heating network. Low-energy systems were selected and analysed for the mechanical and electrical installations, comprising of heat generators, heating and hot water systems, ventilation and lighting. The local centralised system dedicated to the proposed residential apartment blocks comprise of an Air Source Heat pump supplemented by a connection from the existing district heating system.

DCDP Criteria	Response to DCDP Criteria
Evaluation of providing a similar level of density in an alternative urban form.	Please refer to the Architectural Design Statement, and to the Consideration of Alternatives Chapter in the EIAR.

Density:

The DCDP seeks to facilitate higher densities where appropriate infrastructure (such as public transport) exists to support development. In this regard, the following policies are relevant:

- 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 DCDP encourages increased densities and the provision of a variety of housing types by utilising sustainable sites in urban areas. This supportive local policy basis is consistent with national policy that promotes the appropriate densification and consolidation of urban infill sites to contribute towards addressing the national housing crisis.

5.4.3 Public Open Space Provision

Whilst there is a 10% requirement specifically for all residential schemes as set out in section 16.10.3 of the DCDP.

'The distinction between public and private open space has become less clear with the increasing prevalence of higher density developments containing communal open space. Public open space is genuinely accessible to the general public. Public open space is open space which makes a contribution to the public domain and is accessible to the public for the purposes of active and passive recreation, including relaxation and children's play. Public open space also provides for visual breaks between and within residential areas and facilitates biodiversity and the maintenance of wildlife habitats. In new residential developments, 10% of the site area shall be reserved as public open space.'

The DCDP goes on to provide some flexibility in this regard where it acknowledges that in certain instances it will not be appropriate or possible to provide public open space on-site, where it states as follows:

'Public open space will normally be located on-site, however in some instances it may be more appropriate to seek a financial contribution towards its provision elsewhere in the vicinity. This would

include cases where it is not feasible, due to site constraints or other factors, to locate the open space on site, or where it is considered that, having regard to existing provision in the vicinity, the needs of the population would be better served by the provision of a new park in the area (e.g. a neighbourhood park or pocket park) or the upgrading of an existing park. In these cases, financial contributions may be proposed towards the provision and enhancement of open space and landscape in the locality, as set out in the City Council Parks Programme, in fulfilment of this objective.' [Emphasis in underlining]

It is noted that the proposed development completes the central square at HSQ and provides a variety of spaces at ground level, complementing those within the development, including a MUGA. The site is also proximate and accessible to significant amenity spaces including the RHK gardens, the Phoenix Park, and the Memorial Gardens. In this regard it is submitted that the site does not lend itself for the provision of a significant area of public open space and given the provision and proximity of existing nearby spaces, it is considered that a financial contribution in lieu of same would be appropriate in this instance.

5.4.4 Apartment Development Standards

Sub-section 16.10.1 of the DCDP sets out Residential Quality Standards for apartment developments and requires compliance with same in addition to the standards set out 'in the Department of Environment, Community and Local Government guidelines entitled *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (December 2015)*' which, since the adoption of the DCDP have been amended in 2018 and subsequently revised in 2020 – refer to sub-section 5.1.2 above.

Unlike the Apartment Guidelines (specifically SPPR 7 and SPPR 8), the DCDP standards do not generally distinguish between 'build-to-let' or the more traditional 'built-to-sell' apartment schemes and with the exception of unit mix guidance provide a uniform set of standards for all types of apartment development.

As stated above, sub-section 16.10.1 of the DCDP provides that all apartment schemes shall comply with the relevant standards set out in the plan. In this regard the relevant standards are summarised and set out in the left-hand column of Table 5.3, below. It is noted that there is a significant overlap between the DCDP standards, and the more recent standards contained in the Apartment Guidelines as set out under sub-section 5.1.2 above. Accordingly, the right-hand column of the table below provides either an appropriate reference to a submitted planning document addressing the criteria, or a discussion demonstrating how the proposed development complies / meet the relevant standard.

Table 5.3: Summary of Compliance with DCDP Apartment Development Standards

DCDP Standard	Compliance Response to DCDP Standard
<p>Floor Areas</p> <p>The following minimum overall apartment floor areas are applicable:</p> <ul style="list-style-type: none"> • Studio-type - 40 sq.m • 1-bed - 45 sq.m • 2-bed - 73 sq.m 	<p>Having regard to Schedule 2.1 (Apartment Types) of the submitted Housing Quality Assessment, the following departures from the development plan standards are noted:</p> <ul style="list-style-type: none"> • All studio type units proposed (with the exception of Unit types S.4, S.6 and S.8) are smaller than 40 sq.m. • The proposed development includes 13 no.

