

# Planning Report & Statement of Consistency

To accompany a planning application for

**Build to Rent (BTR)  
Residential Development**

At

**Cornelscourt Village,  
Old Bray Road,  
Cornelscourt,  
Dublin 18**

Submitted on Behalf of

**Cornel Living Limited**

**December 2021**

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## 1 INTRODUCTION

This Report accompanies a planning application by Cornel Living Limited (the Applicant), for permission for a build to rent (BTR) residential development of approximately 2.15 ha at Cornelscourt Village, Old Bray Road, Cornelscourt, Dublin 18. The application is made under the Strategic Housing Provisions of the Planning and Development (Housing) and Residential Tenancies Act, 2016, as amended (the 2016 Act).

Following pre-application consultation with An Bord Pleanála, the Board issued a Notice of Pre-Application Consultation Opinion dated 3 August 2021 (ABP Ref. 310042-21). The manner in which the matters raised in the Opinion have been incorporated into the drawings and documents submitted with this application are specifically addressed in detail in separate correspondence accompanying this application prepared by Declan Brassil & Co. and dated 3 December 2021.

This Report includes a statement setting out how the proposal will be consistent with the objectives of the Dun Laoghaire Rathdown County Development Plan 2016-2022, the Draft Dun Laoghaire Rathdown County Development Plan 2022-2028 (which may be adopted by the time this application is determined) and relevant Section 28 Ministerial Guidelines.

The application is also accompanied by a Material Contravention Statement pursuant to Section 8(1)(iv)(II) of the 2016 Act that requires an application which materially contravenes a development plan to contain a statement as to why permission should be granted by having regard '*to a consideration specified in section 37(2)(b) of the Act of 2000*'.

The Applicant is an associated company of Ardstone Homes, a significant developer of new residential developments throughout the Greater Dublin Region and at a wider national level. Since 2018, Ardstone Homes have secured permission for in the order of 4,200 no. residential units across the County, with approximately 2,000 no. completed and 2,200 no. currently on site. It is the Applicant's intention to develop and operate the proposed development, holding the asset long term. Currently Ardstone hold and operate 600 no. units with an additional 1,330 no. units on site which will also be held long term. The Applicant is committed to ensuring that the development and its' operation is consistent with the company's values of delivering homes and neighbourhoods of the highest standard.

### 1.1 Brief Description of Nature & Purpose of Development

The proposed residential development provides for 419 no. build-to-rent dwellings, on a site located at Cornelscourt Village, Dublin 18. The proposed development is consistent with the definition for build-to-rent (BTR) included in the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities March 2020.

The proposed residential development comprises 412 no. apartment units (consisting of 294 no. one-bed apartments, 111 no. two-bed apartments, and 7 no. three-bed apartment units) and 7 no. three-bed houses. The proposed apartments are arranged in 5 no. Blocks which range in height from 4 no. storeys to 12 no. storeys over basement/podium level. The proposed houses are two storey in height.

The proposed development will be for long-term rental and will remain owned and operated by an institutional entity for a minimum period of not less than 15 years. It is intended that the institutional entity which will own and operate the proposed development will be an associated company of the Applicant.

The apartments benefit from a range of internal residential amenities and facilities provided throughout the scheme and include a gym; a variety of tenant amenity lounges including a concierge; a single storey multipurpose pavilion building within the communal courtyard between Blocks A and B; and a clearly defined range and hierarchy of public, communal, and private open spaces.

In addition, the proposed development provides a childcare facility (approximately 258sqm) with capacity for in the order of 50-60 children to serve the needs of the proposed development. A café/retail unit is proposed fronting onto the Old Bray Road (total 264sqm GFA).

All residential units benefit from private open space in the form of a balcony/terrace or private rear garden area. The proposed development has been arranged around landscaped courtyards, connected by active fitness and play areas, providing a range of high-quality amenity areas for future residents.

Vehicular access to basement level will be via the existing vehicular access point from the Old Bray Road. A total of 238 no. car parking spaces (237 no. at basement level and 1 no. at ground level), 819 no. bicycle parking spaces (664 no. at basement level and 155 no. at ground level), and 10 motorcycle spaces (all at basement level), are proposed.

Provision of an on-site foul drainage pumping station, located in the eastern corner of the site, which is to be integrated within a 2,150 m<sup>3</sup> underground balancing storage tank, together with all associated works.

Provision of a segregated pedestrian path along the N11, adjacent to the existing cycle lane, which facilitates providing a pedestrian connection from the subject site to the N11/Old Bray Road junction. A cycle connection is also facilitated from the northern corner of the site to the existing cycle lane along the N11. The proposed development facilitates future potential pedestrian and cycle links to the N11 to the north, Old Bray Road (Cornelscourt Village) to the south and a potential future pedestrian / cycle link to Willow Grove to the east.

The proposed development provides for all associated and ancillary infrastructure, ESB substation, landscaping, boundary treatments and development works on a total site of approximately 2.15 hectares.

## 1.2 Context

Since the economic collapse in 2008 the level of housing construction has fallen well short of demand, particularly in the main cities and urban areas. The recovery of the economy and increasing population and employment have created a significant increase in demand for new homes to support a growing economy. Under-provision of housing is one of the remaining legacies of the economic downturn to be tackled. Accelerating delivery of housing for the private, social and rented is a key priority for the Government.

*Rebuilding Ireland – The Government's Action Plan on Housing and Homelessness* published 2016 sought to ramp up delivery of housing across all tenures to help individuals and families meet their housing needs. Pillar 3: Build More Homes' states the key objective of this pillar is to 'increase the output of private housing to meet demand at affordable prices'. The Key Action under Pillar 3 is the doubling of housing output to deliver over 25,000 units per annum up to 2021.

Rebuilding Ireland has been recently replaced by *Housing for All*, the Governments housing strategy to 2030, which similarly seeks to increase new housing supply to meet additional household demand.

Housing for All provides that for everyone in the State to have access to a home there is a requirement to deliver an average of 33,000 house per annum until 2030. It acknowledges the role of the private sector, including the delivery of private rental homes, in achieving the housing targets and delivering a home of everyone.

The National Planning Framework (NPF) seeks to provide a strategy to successfully accommodate growth in a compact and sustainable manner. With respect to housing, the NPF estimates that an average output of at least 25,000 new homes will need to be provided every year to meet people's needs for well-located and affordable housing. More recently, the Economic and Social Research Institute (ESRI) published a research paper entitled Structural Housing Demand at County Level in December 2020. A Ministerial Letter released with the Report provides that based in the ESRI findings and other factors affecting existing demand, there is a total projected new household demand for almost 31,000 new households per annum every year from 2020 to 2040.

The Ministerial Letter goes on to state that *'there is a more pressing need to increase national housing supply to meet existing, unmet housing demand, to the greatest extent possible in the shortest time possible, while also accommodating projected national housing demand. Factoring in existing demand together with future projected demand, will require annual average national demand for just over 33,000 new households per annum, to be met during the period 2020 to 2031'* [emphasis added].

The Ministerial Letter acknowledges the current undersupply of housing and states that since the NPF was published in 2018, there have been three further years where supply has been constrained relative to demand, exacerbated by the setback arising from the Covid-19 pandemic.

Information from the Census 2016 indicates that the delivery of new housing has not kept pace with population growth. Between the 2011 Census and the 2016 Census the Irish population increased by 173,613 persons, from 4,588,252 to 4,761,865, representing a population growth of 3.8%. During this time, the total housing stock increased by just 8,800 no. units, from 1,994,845 to 2,003,645 no. units, representing a 0.4% increase in housing stock.

Available information on New Dwelling Completions from the CSO indicates that the current rate of dwelling completions nationally is falling substantially below the 25,000 unit per year target set in the NPF, which itself does not address the latent housing demand arising from the under-provision of housing in previous years. In 2018, just 17,952 no. new dwellings were completed nationally, 7,048 no. units below the NPF target. In 2019 this rose to 21,241 no. new dwellings, 3,759 below the NPF target. This means over a two-year period there was a deficit of 10,807 no. new dwellings. The shortfall was further increased in 2020, with 20,676 no. new dwellings completed, 1.9% less than the previous year, falling well below the anticipated 25,000 unit target set in the NPF, and the 33,000 envisaged in the Ministerial Letter and required under Housing for All.

It is evident that despite national policy to accelerate housing delivery that new housing has not kept pace with demand and recorded population growth. Substantial residential development needs to occur to meet national population targets, increasing demand and under-supply. The proposed development provides for a significant quantum of high-quality residential development on available, serviced and appropriately zoned lands.

The Sustainable Urban Housing Design Standards for New Apartments December 2020 (Apartment Guidelines) introduced the BTR concept noting that it *'can provide a viable long term housing solution to households where homeownership may not be a priority, such people starting out on their careers and*

*who frequently move between countries in the pursuance of career and skills development in the modern knowledge-based economy*'. Critically, the Apartment Guidelines recognise the key aspect of BTR is its potential to accelerate the delivery of new housing at a significantly greater scale.

In this respect, it is well documented that underlying economic and demographic growth has resulted in a situation of weak supply of rental accommodation in the face of very strong demand. As acknowledged by Housing for All, the private rental sector has an important role to play in achieving ambitious housing targets and delivering a home of everyone.

The proposed development is consistent with the overarching national objectives of urban consolidation and compact growth necessary to facilitate sustainable development. Furthermore, the BTR model as proposed will facilitate the accelerated delivery of new housing for the rental sector, significantly increasing housing supply and delivering at scale, as advocated by Housing for All and the NPF.

### **1.3 Previous SHD Application on Site - ABP Ref. 306225-19**

The subject site was subject to a previous SHD application under ABP Ref. 306225-19. Cornel Living Ltd. sought permission for 468 no. build to rent (BRT) residential units (452 no. apartments and 16 no. houses), a café / restaurant, office space (for tenants) and residential tenant amenity space, together with 274 no. car parking spaces (273 no. at basement level and 1 no. at surface level), and site and development works.

The Inspector's Report considered the principle of the proposed BTR residential development to be acceptable on the site. The Report noted that the site is zoned and serviced within an established area with a wide range of established local services and facilities, and is proximate to high-capacity bus services. The Report concluded that a *'high-quality residential development on this site has the potential to contribute to the provision of housing in the area'*.

The Inspector's Report raised issues relating to visual impact, the standard of amenity for future occupants, and the capacity of the wastewater network to accommodate the proposed development. An Bord Pleanála decided to refuse permission for 2 reasons, as follows:

- 1. The proportion of single aspect apartments in the proposed development would contravene Specific Planning Policy Requirement 4 of the Guidelines for Planning Authorities on the Design of New Apartments issued by the Minister in March 2018. In addition, the level of communal open space provision is below the minimum standard set out in Appendix 1 of the guidelines. The proposed development would, therefore, fail to provide an adequate level of residential amenity for future occupants of the scheme and would be contrary to guidelines issued to planning authorities under section 28 of the Planning and Development Act 2000, as amended.*
- 2. The proposed development would be premature having regard to the existing deficiencies in the wastewater sewerage network in the area and the period within which this constraint may reasonably be expected to cease.*

*'Note: The applicant is advised that the Board considers that the proposed development is deficient in the provision of childcare places having regard to the guidance set out in the Childcare Facilities – Guidelines for Planning Authorities 2001.'*



A comprehensive review of the design approach was undertaken to address the specific reasons for refusal and ensure high levels of residential amenity, enhanced quality and quantity of open space and improved massing to the N11.

The overall height and general arrangement of block fronting onto the N11 has been retained in the proposed development. In this regard, the Board's Direction considered *'the Board was satisfied that the elevations of proposed Block A and Block B would be acceptable in terms of appearance and scale and would in terms of massing represent an appropriate sense of enclosure to the N11 corridor and would not seriously injure the visual amenities of adjoining properties or the visual amenities of the wider area'*.

The Inspector's Report noted that the elevations of proposed Building A and Building B were 'monolithic' in appearance and scale. While these matters were not referenced in the reasons for refusal, the design process has availed of the opportunity to review and improve the massing and elevations of all proposed blocks. The scale of Building A was reduced to the south providing a stepping up in height from the village towards the N11, and the building cranked to reduce the massing when viewed from the west. The pavilion buildings between the finger blocks have also been omitted to avoid a continuous building line to the N11.

The previously proposed curved buildings (Buildings D, E and F) were particularly challenging for the purposes of maximising dual aspect apartments given the orientation of and form of those blocks. These blocks have now been replaced with a simpler form block (Building D) that facilitates a high proportion of dual aspect units and also services to improve the quantum and arrangement of open space.

A total of 54.1% of the proposed apartments are dual aspect, in excess of the 50% requirement for suburban or intermediate locations as required under SSPR4 of the Apartment Guidelines. The proposed development provides some 4,703sqm of high-quality, useable external open space together with an additional 779sqm of internal amenity, resulting in almost 13.1 sqm communal space per unit (including the proposed house units) and almost double the requirements of Appendix 1 of the Apartment Guidelines (total 2,372sqm).

Wastewater constraints identified in the previous application have been subject to detailed consultation with Irish Water. Feedback from Irish Water in September 2020 indicated that modelling has been completed for the Foxrock Catchment, as a result large flows are to be diverted to Cornelscourt which will need balancing storage to limit downstream overflows.

In this respect, pre-connection enquiry feedback has been received from Irish Water. The proposed development is to make provision for an on-site pumping station and storage tank required to store foul drainage flows from the development during heavy rainfall conditions / if the combined sewer network is under pressure. The on-site pump station is to be integrated within a 2,150 m<sup>3</sup> balancing storage tank (located in the eastern corner of the site) which will facilitate a potential future upgrade of the Foxrock catchment by Irish Water. An 825mm diameter combined sewer is also to be constructed, traversing the site from the entrance at Old Bray Road to the balancing storage tank. This pipeline will also facilitate a potential future upgrade of the Foxrock catchment by Irish Water. Provision of this storage volume and 825mm diameter combined sewer is not required to facilitate the development and will form part of potential future upgrades of the wider Foxrock catchment by Irish Water. All works proposed are consistent with the requirements of the Confirmation of Feasibility received from Irish Water in respect of a pre-connection enquiry.

The design modifications have resulted in the total number of units reducing from 468 no. proposed under ABP Ref. 306225-19 to 419 no. units now proposed and an associated reduction in density from 219 no. units per hectare to 195 no. units per hectare.

A more detailed overview of the manner in which these matters have been comprehensively addressed is provided in Section 3.1.1 below.

## **2 SITE LOCATION & CONTEXT**

### **2.1 Site Location**

The subject site is a vacant infill site of 2.15 ha located to the north of Cornelscourt Village. Cornelscourt is a suburban village located in South Dublin, between Cabinteely and Foxrock.

Cornelscourt is located to the east of Sandyford (approx. 4.4 km to the west) and offers connectivity towards various areas of Dublin via the N11 Stillorgan Road. The N11 Stillorgan Road is a two-way dual carriageway road with a bus lane in both directions as well as a cycle track immediately adjacent to the bus lane, in both directions.

Travelling southwards on the N11 Stillorgan Road leads to Loughlinstown and provides links to Shankill and Bray via the M11; the M11 extends further south to Wicklow and Arklow. The M11 links to the M50 north of Bray approximately 2.7km south of the subject site; the M50 orbital route provides connections to Ballymount, Blanchardstown and Ballymun as well as Dublin Airport.

Travelling northwards on the N11 Stillorgan Road leads to Stillorgan as well as UCD and Donnybrook as the R138 Stillorgan Road. The N11 becomes the R138 at the junction with the N31 (Mount Merrion Avenue).

The subject site forms part of a long 'island' created between the Old Bray Road and the N11. The N11 by-passes the village of Cornelscourt which is located on both sides of the Old Bray Road to the west of the subject site.

Cornelscourt Village provides a vibrant mix of smaller scale shops, café/restaurants, local services and facilities serving the needs of the substantial residential areas around it. Located to the south of the site is the substantial Cornelscourt Shopping Centre which provides district level comparison shopping together with a range of other local level retail and services.

The surrounding residential areas are characterised by predominantly 2-storey detached and semi-detached family homes in a range of styles and finishes, generally with front and rear gardens. Beyond the village of Cornelscourt to the west and north are the residential area of Foxrock. To the north and east, across the N11, Beech Park and South Park housing areas extend as far as Kill Lane and the Clonkeen Road. To the south, either side of the Cornelscourt Hill Road, the residential areas of Gort Na Mona and the Glen rise up through Hainault and Sycamore, towards the Brennanstown Road and the M50 beyond.

Recent developments in the wider area, and in particular along the N11 corridor, have tended to be taller, high density apartment schemes such as The Grange, Beechwood and Booterstown Wood where building heights between 6 and 10 storeys are more common.

The site is situated immediately adjacent to a well-served public bus transport infrastructure with high-capacity links to to/from Dublin City Centre and to key destinations in Dun Laoghaire – Rathdown.

Dublin Bus routes 46a and 145 are easily accessible to the site (within 800m and 200m respectively) and provide links to/from Dublin City Centre. Dublin Bus route 84 and its route variations (within 800m) provides linkages to towns to the south of Dublin, including Bray, Greystones and Newcastle.

Go Ahead Bus 63 (within 40m) connects the site to Dún Laoghaire to the north and to Carrickmines and Kiltarnan to the south. Bus route 75 (within 800m) links the site to Dún Laoghaire in the east and to Stillorgan Business Park, Dundrum and Tallaght in the west.

There are alternative high capacity public transport infrastructures such as LUAS within 30 - 40 minute walk from the location of the proposed development. The Carrickmines LUAS Stop is the most accessible LUAS stop to the proposed development, approximately 1.8km to the south of the site. as. The LUAS Greenline provides access to Sandyford, Dundrum and the City Centre in addition to other destinations along its route.

The proposed development site benefits from a cycle track, immediately adjacent on the N11 Stillorgan Road. This cycle track extends as far southwards as the intersection of the N11 Stillorgan Road with the R118 Wyattville Road. Travelling northwards, cyclists can avail of this cycle track in both directions as far as Donnybrook (intersection with Beaver Row and Anglesea Road), where a cycle lane is available on the R138 Donnybrook Road which provides links into Dublin City Centre.