DCDP Standard	Compliance Response to DCDP Standard
<p>Notably the DCDP does not include the provision for a reduced size two-bed apartment, 63 sqm GFA, which is suitable for 3 persons, as is provided for in Appendix 1 of the Sustainable Urban Housing: Design Standards for New Apartments (2020).</p> <p>It is also a requirement that <i>'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).'</i></p>	<p>two beds (Apartment Types 2.6 and 2.12) which are deemed to be 3 person two-bed units consistent with the Apartment Guidelines. The Development Plan does not contain a bespoke standard in this regard that sets it apart from a 2-bed / 4-person unit.</p> <ul style="list-style-type: none"> The majority of proposed apartment types (with the exception of Apartment Types 1.1, 1.01D; 1.8, 1.9, 1.12, 1.13 and 2.8D) will not exceed the required minimum floor area standard by at least 10%. The aforementioned unit types comprise 77 no. units in total or 19.3% of the total number of units that will exceed the required minimum floor area standard by at least 10%. <p>These issues are discussed under sub-section 3.1 of the submitted Material Contravention Statement.</p>
<p>Mix of Residential Units</p> <p>Section 16.10.1 of the DCDP provides guidance on 'build-to-let' apartment schemes, which is considered the equivalent of the Built to Rent (BTR) typology referenced in Section 5 of the 'Sustainable Urban Housing: Design Standards for New Apartments' (March 2020). In this regard, the DCDP states that the standard apartment mix requirement will not apply to a BTR scheme and instead advises that <i>'up to 42-50% of the total units may be in the form of one bed or studio units.'</i> The DCDP guidance goes on to state that:</p> <p><i>'Communal facilities such as common rooms, gyms, laundry rooms etc. will be encouraged within such developments. This provision only applies to long-term purpose-built managed schemes of over 50 units, developed under the 'build-to-let' model and located within 500 m (walking distance) of centres of employment or adjoining major employment sites.'</i></p> <p>The DCDP also requires applicants to submit evidence to demonstrate that there is not an overconcentration of such schemes within a</p>	<p>The proposed development provides 399 no. BTR apartments, comprising 46 studios (11.5%); 250 no. 1 bed (62.7%) and 103 no. 2 bed apartments (25.8%). The combined proportion of studio and one-bedroom units proposed is 77%. The proposed development provides for in excess of 50% one bed and studio units.</p> <p>In this regard SPPR 8 of the Apartment Guidelines states that for proposals that qualify as a specific BTR development in accordance with SPPR 7: <i>'(i) <u>No restrictions on dwelling mix and all or requirements of these Guidelines shall apply, unless specified otherwise'</u></i>. [Emphasis added in underlining]</p> <p>This matter is addressed under sub-section 3.2 of the accompanying Material Contravention Statement.</p> <p>A Site Specific BTR Apartment Management</p>

DCDP Standard	Compliance Response to DCDP Standard
localised area (suggested 0.25km radius).	<p>Plan accompanies the application. It sets out the envisaged arrangements to be put in place by the operators of the development to ensure a high-quality residential product for residents which will be an exemplar for this type of development within Dublin City.</p> <p>A review of the Dublin City Council's Planning register has indicated that there are no other permitted BTR housing schemes within a 250 m radius of the subject site.</p>
<p>Dual Aspect</p> <p>The DCDP refers to the Apartment Guidelines and require compliance with same.</p>	<p>As stated under sub-section 5.1.2 above, the subject site is considered to occupy a central and accessible location and therefore the minimum applicable threshold criterion is considered to be a 33% requirement in terms of the minimum number of dual aspect units pursuant to SPPR 4 of the Guidelines.</p> <p>No single aspect units are north facing, and a total of 201 apartments, or 50%, are dual aspect units, which exceeds the target. Further details are provided in the accompanying HQA.</p>
<p>Block Configuration</p> <p>The DCDP requires that there '... shall be a maximum of 8 units per core per floor, subject to compliance with the dual aspect ratios ...</p>	<p>Having regard to the submitted floorplans it is noted that all of the constituent residential blocks are rectangular in shape. Apartments are laid out / arranged on either side of a central access corridor. At podium level these central corridors run north-south through the blocks with access points at either side of each block.</p> <p>At the upper floor levels these central corridors extend off a central staircore. Having regard to typical upper-level floorplans (Level 01 and Level 04) it is noted that both Block A and E contain more than 8 units per core per floor.</p> <p>This matter is addressed in fully in the accompanying Material Contravention Statement.</p>
Minimum Internal Space Standards	