**Figure 2.1 Site Locational Context**



(Source: Extract from Architectural Design Report HJL, Architects)

## 2.2 Site Description

The site is bounded by the N11 Stillorgan Dual Carriageway to the north/east, the rear gardens of two-storey houses fronting onto Willow Grove to the east/south, a service station and a terrace of cottages (residential and commercial) to the southeast fronting onto the Old Bray Road to the south/west, and by a three-storey commercial building (AIB Bank) and associated car park to the north/west.

The site is currently undeveloped, save for a hardstanding area that was a former temporary car park in the north of the site. The site shares an access road off the Old Bray Road with the carpark to the rear of the adjoining AIB bank. The site has approximately 150m frontage onto the N11/Stillorgan Dual Carriageway.



**Figure 2.2 Site Context (Indicative Boundary outlined in Red)**

(Source: Google Maps annotated by DBCL)

### 2.3 Accessibility to Employment Locations

The site is well served by public transport with a range of Dublin Bus/Go Ahead stops within walking distance of the site. The site is also located immediately adjacent to Cornelscourt Village and proximate to various employment and commercial hubs including Sandyford Industrial Estate, Dundrum, Cherrywood Business Park, Dun Laoghaire Town Centre, Ballsbridge, Bray and Dublin City centre. This range of public transport, cycling and pedestrian infrastructure provides a high level of connectivity and accessibility to local level services, nearby employers and the City Centre.

The site location is in close proximity to Sandyford Business Park (SBK), identified in the Development Plan as a strategic employment location which benefits from a significant volume of employers across a range of sectors. More than 700 companies are located in the SBD, employing some 22,000 people across Sandyford Business Park, South County Business Park, and Stillorgan Business Park<sup>1</sup>. Sandyford

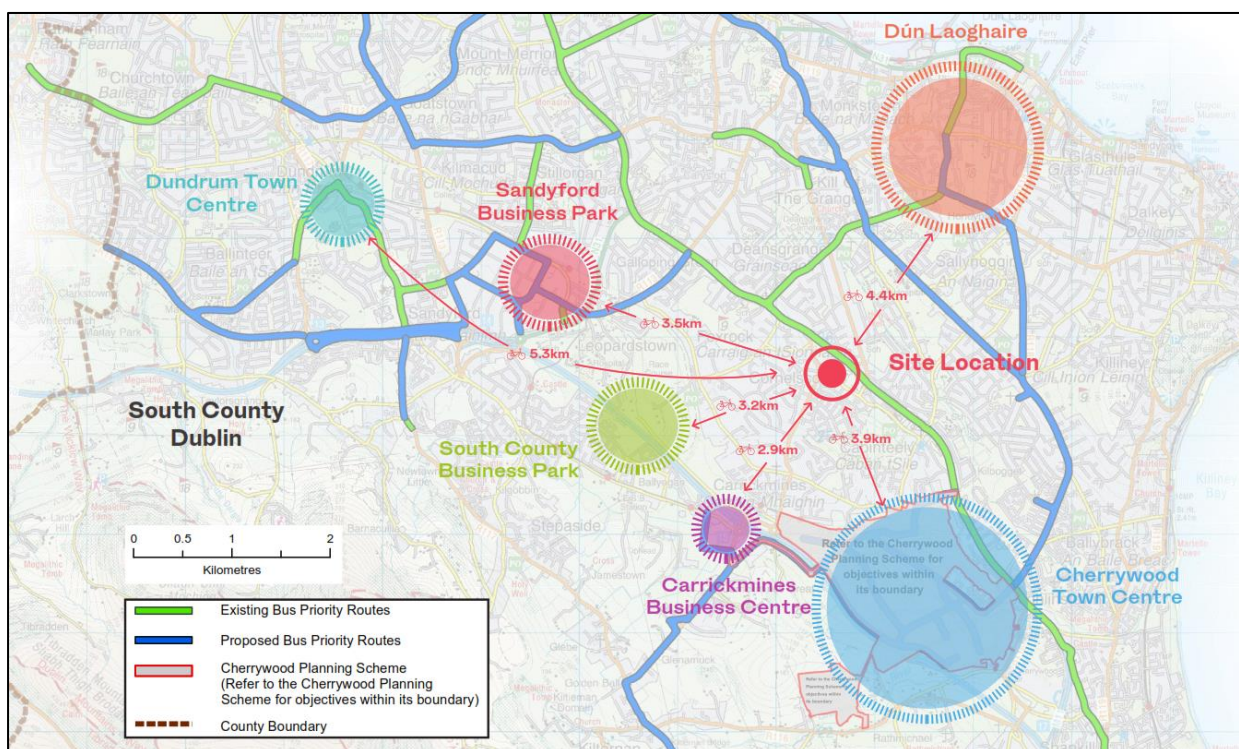
<sup>1</sup> Local Enterprise Office Doing Business in Dun Laoghaire-Rathdown 2016

Business Park is accessible by bus routes 145, 155, 84A and the 47 and within 15 minutes cycling distance from the site.

Dun Laoghaire can be easily accessed from the subject site via bus route Nos. 46A, 63 and 75, and is within reasonable cycling distance (approximately 20 minutes). Dun Laoghaire is one of Dublin's largest towns with a range of hospitality, retail and service employers present.

Dundrum Shopping Centre is directly accessible via bus routes Nos. 145 and 155 and is also within reasonable cycling distance (approximately 25 minutes). Dundrum is Ireland's largest shopping centres with over 160 no. tenants. In addition to the significant retail opportunities, there are a range of professional services, medical, lifestyle, media, trades and other sectors based around Dundrum Business Park and Rockfield Centre.

**Figure 2.3 Site Connectivity**



(Source: Extract from Architectural Design Report HJL Architects)

Ballsbridge, which contains the RDS and employers and services such as Zurich, Goodbody, Eirgrid, IBM, Labour Relations Commission, and Facebook (under construction) in addition to hotels, bars and restaurants is accessible via the Nos.7, 7A, 84,145 and 155 and within reasonable cycling distance (approximate 25 minutes) from the subject site. Donnybrook is also nearby which serves as a large employment hub for services, hospitality and embassy staff.

University College Dublin (UCD) is one of the largest Universities in the state, with approximately 27,000 no. students. There is also a workforce of approximately 3,300 no. teaching and support staff within the overall college. The UCD Belfield campus spans an area of 133 No. hectares and a number of bus routes pass on either side of the campus. The Nos. 145 and 155 provides direct access to the UCD campus. UCD is also within easy cycling distance (approximately 20 minutes) from the subject site.

Dublin City Centre is easily accessible from the subject site on public transport. The City Centre the main hub for services in Ireland. The Docklands is also located near Dublin City centre where a range of

employers such as Facebook, Google, PWC, KBC, Three Ireland, The Central Bank and the Board Gáis Energy Theatre are situated. The City Centre is served by the 145,155 and 46A bus routes along with the Luas Green Line.

By virtue of its accessibility by walking, cycling and proximity to quality public transport links the site is easily accessible to significant employment locations and business districts and accordingly is suitable for the proposed BTR development.



### 3 PLANNING HISTORY

#### 3.1 Subject Site

**ABP Ref. 306225-19:** Cornel Living Limited sought permission for 468 no. build to rent (BRT) residential units (452 no. apartments and 16 no. houses), a café / restaurant, office space (for tenants) and residential tenant amenity space together with 274 no. car parking spaces (273 no. at basement level and 1 no. at surface level) and site and development works.

An Bord Pleanála decided to refuse permission for 2 reasons as follows:

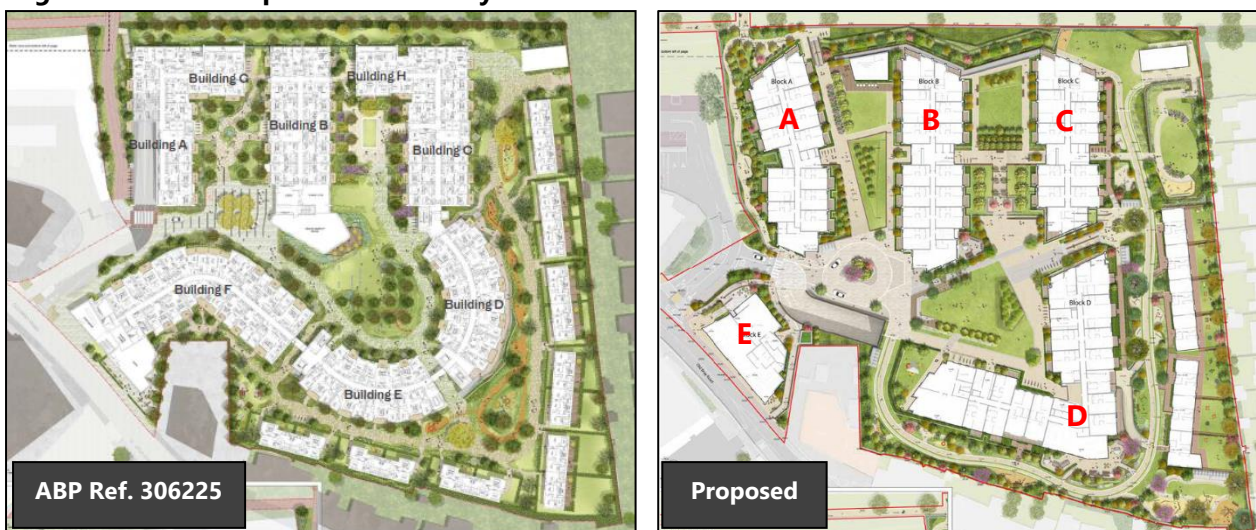
1. *The proportion of single aspect apartments in the proposed development would contravene Specific Planning Policy Requirement 4 of the Guidelines for Planning Authorities on the Design of New Apartments issued by the Minister in March 2018. In addition, the level of communal open space provision is below the minimum standard set out in Appendix 1 of the guidelines. The proposed development would, therefore, fail to provide an adequate level of residential amenity for future occupants of the scheme and would be contrary to guidelines issued to planning authorities under section 28 of the Planning and Development Act 2000, as amended.*
2. *The proposed development would be premature having regard to the existing deficiencies in the wastewater sewerage network in the area and the period within which this constraint may reasonably be expected to cease.*

*Note: The applicant is advised that the Board considers that the proposed development is deficient in the provision of childcare places having regard to the guidance set out in the Childcare Facilities – Guidelines for Planning Authorities 2001.*

##### 3.1.1 Addressing the Reasons for Refusal

The revised design has sought to retain those elements of the previous scheme which were considered acceptable to An Bord Pleanála and comprehensively addressed the specific issues raised in the Board's Order, and matters raised its Inspector's Report under ABP Ref. 306225-19. The Architectural Design Statement submitted herewith details the design evolution in response to the assessment of the previous scheme.

**Figure 3.1 Comparison of Site Layouts**



(Source: Extract from Architectural Design Report HJL Architects)



A summary overview of the principal design response includes:

**Dual Aspect Apartments:** SPPR 4 of the Apartment Guidelines requires a minimum of 33% dual aspect units for developments in more central and accessible urban locations and a minimum of 50% dual aspect units for developments on larger greenfield or brownfield sites. A minimum standard of 50% dual aspect has been applied to the proposed design.

While the previous scheme proposed in excess of 50% of the units as dual aspect, the Inspector's Report assessing the proposal considered that a number of units could not be considered dual aspect due to corner windows siding onto internal balconies. The Inspector's Report also noted a number of single aspect units with a northerly aspect.

The principal design amendment to address the concerns has been to remove the curved buildings (Buildings D, E and F) which were particularly challenging for the purposes of maximising dual aspect given the orientation of and form of those blocks. These blocks have now been replaced with a simpler form block (Building D) that facilitates a high proportion of dual aspect units.

Careful consideration has been given to determining which units can be considered dual aspect for the purposes of SPPR 4. The number of dual aspect apartments has been maximised through the provision of dual aspect corner units, large rebates to facilitate meaningful dual aspect, and the provision of through dual aspect units along north/south facing elevations. All units identified as dual aspect benefit from opening windows on two external walls of sufficient size to benefit from increased daylight levels and cross ventilation.

A set of basic design principles were established to ensure a high degree of compliant dual aspect units are delivered, resulting in a scheme of exemplary residential quality. These design parameters are as follows:

- Windows creating a dual aspect shall be a minimum of 1.2m wide x 2.4m high (2.88sq.m)
- Recessed facades less than 7.5m between opposing facades shall not have opposing windows
- Where facade setbacks are used to create a secondary aspect, the setback shall be a minimum of 3m back from the primary building line.
- Dual Aspect apartments should demonstrate improved quality of residential amenity above that of a single aspect apartment through ADF analysis. A select number of units were analysed to exemplify this.
- Dual Aspect Approach shall be delivered through multiple unit typologies including corner units, large rebates and through units.
- Apartments benefit from cross ventilation

The Dual Aspect Analysis Report prepared by Henry J Lyons (HJL), Project Architect, and submitted as part of this application, provides a detailed analysis of typical dual aspect units and the manner by which they comply with the design parameters set out below. A full set of drawings (HJL Dwg Nos. COR-HJL-SW-01-DR-A-40B1 to 4061) identifying the dual aspect apartments have been included with the application drawing pack and the relevant dual aspect units have also been indicated on the Housing Quality Assessment submitted herewith.

Of the 412 no. apartments proposed, 223 no. are dual aspect, equating to 54%. Accordingly, the proposed development complies with the requirements of SPPR 4 of the Apartment Guidelines for

suburban location and results in a high-quality development which comprehensively address the first part of the Board's first reason for refusal.

**Figure 3.2 Example of Dual Aspect Compliance – Dual Aspect Analysis Report**



(Source: Extract from Architectural Design Report HJL Architects)

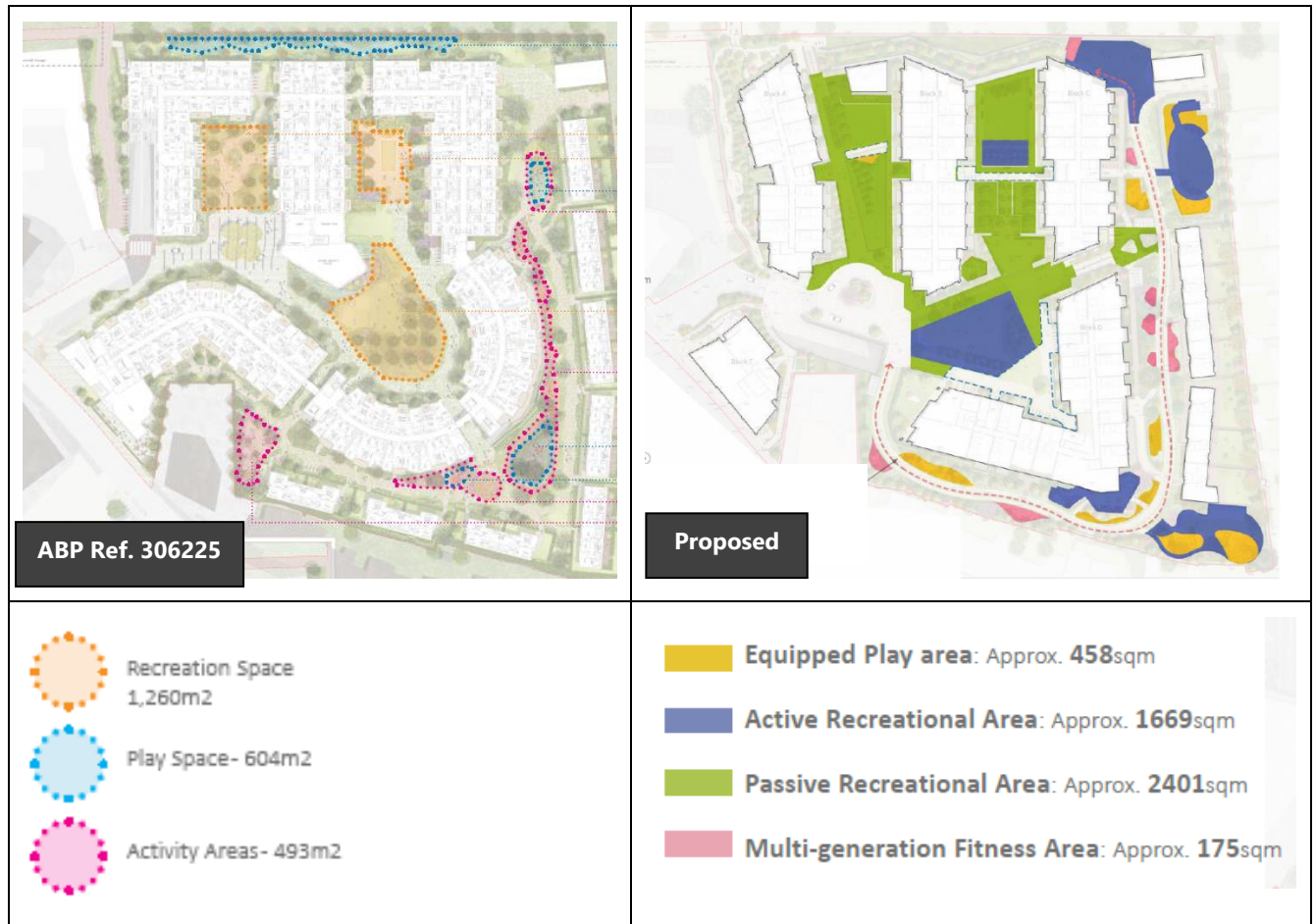
**Communal Open Space:** The level of communal open space provision identified on the plans submitted under ABP Ref. 306225-19 was considered to be below the standard set out in Appendix 1 of the Apartment Guidelines. In assessing the scheme, the Inspector's Report considered that there was a total of 2,357 sqm of external open space provided comprising 1,261sqm of recreational space, 604 sqm of play space and 493 sqm of active spaces. This fell short of a calculated requirement of 2,680 sqm.

The location, quality and quantity of both external open space and internal communal amenity space has been comprehensively reviewed, and the layout and landscaping strategy amended to enhance the quality and quantity of the external spaces. In particular, the omission of the curved building has resulted

in greater opportunity to incorporate high quality, usable spaces which will significantly enhance the residential amenity of the scheme.

As demonstrated in Figure 3.3 below, a conservative approach has been applied to the calculation of external open spaces to ensure that all areas included are all high quality, usable open spaces. Planting and open lawn areas have been distributed through the scheme to provide the key communal areas which provide opportunities for socialising and play, passive and active recreation. The communal open space incorporates several play stations and multigenerational fitness areas, linked by a pedestrian route

**Figure 3.3 Comparison of Useable Open Space Provision**



(Source: Extract from Landscape Design and Access Statement, Cameo & Partners)

allowing for incidental play for children and adults.

A large proportion of the site, comprising hard and soft landscaping, has been omitted from the calculation, which will also contribute significantly to the enjoyment of the scheme for future residents and the overall character of the scheme. This conservative approach also excludes useable spaces which would achieve less than 2 hours sunlight on the spring equinox (March 21<sup>st</sup>) on the basis it would be in shade at certain times of the year.

A range of internal residential amenity spaces and facilities are provided throughout the scheme totalling 779sqm. A residents’ gym is provided at lower ground level of Building C, a range of communal recreational rooms have been provided across ground and first floor levels of Buildings A, B, D and E, which can be used as a multi-function space depending on future residents’ requirements. A multi-

purpose residential amenity pavilion sits in the courtyard space between Buildings A and B. This space will remain a flexible space in terms of design and fit out in order for it to be adaptable to the needs of future residents.

As outlined in Table 5.1 below, the proposed development provides a total of 4,703 sqm of high quality, useable open space. A further 779 sqm of internal amenity space is provided for use by future residents resulting in a combined total of 5,482sqm of residential amenity space. In accordance with the Appendix 1 criteria, the proposed development far exceeds the required amount 2,372 sqm open space specified in the Apartment Guidelines.

The proposed development provides over twice the open space proposed under the previous scheme, significantly exceeds the minimum requirement established by the Apartment Guidelines, and provides a range of high-quality passive and active recreational opportunities for future residents. The proposed communal open space has been conservatively calculated to ensure that only high quality useable spaces, which will directly contribute to the passive and active recreational needs of future residents, have been included in the stated open space provision. Accordingly, it is considered that the revised layout and associated landscape proposals comprehensively address the Board's concerns in respect of the level of communal open space as referenced in the first reason for refusal.

Further details of the nature and use of the various spaces provided are included in the Landscape Design and Access Statement prepared by Cameo & Partners, Landscape Architects.

**Wastewater Sewerage Network:** Wastewater constraints identified in the previous application have been subject to detailed consultation with Irish Water. Modelling completed by Irish Water in respect of the storm and foul sewers serving the wider area identified a future requirement for balancing storage to limit downstream overflows.

As detailed in the Confirmation of Feasibility received from Irish Water, the proposed development is to make provision for an on-site 2,150 m<sup>3</sup> balancing storage tank (located in the eastern corner of the site) which will facilitate a potential future upgrade of the Foxrock catchment by Irish Water. An 825mm diameter combined sewer is also to be constructed, traversing the site from the entrance at Old Bray Road to the balancing storage tank. This pipeline will also facilitate a potential future upgrade of the Foxrock catchment by Irish Water. Provision of this storage volume and 825mm diameter combined sewer is not required to facilitate the development and will form part of potential future upgrades of the wider Foxrock catchment by Irish Water. It is considered that the provision of the storage tank and associated infrastructure will assist in facilitating future potential Irish water upgrades for the wider catchment and accordingly represents a significant public gain associated with the proposed development.

As part of the proposal referred to in the Confirmation of Feasibility, and to service the development in the short term, construction of an on-site pumping station and storage tank is required in order to store foul drainage flows from the development during heavy rainfall conditions / if the combined sewer network is under pressure. The on-site pump station is to be integrated within a 2,150 m<sup>3</sup> balancing storage tank. Stored drainage flows are then returned to proposed 300 diameter combined sewer which outfalls from the site's eastern corner, towards northern end of Willow Grove and onwards along the verge adjacent to the N11 prior to discharge on the existing combined sewer network (approx. 240m from the eastern corner of the site). The proposed 300 diameter combined sewer also facilitates potential future upgrades of the wider Foxrock catchment by Irish Water.

All works proposed are consistent with the requirements of the Confirmation of Feasibility issued by Irish Water dated 4 October 2021.

Please refer to the Response to ABP Opinion Items 1, 7 and 8 and the Infrastructure Design Report, both prepared by DBFL Consulting Engineers, for further details of the proposed water and wastewater design.

**Childcare Facility:** The note included on ABP's Order under ABP Ref. 306225-19 relating to childcare provision has also been addressed in the revised design. The previous application did not include a childcare facility. The proposed development now includes a childcare facility of 258 sqm GFA with a capacity for 50-60 children, depending on age.

The proposed development provides for a total of 419 no. units including 294 no. one bed apartments. Section 4.7 of the Apartment Guidelines provide 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 or more bedrooms'. Exclusion of the one-bed apartments result in a total of 125 no. units which may reasonably give rise to a childcare requirement.

The application of the rate of 20 spaces per 75 units stated in the Childcare Guidelines in respect of 126 no. units would result in a childcare requirement of 35 no. childcare spaces. Further assessment by KMPG Future Analytics, contained in Chapter 5 of the EIAR accompanying this application, considers that the requirement for childcare provision is considerably less, conservatively calculated as in the order of 14 no. pre-school childcare spaces. In this regard, and given the BTR nature of the scheme, the proposed childcare facility will provide well in excess of the requirements reasonably foreseen to serve the development itself and will result in additional childcare facilities being available to the wider community.

**Visual Impact (Massing):** The ABP Inspector's Report noted that the elevations of proposed Building A and Building B were monolithic in terms of appearance and scale. While these matters were not referenced in the reasons for refusal, the opportunity has been taken to review and improve the massing and elevations of all proposed blocks, as detailed in the Architectural Design Statement.

The Inspector's Report recommended a reason for refusal relating to visual impact. However, the Board's Direction stated that 'in deciding not to accept the inspectors recommended first reason for refusal on design and visual impact reasons the Board was satisfied that the elevations of proposed Block A and Block B would be acceptable in terms of appearance and scale and would in terms of massing represent an appropriate sense of enclosure to the N11 corridor and would not seriously injure the visual amenities of adjoining properties or the visual amenities of the wider area. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area'. [Emphasis added]

Given the Board's Order stated that the scale of Blocks A and B was acceptable, it was considered appropriate that the general form and building heights as originally proposed fronting onto the N11 were maintained in the interests of making sustainable use of serviced, accessible lands.

Notwithstanding, significant consideration has been given to the presentation and massing of the scheme to the N11. The scale of Building A has been reduced to the south providing a stepping down in height from the N11 towards the village. In addition, Building A is also cranked to reduce the massing when viewed from the west.



The previously proposed pavilion structures, originally proposed between each of the Buildings A to C, have been omitted to create greater space between the blocks, minimising the visual mass along the N11.

**Figure 3.4 Comparison of Massing to N11**



(Source: HJL Architects/3DDB)

It is considered that the proposed amendments to massing results in an appropriate design solution that addresses the issues identified in the Inspector's Report in respect of the perceived monolithic appearance of the previous scheme, whilst also maintaining the scale of the development into the N11

which was considered acceptable by the Board. The proposed scheme providing a suitable transition in scale from the N11 to Cornelscourt Village while ensuring overall objectives of compact urban development, increased density and consolidation of existing settlements are achieved.

Based on the foregoing, it is submitted that the proposed scheme has maintained and enhanced those elements of the scheme which were previously considered appropriate by the Board and provides a comprehensive response to the stated reasons for refusal.

### 3.1.2 Vacant Site Register

Under **VS – 0011 (ABP Ref. VV06D.301161)** An Bord Pleanála confirmed the entry of the subject lands on the Vacant Sites Register. The Board noted that the majority of the site was and is vacant or idle, there is a need for housing in the area, the site is suitable for the provision of housing as demonstrated by the residential land use zoning for the area.

Subsequently, under **VS – 0011 (ABP Ref. VX06D.307450)** An Bord Pleanála cancelled the entry of the subject lands on the Vacant Sites Register. The Board noted that the site was not served by the public infrastructure and facilities necessary to enable housing to be provided and serviced.

A further appeal against a demand for payment of the vacant site levy is currently being considered by the Board under **VS – 0011 (ABP Ref. VX06D.310057)**.

### 3.2 Surrounding Lands

Recent applications (within the last 5 years) within the immediate vicinity of the site relate predominantly to house extensions (**D20B/0359; D18B/0024** and **D16B/0272**) and change of use of commercial premises (**D20A/0882**). Refer to Appendix 1A of the EIAR submitted as part of this application for further details of applications.

In Cornelscourt Village, permission was sought under **D20A/0884** in respect of a mixed-use development consisting of 2 no. retail units and 20 no. apartments at The Mart, Old Bray Road. DLRCC issued a Notification of a Decision to refuse permission for a single reason relating to insufficient legal interest to complete the development as proposed. This Notification is currently on appeal to An Bord Pleanála (ABP-311428-21). Permission is currently being sought under **D21A/0823** for amendments to vehicular entrance and signage at Cornelscourt Shopping Centre. A decision is due 13 December 2021.

## 4 PARTICULARS OF PROPOSED STRATEGIC HOUSING DEVELOPMENT

### 4.1 Layout & Design

The proposed residential development provides for 419 no. build-to-rent dwellings comprising of 294 no. one-bed apartments, 111 no. two-bed apartments, 7 no. three-bed apartment units and 7 no. three bed houses. The proposed apartments are arranged in 5 no. blocks, over a basement/podium level, which range in height from 4 no. storeys to 12 no. storeys. The proposed houses are two storeys in height.

The proposed development generally comprises 5 no. blocks as follows:

- **Building A** forms the westernmost of the three 'finger' buildings (Buildings A, B & C) located along the N11. Building A is part 5, part 6 storey in height, rising to 12 storeys adjacent to the N11. Residential amenity space is provided at ground and first floor level with 117 no. apartments comprising the balance of the building.
- **Building B** forms the central 'finger building' located between Buildings A and C. Building B is part 5 storey rising to 9 storeys proximate to the N11 edge. Similarly, Building B has residential amenity space at ground and first floor level with the balance of the building residential comprising 120 no. units.

A single storey **multi-purpose residential amenity pavilion** sits in the courtyard space between Buildings A and B.

- **Building C** is the third 'finger building' located to the east of Building B. Building C provides a further step down in height and is predominantly 6 storeys in height over a partial lower-ground floor, below podium level. [Building C presents as a 6 storey building over podium level and as a seven storey building over lower-ground level to the east of the site.] A residents' gym is provided at the lower ground floor level with the balance of the building comprising 70 no. apartments.
- **Building D** is an 'L' shaped building located to the south of the site. Building D responds to the more village scale with a setback 4 storey western wing, to the boundary with Cornelscourt Cottages, rising to 5 storeys to the eastern wing over a partial lower ground floor level (eastern wing only). [Building D presents as a 4 storey rising to 5 storey building over podium level and as a 6 storey building over lower-ground level (eastern wing only) to the east of the site.] A childcare facility and a further residential amenity space are provided at ground floor level with 87 no. apartments comprising the balance of the building.
- **Building E** fronts onto the Old Bray Road (Cornelscourt Village) and is 4 storey building with 1 no. café/retail unit providing active frontage to the Village and a residential amenity space provided at ground floor level, with 18 no. apartments from first floor to third floor level.
- **Houses:** The eastern boundary of the site is characterised by 7 no. 2 storey houses arranged in two terraces of three and four units.



**Table 4.1 Key Site Statistics**

Site Statistics	Area
Total Site Area (Redline Boundary)	2.15ha
Communal Open Space	4,703sqm
Total Gross Floor Area	33,506sqm
Building Footprint	5,908
Net Residential Density	195 units per ha
Plot Ratio	1.56
Site Coverage	28%

**Figure 4.1 Building Layout**

(Source: Extract from Landscape Design & Accessibility Statement, Cameo & Partners)

#### 4.1.1 Residential Development

The proposed residential development provides for 419 no. BTR dwellings comprising of 294 no. one-bed apartments, 111 no. two-bed apartments, 7 no. three-bed apartment units and 7 no. three bed houses. The BTR units are for the purposes of providing long term rental housing and will be subject to a long-term covenant or legal agreement in accordance with Specific Planning Policy Requirement 7 (SPPR 7) of the Sustainable Urban Housing: Design Standards for New Apartments.

One-bed apartments range in size from 46 to 63 sqm GFA, two-bed (4 person) apartments range from 75 to 88 sqm GFA and the three-bed apartments range from 96 to 111 sqm GFA. There is one two-bed (3 person) apartment which is 68sqm GFA in size. The proposed houses range in size from 138 sqm to 160 sqm GFA.

**Table 4.2 Breakdown of Residential Unit Types**

Description	Size Range (GFA)	Quantity	Mix %
1 bed Apartment	46 to 63 sqm	294	70.1
2 bed Apartments	68sqm	1	26.5
2 bed Apartment	75 to 88 sqm	110	
3 bed Apartment	96 to 111 sqm	7	1.7
3 bed House	138 to 160 sqm	7	1.7
<b>Total</b>	-	<b>419</b>	<b>100%</b>

All of units benefit from their own private amenity space in the form of balconies or terraces, rear gardens in the case of house units, and all units benefit from internal storage areas.

A range of internal residential amenities and facilities are provided throughout the scheme totalling 779sqm. Internal Residential amenity spaces include a gym; a variety of tenant amenity lounges; concierge and a multi purposes pavilion building within the communal courtyard. Further communal amenity space is provided externally through the provision of a range of landscaped courtyards and plazas, connected by an active fitness and play areas, providing a range of high-quality amenity areas for future residents.

In accordance with SPPR 7(b) the following support communal and recreational amenities are proposed as part of the BTR element:

#### **Residential Support Facilities:**

- Concierge facilities and residential support services are provided in Building A. The facilities offered here provide for a management area, reception area, parcel storage area and staff welfare facilities
- Maintenance and Management Stores have been provided at basement level.
- Tenant storage rooms have been provided at basement level which will provide additional storage for larger or bulky items for future residents.
- Refuse storage areas has been provided at basement level which will provide bins for general waste and recycling.

- Dedicated sheltered bicycle parking has also been provided at basement level which provides bicycle parking for 664 no. bicycles, a further 155 no. spaces are provided at ground floor level.

**Residential Services & Amenities:**

- A gym is provided at lower ground level of Building C with exercise equipment available for use by residents.
- A range of communal recreational rooms have been provided across ground and first floor levels of Buildings A, B, D and E, which can be used as a multi-function space depending on future residents' requirements.

It is envisaged that these spaces will form central lounge areas which can help create a sense of community by encouraging resident interaction. They can be used by residents as an extension of their private living space, either to meet and chat with friends and other residents, or as informal 'work from home' spaces.

- A multi-purpose residential amenity pavilion (88 sqm) sits in the courtyard space between Buildings A and B. This space will remain a flexible space in terms of design and fit out in order for it to be adaptable to the needs of future residents. Such uses could include studio for fitness/wellness classes, a meeting room, a shared gathering spaces for residents group activities etc.

**Figure 4.2 Location of Internal Amenity Spaces**

(Source: Extract from Architectural Design Report HJL Architects annotated by DBCL)

#### 4.2 Open Space, Access, Permeability & Parking

One of the key concepts of the proposed development is the creation of a clearly defined hierarchy of public, semi-public, and private spaces which provide legibility, permeability, and connectivity and make it easy for residents and visitors to find their way around and enjoy the significant open spaces.

The proposed concept is based on the relationships between architecture and landscape and the transition between internal and external spaces. Planting and open lawn areas have been distributed to provide the key communal areas which provide opportunities for socialising and play. The larger landscape elements such as the open lawn areas, tree planting, low-level planting as well as the activated ground floor uses as part of passive recreation areas, smaller landscape elements help to animate the area without requiring significant space.

The proposed development provides a generous landscape setting which contributes to the overall amenity and aesthetic of the scheme. However, not all of it is directly useable. Some 7,078sqm comprises 'connective tissue', tying the entire development together as one cohesive masterplan. A total of



4,703sqm has been designated as high quality, usable communal open space which will provide attractive, functional open spaces for future residents. It is noted that the communal open space figure excludes incidental spaces, heavily planted areas, dedicated residents' pathways and shaded areas (which will achieve less than 2 hours daylight on March 21<sup>st</sup>). Figure 4.3 shows the communal open space in the context of the wider landscape setting while Figure 4.4 provides a breakdown of active and passive communal open space provision.

**Figure 4.3 Wider Landscape Setting within which Communal Open Space Sits**



(Source: Extract from Landscape Design & Accessibility Statement, Cameo & Partners)

The proposed materials will be appropriate and sympathetic to the local character of the area and be an integral part of the design. Careful consideration has been given to the design, texture and colour of the materials to ensure they will integrate with the design, in particular with a strong tonality cohesion with the proposed building's facade finishes, which will assist in providing a high-quality living environment.

The distinction of different tones and finishes of paving which includes natural stone paving, clay brick paving and concrete block paving have been strongly related to future uses of the proposed shared surface, cycle lane and pathways.

The design and placement of elements will respond to the architecture through sympathetic, appropriate and consistent materials, textures and scales. High quality elements will help to create a positive, inclusive and inspiring environment, where people feel comfortable to walk through, sit, contemplate and enjoy the landscape setting. All the landscaping materials will have a good resistance to accidental damage and low maintenance characteristics.

**Figure 4.4 Active & Passive Communal Open Space Provision**



(Source: Extract from Landscape Design & Accessibility Statement, Cameo & Partners)

The overall communal open space incorporates several play stations and multigenerational fitness areas. Under the overall conceptual approach of educational play, these elements allow incidental play for children and adults.

The semi-natural style of the planting will create a unique identity for the scheme and contribute to a sense of place for the residents and wider community. Native planting and careful habitat creation aim to establish an ecologically rich environment which will benefit the local people and the environment.