DCDP Standard	Compliance Response to DCDP Standard																																					
<p>The DCDP sets out minimum internal space requirements for living/dining/kitchen rooms, bedrooms and storage areas, as follows:</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>Minimum aggregate floor areas for living/dining/kitchen rooms:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #800000; color: white;"> <th colspan="3">Minimum widths for the main living/dining rooms</th> </tr> <tr style="background-color: #800000; color: white;"> <th>Apartment type</th> <th>Width of living / dining room</th> <th>Aggregate floor area of living/dining/kitchen area*</th> </tr> </thead> <tbody> <tr> <td style="background-color: #f2f2f2;">Studio</td> <td style="background-color: #f2f2f2;">5 m**</td> <td style="background-color: #f2f2f2;">30 sq.m**</td> </tr> <tr> <td style="background-color: #f2f2f2;">One bedroom</td> <td style="background-color: #f2f2f2;">3.3 m</td> <td style="background-color: #f2f2f2;">23 sq.m</td> </tr> <tr> <td style="background-color: #f2f2f2;">Two bedroom</td> <td style="background-color: #f2f2f2;">3.6 m</td> <td style="background-color: #f2f2f2;">30 sq.m</td> </tr> </tbody> </table> </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>Minimum bedroom floor areas/widths:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #800000; color: white;"> <th colspan="3">Minimum bedroom floor areas/widths</th> </tr> <tr style="background-color: #800000; color: white;"> <th>Type</th> <th>Minimum width</th> <th>Minimum floor area</th> </tr> </thead> <tbody> <tr> <td style="background-color: #f2f2f2;">Studio</td> <td style="background-color: #f2f2f2;">5 m**</td> <td style="background-color: #f2f2f2;">30 sq.m**</td> </tr> <tr> <td style="background-color: #f2f2f2;">Single bedroom</td> <td style="background-color: #f2f2f2;">2.1 m</td> <td style="background-color: #f2f2f2;">7.1 sq.m</td> </tr> <tr> <td style="background-color: #f2f2f2;">Double bedroom</td> <td style="background-color: #f2f2f2;">2.8 m</td> <td style="background-color: #f2f2f2;">11.4 sq.m</td> </tr> <tr> <td style="background-color: #f2f2f2;">Twin bedroom</td> <td style="background-color: #f2f2f2;">2.8 m</td> <td style="background-color: #f2f2f2;">13 sq.m</td> </tr> </tbody> </table> </div> <div style="border: 1px solid black; padding: 5px;"> <p>Minimum aggregate bedroom floor areas:</p> <table style="width: 100%;"> <tbody> <tr> <td style="background-color: #f2f2f2;">One bedroom</td> <td style="background-color: #f2f2f2;">11.4 sq.m</td> </tr> <tr> <td style="background-color: #f2f2f2;">Two bedroom</td> <td style="background-color: #f2f2f2;">11.4+13 sq. m = 24.4 sq.m</td> </tr> </tbody> </table> </div>	Minimum widths for the main living/dining rooms			Apartment type	Width of living / dining room	Aggregate floor area of living/dining/kitchen area*	Studio	5 m**	30 sq.m**	One bedroom	3.3 m	23 sq.m	Two bedroom	3.6 m	30 sq.m	Minimum bedroom floor areas/widths			Type	Minimum width	Minimum floor area	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	One bedroom	11.4 sq.m	Two bedroom	11.4+13 sq. m = 24.4 sq.m	<p>All proposed Studio Type S.1 and S.01.1 apartments (11 no. apartments in total) do not meet the minimum 5m room width requirement and all proposed 2 bed/3-person unit type 2.6 (12 no. units) and 2.12 (1 no. unit) do not meet the required 30 sq.m aggregate living/dining/kitchen floor area. However, these units meet the relevant standards contained in Appendix 1 of the Apartment Guidelines, which is a minimum 4m room width for studios and 28sq.m aggregate living/dining/kitchen floor area for 2 bed/ 3 person units.</p> <p>This matter is addressed under sub-section 3.4 of the submitted Material Contravention Statement.</p> <p>All bedroom areas and aggregate bedroom areas comply with the minimum DCDP standards, as demonstrated in Schedule 2.1 of the submitted HQA.</p> <p>The submitted apartment type floorplans – Drawing No’s P19-213D-RAU-ZZ-ZZ-DR-A-AP-001; 002 and 003 clearly indicate the location and storage areas associated with each of the proposed apartment types.</p> <p>Whilst the storage standards for studios, 1-bed and 2-bed / 4-person units are consistent with the standards promoted in the Apartment Guidelines, it is noted that the Apartment Guidelines provides a distinct 5 sq.m storage requirement / standard in respect of 2-bed / 3-person units that is lower than the 6 sq.m standard for a 2-bed / 4-person unit. In this</p>
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<p>In terms of storage provision, the DCDP requires the following minimum standards:</p> <ul style="list-style-type: none"> – Studio unit: 3 sq.m. – 1-bedroom unit: 3 sq.m – 2-bedroom unit: 6 sq.m 																																						

DCDP Standard	Compliance Response to DCDP Standard
	<p>regard, all the proposed 2 bed / 3-person unit types 2.6 (12 no. units) and 2.12 (1 no. unit) do not meet the DCDP storage space standard of 6 sq.m but in all instances the minimum required 5 sq.m storage space, as per the Apartment Guidelines are met, as set out in sub-section 3.4 of the Material Contravention Statement.</p>
<p>Private Open Space</p> <p>The DCDP requires that private open space shall be provided in the form of gardens or patios/ terraces for ground floor apartments and balconies at upper levels. The minimum depth of private amenity open space (balcony or patio) shall be 1.5 m and the minimum area / size shall be as follows:</p> <ul style="list-style-type: none"> • Studio unit: 4 sq. m. • 1-bedroom unit: 5 sq.m • 2-bedroom unit: 7 sq.m. 	<p>A total of 94 no. units (23.6%) benefit from private amenity space provision in the form of either a private patio / terrace (22 units) or a balcony (72 units). In all instances the minimum prescribed areas and depth requirement of 1.5m are met.</p> <p>This matter is raised under Item 3(a) of the Board's Opinion and a detailed response is provided in the submitted cover letter and Architectural Design Statement, HQA and Landscape Report, which address the level and detail of private amenity space provision and the quantitative and qualitative aspects of communal amenity space and communal support facilities and amenities provision within the proposed development with specific reference to the requirements of SPPR 7(b)(i) and (ii) and SPPR 8 (ii) of the Guidelines.</p> <p>This matter is also addressed under sub-section 3.5 of the submitted Material Contravention Statement.</p>
<p>Communal Open Space</p> <p>In addition to providing private open space, apartment schemes must also provide for communal open space in accordance with the following standards:</p> <ul style="list-style-type: none"> • Studio unit: 4 sq. m. • 1-bedroom unit: 5 sq.m 	<p>The DCDP standards in this regard is identical to that contained in Appendix 1 of the Apartment Guidelines. As demonstrated under sub-section 5.1.2 of this report, the quantitative requirement for Communal Amenity Space is 2,142 sq.m.</p> <p>Communal amenity spaces are proposed in the form of:</p> <ul style="list-style-type: none"> • 1,179 sq.m of secure, accessible roof