The landscaping vision for the development will create several distinct areas. Figure 4.5 below identifies the key character areas within the scheme. Each area has its own unique character with a series of unifying design principles, materials and styles applied to each space to create an overall cohesive landscape:

- 1. Entrance Plaza and Drop Off Zone:** A simple, understated, hardscaped plaza. The plaza surface is open and expansive to allow limited vehicular access, for drop-off and servicing only, and is enclosed with a canopy of branches above to establish a sense of humanised scale for residential users within the space. Layout allows space for vehicular movement, drop-off, disabled parking, and pedestrian access via a shared-space approach.
- 2. Tenant Amenity & Community Hub:** The community hub will be a public space which sits at the heart of the development, providing a green oasis which aims to serve the new residents. This open space will encourage people to socialise and interact, helping cement existing and forge new community relationships. Residents will have the flexibility to use the space how they wish which will establish a sense of pride and ownership over the space.
- 3. Sculptured Residential Courtyard & The Scented Garden:** A carefully selected palette of hard and soft landscape materials continues to promote the approach of the design and includes native planting with high quality materials. The geometric mounds provide structure and form which are softened by the undulating mass of planting. These raised edges provide opportunity to sit down and relax, create interactions, and enjoy the ever-changing experience of this garden.
- 3A. Sculptured Residential Courtyard & The Mounded Garden:** This space will perform a variety of roles, it will be welcoming to the residents, promote the ecological aspirations of the development, establish a sense of community, provide a space for short term relaxation and use high quality materials.
- 4. Residential Amenity Gardens:** Play spaces and family gathering areas ensure new residents of all ages can enjoy the space. The space features an undulating play and activity surface which spans through the garden and connects together the activity nodes. A variety of planting types offer variations in colour, texture and aroma. Own-door units have been introduced along most blocks' frontages, providing passive surveillance on the adjacent street/open space. Native planting and careful habitat creation will establish an ecologically rich environment which will benefit the local people and the environment.
- 5. Recreation Active Green:** An active open space has been created over the proposed storage chamber to ensure an attractive useable space is created. The design consists of a legible central open lawn that will cater for both adult and children with play and seating facilities that enclose the space. The northern part of the space is enveloped by a gentle embankment covered by planting. The central space set within a lush green planting would be surrounded by seating area sheltered by pergolas.
- 6. Terraced landscape with native planting:** Screen planting is provided along the N11 to enhance the visual amenity of the podium area, screening carpark ventilation, when viewed from the N11 in a manner that improves the biodiversity value along this boundary.
- 7. Crèche playground:** Private, dedicated, secure outdoor play space (approximately 163sqm) which will be utilised by the proposed childcare facility.

- 8. Private rear garden:** Private amenity spaces located to the rear of the proposed houses along the eastern boundary. Each private amenity will have a 1.8m timber fencing that will contribute the sense of security and privacy within the home.

**Figure 4.5 Landscape Character Areas**



(Source: Extract from Landscape Design & Accessibility Statement, Cameo & Partners)

Vehicular access to the site is via the existing access road onto the R842 Old Bray Road. This is a shared access road with the adjacent AIB to the west.

It is proposed to incorporate a one lane exit and a single-entry lane onto the access to service the vehicles exiting the basement car park of the proposed development. A back-to-back right turn pocket will serve vehicles entering onto the site from the shared access with AIB Bank (see Figure 4.6 below). The access junction onto the R842 Old Bray Road, will continue to operate as a priority junction.

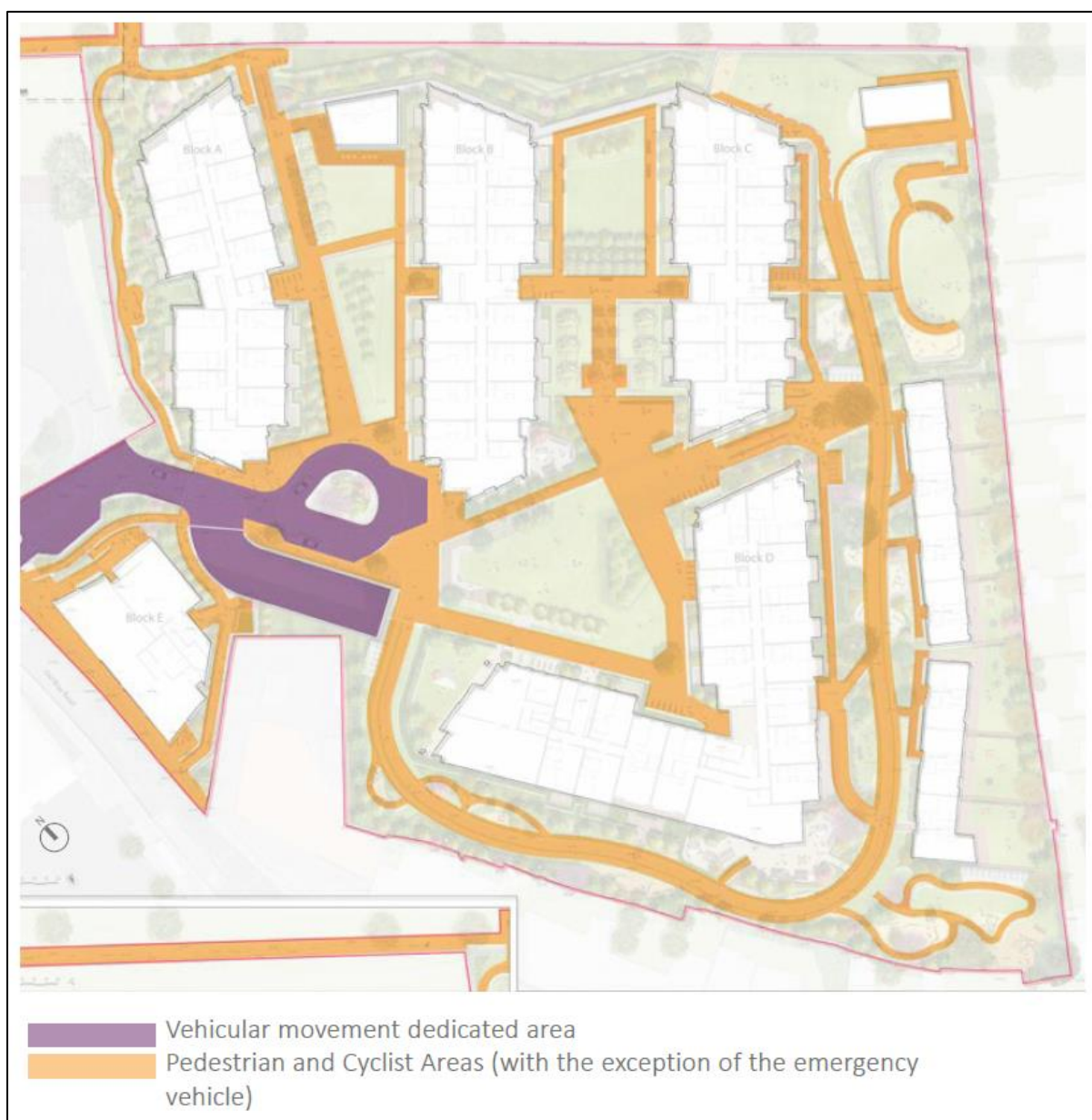
An underground car parking entrance is provided at the access to the site to ensure that cars do not need to cross the podium, providing a safe and high quality pedestrian environment at the podium level. A taxi drop-off, and a collections and drop off area for parcel deliveries, is situated at the entrance to the scheme adjacent to the basement access ramp.



**Figure 4.6 Access Arrangement & Drop-Off Set Down Area**

(Source: Extract from Cameo Dwg. No. 0126 L1000)

Vehicular access to the podium is limited to emergency and maintenance access and facilitated by removable bollards located on the southern side of the podium. Similarly, only emergency and maintenance access is possible along the amenity garden cycle/pedestrian route to the south and east of the site.

**Figure 4.7** Extent of Vehicular Movement at Surface Level

(Source: Extract from Landscape Design & Accessibility Statement, Cameo & Partners)

The proposed development provides for a total of 819 no. cycle parking spaces throughout the site. Of these 664 no. long stay cycle spaces will be provided at basement level and 155 no. spaces will be located at ground level which are intended as short stay cycle parking spaces for visitors to the development. Access routes to the cycle parking spaces are separate from the vehicular access ramp to the basement. Three dedicated cycle access routes are available, one to the north-west of the site (proximate to the link to the N11 cycle lane); one from the podium slab (via steps with adjacent wheel channel) and one via the amenity garden cycle/pedestrian route to the south-east of the basement.

A total of 236 no. car parking spaces are located at basement level. Of these, a total 12 no. mobility impaired spaces are provided. 1 no. further space is provided a surface level as a mobility impaired space. 10 no. motorcycle spaces are also provided at basement level. 2 no. further set down spaces and a delivery bay is provided at surface level.

### **4.3 Ancillary Services and Other Uses**

As outlined in Section 4.1.1, the proposed development incorporates a range of ancillary residential support facilities, services and amenities which will serve the future residential population. Services include concierge and management services as well as residential amenity facilities. Internal amenity spaces are provided in Buildings A, B, D and E, which can be used as a multi-function space depending on future residents' requirements, and a resident's gym in Building C.

The proposed development includes 1 no. café/retail unit which will provide a mix of use and will complement the residential use. The unit fronts onto the Old Bray Road and provide a total gross floor area of 264sqm. The proposed café/retail use will facilitate active frontage on the Old Bray Road and will facilitate the integration of the proposed development into Cornelscourt Village.

The proposed development also includes a childcare facility (approximately 255 sqm) with capacity for in the order of 50-60 children to serve the needs of the proposed development. The childcare facility has been located adjacent to a dedicated open space (163sqm) to maximise the opportunity for outdoor play.

### **4.4 Integration with Surrounding Land Use**

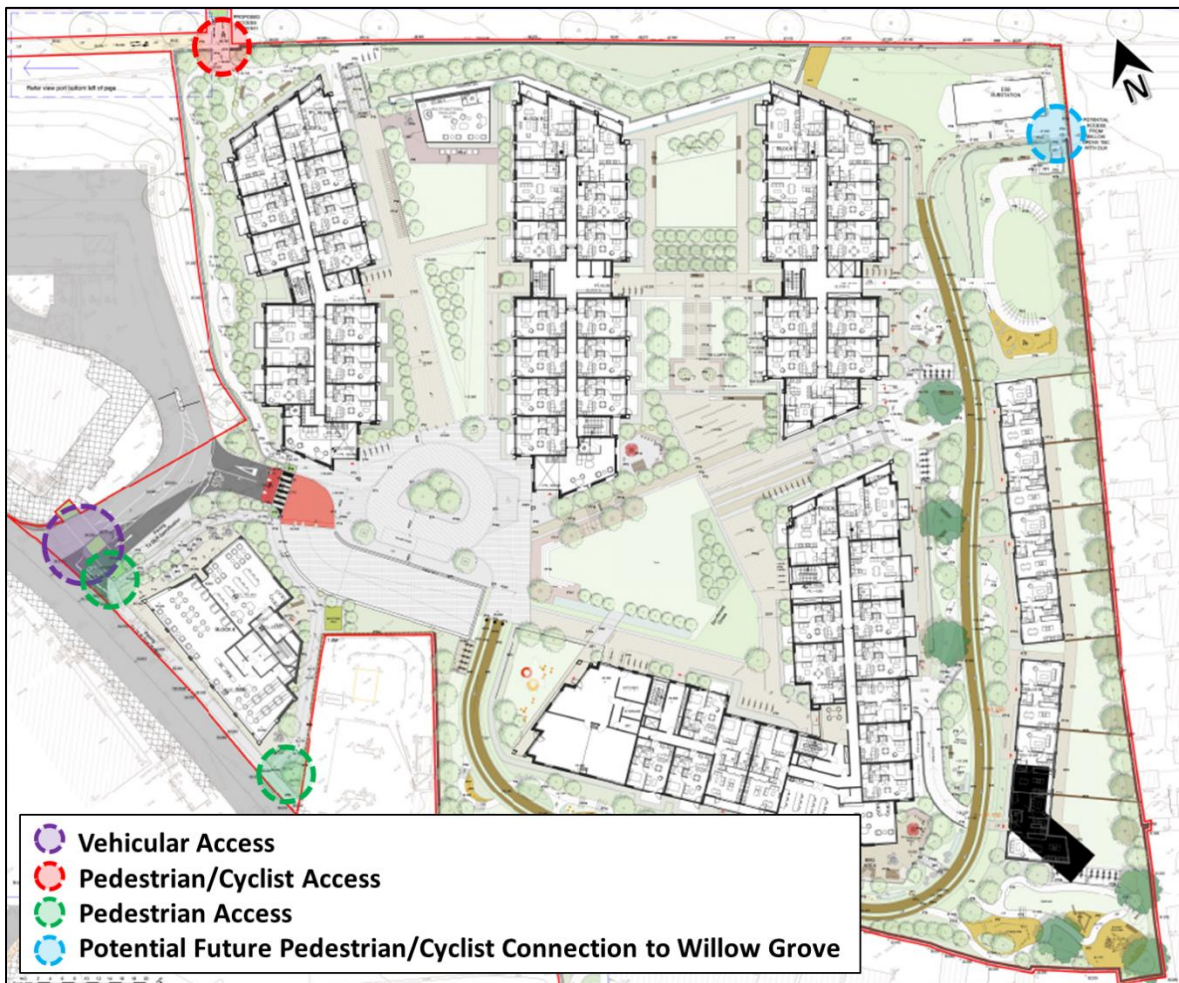
The subject site is strategically located in the centre to Cornelscourt village and presents an opportunity to create a new residential environment with appropriate connections to, and relationship with the village. The proposed development seeks to foster a sense of community and integration within the greater context of Cornelscourt.

The scale and mass of Building E has been carefully considered to provide an appropriate and sympathetic interface between the proposed development and Cornelscourt village. The provision of ground floor retail/café use which address the Old Bray Road will animate this part of the street and invite people into the scheme.

The creation of a public plaza adjacent to the entrance and several pedestrian entrances invites the public into the scheme across generous pedestrian sightlines. The inclusion of a public childcare facility further emphasises the public offering to the village.

There are four principal pedestrian connections into the proposed development. The first two are from Old Bray Road to the south and south west of the site, the third from the new northern gateway along the N11 Corridor, and the fourth is a potential pedestrian access to Willow Grove. The provision of a pedestrian/cycle connection from the Village Centre to the existing N11 cycle lane, and the provision of a pedestrian route to the junction of the Old Bray Road with the N11 with the bus stop beyond, will improve access and connectivity to sustainable travel options for the existing community.



**Figure 4.8 Future Cycle & Pedestrian Connections and Routes**

(Source: Extract from Traffic Impact Assessment, DBFL)

Creating a clearly defined hierarchy of public, semi-public, and private spaces within the scheme will provide legibility, permeability, and connectivity and make it easy for residents and visitors to find their way around.

#### 4.5 Part V

It is intended to comply with Part V of the 2000 Act by the lease of units on site to the Local Authority on completion. Based on the layout submitted herewith, it is envisaged that a total of 42 no. one and two units, dispersed though Buildings A, B, C and D will be leased to the Local Authority in compliance with Section 96(3)(b)(iva) of the 2000 Act.

Site plans identifying the units which have been identified for lease in compliance with Part V, together with the costings, methodology, and schedule of units have been included within the Part V Allocation document prepared by HJL Architects.

Notwithstanding the information included as part of this application, it is submitted that all details of compliance with Part V requirements will be subject to agreement with the Planning Authority upon the issue of any grant of planning permission.

## 4.6 Services Infrastructure

Summary of proposed services infrastructure is provided below. Please refer to Infrastructure Design Report for Planning prepared by DBFL submitted herewith for further details.

**Water Supply:** Existing public water supply infrastructure is located along Old Bray Road (24" Cast Iron Watermain, 9" Cast Iron Watermain and 4" uPVC Watermain). This infrastructure will provide a suitable connection for the proposed development.

It is proposed to take a 200mm diameter connection off the existing 9" Cast Iron public water supply line (located along the Old Bray Road). A looped water main will be provided within the proposed development. The proposed water main layout and connections to existing public water mains have been designed in accordance with Irish Water Standard Detail STD-W-02.

Individual houses located along the site's south-eastern boundary will have their own connections (25mm O.D. PE pipe) to distribution water mains via service connections and meter / boundary boxes. The proposed water main layout and connections to existing public water mains have been designed in accordance with Irish Water Standard

**Foul Drainage:** An existing foul drain (225 diameter) is located adjacent to the site's eastern corner, at the northern end of Willow Grove. An existing combined sewer (300 diameter) is located approx. 240m from the eastern corner of the site (in the verge adjacent to the N11).

Pre-connection enquiry feedback has been received from Irish Water. The proposed development is to make provision for an on-site 2,150 m<sup>3</sup> balancing storage tank (located in the eastern corner of the site) which will facilitate a potential future upgrade of the Foxrock catchment by Irish Water. An 825mm diameter combined sewer is also to be constructed, traversing the site from the entrance at Old Bray Road to the balancing storage tank. This pipeline will also facilitate a potential future upgrade of the Foxrock catchment by Irish Water. Provision of this storage volume and 825mm diameter combined sewer is not required to facilitate the development and will form part of potential future upgrades of the wider Foxrock catchment by Irish Water.

Construction of an on-site pumping station and storage tank is required in order to store foul drainage flows from the development during heavy rainfall conditions / if the combined sewer network is under pressure. The on-site pump station is to be integrated within a 2,150 m<sup>3</sup> balancing storage tank. Stored drainage flows are then returned to proposed 300 diameter combined sewer which outfalls from the site's eastern corner, towards northern end of Willow Grove and onwards along the verge adjacent to the N11 prior to discharge to manhole SO22257704 on the existing combined sewer network (approx. 240m from the eastern corner of the site). The proposed 300 diameter combined sewer also facilitates potential future upgrades of the wider Foxrock catchment by Irish Water.

**Surface Water:** The site falls from its western corner towards its eastern corner forming a single surface water catchment. An existing 225mm diameter surface water drain is located adjacent to the site's eastern corner (at the northern end of Willow Grove). This pipeline outfalls to the east via a crossing under the N11, South Park and Clonkeen College. An existing 600mm concrete surface water line is located adjacent to the site's north-eastern boundary.

The existing 225mm diameter surface water drain at the site's eastern corner (provides a suitable surface water outfall for the proposed development).

Surface water discharge rates from the proposed surface water drainage network will be controlled by a vortex flow control device (Hydrobrake or equivalent) and associated underground attenuation tanks (Stormtech Chambers or equivalent). Surface water discharge will also pass via a full retention fuel / oil separator (sized in accordance with permitted discharge from the site).

The proposed surface water drainage network will collect surface water runoff from the site via a piped network prior to discharging off site via the attenuation tank, flow control device and separator arrangement.

An **ESB substation** has been incorporated into the north-east corner of the site in accordance with ESB Networks requirements. The location of the ESB has been informed by technical requirements in consultation with ESB Network and was selected as the best possible location to serve the proposed development. Specific measures have been put in place to aesthetically upgrade the substation façade by way of a cable trellis system, ensuring the structure can be subsumed into the landscape setting (further details provided in the Landscape Design and Access Statement prepared by Cameo & Partners, Landscape Architects).

#### **4.7 Architectural and Archaeological Heritage**

There are no structures or features of historic architectural significance located within the site proposed for development. Therefore, no direct impact on the architectural heritage will arise as a result of the proposed development.

There are no recorded monuments situated within the site boundary. There are relatively few recorded monuments located in the wider study area, there are no Zones of Archaeological Interest, as defined under the Dun Laoghaire-Rathdown County Development Plan 2016-2022, within the vicinity of the site. The subject site has been subject to desktop survey, geophysical survey and test trenching with no potential archaeological features identified on site.

## 5 STATEMENTS OF CONSISTENCY

### 5.1 Ministerial Guidelines

#### 5.1.1 Sustainable Residential Development in Urban Areas Guidelines (2009) & Urban Design Manual – A Best Practice Guide (2009)

The Sustainable Residential Development in Urban Areas Guidelines, 2009 (SRDUA Guidelines) contain specific policies and objectives in relation to 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 of the Guidelines 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?*

The Urban Design Manual – A best practice guide (2009) reiterates and expands on these 12 core principles of urban design and sustainability insofar as they relate to residential development.

Chapter 5 of the SRDUA Guidelines identifies opportunities for increased residential densities on either brownfield lands and particularly where such sites are 'close to existing or future public transport corridors, the opportunity for their re-development to higher densities, subject to the safeguards expressed above or in accordance with local area plans, should be promoted, as should the potential for car-free developments at these locations.'

Paragraph 5.8 of the guidance identify Public Transport Corridors as suitable locations for higher density development. In this regard the guidance advises that 'Walking distances from public transport nodes (e.g. stations/halts/bus stops) should be used in defining such corridors. It is recommended that

increased densities should be promoted within 500 metres walking distance of a bus stop, or within 1km of a light rail stop or a rail station.

The submitted Architectural Design Report prepared by HJL Architects, sets out the design rationale and the key criteria considered in the design process for the proposed development based on the 12 criteria identified above.

### **5.1.2 Sustainable Urban Housing: Design Standards for New Apartments 2020**

The Sustainable Urban Housing: Design Standards for New Apartments Guidelines 2020 (Apartment Guidelines) are intended to promote sustainable housing, by ensuring that the design and layout of new apartments provide satisfactory accommodation for a variety of household types and sizes. In addition to the policies below, the Guidelines recognise the need for greater flexibility in terms of building height and building separation distances to achieve increased apartment development.

The Apartment Guidelines update previous guidance in the context of greater evidence and knowledge of current and likely future housing demand in Ireland taking account of the Housing Agency National Statement on Housing Demand and Supply, the Government's action programme on housing and homelessness Rebuilding Ireland and Project Ireland 2040 and the National Planning Framework, published since the 2015 Guidelines.

Section 5 of the Guidelines provide specific guidance on the emerging 'Build to Rent' (BTR) sector and notes that such schemes have a role in providing choice and flexibility to people in supporting economic growth and access to jobs in Ireland. The Guidelines define build to rent as:

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

The Guidelines identify the following Specific Planning Policy Requirements (SPPR's) to guide BTR schemes which take precedence over any conflicting policies or objectives of the Development Plan:

#### ***'Specific Planning Policy Requirement 7***

*'BTR development must be:*

- (a) Described in the public notices associated with a planning application specifically as a 'Build-To-Rent' housing development that unambiguously categorises the project (or part of thereof) as a long-term rental housing scheme, to be accompanied by a proposed covenant or legal agreement further to which appropriate planning conditions may be attached to any grant of permission to ensure that the development remains as such. Such conditions include a requirement that the development remains owned and operated by an institutional entity and that this status will continue to apply for a minimum period of not less than 15 years and that similarly no individual residential units are sold or rented separately for that period;*
- (b) Accompanied by detailed proposals for supporting communal and recreational amenities to be provided as part of the BTR development. These facilities to be categorised as:*
  - i) Resident Support Facilities - comprising of facilities related to the operation of the development for residents such as laundry facilities, concierge and management facilities, maintenance/repair services, waste management facilities, etc.*
  - ii) Resident Services and Amenities – comprising of facilities for communal recreational and other activities by residents including sports facilities, shared TV/lounge areas, work/study spaces,*



*function rooms for use as private dining and kitchen facilities, etc.*

### **Specific Planning Policy Requirement 8**

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

- i) No restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise;*
- ii) Flexibility shall apply in relation to the provision of a proportion of the storage and private amenity space associated with individual units as set out in Appendix 1 and in relation to the provision of all of the communal amenity space as set out in Appendix 1, on the basis of the provision of alternative, compensatory communal support facilities and amenities within the development. This shall be at the discretion of the planning authority. In all cases the obligation will be on the project proposer to demonstrate the overall quality of the facilities provided and that residents will enjoy an enhanced overall standard of amenity;*
- iii) There shall be a default of minimal or significantly reduced car parking provision on the basis of BTR development being more suitable for central locations and/or proximity to public transport services. The requirement for a BTR scheme to have a strong central management regime is intended to contribute to the capacity to establish and operate shared mobility measures;*
- iv) The requirement that the majority of all apartments in a proposed scheme exceed the minimum floor area standards by a minimum of 10% shall not apply to BTR schemes;*
- v) The requirement for a maximum of 12 apartments per floor per core shall not apply to BTR schemes, subject to overall design quality and compliance with building regulations.*

The proposed residential development is intended for the purposes of providing long term rental housing and will be subject to a long-term covenant or legal agreement in accordance with SPPR 7. The BTR element will be owned and operated by a BTR company which will manage the operations of the scheme for a minimum of 15 years. No individual residential units will be sold or rented separately from the company over that period. A Draft Covenant to this affect has been prepared and is appended to this Report (Appendix A).

All apartments have been designed to meet the requirements of Appendix 1 of the Apartment Guidelines. In accordance with SPPR 7(b) a range of Resident Support Facilities and Resident Services and Amenities have been provided to facilitate the management and operation of the BTR element and to ensure a high level of residential amenity for the future resident community. See Section 4.1.1 above for details of supporting communal and recreational amenities consistent with the requirements of SPPR 7(b).

Other SPPR's which are relevant to BTR schemes are as follows:

#### **Specific Planning Policy Requirements 3**

*Minimum Apartment Floor Areas:*

- Studio apartment (1 person) 37 sq.m*
- 1-bedroom apartment (2 persons) 45 sq.m*

- 2-bedroom apartment (4 persons) 73 sq.m
- 3-bedroom apartment (5 persons) 90 sq.m

All apartments exceed the stated minimum floor areas.

One-bed apartments range in size from 46 to 63 sqm GFA, two-bed (4 person) apartments range from 75 to 88 sqm GFA and the three-bed apartments range from 96 to 111 sqm GFA. There is one two-bed (3 person) apartment which is 68sqm GFA in size, while this is below the minimum size specified in SPPR3 for 4-person apartments (63sqm), it exceeds the minimum size for 3 person two-bed apartments as provided for in Appendix 1 of the Apartment Guidelines.

#### **Specific Planning Policy Requirements 4**

*In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply:*

*(i) A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate.*

*(ii) In suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.*

*(iii) For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25 ha, planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects.*

Of the 419 no. apartments proposed, 223 no. units are dual aspect, representing 54.1%. Accordingly, the proposed development exceeds the 50% minimum requirement for dual aspect apartments in suburban and intermediate locations.

All dual aspect apartments have been identified in the Housing Quality Assessment (HQA) submitted herewith (Appendix 2 of the Architectural Design Report). In addition, the Dual Aspect Analysis Report (Appendix 3 of the Architectural Design Report) provides a detailed analysis of typical dual aspect units and the manner by which they comply with the design parameters necessary to achieve meaningful dual aspect.

#### **Specific Planning Policy Requirements 5**

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

Floor to ceiling heights at ground and lower ground floor level are a minimum of 2.7m. Typical Floor to ceiling heights of 2.4m is achieved on all of the upper levels (above ground floor level).

Based on the foregoing, the proposed development fully complies with all relevant SPPR's contained in the Apartment Guidelines.

Section 6 of the Guidelines considers the development management process and identifies the content of the planning application. Schedules and floor plans demonstrating compliance with the standards are part of the detailed HQA 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 submitted HQA (HJL Architects).
- **Apartment Sizes / Floor Areas** - All proposed apartments are in accordance with the minimum size requirements of the Guidelines – SPPR3 and Appendix 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 SPPR 8 (iv) are noted. Notwithstanding, the proposed development has been designed to provide a high level of residential amenity for future residents and accordingly some 85% of units exceed the minimum standards by 8.8%.

- **Apartment Mix** – Table 4.1 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. In this regard the provisions of SPPR 8 (i) are noted which provides there shall be no restrictions on dwelling mix.

In this respect, Section 2.6 of the Apartment Guidelines notes that at a national level two thirds of households added since 1996 comprise 1-2 persons, yet only 21% of dwellings completed since then comprise an apartment of any type. Section 2.8 goes on to state that analysis of urban housing need points to the fact that into the future, a majority of households will comprise 1-2 persons and approximately half of the remainder will be three person households. While it is recognised that it will be necessary to provide for a range of incomes, it is critical to accommodate the needs of increasingly more diverse household types in the context of a growing and ageing population. The Apartment Guidelines further notes that jobs have been increasingly located in and around Ireland's cities and larger towns and accordingly results in an increased in skilled migrants seeking to located in urban areas.

Accordingly, it is considered that the proposed housing mix, which comprises predominantly one- and two-bedroom units, directly responds to emerging demographics, and ensures a supply of appropriate accommodation which will contribute to Dublin's competitiveness to attract skilled workers. In this respect, it is considered that the proposed housing mix is fully consistent with the Apartment Guidelines for BTR schemes.

- **Aspect** – The proposed development complies with SPPR 4 with details outlined above. Some 54.1% of the apartments are dual aspect. No single aspect units are north facing. Further details are provided the Dual Aspect Analysis Report, HQA and Drawings accompanying this application.
- **Floor to Ceiling Heights** – The proposed development complies with SPPR 5 and details of compliance are provided above.

- **Lift and Stair Core Provision** – The maximum units accessed from a lift core is 14 no. units (Building B) and 13 no. units (Building A). Buildings A and B benefit from a dual lift strategy (two lifts side by side in the core) to improve efficiency. Lift cores in Buildings C, D and E serve 11, 8 and 6 no. apartments per floor respectively. This is consistent with SPPR 8(v) which provides that 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.
- **Storage Provision** - All individual apartments are provided with internal storage generally in accordance with the requirements of Appendix 1 of the Guidelines. There are a small number of apartments which fall marginally short of the requirements of Appendix 1. Section 3.3 of the Apartment Guidelines provides that *'Where secure, allocated ground or basement level storage is provided, it may be used to satisfy up to half of the minimum storage requirement for individual apartment units, but shall not serve to reduce the minimum floor area required to be provided within each individual apartment unit, as set out in these guidelines'* [emphasis added].

In this respect, a total of 11 no. units do not meet the Appendix 1 requirements within the apartment. Of these, the shortfall for 3 no. units is negligible (0.1sqm) with the other 8 no. units having a shortfall of between 1.6 and 2.0sqm. All affected apartments are 2-bed in size and therefore the minimum requirement is 6sqm. Accordingly, in all cases the apartments have in excess of 50% of the storage requirement internally within the unit. All 11 no. units benefit from additional, assigned, storage at basement level well in excess of the shortfall. The affected units have been identified on the HQA and the assigned storage areas identified on the floor plans.

- **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.

SPPR 8 (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.'*

Notwithstanding the scope for flexibility on private amenity space for BTR schemes, all apartments benefit from private open space in the form of a balcony on upper floor and terrace are at ground floor level. All private amenity spaces meet or exceed the area standard set out in Appendix 1. All balconies have a minimum depth of 1.5m and all main living areas have access to a balcony. The Landscape Design and Access Statement prepared by Cameo & Partners Landscape Architects details the treatment of ground floor level terraced areas to ensure adequate private and security.

In addition, a range of communal recreational facilities and amenities, as provided for under SPPR8(ii), have been provided to ensure a high level of residential amenity for future residents.

- **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 and lower ground floor apartments floor level benefit from defensible buffer space planting and screened by a privacy strip to improve security and privacy of those units.

- **Childcare Facilities** – A childcare facility has been incorporated into the proposed development. The proposed facilities will accommodate in the order of 50-60 no. children (depending on age), well in excess of any likely demand generated by the proposed development.
- **Refuse Storage** – The provisions outlined in Paragraph 4.9 of the Apartment Guidelines have been incorporated into the refuse storage and collection strategy for the proposed scheme. Dedicated waste storage areas have been appropriately sized and provided for the scheme at basement level. An Operational Waste Management Plan accompanies the planning application.
- **Communal Amenity Space:** The minimum required areas for public communal amenity space are set out in Appendix 1. In this respect, Table 5.1 below details the minimum floor spaces required under Appendix 1 and the associated calculation for the requirement for the proposed development.

**Table 5.1 Apartment Guidelines Minimum Open Space Requirements**

<b>Appendix 1 Minimum Communal Open Space Calculation</b>			
<b>Unit Type</b>	<b>Appendix 1 Criteria</b>	<b>Proposed Unit Mix</b>	<b>Appendix 1 Requirement</b>
<b>One bedroom</b>	5sqm	294	1470sqm
<b>Two bedrooms (3 person)</b>	6sqm	1	6sqm
<b>Two bedrooms (4 person)</b>	7sqm	110	770sqm
<b>Three bedrooms</b>	9sqm	14*	126sqm
<b>TOTAL REQUIREMENT</b>			<b>2,372sqm</b>
<b>Total Communal Open Space Proposed</b>			
<b>Proposed Internal Amenity Space</b>			779sqm
<b>Proposed External Open Space (see Figure 4.4 above)</b>			4,703sqm
<b>TOTAL COMMUNAL OPEN SPACE PROVIDED</b>			<b>5,482sqm</b>
*Includes 7 no. house units which do not fall within the definition of an 'Apartment' but form part of the overall BTR Scheme and will benefit from communal open space proposed. It is noted that each of the Houses benefit from private gardens to the rear which range in size from 134 to 160sqm, all exceed the private open space requirements of the Dun Laoghaire Rathdown County Development Plan 2016-2022.			

Accordingly, the proposed development provides over double the minimum communal amenity space required under Appendix 1, equating to 13.1 sqm per unit (including proposed house units). The external open space included in the calculation are all high quality, usable open spaces, which omits a large proportion of the proposed hard and soft landscaping which contributes significantly to the enjoyment of the site for future residents and the overall character of the scheme. Further details of compliance with the open space requirements are provided in the Landscape Design and Access Statement prepared by Cameo & Partners, Landscape Architects.

Communal open space has been designed to ensure adequate levels of sunlight throughout the year. As demonstrated in the Sunlight & Daylight Report prepared by 3DDB and submitted with this application a portion of the proposed Tenant Amenity/Community Hub does not achieve the BRE sunlight penetration standard of 50% for March 21<sup>st</sup>. This space has been discounted from quantitative communal open space calculations to ensure that communal open space requirements are met when only amenity space which benefits from high levels of sunlight are considered.

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. A range of internal residential amenities and facilities are provided throughout the scheme totalling 779sqm. Internal Residential amenity spaces include a gym; a variety of tenant amenity lounges; concierge and a multi purposes pavilion building within the communal courtyard (see Section 4.1.1 above for further details).

- **Children’s Play** - The play strategy for the scheme adopts a flexible, multi-use approach to the amenity and play space. The overall design approach seeks to offer incidental play opportunities within the residential gardens together with a number of quipped play areas throughout the scheme. Full details of the play strategy is included in the Landscape Design and Access Statement prepared by Cameo & Partners, Landscape Architects.

- **Bicycle Parking & Storage** – Proposed bicycle parking has been provided at basement and surface level. A total of 819 no. bicycle parking spaces are proposed, 664 no. spaces at basement level with an additional 155 no. spaces at surface level. Basement level spaces comprise 252 no. double stacked cycle parking spaces providing capacity for 504 no. secure bicycle storage spaces together with an additional 80 Sheffield stands (capacity 160 no spaces) for residents (additional capacity will cater for visitors to the scheme which have been accompanied by a resident). At ground floor level an additional 76 no. Sheffield type bicycle stands (capacity 152 no. spaces) are provided as visitor cycle spaces together with 3 no. cargo bike Sheffield spaces. The total number of spaces provided is well in excess of the Apartment Guidelines requirement of 743 no. spaces<sup>2</sup> and provides ample additional bicycle parking for the proposed houses, retail/café unit and the childcare facility.

All bicycle parking spaces at basement level are accessed directly from lower ground level to the north (adjacent to the new N11 pedestrian/cycle access point) or the east via the pedestrian/cycle amenity route via cycle ramps to accommodate any changes in level. In addition, a wheel channel is provided alongside the steps from podium to lower ground level to provide a more immediate route to lower ground level. The design and provision of the cycle storage facilities is in accordance with Paragraph 4.17 of the Apartment Guidelines and the NTA Cycle Manual Standards. Bicycle storage will be managed by the Management Company to ensure that they are full maintained and operational.