DCDP Standard	Compliance Response to DCDP Standard
<ul style="list-style-type: none"> 2-bedroom unit: 7 sq.m. 	<p>gardens.</p> <ul style="list-style-type: none"> 960 sq.m of communal residential courtyards at lower ground floor level between blocks. 1,670 sq.m of communal open space at podium level, which includes the provision of a MUGA at the southern end of the site to encourage active recreational uses. <p>As detailed under sub-section 5.1.2 (above), this level of outdoor communal open space provision (3,809 sq.m) comfortably exceeds the minimum required level of provision even when an area of 94 sq.m of the proposed courtyard space for Blocks C and D is discounted from the total provision to account for qualitative aspects associated with the space and the achievement of sunlight penetration standards as set out in sub-section 4.1 of the Daylight and Sunlight Report.</p>

From the above table it is clear that there is significant overlap between the DCDP apartment development standards and that contained in the Apartment Guidelines. The net effect of the SPPR's in the Apartment Guidelines is to obviate the requirement for a planning authority to invoke the material contravention procedures. As such, the proposed development could be permitted by An Bord Pleanála, or Dublin City Council as the case may be, without invoking the material contravention procedures.

Notwithstanding, out of an abundance of caution, a material Contravention Statement is submitted with this application addressing the following issues:

- Apartment floor areas;
- Unit / Apartment mix;
- Block / Core configurations;
- Internal space standards;
- Storage Provision; and
- Private Amenity Space Provision.

5.4.5 Car and Bicycle Parking Provision

The Dublin City Council area is divided into three areas for the purpose of parking control, as shown on

Map J. The subject site falls within Parking Zone 2 where the following maximum permissible standards are applicable:

- Other Retail – 1 space per 275 sq.m GFA
- Residential – 1 space per unit
- Restaurants, Cafes and Takeaways – 1 per 150 sq.m seating area
- Public House – 1 per 300 sq.m nett floor area

Other parking requirements, include the following:

- At least 5% of the total number of spaces should be disabled car parking spaces, with a minimum provision of at least one such space.
- 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.

In terms of bicycle parking provision, the following standards are applicable:

- Shops and Restaurants / Cafés and Public Houses - 1 per 150sq.m; and
- Residential – 1 per unit.

Ancillary car parking to serve the proposed residential development will be provided at basement level. A total of 80 no. car parking spaces (including 4 no. disabled spaces and 8 car club spaces) are proposed to serve the proposed development. Secure bicycle parking / storage in the form of 251 no. double stacked cycle parking spaces providing capacity for 502 no. secure bicycle storage spaces for residents are provided at basement -1 level. An additional 49 no. Sheffield type bicycle stands are provided at basement level -1 to provide 98 no. visitor cycle spaces (inclusive of 8 no. designated cargo bike spaces, that will also be available for the shared use with residents of the scheme) and a further 55 no. Sheffield type bicycle stands are provided at podium level to provide 110 no. cycle parking spaces (108 no. visitor cycle parking spaces (inclusive of 6 no. designated cargo bike spaces) and 2 no. cycle parking spaces in connection with the retail unit).. All bicycle parking spaces at basement level is accessed via a dedicated cycle lift from podium to basement level -1 that is situated to the south of Block B. Provision is also made within the basement car park for 4 no. dedicated motorcycle parking spaces.

A Residential Travel Plan (RTP) is submitted with this application. Full details of the development's parking management strategy, as well as an analysis of residential parking demand patterns, are provided in Section 6 of the submitted TTA.

In respect of car parking provision, it is noted that the DCDP car parking standards are maximum standards and that provision of a lesser quantum of car parking is consistent with more recent guidance, specifically SPPRs 7 and 8 of the *'Sustainable Urban Housing: Design Standards for New Apartments'* (2020). In this regard SPPR 8 of the Apartment Guidelines states that for proposals that qualify as a specific BTR development in accordance with SPPR 7: *'(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;'*

5.4.6 Statement of Consistency

The proposed development is consistent with the objectives of the Z5 (SDRA7) land use zoning as it contributes to urban consolidation objectives for the HSQ development precinct and the vibrancy and vitality of SDRA7 by broadening the residential base and mix of units within HSQ and compliment the mix of non-residential uses present within HSQ.

In terms of the relevant DCDP policies, it is submitted that the proposed development is consistent with Policy SC17 which seeks to *'...ensure that all proposals for mid-rise and taller buildings make a positive contribution to the urban character of the city...'* and Policy SC25 which seeks to *'promote development which incorporates exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture befitting the city's environment and heritage and its diverse range of locally distinctive neighbourhoods, such that they positively contribute to the city's built and natural environments. This relates to the design quality of general development across the city, with the aim of achieving excellence in the ordinary, and which includes the creation of new landmarks and public spaces where appropriate'*. Furthermore, the proposal is also consistent with Policy SC26 to *'promote and facilitate innovation in architectural design to produce contemporary buildings which contribute to the city's acknowledged culture of enterprise and innovation, and which mitigates, and is resilient to, the impacts of climate change'*.

It is submitted that the form, massing and height of the proposed development would contribute towards the establishment and enhancement of a 'western cluster' of taller buildings within the Heuston gateway location, as a spatial counterpoint to the Docklands at the eastern end of the city whilst respecting the sensitive and historic context wherein it sits. The design, layout and massing of the proposed scheme responds positively and respectfully to the RHK building and its gardens and enhances the visual links with the Royal Military Hospital to the north-east.

It is submitted that the proposed development has been informed by and is consistent with the relevant provisions of Dublin City Development Plan 2016-2022 and has incorporated the relevant policies and objectives contained therein.

6.0 PLANNING HISTORY

The subject site comprises part of the undeveloped part of the larger HSQ development site. The planning history for this larger site dates back to September 2004 when the **Parent Permission was granted under An Bord Pleanála Ref. PL29S.206528 (DCC Ref. 2656/03)**. Subsequent to this grant of permission, a number of permissions for modifications of the parent permission and other planning permissions have been granted, as summarised below.

The most recent and relevant planning history relating to the subject site is summarised under subsection 6.2 below and relates to interim landscaping works permitted under **DCC Ref. 2724/13**, which have been implemented. Under planning application **DCC Ref. 2774/14** planning permission was sought for the completion of the HSQ development to deliver a mixed-use scheme comprising of 5 no. blocks on the sites of previously permitted, and commenced but uncompleted, Blocks 1, 2, 5, 6A and 6B (including the subject site). However, this application was withdrawn following a Third- and First-Party appeal against DCC's notification of decision to grant planning permission.

6.1 Overview of Relevant Planning History pertaining to the Larger HSQ Precinct

The 'Parent Permission' was granted on 16th September 2004 under An Bord Pleanála Ref. PL29S.206528 (DCC Ref. 2656/03). This permission provided for the development of the site for office, residential, retail, cultural and ancillary uses in 9 blocks.

The parent permission was subsequently amended by a modification permission granted on the 26th May 2005 under DCC Planning Ref. 2218/05, which in turn was amended further on an incremental basis. A significant number of other modifications have been made subsequent and pursuant to the Parent Permission within the lifetime of the Parent Permission. All elements of the Parent Permission have been modified in one way or another (Blocks 1 to 10 inclusive). These can be summarised as follows:

- Block 1 – Planning Ref. 1501/08;
- Block 2 – Planning Ref's 2218/05 and 1055/07;
- Blocks 5 and 6 – Planning Ref. 2821/06;
- Blocks 7a and 7b – Planning Refs. 1918/06, 3261/09, 2384/10; 2891/11; 3794/13; 2493/13; 3095/13; 2179/16; 3868/15; 2467/15 and 2378/16
- Blocks 8 and 10 – Planning Ref. 6434/05, 2264/07; 3465/11 and 2363/15
- Blocks 9 – Planning Refs. 4006/06, 5390/08; 2347/10; 2551/15 and 2366/18
- Front Boundary – Planning Ref. 2263/07.

6.1.1 Summary of Completed Development to Date (outside of application redline area)

- Block 3/4 is situated at the corner of St. John's Road West and Military Road and is occupied by Eir - formerly Eircom).
- Blocks 7A and 7B to the east of the application site comprise a mixed-use development of Office, Retail and Residential development;
- Blocks 9a to 9h to the east of the application site comprise a mixed-use development of Office, Retail and Residential development; and
- Blocks 8 / 10 that is situated to the south of the application site comprise a mixed-use development of Office, Retail and Residential development.

6.1.2 Regularisation of 'As Built' Development – DCC Ref. 3794/13

DCC granted permission on the 25th February 2014, under Planning Ref. 3794/13 for the retention of amendments to the permitted parent permission for a mixed use development at Heuston South Quarter (HSQ) under planning Ref. PL29S.206528 (Dublin City Council Ref. 2656/03, as subsequently amended planning permission Ref. 1918/06 in respect of Blocks 7Aa and 7B; planning permission Refs. 6434/05 and 2264/07 in respect of Block 8/10 and planning permission Ref. 4006/06 in respect of Block 9A to 9H. The principal amendments for which retention permission was granted under this permission relate to the following:

- External Alterations that affect the external appearance of the permitted blocks.
- Internal Alterations generally comprising of relatively minor internal reconfigurations that do not have a material impact in terms of increasing or decreasing previously permitted usable floorspace.
- Changes to the Configuration and Layout of Retail Units.
- Amendments to the Configuration, Layout and Sizes of Apartments.
- Changes of Use of permitted floorspace.
- Omission of a high-level walkway along the Military Road elevation of the permitted buildings and on the return to St. John's Road.
- Alterations to the layout and configuration of circulation and common areas.

The permission has effectively regularised the 'as built' status of development on the developed parcel of the HSQ site.

6.2 Planning History Pertaining to the Subject Site – i.e. the Undeveloped Part of the Larger HSQ Precinct

6.2.1 Interim Landscaping of Undeveloped Part of Site - DCC Planning Ref. 2724/13

DCC granted planning permission under Planning Ref. 2724/13 on the 19th November 2013 for temporary landscaping works in respect of the non-completed development areas of the site associated with Blocks 1, 2, 5 and 6.