- **Car Parking** – 236 no. car parking spaces are provided at basement level (including 12 no. mobility impaired spaces and 10 no. car club spaces for shared use) that will be allocated to residents of the apartments. At surface (ground floor) level, 1 no. mobility impaired space is provided together with 2 no. set down spaces and 1 no. delivery bay to allow for drop-off/collection and deliveries.

This level of provision is in accordance with Paragraph 4.19 of the Apartment Guidelines that promotes a default policy position of substantially reduced car parking in accessible locations. Full details of the development’s parking management strategy, as well as an analysis of residential parking demand patterns, are provided in the Parking Management Strategy prepared by DBFL, Consulting Engineers and submitted as part of this application.

- **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*

<sup>2</sup> 294 no. bike spaces to for the 1-bed units (294 no. in total); 224 no. spaces for 2-bed units (111 no. in total); and 21 no. spaces for 3 -bed units (7 no. in total) plus 206 no. visitor spaces (1 per 2 units).



*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 has been prepared by Aramark accompanies this application.*

- **Sunlight/Daylight** - Sections 6.5 and 6.7 seek to ensure that apartments have access to a reasonable level of natural light. Section 6.6 provides that planning authorities should have regard to quantitative performance approaches to daylight provision as outlined in guidelines like the BRE guide 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'.

In this respect, a quantitative performance assessment of daylight provision to the proposed apartment has been carried out by 3DDB and is submitted herewith. The Assessment demonstrates that the proposed apartments benefit from acceptable levels of natural light with an approximate compliance rate of ~97% of rooms exceeding the BRE Guidelines for average daylight factor (ADF).

Based on the foregoing, it is considered that the proposed development will ensure a high level of residential amenity for future occupants, exceeding in many instances the requirements of the Guidelines for BTR schemes, and has been designed to be fully consistent with the requirements of the Sustainable Urban Housing: Design Standards for New Apartments 2020.

### **5.1.3 Urban Development and Building Heights Guidelines for Planning Authorities 2018**

The Urban Development and Building Heights Guidelines for Planning Authorities 2018 (Building Height Guidelines) 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. Furthermore, the Guidelines provide that blanket limitations can also hinder innovation in urban design and architecture leading to poor planning outcomes.

On this basis the Guidelines set out 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 a brownfield, suburban site located with an established village core and proximate to high-capacity public transportation links. The height, massing and scale of the proposed development have afforded due regard to the existing surrounding context, the need to protect surrounding residential amenity, prevailing heights, and the need to provide sustainable densities at accessible, infill, suburban locations.

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. As the proposed development exceeds maximum heights specified in the Dun Laoghaire Rathdown Development Plan 2016-2022, these criteria have been addressed in the Material Contravention Statement which accompanies this application (and also in Appendix 4 of the Architectural Design Report prepared by HJL Architects).

Section 3.2 also lists specific assessments which may be required where a proposed development seeks building heights taller than the prevailing building heights which have been considered in Table 5.2 below:

**Table 5.2 Specific Assessments required for Building Taller than Prevailing Heights**

Specific Assessment	Response
<p>Specific impact assessment of the micro-climatic effects such as down-draft. Such assessments shall include measures to avoid/ mitigate such micro-climatic effects and, where appropriate, shall include an assessment of the cumulative micro-climatic effects where taller buildings are clustered.</p>	<p>In this respect, potential micro-climate effects have been considered as part of the Environmental Impact Assessment carried out in respect of the subject site (see Chapter 11 of the EIAR submitted as part of this application).</p> <p><i>The Wind &amp; Microclimate Assessment</i> used the Lawson's Pedestrian Comfort and Safety criteria to test the suitability of the various locations on the site for their purposes. The assessment established that the majority of areas – balconies and outdoor seating areas – showed a high level of compliance with the standing with the sitting comfort criteria. Any exceedance any exceedance noted for the Lawson's Sitting Comfort Criterion is considered to be very marginal and it will not lead to an environment which is unpleasant to use for amenity and recreational purposes.</p> <p>The site showed excellent compliance with the Lawson's Safety Criteria for the normal and sensitive pedestrians.</p>

	<p>The assessment finds that, the wind microclimate of the site as proposed can be considered as suitable for the intended purposes. The proposed development has incorporated design features that reduce the effect of wind, ensure the use of public and private amenity spaces is comfortable and safe</p>
<p>In development locations in proximity to sensitive bird and / or bat areas, proposed developments need to consider the potential interaction of the building location, building materials and artificial lighting to impact flight lines and / or collision.</p>	<p>The subject site is not located within an area sensitive to birds and/or bats (see Chapter 6 of the EIAR submitted herewith).</p>
<p>An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links.</p>	<p>OCSC has advised that microwave links used by the telecoms companies use direct "line-of-sight" to connect from one point to another, so if a tall building is placed along that line it could block the signal path. In this case, this matter is not considered to pose a risk.</p> <p>OCSC further advised that there are two types of links, the main trunk routes which typically use tall masts and high sites to avoid obstructions, and the smaller mini-links that connect from one mobile phone site to another and are at lower levels.</p> <p>It is more likely that buildings would interfere with a mini-link, but this wouldn't be regarded as an "important telecommunication channel" as it can be re-directed and an alternative route found.</p> <p>The most likely interference with a main microwave link would be in the city where there are a smaller number of tall masts operating.</p> <p>On this basis, OCSC are satisfied that the proposal allows for the retention of telecommunications channels.</p>
<p>An assessment that the proposal maintains safe air navigation.</p>	<p>The proposed development will not impact safe air navigation as heights of only 4 to 12 storeys are proposed, within an existing built-up area, removed from any airport or aerodrome approach.</p>

	Both the DAA and the IAA confirmed that the scheme originally proposed under ABP Ref. 306225-19 would not have any impact on air navigation (see Appendix B). Given there has been no material change in the heights proposed, it is considered that the proposed development will not give rise to any impact on air navigation.
An urban design statement including, as appropriate, impact on the historic built environment. <sup>4</sup>	An Architectural Design Report has been prepared by HJL Architects and details the design rationale for the proposed development.  There are no sensitivities associated with the site in terms of built heritage (see Chapter 15 of the EIAR submitted herewith).
Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate.	Environmental Impact Assessment and a Natura Impact Statement has been undertaken in respect of the proposed development and are submitted herewith

The proposed development is consistent with the overall objectives of the Guidelines to maximise the opportunity of a suburban, accessible site at sustainable densities necessary to facilitate the compact growth of the urban area.

#### 5.1.4 Childcare Facilities – Guidelines for Planning Authorities 2001

The Childcare Facilities Guidelines for Planning Authorities (June 2001) (Childcare Guidelines) provide a framework to guide Planning Authorities and developers in assessing and formulating development proposals for childcare facilities. It is noted that these are a planning guidance document only, and standards set down in relevant childcare legislation take precedence.

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 goes on to state that *'in relation to new housing areas, a standard of one childcare facility providing for a minimum 20 childcare places per approximately 75 dwellings may be appropriate. This is a guideline standard and will depend on the particular circumstances of each individual site'* [emphasis added].

More recently the Apartment Guidelines provide that the threshold for childcare provision in apartment developments should be established having regard to the scale and unit mix of the scheme, the existing geographical distribution of childcare facilities and the emerging demographic profile of the area. Section 4.7 of the Apartment Guidelines 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 or more bedrooms’.*

The proposed development provides for a total of 419 no. BTR residential dwellings, of these 125 no. are two or more bedroom units. The omission of studio and one-bed room units, in accordance with the Apartment Guidelines and given the particular circumstance of the scheme, and the application of the rate of 20 spaces per 75 units stated in the Childcare Guidelines, generates a childcare requirement of 34 no. childcare spaces.

The proposed development has been designed to accommodate in the order of 50-60 children. Given the mix on units proposed and the BTR nature of the scheme, it is considered that the proposed development is consistent with the requirements of the Childcare Facilities Guidelines for Planning Authorities.

### **5.1.5 Guidelines for Planning Authorities – The Planning System and Flood Risk Management 2009**

The Planning System and Flood Risk Management Guidelines (DoECLG 2009) 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 for the proposed development by DBFL Consulting Engineers in accordance with the Flood Risk Guidelines. The assessment finds that there has been no reported flooding on site or in the areas immediately adjacent to the site and determines that the site is located in Flood Zone C as defined by the Guidelines.

The SSFRA establishes that the proposed residential development is appropriate for the site’s flood zone category and that sequential approach outlined in Planning System and Flood Risk Management Guidelines has been adhered to and that the ‘Avoid’ principal has been achieved.

In conclusion the proposed development is considered to have the required level of flood protection up to and including the 100 year return event. Furthermore, overland flow paths have been identified for pluvial flooding exceeding the capacity of the proposed surface water drainage network.

Accordingly, the proposed residential development is appropriate for the site’s flood zone category and is consistent with Planning System and Flood Risk Management Guidelines approach.

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

A Natura Impact Statement (NIS) has been prepared by Biosphere Environmental Services and submitted as part of this application. The NIS has been prepared in compliance with Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (DoEHLG 2009, February 2010).

Screening identified potential impacts on one or more Natura 2000 sites and accordingly, the preparation of a NIS was deemed to be required.

The NIS provides the information required in order to establish whether or not the proposed development is likely to have a significant ecological impact on any Natura 2000 sites, in the context of their conservation objectives and specifically on the habitats and species for which the sites have been designated.

In this respect, the Report concludes that:

*'On the best scientific evidence that it can be clearly demonstrated that no elements of the project (subject to appropriate mitigation measures) will result in any effect on the integrity or Qualifying Interests/Special Conservation Interests of any relevant European site, either on their own or in combination with other plans or projects, in light of their conservation objectives.'*

### **5.1.7 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 outlined above.

## **5.2 Plans and Other Guidance**

### **5.2.1 National Planning Framework**

The National Planning Framework (NPF) is the Government's high-level strategic plan for shaping the future growth and development of Ireland to the year 2040 and replaces the National Spatial Strategy 2002-2020.

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 (National Policy Objective 3b).

To achieve these targets of compact growth and urban consolidation, the NPF identifies as key, the reusing 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 proposed development will contribute positively towards the achievement of this targeted growth whilst promoting compact growth and urban consolidation objectives through the intensification of an underutilised, brownfield infill site, located within an established suburban village, 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 and following:



#### **Chapter 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 5** – *Develop cities and towns of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity.*

**National Policy Objective 6** – *Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area.*

**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 House and Communities**

**National Policy Objective 27** – *Ensure the integration of safe and convenient alternatives to the car in the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed development and integrating physical activity facilities for all ages.*

**National Policy Objective 32** – *To target the delivery of 550,000 additional households to 2040.*

**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, reuse 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 within Dublin City suburbs 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).

#### **5.2.2 Housing for All – A New Housing Plan for Ireland**

Housing for All – A New Housing Plan for Ireland (Housing for All) was published September 2021 and replaces the 'Rebuilding Ireland Strategy' launched in 2016.

Housing For All identifies the extent by which Ireland's housing system is not meeting the needs of enough people and is failing to provide enough homes to buy or to rent in the private sector. In order to address Ireland's continuing housing crisis, the Plan will require the public and private sector to work together to reach the overall target of 300,000 homes by 2030. These homes need to be affordable, built in the right place, to the right standard and in support of climate action. They need to satisfy demand for housing across four tenures – affordable, social, private rental and private ownership. They need to be advanced through the planning process and be built within the context of specific development targets for the five cities and major towns, and the complementary objectives of the Town Centre First policy and rural housing

Housing for All seeks to put in place pathways that will create the environment needed to enable supply of over 300,000 new homes by 2030, meaning an annual average of at least 33,000 homes per year to come from both the public and private sector.

- Supporting home ownership and increasing affordability;
- Eradicating homelessness, increasing social housing delivery and supporting social inclusion;
- Increasing new housing supply; and
- Addressing vacancy and efficient use of existing stock.

While Housing for All focuses on specific interventions and capital investments to increase the delivery of state-led housing construction, it recognises that some 170,000 homes (56.7%) will be delivered by the private sector over the period to 2030, or some 18,300 homes on average annually, of which 6,500 will be in the private rental sector.

Significant emphasis is placed on ensuring that new housing supports the Climate Action Plan and in particular increasing energy efficiency in private rental dwellings.

The proposed BTR residential development will contribute towards increasing new housing supply, and in particular will increase supply quickly, to meet the housing delivery targets identified in Housing For All. The proposed development will provide high-quality rental accommodation within the established Dublin suburbs, close to public transport link and will target a Building Energy Rating (BER) of A2/A3 in support of climate action.

### **5.2.3 Eastern & Midland Regional Assembly's Regional Spatial & Economic Strategy**

The Vision for the Region under the Regional Spatial and Economic Strategy (RSES) is:

*'To create a sustainable and competitive Region that supports the health and wellbeing of our people and places, from urban to rural, with access to quality housing, travel and employment opportunities for all.'*

The RSES emphasises the need for compact and sustainable development in accordance with the NPF to accommodate projected population growth in the Region. It is projected that the population of the region will grow by between 237,500 and 290,000 persons between 2016 and 2026, and that the population of the region will reach 2,668,000 to 274,5000 by 2031.

The subject site is located within the Dublin Metropolitan Area, for which the RSES includes a detailed planning and investment framework as set out in the Dublin Metropolitan Area Strategic Plan (MASP). Central to the overall vision of the MASP is the consolidation of Dublin city and suburbs. In this respect, compact growth and accelerated housing delivery is identified as a guiding principle.

Relevant Regional Policy Objectives (RPO's) include the following:

**RPO 3.2:** *Local authorities, in their core strategies shall set out measures to achieve compact urban development targets of at least 50% of all new homes within or contiguous to the built up area of Dublin city and suburbs and a target of at least 30% for other urban areas.*

**RPO 5.5:** *Future residential development supporting the right housing and tenure mix within the Dublin Metropolitan Area shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, and the development of Key Metropolitan Towns, as set out in the Metropolitan Area Strategic Plan (MASP) and in line with the overall Settlement Strategy for the RSES. Identification of suitable residential development sites shall be supported by a quality site selection process that addresses environmental concerns.*

**RPO 9.10:** *In planning for the creation of healthy and attractive places, there is a need to provide alternatives to the car and to prioritise and promote cycling and walking in the design of streets and public spaces. Local authorities shall have regard to the Guiding Principles for 'Healthy Placemaking' and 'Integration of Land Use and Transport' as set out in the RSES and to national policy as set out in 'Sustainable Residential Development in Urban Areas' and the 'Design Manual for Urban Roads and Streets (DMURS)'.*

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).

#### **5.2.4 Transport Strategy for the Greater Dublin Area 2016-2035**

The Transport Strategy for the Greater Dublin Area 2016-2035 (the GDA Transport Strategy) was formally adopted in February 2016. The GDA Transport Strategy provides a framework for the planning and delivery of transport infrastructure and services in the Greater Dublin Area. It also provides a transport planning policy around which other agencies involved in land use planning, environmental protection and delivery of other infrastructure, such as housing, water and power, can align their own investment priorities.

The GDA Transport Strategy aims to provide an efficient and effective transport system across the region and to accommodate future travel growth in a managed and balanced way. Increased public transport provision, coupled with enhanced cycling and walking facilities in the urban areas, will provide the means to cater for much of the increased travel demand.

Section 5.5 of the Strategy identifies a 'Core Bus Network' for the overall region. The Strategy seeks to develop the Core Bus network to achieve, as far as practicable, continuous priority for bus movement on the portions of the Core Bus Network within the Metropolitan Area, enabling the bus to provide a faster alternative to car traffic along these routes, making bus transport a more attractive alternative for road users. It will also make the overall bus system more efficient, as faster bus journeys means that more people can be moved with the same level of vehicle and driver resources. Bray/N11 – UCD – Donnybrook is identified as a core radial bus corridor forming the Core Bus Network for the region.

Section 5.9 of the Strategy seeks to introduce complementary demand management measures including the encouragement of land use policies which support the provision of development in locations and at densities which enable the efficient provision of public transport services and the provision of maximum

parking standards for all new developments, with the level of parking provision applied being based on the level of public transport accessibility.

Section 5.11 notes that the supply and management of parking at destinations is central to the management of travel demand. It has a critical influence on mode choice for all journey purposes. It also has a critical influence on congestion, the design of new development, operation of all transport modes, and the allocation and design of space in urban areas

Section 7.1.2 outlines principles of land use and transport integration which seek to reduce the need to travel, reduce the distances travelled, promote walking and cycling and promote public transport use. Strategic planning principles include ensuring residential development is located proximate to high-capacity public transport should be prioritised over development in less accessible locations in the GDA. Furthermore, to the extent practicable, residential development should be carried out sequentially, whereby lands which are, or will be, most accessible by walking, cycling and public transport – including infill and brownfield sites – are prioritised. At a local level, planning should promote walking, cycling and public transport by maximising the number of people living within walking and cycling distance of their neighbourhood or district centres, public transport services, and other services at the local level such as schools.

The implementation of the GDA Transport Strategy will facilitate a more efficient use of land within the GDA. By focussing public transport investment, and investment in the cycling and pedestrian network, into the city centre, major suburban centres and hinterland growth towns, the Strategy will complement national, regional and local planning policy by promoting and enabling the consolidation of development into higher order centres.

The proposed development is consistent with the objectives of the Transport Strategy to promote sustainable travel including public transport, cycling and walking. The proposed development provides for the sustainable use of lands located immediately adjacent to an identified core radial bus corridor. The provision of reduced car parking will assist in managing travel demand and will encourage the use of more sustainable modes.

### **5.3 Dun Laoghaire Rathdown County Development Plan 2016-2022**

The relevant Development Plan is the Dun Laoghaire Rathdown County Development Plan, 2016-2022 (Development Plan) which was adopted 16 March 2016. The Development Plan provides the statutory zoning context and development guidance for the subject site, as set out below.

#### **5.3.1 Core Strategy and Settlement Strategy**

The Core Strategy articulates a strategy for spatial development within the administrative area of the Planning Authority and seeks to demonstrate the Development Plan and its policies and objectives are consistent with the previous National and Regional development objectives as set out in the National Strategic Strategy (NSS) and the Regional Planning Guidelines (RPG's), now superseded by the National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES) for the East and Midlands.