The permitted works have been completed. The works provide for an interim landscaping strategy and site resolution works to mitigate the visual impact of unfinished building works, to enhance the aesthetic of the site and its relationship with the Royal Hospital Kilmainham Gardens, and to make temporary spaces that function within the context of the scheme. The development comprises of temporary landscaping works at Basement, Podium and Ground levels over an area of approximately 1.47 ha including the treatment of ground and vertical surfaces, alterations to existing levels, provision of 4 no. temporary stair cores serving Basement -2; basement -1 and Podium Level; lighting, way finding signage, and boundary treatments including new boundary treatment to St John's Road West. The development also provides for the partial demolition of the partially constructed stair and lift core at the north-west corner of the site (adjacent to St Johns Road West) and the provision of low level HSQ branding signage and way finding feature on three sides (over an area of 176 sq.m approx.) on the retained element.

Condition 2 attached to this permission limits the duration of the permission to 8 years (2021) after which it is required that the *'permission shall cease and the structures shall be removed and the use hereby permitted shall cease, unless a further Permission has been granted before the expiry of that date.'*

6.2.2 DCC Planning Ref. 2774/14

An application was lodged under DCC Ref. 2774/14 and was withdrawn following a Third- and First-Party appeal against DCC's notification of decision to grant planning permission.

The development applied for was to complete the development on the Heuston South Quarter (HSQ) site. The proposed development comprised of 5 no. blocks on the sites of previously permitted, and commenced but uncompleted, Blocks 1, 2, 5, 6A and 6B (i.e. the subject site). The proposed development as applied for comprised of the following:

- 16,565 sq.m office floorspace;
- 565 sq.m retail floorspace;
- 1,099 sq.m fitness centre / gym;
- 4,187 sq.m of multi-purpose cultural space;
- 348 sq.m childcare facility; and
- 14,111 sq.m of residential development to provide 126 no. residential apartments, comprising of 21 no. 1 bedroom units, 79 no. 2 bedroom units and 26 no. 3 bedroom units.

A total of 235 no. car parking spaces and 328 no. bicycle parking spaces were proposed over two levels of extended basement, accessed from the existing vehicular accesses onto Saint John's Road West and Military Road.

The proposed development included for the demolition of elements of the partially constructed Blocks 1 and 2 (totalling 1,980 sq.m at Basement Levels -1 and -2). The development also included for public realm works, landscaping including parterre gardens, site preparation and excavation works, utilities connections, and provision of four no. ESB substations.

The proposed development was amended on foot of a request for Further Information. The principal amendments incorporated are as follows:

- Increase in the separation of the proposed new residential buildings 6A and 6B and the existing blocks 9A and 9H (minimum 18 m).
- Increase in the distance between the opposing facades between the proposed new residential buildings 6A and 6B to 18 m.
- The proposed amendments reduced the number of residential units by 15 no.

7.0 TRAFFIC AND TRANSPORTATION

Accompanying this submission is a Residential Travel Plan (RTP) and Traffic and Transport Assessment (TTA), prepared by CS Consulting Engineers.

7.1 Statement on Traffic and Transportation Issues

The proposal will avail of the site's convenient and accessible location to public transport provision and suitability to encourage sustainable modes of travel such as walking, cycling. The proposed development has been designed with a view to maximising the potential provided by its location and accessibility to public transport. The submitted RTP sets out specific targets and objectives, including measures to be implemented to establish an effective modal shift in transport to and from the development. The Plan will require regular monitoring to ensure the effective implementation of mobility management measures.

Table 3 of the submitted Residential Travel Plan (RTP) sets out indicative modal split targets and Section 7 of the RTP describe mobility management measures that seeks to identify a mixture of policies and incentives designed to both encourage changes in travel behaviour and restrict the use of private cars.

7.1.1 Pedestrian and Cycle Linkages

Existing pedestrian facilities along Military Road, St. John's Road West, Kilmainham Lane and neighbouring streets in the vicinity of the development site are generally in good condition. Raised footpaths and public lighting are in place on Military Road and St. Johns Road West in the vicinity of the subject development site. Pedestrian accessibility is enhanced by the urban nature of the wider environment, which includes ample footpaths.

There is no cycle infrastructure (cycle lane) present on Military Road adjacent to the subject development site to the east. However, a cycle lane is present on St. Johns Road West to the north in both an eastbound and westbound direction. There is no other existing cycle infrastructure in the immediate vicinity of the subject site. It is noted that under the *Cycle Network Plan for the Greater Dublin Area*, administered by the National Transport Authority (NTA), it is proposed that a greenway - the River Camac Greenway - be implemented along Military Road to the east, which will link to the existing facilities along St John's Road West cycle path and eventually lead the Liffey Greenway. No information is yet publicly available on the proposed design or delivery timeframe of this aforementioned objective.

7.1.2 Public Transportation

- **Bus Services** - The submitted RTP identifies that within a 5-minute walk of the site are 3 no. Dublin Bus routes (nos. 51d, 79, 79a) of which route 79 (between Aston Quay and Spiddal Park/Parkwest) operates at intervals of less than 10 minutes at peak times. An additional 29 no. bus routes (nos. 4, 13, 20, 22, 25, 26, 40, 66, 67, 69, 115, 120, 121, 123, 126, 130, 145, 363, 735, 737, 747, 842, X8, X12, X20 and variants) are accessible within a 10-minute walking distance of the site.