The Vision Statement of the Development Plan is:

*'To continue to facilitate appropriate levels of sustainable development predicated on the delivery of high quality community, employment and recreational environments - allied to the promotion of sustainable transportation and travel patterns – but all the while protecting Dún Laoghaire–Rathdown's*

*unique landscape, natural heritage and physical fabric, to ensure the needs of those living and working in the County can thrive in a socially, economically, environmentally sustainable and equitable manner.'*

Cornelscourt is identified as a 'Secondary Centre' in the Development Plan Core Strategy and sits at the second tier of the settlement hierarchy below the 'Major Centre' settlements of Dun Laoghaire and Dundrum.

Notwithstanding, the Core Strategy acknowledges the difficulties in allocating population to the settlements due to the lack of distinct boundaries between them, where it states:

*'Dún Laoghaire-Rathdown is a very small County spatially and the vast bulk of its population is concentrated in a single urban / suburban mass between the foothills of the Dublin Mountains and the coast. The various suburbs in the County coalesce or 'bleed' into one another with no clear or obvious boundaries separating them into discrete entities. The County does not have the discrete 'trickle down' hierarchy of standalone and separate major towns, secondary satellites, support towns and villages as envisaged in the Core Strategy Ministerial Guidelines and which is more often the norm in the rural counties outside Greater Dublin. For this reason the 'one size fits all' Core Strategy Table outlined in the Guidelines – and which seeks to apportion population growth in a very prescriptive fashion among various discrete, standalone nodes within a County – is simply not applicable in the context of Dún Laoghaire-Rathdown.'*

The Development Plan Core Strategy concludes that the full housing allocation for Dun Laoghaire Rathdown from the RPGs (now superseded by the RSES) for the years 2006 to 2022 is 40,385. It is noted that between 2006 and 2013, approximately 9,500 units were constructed in the County, leaving an allocation of 30,885 for the remaining years 2014 to 2022.

In this regard it is noted that the RSES anticipates that the population of DLRCC will grow by between 32,500 and 39,000 additional persons over the 10-year period (2016 to 2026) from a population of 218,000 in 2016. In annualised terms, this allocation translates into approximately 3,800 units per annum over this period.

Section 1.2.5.1 of the Development Plan notes that a key strand of the overall Settlement Strategy focuses on the continued promotion of sustainable development through positively encouraging consolidation and densification of the existing urban/ suburban built form – and thereby maximizing efficiencies from already established physical and social infrastructure, subject to the provision of necessary water and transportation services.

The provision of 419 no. residential units together with a childcare facility and retail/café unit on appropriate zoned lands is consistent with the stated objectives of the Core Strategy of the current Development Plan and would make a contribution to accommodating the anticipated additional population forecasted for DLRCC.

### **5.3.2 Zoning**

The site is predominantly zoned Objective 'A' *'to protect and/or improve residential amenity'*. Residential use is permitted in principle under this land use zoning. 'Childcare Service', 'Shop Neighbourhood', 'Restaurant', and 'Tea Room/Café' uses are open to consideration under the zoning.

A small portion of the site, associated with the existing access road to the site and the adjoining AIB lands, is zoned 'NC' which seeks *'to protect, provide for and / or improve mixed use neighbourhood centre facilities'*. Residential development is permitted in principle under the 'NC' zoning.

There is a portion of the site (along the N11), which is not zoned for development. This portion of the site provides for a pedestrian connection only and will serve to enhance pedestrian permeability and connectivity for future residents and the wider Cornelscourt community.

**Figure 5.1 Zoning Context (Indicative Site Boundary outlined in Red)**



(Source: extract from Maps 6/7 Dun Laoghaire Rathdown County Development Plan 2016-2022)

### 5.3.3 Housing Policy

The Sustainable Communities Strategy, includes policies which seeks to increase housing supply, ensure an appropriate mix, type and range of housing and promote the development of balanced sustainable communities. Section 2.1.3 of the Development notes the latent demand for housing, particularly in the Dublin Region and provides that the Development Plan has a key role to play as a catalyst for positive change and progress and to plan for the future growth in the County.

The following Policies and Objectives are relevant:

**'Policy RES3: Residential Density:** It is Council policy to promote higher residential densities provided that proposals ensure a balance between the reasonable protection of existing residential amenities and the established character of areas, with the need to provide for sustainable residential development. In promoting more compact, good quality, higher density forms of residential development it is Council policy to have regard to the policies and objectives contained in the following Guidelines:

*Sustainable Residential Development in Urban Areas' (DoEHLG 2009)*

*Urban Design Manual - A Best Practice Guide' (DoEHLG 2009)*

*Quality Housing for Sustainable Communities' (DoEHLG 2007)*

*Irish Design Manual for Urban Roads and Streets' (DTTaS and DoECLG, 2013)*



*National Climate Change Adaptation Framework - Building Resilience to Climate Change' (DoECLG, 2013)*

**'Policy RES4: Existing Housing Stock and Densification** It is Council policy to improve and conserve housing stock of the County, to densify existing built-up areas, having due regard to the amenities of existing established residential communities and to retain and improve residential amenities in established residential communities.

**'Policy RES7: Overall Housing Mix:** It is Council policy to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided within the County in accordance with the provisions of the Interim Housing Strategy.

*It is an objective of Dún Laoghaire-Rathdown that all housing developments, including apartment developments, contain an acceptable proportion of larger flexible units to ensure that such developments are sustainable and provide suitable and viable long-term options for families. Providing an appropriate mix of housing and implementing measures to mitigate against undue segregation of tenure types is also important.'*

The proposed development of 419 no. units on a site area of approximately 2.15ha provides a gross residential density of 195 no. dwelling per ha. Policy RES3 promotes higher densities at appropriate locations. In this respect, Section 2.1.3.3 of the Development Plan states that *'where a site is located within 1 km pedestrian catchment of a rail station, Luas line, BRT, Priority 1 Quality Bus Corridor and/or 500 metres of a Bus Priority Route, and/or 1 kilometre of a Town or District Centre, higher densities at a minimum of 50 units per hectare will be encouraged'*.

In this respect, RES3 promotes higher densities in excess of 50 dwellings per ha at sites readily accessible to public transport corridors and Policy RES4 seeks to densify existing built-up areas. Policy RES3 refers to Sustainable Residential Development in Urban Areas (2009) Guidelines which provides there should be no upper limit to density subject to necessary safeguards. As outlined in Section 5.1.1 above, it is considered that the proposed residential is consistent with the requirements of the Sustainable Residential Development in Urban Areas Guidelines, and therefore the Development Plan, and will increase residential densities in an established residential area.

With respect to Policy RES7, the proposed development which encourages the delivery of a range of housing types and sizes in order to address the Countywide trend that shows a decline in family housing and an increase in older and single person households. The proposed development provides for smaller unit sizes in an area which traditionally has larger dwellings. It is considered that the proposed development will contribute to the overall mix of dwellings on offer in the area.

#### **5.3.4 Principles of Development: Urban Design**

The following Urban Design guidance and Policies of the Development Plan are relevant:

**'Policy UD1: Urban Design Principles** It is Council policy to ensure that all development is of high-quality design that assists in promoting a 'sense of place'. The Council will promote the guidance principles set out in the 'Urban Design Manual – A Best Practice Guide' (2009), and in the 'Design Manual for Urban Roads and Streets' (2013) and will seek to ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design.'

**Policy UD2: Design Statements:** *It is Council policy that, for all medium-to-large scale and complex planning applications (30 + residential units, commercial development over 1,000 sq.m. or as required by the Planning Authority) a 'Design Statement' shall be required to demonstrate how the proposed development addresses or responds to the design criteria set out in the 'Urban Design Manual – A Best Practice Guide' (DoEHLG, 2009).*

**'Policy UD3: Public Realm Design:** *It is Council policy that all development proposals, whether in established areas or in new growth nodes, should contribute positively to an enhanced public realm and should demonstrate that the highest quality in public realm design is achieved.'*

In accordance with Policy UD1, the proposed development complies with the Urban Design Manual – A Best Practice Guide (2009), and the Design Manual for Urban Roads and Streets (2013). In this respect, DBFL Consulting Engineers have prepared the enclosed DMURS Compliance Statement, which confirms compliance with same.

The proposed development is intended to provide a vibrant new infill development, with an emphasis placed on high-quality public realm and architecture to ensure the provision of a distinctive and pleasant urban environment for residents and visitors alike. Accordingly, HJL Architects have prepared An Architectural Design Report demonstrating how the proposed responds to the design criteria set out in the Urban Design Manual – A Best Practice Guide consistent with Policy UD2. Further details on the positive contribution the proposed design and layout will have on enhancing the public realm is detailed in the Landscape Strategy and Accessibility Report prepared by Cameo & Partners Landscape Architects.

### 5.3.5 Principles of Development: Development Standards

Chapter 8 of the Development Plan sets out residential development control standards and guidance. The Advisory Note at the beginning of Chapter 8 of the Development Plan acknowledges that the 'Specific Planning Policy Requirements' set out in the DoECLG 'Sustainable Urban Housing – Design Standards for New Apartments' 2015 take precedence over the Dún Laoghaire-Rathdown standards and guidance. Specifically, Section 8.2.3.3 (i) [Design Standards], (ii) [Dual Aspect], (v) [Internal Storage], (vii) [Minimum Apartment Floor Areas] and (viii) [Public, Communal and Private Open Spaces – Standards] are all referenced in the Advisory Note as being superseded by the 2015 Guidelines.

The 2015 Apartment Guidelines have themselves been subsequently superseded by the standards and guidance contained in 'The Sustainable Urban Housing: Design Standards for New Apartments' (2020). Accordingly, it is considered that the Development Plan clearly provides that the apartment development standards set out in Section 8.2.3.3 in so far as they relate to design standards, dual aspect, internal storage, minimum apartment floor areas and public, communal, and private open space have been superseded by the Apartment Guidelines.

The relevant residential development control standards as set out in the Development Plan are summarised in Table 5.3.

**Table 5.3 Compliance with Development Plan Residential Development Control Standards**

Relevant Development Plan Standard and Guidance	Statement of Compliance with Development Plan Standard and Guidance
<b>Residential Density</b> – Section 8.2.3.2(ii) of the Development Plan provides that <i>'as a general principle, and on the grounds of sustainability, the</i>	The proposed development of 419 units on a site area of approximately 2.15ha provides a gross residential density of 195 no. dwelling per

<p><i>objective is to optimise the density of development in response to type of site, location and accessibility to public transport</i>'. In determining appropriate densities, regard should be had to Sustainable Residential Development in Urban Areas (2009) and its companion document Urban Design Manual. Apart from exceptional circumstances, (e.g. where mature tree coverage prevents minimum densities being achieved across the entire site), minimum residential densities should be 35 dwellings per hectare. Significant parts of the existing built-up area of the County are, however, readily accessible to public transport corridors – QBCs, Luas, DART. In these circumstances Government guidance is to provide densities at a density higher than 50 dwellings per hectare.</p>	<p>hectare. Having regard to Sustainable Residential Development Guidelines, there should be no upper limit to density for this site subject to safeguards in relation to public and private open space; avoidance of undue adverse impact on the amenities of existing or future adjoining neighbours good internal space standards; conformity with any vision of the urban form of the town or city as expressed in the development plans.</p> <p>In this respect, it is considered that the proposed density is consistent with the Sustainable Residential Development Guidelines, and more recent national planning policy which seeks to consolidate the urban area and increase density of future development. The proposed development respects the surrounding residential amenity, provides high quality living spaces and amenities and responds to the opportunity of the immediate context of the N11 corridor and the established Village.</p>
<p><b>Dual Aspect</b> – Section 8.2.3.3(ii) A minimum of 70% of units are expected to be dual aspect. North facing single aspect units will only be considered under exceptional circumstances. A relaxation of the 70% dual aspect requirement may be considered on a case-by-case basis where an applicant can demonstrate, to the satisfaction of the Planning Authority, that habitable rooms of single aspect units will be adequately served by natural light and/ or innovative design responses are used to maximise natural light.</p>	<p>The proposed development provides 54.1% dual aspect apartments which is not consistent with the 70% requirement under Section 8.2.3.3(ii). However, the proposed level of dual aspect apartments is in excess of the 50% requirements under SPPR 4 of the Apartment Guidelines.</p> <p>In addition, the accompanying Daylight and Sunlight Report prepared by 3DDB which finds that the proposed development as a whole can be considered to have access to good levels of daylight with an approximate compliance rate of ~97%.</p> <p>Important design interventions were introduced in order to ensure a favourable outcome in terms of internal daylight values. These design changes included amendments to internal walls, room configuration, window sizes, additional windows where necessary, and adjustment of position of balconies whilst maintaining the design integrity of the scheme.</p>

	<p>In terms of compensatory measures, all units exceed minimum floor area requirements and benefit from a balcony, which in some cases have impacted on the ability of the LKD to achieve the target values. All units have access to an internal amenity space from within the respective blocks. The proposed external amenity spaces, and in particular the designated communal open space all benefit from excellent levels of sunlight. Furthermore, the generous level of communal amenity space provision will ensure a high level of amenity for future residents within the scheme.</p> <p>It is noted that Section 8.2.3.3(ii) is specifically referenced in the Advisory Note as being superseded by the 2015 Apartment Guidelines. Notwithstanding, out of an abundance of caution, non-compliance with Section 8.2.3.3(ii) has been referenced in the Material Contravention Statement submitted with this application.</p>
<p><b>Minimum Floor Areas</b> – Section 8.2.3.3(vii) provides that all apartment developments shall meet or exceed minimum overall apartment floor areas as set out in Table 8.2.2. Table 8.2.2 requires minimum overall apartment floor areas of 55sqm for one-bed units, 85-90sqm for two-bed units and 100sqm for three bed units.</p> <p>It is noted that Section 8.2.3.3(vii) is specifically referenced in the Advisory Note as being superseded by the 2015 Apartment Guidelines.</p>	<p>The proposed development provides for one-bed apartments range in size from 46 to 63 sqm GFA, two-bed apartments range from 75 to 88 sqm GFA and the three-bed apartments range from 96 to 111 sqm GFA.</p> <p>The proposed development is not consistent with the requirements of Section 8.2.3.3(vii). However, the proposed development meets and exceeds the minimum apartment floor areas as provided for in SPPR 3 of the Apartment Guidelines.</p> <p>It is noted that Section 8.2.3.3(vii) is specifically referenced in the Advisory Note as being superseded by the 2015 Apartment Guidelines. Notwithstanding, out of an abundance of caution, non-compliance with Section 8.2.3.3(vii) has been referenced in the Material Contravention Statement submitted with this application.</p>
<p><b>Mix of Units</b> - Section 8.2.3.3(iii) provides that apartment developments should provide a mix of</p>	<p>The proposed development provides 70% one-bed units, 26.5% two bed units and 3.5% units.</p>

<p>units to cater for different size households, such that larger schemes over 30 units should generally comprise of no more than 20% one-bed units and a minimum of 20% of units over 80sqm.</p>	<p>The proposed development is not consistent with the requirements of Section 8.2.3.3(iii). However, it is noted that the proposed development provides for a BTR scheme, which in accordance with SPPR 8 of the Apartment Guidelines there is no restriction on dwelling mix.</p> <p>Notwithstanding, the proposed mix may be considered to be a Material Contravention of 8.2.3.3(iii) of the Development Plan and accordingly has been referenced in the Material Contravention Statement submitted with this application.</p> <p>The proposed scheme is compliant with Policy RES7 of the Development Plan which encourages the delivery of a range of housing types and sizes in order to address the nationwide trend of declining family sizes and an increase in elderly and single person households.</p>
<p><b>Open Space Provision</b> –Section 8.2.3.3(viii) considers public, communal and private open space standards for apartment schemes noting that Sections 8.2.8.2 and 8.2.8.3 provide details on quality and quantity of public open space for apartment developments.</p> <p>Section 8.2.8.2(i) of the Development Plan provides that Public/Communal Open Space is to be provided at a rate of 15 sq. m- 20 sq. m. per person (at a presumed occupancy rate of 3.5 persons in the case of dwellings with three or more bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms).</p> <p>Section 8.2.8.2(i) further provides that the Planning Authority shall require an absolute default minimum of 10% of the overall site area for all residential developments to be reserved for use as Public Open and/or Communal Space irrespective of occupancy parameters.</p> <p>Of note, for the purposes of Section 8.2.8.2, the Development Plan provides that ‘Public’ open space refers to all areas of open space within a new development (be that public (taken in charge), communal, semi private or otherwise)</p>	<p>The open space criteria based on occupancy assumptions outlined in Section 8.2.8.2(i) would result in the requirement for some 12,570sqm of public/communal open space or almost 59% of the total site area. The proposed development includes approximately 4,703sqm of high quality useable communal open space. This equates to 22% of the site area (2.15ha) and exceeds the minimum standard of 10% of the overall site area.</p> <p>Section 8.2.3.3(viii), which in turn references Section 8.2.8.2, is specifically referenced in the Advisory Note as being superseded by the 2015 Apartment Guidelines. The minimum requirement for communal open space for the proposed development as per Appendix 1 of the Apartment Guidelines is 2,372sqm. The proposed development provides over twice the Apartment Guidelines requirement and also includes an additional 779sqm of internal communal space for use by future residents.</p> <p>The housing element comprises of 7 no. 3 bed units which would require 368-490sqm public/communal open space based on Section</p>