Under the BusConnects Dublin Area Revised Bus Network proposals, it is proposed to implement new spine routes C1, C2, C3 and C4 along St. John's Road West, immediately to the north of the subject site. These arterial routes, running between Lucan and Ringsend via the city centre, will operate at intervals of 8 minutes during peak times.

- **Rail Services** - The site is located within a 10-minute walk of Heuston Station. Intercity rail services operating to and from this station connect the development directly to many towns and cities in the west of Ireland, such as Cork, Waterford, Galway and Limerick. A Commuter service also terminates at Heuston Station, serving commuter towns to the south-east of Dublin. Commuter trains serve Heuston Station at intervals of approximately 20 minutes at peak times.
- **Light Rail Services** - The subject site is located within a 10-minute walk of the Heuston Station Stop on the Luas Red Line. Light rail services operating to and from this stop connect it directly to the Point in the east (via Dublin city centre) and to Tallaght / Saggart in the south; interchange with the Luas Green Line is possible at Abbey Street. Trams serve the Heuston stop at intervals of approximately 3-4 minutes at peak times.

7.1.3 Traffic Impacts

A total of 80 no. car parking spaces is provided at basement level, which includes 8 no. car club / shared spaces. This low parking ratio of approximately 0.2 spaces per unit will ensure low levels of traffic generation associated with the scheme and will not impact significantly on the surrounding road network, as demonstrated in Section 4 of the accompanying Traffic and Transport Report, prepared by CS Consulting Engineers.

Accompanying this submission is a Residential Travel Plan (RTP) that has been prepared by CS Consulting Engineers. The RTP is a management tool that co-ordinates transport, residents and site management issues in a holistic manner.

The submitted RTP sets out targets / objectives and specific measures required to establish an effective RTP for the subject development and to establish an effective modal shift in transport to and from the development. However, the RTP will require regular ongoing monitoring post-occupation of the development to ensure the effective implementation of mobility management measures. The overarching aim of the RTP is to provide more sustainable transport choices that will allow the lowest possible proportion of journeys to/from the site to be made by single-occupant private cars.

The works associated with the new development will create additional construction related traffic on the road network associated with the removal of excavated material, demolition waste etc. and the delivery of new materials, concrete trucks etc.

Accompanying this application is an Outline Construction Management Plan (OCMP). The OCMP indicates that it is anticipated that works will commence in Q2 / Q3 2022 and that the proposed development is anticipated to be constructed over a period of approximately 24-30 months. During the construction works, access to the existing development basement areas will be maintained, with car access encouraged to utilise the Military Road access point to the east rather than the access off St John's Road. An agreed traffic management strategy for the existing basement carpark will be provided to all residents and staff currently utilising the basement. This traffic management plan will be monitored on an ongoing basis throughout the works and altered as required depending on the construction sequence. Access for large servicing and delivery vehicles to the retail units, and delivery areas at basement level, shall be maintained from St John's Road. Construction Traffic and any interim temporary diversions of existing traffic are addressed in the submitted TTA.

The accompanying Outline Construction Management Plan (OCMP) provides an overview of the

processes to be employed during construction of this project. Prior to the on-site activities commencing, this plan will be revised by the appointed Lead Contractor and expanded to produce a detailed Construction Management Plan, which shall also include a detailed Construction Traffic Management Plan (CTMP). It is anticipated that for the duration of the construction works all construction access and egress for deliveries will enter via St. John's Road West, which provide easy access to the M50.

In addition to the OCMP, a separate Construction and Demolition Waste Management Plan (CD WMP) has been prepared by CS Consulting and submitted under separate cover within this planning application. Please refer to this report for details on waste management during the demolition and construction phases of the project. The CD WMP will ensure that waste generated during the demolition and construction phases of the development will be managed and disposed of in a way that ensures the provisions of the Waste Management Acts 1996 to 2013 and the Eastern Midlands Region (EMR) Waste Management Plan 2015-2021 are complied with. It will also ensure that principles of, and optimum levels of waste reduction, re-use and recycling are achieved.

The CD WMP must be read in conjunction with the submitted Development Servicing Management Plan that was also prepared by CS Consulting Engineers. The purpose of which is to set out the intended strategy for managing both incoming and outgoing vehicular servicing during the operational phase of the proposed development. Outgoing servicing is envisaged to principally comprise the collection of municipal waste generated by the development, while incoming servicing shall include deliveries to both the residential and existing commercial elements of the development, as well as taxi set down and passenger collection.

In terms of operational traffic impacts, the submitted TTA provides a comprehensive assessment of the subject development's impact on the operation of the surrounding road network. This comprises both operational phase assessments of nearby junctions' performance, which include:

- existing HSQ traffic;
- traffic generated by the subject development; and
- estimated traffic related to the adjacent planned commercial development), as well as an assessment of the eastern HSQ access junction's performance during the construction phase (accounting for the displacement of existing HSQ traffic from St. John's Road West to Military Road).

The main conclusions in terms of the operational phase of the proposed development and associated traffic impacts, are as follows:

- The proposed development shall not generate excessive vehicular traffic flows – the total vehicle trips (arrivals and departures combined) of 48 PCU are predicted during the AM peak hour, and total vehicle trips of 88 PCU in the PM peak hour.
- The 2 no. existing junctions giving access to the Heuston South Quarter (HSQ) precinct (on Military Road and on St. John's Road West) currently operate within their effective capacities on all approaches and shall continue to operate within their ultimate capacities past the design year (2039) with the subject development in place. Operational traffic shall not have a significant influence on the operation of these junctions, resulting in a maximum increase of 2 PCU in vehicle

queues on any junction approach and a maximum increase of 7 seconds in the mean vehicle delay on any junction approach.

- The existing Military Road and St. John's Road West junction, currently operate within effective capacity on all approaches. Under the influence of background traffic growth (unrelated to the subject development), this junction is however projected to exceed effective capacity on its western approach by the year 2029 and to slightly exceed ultimate capacity on its southern approach by the year 2039. Operational traffic related to the proposed development is envisaged to have a moderate influence on the operation of this junction, resulting in a maximum increase of 6 PCU in vehicle queues on any junction approach and a maximum increase of 24 seconds in the mean vehicle delay on any junction approach.
- Reconfiguration of the existing northern access junction to the HSQ complex (on St. John's Road West), as proposed by the NTA under the BusConnects scheme, would result in reduced capacity at this junction. The junction would consequently exceed ultimate capacity on both its eastern and southern approaches by the year 2024, under the projected future traffic loading (without the inclusion of traffic generated by the subject development). However, these effects are expected to be mitigated by a reduction in mainline traffic flows along St. John's Road West, which the NTA predicts as one of the key benefits of the BusConnects scheme.
- Swept path analysis have been undertaken for cars manoeuvring within the proposed development, as well as for a refuse vehicle and a fire tender. These indicate that the existing HSQ access junctions and the subject development's internal layout can accommodate these vehicle movements.

7.2 Statement of Consistency with Design Manual for Urban Roads & Streets

The proposed development does not provide for new urban roads or streets as part of the design proposals and therefore the Design Manual for Urban Roads & Streets (DMURS) is not directly applicable.

Item 7(b) of the Board's Opinion dated 22 April 2021 requested 'report demonstrating compliance with the principles and specifications set out in DMURS and the National Cycle Manual. This should incorporate a Quality Audit that includes (i) a Road Safety Audit, (ii) an Access Audit, (ii) a Walking and Cycle Audit.'

This information is provided within the accompanying DMURS Statement of Consistency prepared by CS Consulting Engineers. In addition, section 7.9 of the submitted Traffic and Transport Assessment (TTA) sets out the detail of an Independent Quality Audit that includes: i) a Road Safety Audit, (ii) an Access Audit, (iii) a Walking and Cycle Audit.

The proposed layout and design of the scheme have taken into consideration the key principles set out in DMURS. Of particular relevance, are the following key points:

- Connected networks: the proposed development provides for increased connectivity for pedestrians and cyclists through the enhancement of existing routes and provision of new routes;

- Sustainable Transport Focus: the proposed development provides a low parking ratio of approximately 0.2 spaces per unit which reduces reliance on the use of the private car as a mode of transport. Instead, the proposed development will encourage the use of public transport modes, such as rail and bus transport. The proposed scheme will also encourage more sustainable modes of transport such as walking and cycling by residents of the proposed apartments.
- Multidisciplinary approach: all design elements were developed in line with requirements and limitations associated with other disciplines in the design team such as drainage, structures, utilities, landscape etc.

8.0 CONCLUSION

The Heuston Gateway area is identified as a Strategic Development and Regeneration Area (SDRA 7) in the Dublin City Development Plan, focused on the nation's busiest public transportation interchange. The City Plan provides a framework for the SDRA to develop as a Western Cluster and a counterpoint to the Docklands at the eastern end of the City, providing a mix and intensity of development supported by national policy, the Z5 City Centre zoning, the SDRA designation, and the area's accessibility by high-capacity public and sustainable transportation modes.

The HSQ development is an important precinct within the SDRA, and the remaining development sites have the capacity to accommodate a sustainable intensity of development, consolidating the city core area. Previously permitted development at HSQ provided for buildings of significant scale and massing of up to 14 storeys, clearly establishing the potential and ability of the site to accommodate taller buildings and higher intensity development leveraging sustainability from the transportation node and its city centre context.

The principal contextual factors that have informed the urban design, form, massing, height and design quality are the site's interface with the RHK and its formal gardens, the appropriate protection of the cone of vision, the urban form established by the completed elements at the HSQ development, the protection of the established residential amenities, and the provision of a high-quality residential environment for new residents, and the completion and enhancement of the public realm.

With particular regard to the interface with the RHK, the design approach has sought to establish a materiality, rhythm and articulation of the massing that responds positively and respectfully to the RHK and its gardens, and enhances views and visual links from the gardens, re-establishing historic links and respecting the significance of the place. The height, massing and scale of the proposed development have afforded due regard to the existing development forming part of the wider HSQ precinct, the need to protect the setting and context of the adjoining Royal Hospital Kilmainham and the need to protect and preserve the 'Cone of Vision' (COV) as identified under point 8 of the guidance for SDRA 7, as contained in the Dublin City and Development Plan, 2016-2022 (DCDP).

The manner in which these matters have informed the design are addressed in detail in the documents submitted with the planning application.