<p>that is accessible by all residents/employees of the development and in certain cases may be accessible by the wider general public. 'Public' open space within new developments may not necessarily be taken in charge or be publicly owned/controlled by the Council.</p> <p>.</p>	<p>8.2.8.2 occupancy requirements. Given the level of over-provision of communal open space as outlined above, it is considered that the proposed development more than provides the communal open space required for the housing units.</p> <p>The proposed open spaces are designed and landscaped to a high standard and will provide quality spaces, including play facilities for children. Passive surveillance of the public open spaces is provided by surrounding residential units.</p> <p>It is considered that the proposed development is consistent with the Development Plan default minimum and the Apartment Guidelines. Notwithstanding, out of an abundance of caution, non-compliance with occupancy criteria outlined in Section 8.2.8.2 has been referenced in the Material Contravention Statement submitted with this application.</p>
<p><b><u>Private Open Space</u></b> – Section 8.2.3.2(iv) provides that all houses (terraced, semi-detached, and detached) should have an area of private open space behind the front building line. 3 bedroom houses to have a minimum of 60 sqm.</p> <p>Section 8.2.8.4(iv) provides that every apartment shall have direct access to its own area of private open space in the form of a balcony, winter garden or patio area. Table 8.2.5 provides that one-bed apartments should have a minimum of 6 sqm, two-bed apartments a minimum of 8 sqm and three-bed apartments a minimum of 10sqm. The minimum depth of balconies for all or most of their length should normally be 1.5 m and be accessed from living rooms.</p> <p>Section 8.2.3.4(viii) considers public, communal and private open space standards for apartment schemes noting that requirements for balconies are detailed in Table 8.2.5 in Section 8.2.8.4(iv) Private Open Space for Apartment Developments.</p>	<p>The proposed houses benefit from private open space ranging in size from 134sqm to 160sqm, all consistent with the requirements of the Development Plan.</p> <p>Section 8.2.3.3 (viii) provides minimum private amenity space standards which significantly exceed the corresponding Apartment Guidelines requirements. Notwithstanding the flexibility allowed for under SPPR 8(ii), all apartments benefit from private open space in the form of a balcony on upper floor and terrace are at ground floor level. All private amenity spaces meet or exceed the area standard set out in Appendix 1 of the Apartment Guidelines. All balconies have a minimum depth of 1.5m and all main living areas have access to a balcony. In this regard the submitted Housing Quality Assessment (HQA) for Apartments, prepared by HJL Architects demonstrate compliance with relevant Apartment Guideline standards.</p> <p>As outlined in the Advisory Note at the start of Chapter 8, the private amenity space standards</p>



<p>It is noted that Section 8.2.3.3(viii) is specifically referenced in the Advisory Note as being superseded by the 2015 Apartment Guidelines.</p>	<p>for apartments in the Development Plan have been superseded by the Apartment Guidelines.</p> <p>Notwithstanding, out of an abundance of caution, non-compliance with Table 8.2.5 has been referenced in the Material Contravention Statement submitted with this application.</p>
<p><b>Internal Storage</b> – Under Section 8.2.3.4(v) Table 8.2.1 requires minimum storage space of 3sqm for one-bed apartment, 7sqm for a two-bed apartment and 9sqm for a three-bed apartment. No minimum storage standards are stated for houses.</p>	<p>Section 8.2.3.3 (v) includes a minimum storage space standard of 7sqm for two-bed apartments compared to the Apartment Guideline standard of 5-6sqm for a 3 person or 4 person unit respectively. All apartments benefit from storage areas consistent with the requirements of Appendix 1 of the Apartment Guidelines. Generally the full storage requirement is provided within the unit, however for 11 no. units there is a small shortfall in the total storage space provided within the unit (see Section 5.1.2 above). For these units, additional designated storage in excess of the shortfall, are provided at basement level. Accordingly, the proposed development fully complies with the requirements of the Apartment Guidelines and therefore is consistent with the Development Plan.</p> <p>Storage areas serving the houses range in size from 9.1sqm to 10.6sqm and therefore is consistent with the Development Plan requirements</p> <p>Section 8.2.3.3(v) is specifically referenced in the Advisory Note as being superseded by the 2015 Apartment Guidelines. Notwithstanding, out of an abundance of caution, non-compliance with Section 8.2.3.4(v) Table 8.2.1 has been referenced in the Material Contravention Statement submitted with this application.</p>
<p><b>Refuse Storage</b> - Adequate refuse storage, recycling and composting areas, and future expansion of separated waste disposal for residential developments shall be adequately catered for. In the case of communal refuse storage provision, the collection point for refuse should be accessible both to the external</p>	<p>Each apartment Building is served by individual common waste storage areas at basement level and shall include clearly visible guidelines on the appropriate segregation of different waste types.</p>

<p>collector and to the resident and be secured against illegal dumping by non-residents.</p>	<p>All waste bins shall be brought from the communal bin areas to a designated bin collection area adjacent to the set down area.</p> <p>A dedicated waste storage area is provided at basement level to serve the proposed houses</p>
<p><b>Separation Distances</b> – Section 8.2.3.3(iv) requires that all proposals for residential development, particularly apartment developments and those over three storeys high, shall provide for acceptable separation distances between blocks to avoid negative effects such as excessive overlooking, overbearing and overshadowing effects and provide sustainable residential amenity conditions and open spaces.</p> <p>The minimum clearance distance of <i>circa</i> 22 metres between opposing windows will normally apply in such cases. In taller blocks, a greater separation distance may be prescribed having regard to the layout, size and design. In certain instances, depending on orientation and location in built-up areas, <u>reduced separation distances may be acceptable</u> [emphasis added].</p>	<p>Separation distances ranging between approximately 23m and 29.5m will be achieved between the principal façades of Buildings A and B and approximately 23 between B and C respectively. The separation distance between gable of Building D and C ranges between 10.6 and 15.6m. While there are windows in both elevations, extent of the gable is limited and the layouts of the buildings have been carefully designed to minimise the impacts of direct overlooking. The minimum separation distance between the gable of Building A and rear façade of Building E is approximately 16m. Similarly, the layouts of both buildings have been carefully designed and orientated to minimise directly overlooking. Separation distances between Building D and the proposed houses will generally be between 15.8m and 18m.</p> <p>It is noted that Section 8.2.3.3(iv) relates to separation distances internally within a scheme. Notwithstanding, for information separation distances between Building D and the rear returns of properties fronting onto Old Bray Road (which are single storey and a number of which are in commercial use) will generally be between 14.7m and 20.1m, increasing further to the main rear facades of the existing buildings. The separation distances between the proposed houses and the rear of properties fronting onto Willow Grove will be in the order of 20m (a mono-pitched roofline has been incorporated into the housing, stepping down towards the boundary with no first-floor windows overlooking Willow Grove). Separation distances between the taller elements (Buildings C and D) and the houses on Willow Grove are in generally in excess of 35m.</p> <p>The proposed site layout and Architectural Design Report provided by HJL Architects</p>

	<p>demonstrates that the proposed development incorporates adequate separation distances internally within the scheme but also externally between proposed dwellings and existing adjoining dwellings to the north, east, south and west of the site. Sunlight/daylight analysis undertaken demonstrates that the proposed communal open spaces will receive good levels of natural lighting to ensure these spaces will be attractive and functional spaces that offer a high level of amenity to residents. Sunlight/daylight analysis undertaken also demonstrates that impacts on adjoining residential properties are generally found to be 'imperceptible', with small number of 'not significant' impacts identified in terms of Vertical Sky Component (VSC) effects (4% of all windows assessed). The proposed development has been sensitively and carefully sited to avoid any adverse residential amenity impacts arising in respect of nearby and adjoining dwellings.</p> <p>It is considered that the proposed development is consistent with the Development Plan by providing separation distances of circa 22m between principal facades and the limited reduced separation distances are acceptable given overriding objectives for urban consolidation and increased density. Notwithstanding, out of an abundance of caution, the requirements of Section 8.2.3.3(iv) have been referenced in the Material Contravention Statement submitted with this application.</p>
<p><b>Car Parking</b> – Table 8.2.3 sets out 'standard' parking provision for residential development as follows: 1 space per 1-bed unit; 1.5 spaces per 2-bed unit and 2 spaces per 3-bed unit+.</p> <p>It is noted that Table 8.2.3 of the Development Plan would require a total parking allocation of 489 no. spaces for the residential element of the proposed development alone.</p> <p>Table 8.2.4 of the Development Plan provides standards for non-residential uses and requires 1 space per staff member (including set down) for</p>	<p>A total of 236 no. car parking spaces are located at basement level. Of these, a total 12 no. mobility impaired spaces are provided. 1 no. further space is provided a surface level as a mobility impaired space.</p> <p>The proposed car parking allocation has been based on a need's assessment having regard to existing car availability within the area, car parking demand surveys and the car parking requirements outlined in the Apartment Guidelines.</p>

<p>childcare facilities and 1 space per 15sqm gross floor area for café use and 1 space per 20sqm or 50 sqm depending on comparison or convenience retail use.</p>	<p>Further, given the village centre location, the local nature of the non-residential uses provided, and the provision of an appropriate scaled set down area, no additional car parking is considered appropriate to serve the childcare and retail/café use.</p> <p>It is considered that the proposed car parking provision is consistent with national policy objectives to promote sustainable travel patterns and the Apartment Guidelines which specifically provides that the '<i>default policy is for car parking to be minimised, substantially reduced to wholly eliminated in certain circumstances</i>'. Notwithstanding, the proposed development may represent a Material Contravention of the Development Plan, and accordingly the requirements of section 5(6) of the Planning &amp; Development (Housing) and Residential Tenancies Act, 2016, may be considered necessary by An Bord Pleanála.</p>
<p><b>Bicycle Parking</b> – Table 4.1 of the Council Cycling Policy Guidelines &amp; Standards, referenced in the Development Plan, requires 1 short stay (visitor) parking space per 5 units and 1 long stay parking space per unit (apartment and houses).</p> <p>The Council Cycle Policy would require a total parking allocation of 503 no. spaces (419 no. long stay and 84 no. short stay) for the residential element of the proposed development alone.</p> <p>For Childcare the Council Cycle Policy 1 short stay parking space per 10 children and 1 long stay parking space per 5 staff members.</p> <p>For Café and Retail uses the Council Cycle Policy required 1 short stay parking space per 100sqm Public Floor Area (PFA) and 1 long stay parking space per 5 staff members</p>	<p>The proposed development provides at total of 819 no. bicycle spaces, 664 no spaces at ground floor level and 155 no. spaces at surface (ground) floor level well in excess of the Development Plan requirements.</p> <p>A short term spaces, including cargo bike spaces, have been provided proximate to the retail/café use and the childcare facility. Staff members can avail of long term spaces provided at basement level.</p>
<p><b>Motorcycle Parking</b> – Section 8.2.4.8 provides that it is an objective of the Council to require developments to provide motorcycle parking</p>	<p>A total of 10 no. motorcycle parking spaces have been provided at basement level. This is well in excess of 10% of the car parking provision both</p>

spaces at a minimum of four or more spaces per 100 car parking spaces.	proposed and as required in compliance with Table 8.2.3.
<p><b>Phased Development</b> - Section 8.2.3.5(iv) relates to phased development and provides that:</p> <p><i>It is policy of the Planning Authority that no large developments over 100 residential units shall be permitted unless it can be demonstrated that adequate provisions for specified physical and social infrastructural requirements, including: roads, sewers, water mains, community, recreational and sporting facilities (indoor and outdoor), public transport, first and second level schools and shops are available at completion to support development. A phasing schedule for any such development shall be submitted with a planning application</i></p>	<p>The proposed development comprises 419 no. residential units located within a well-established and serviced suburban area, which benefits from a wide range of community infrastructure and amenities.</p> <p>The Infrastructure Report and Traffic Impact Assessment prepared by DBFL Consulting Engineers submitted herewith demonstrate that there is sufficient capacity in piped infrastructure and roads to support the proposed development.</p> <p>As detailed in Chapter 5 (Population and Human Health) there are a range of recreational and sporting facilities in the area including indoor and outdoor facilities. There are a number of local retail shops immediately adjacent to the subject site and a district level centre within 400m walking distance of the subject site.</p> <p>The site is situated immediately adjacent to the N11 QBC, a well served public bus transport corridor with high capacity links to to/from Dublin City Centre and to key destinations in the Dun Laoghaire – Rathdown.</p> <p>The proposed development includes a childcare facility which provides capacity in excess of the that likely to be generated by the proposed development. The Schools Demand Assessment submitted herewith demonstrates that the subject site is close to a number of existing primary and secondary schools and that future demand generated by the proposed development can be absorbed the existing and planned schools’ network. The subject site is located in close commute of University College Dublin and directly accessible by the N11 bus routes and cycle infrastructure.</p> <p>Accordingly, the submitted documentation demonstrates that there is ample physical and social infrastructure to allow the proposed development progress as a single phase.</p>

### 5.3.6 Building Height Strategy

The Development Plan states the following in respect of Building Heights:

**Policy UD6: Building Height Strategy:** *It is Council policy to adhere to the recommendations and guidance set out within the Building Height Strategy for the County.*

Appendix 9 of the Development Plan contains a Building Height Strategy for the County. The aim of the Building Height Strategy is to ensure the protection of the built heritage of the County and general residential amenities while encouraging higher densities of quality where appropriate in accordance with national legislation and to ensure a plan-led approach to the assessment of taller buildings in the County.

The Building Height Strategy identifies that approximately 75% of the County's area is subjected to either explicit or implicit building height policy as it either falls within an Amenity Zone, Open Space Zone, LAP area, Non-Statutory Plan areas or Architectural Conservation Areas.

The subject site is not located within a designated area or within an area where specific height controls are in place. The Building Height Strategy includes specific guidance and policy for such 'Residual Suburban Areas not included within Cumulative Areas of Control' as follows:

*'Areas covered by this policy will include, for example, the overtly suburban areas of Kilmacud, Mount Merrion, Booterstown, Ballinteer, Foxrock and so on. A general recommended height of two storeys will apply. An additional floor of occupied roofspace above this height may also be acceptable but only within the terms laid out in this document.*

*'Apartment or town-house type developments or commercial developments in the established commercial core of these areas to a maximum of 3-4 storeys may be permitted in appropriate locations - for example on prominent corner sites, on large redevelopment sites or adjacent to key public transport nodes - providing they have no detrimental effect on existing character and residential amenity.*

*'This maximum height (3-4 storeys) for certain developments clearly cannot apply in every circumstance. There will be situations where a minor modification up or down in height could be considered. The factors that may allow for this are known as 'Upward or Downward Modifiers'. ..... The presumption is that any increase or decrease in height where 'Upward or Downward Modifiers' apply will normally be one floor or possibly two.'*

Upward Modifiers include the following:

- The development would create urban design benefits (i.e. enclose a public space/street; legibility etc.)
- The development would provide major planning gain (i.e. improve public realm; enhance public transport interchange etc.)
- The development would have civic, social or cultural importance (i.e. provide cultural, education, leisure or health facilities; provide open space or social facilities etc.)
- The built environment or topography would permit higher development without damaging the appearance or character of the area, for example:
- A development would contribute to the promotion of higher densities in areas with exceptional public transport accessibility, whilst retaining and enhancing high quality residential environments. (Areas with exceptional public transport accessibility are defined as areas within



a 500m walkband on either side of the Luas corridor, a 500m walkband around the DART stations, a 500m walkband on either side of the N11 and 100m walkband on either side of a QBC). Densities should be higher adjacent to these corridors and nodes and grade down towards neighbouring areas so that they are lower in close proximity to residential areas.

- The size of a site, e.g. 0.5 ha or more, could set its own context for development and may have potential for greater building height away from boundaries with existing residential development

Having regard to the Building Height Strategy at Appendix 9 of the Development Plan (as referenced in Policy UD6), it is noted that the subject site is not located within a designated area or within an area where specific controls are in place in terms of building heights. Of note, the N11 corridor is identified as a location where heights greater than six storeys have been permitted. Section 3.3 of the Building Height Strategy notes that:

*'The N11, owing to its width, strategic importance, and public transport facilities, has the potential to become an attractive urban corridor enclosed by taller buildings of high quality, at locations which are also proximate to social and community infrastructure.'*

*'The N11 corridor has seen a pattern of taller apartment schemes constructed at key corner sites along its route through the County. As such schemes are restricted from taking access directly from the N11, corner sites at junctions between the N11 and the larger side roads have been the most common location for intensification of development. These developments have tended to range from 3 to 7 storeys. The width of the corridor, at over 40 metres, provides an opportunity for taller buildings to enclose this space.*

*'The higher residential densities that have been realised in this area in the last few years were as a result of policies in the 2004 County Development Plan which promoted higher densities within a 500 metre catchment of a QBC and also allowed for consideration of higher densities on large development sites, in excess of 0.5ha.'* [emphasis added]

While the site is located within an area where upward modifiers apply within 500m of the N11, the proposed heights still exceed the maximum building heights provided for in the Development Plan (3-4 storeys with upward modification to 5-6 storeys).

The proposed development provides for a sustainable residential density and has been designed to protect the residential amenity of future residents of the scheme, in addition to preserving the existing residential amenity of adjoining residents. The general approach in terms of building heights in the site has been to reduce height from the N11 corridor down towards Cornelscourt Village and the adjoining residential properties.

It is considered that the proposed development is consistent with the objectives of the Building Height Guidelines which seek to move away from generic maximum heights and increased heights at appropriate urban locations. Notwithstanding, the proposed development may represent a Material Contravention of the Development Plan, and accordingly the requirements of section 5(6) of the Planning & Development (Housing) and Residential Tenancies Act, 2016, may be considered necessary by An Bord Pleanála. In this regard a separate Report entitled Material Contravention Statement has been submitted herewith.

### 5.3.7 Sustainable Travel & Transport

Section 2.2.1 of the Development Plan emphasises the need to develop an efficient transport network where an increased proportion of residents of the County are within reasonable walking/cycling distance of local services and quality public transport infrastructure.

The following policies of the Development Plan are considered relevant:

**'Policy ST2: Integration of Land Use and Transportation Policies** It is Council policy to actively support sustainable modes of transport and ensure that land use and zoning are fully integrated with the provision and development of high public quality transportation systems.'

**'Policy ST4: Accessibility** It is Council policy to support suitable access for people with disabilities, including improvements to buildings, streets and public spaces.'

**'Policy ST5: Walking and Cycling** It is Council Policy to secure the development of a high-quality walking and cycling network across the County in accordance with relevant Council and National policy and guidelines.'

**'Policy ST23: Car Clubs** It is Council policy to support the set up and operation of Car Club schemes to facilitate an overall reduction in car journeys and car-parking requirements.'

**'Policy ST27: Traffic and Transport Assessments and Road Safety Audits** It is Council policy to require Traffic and Transportation Assessments and/or Road Safety Audits for major developments - in accordance with the TII Traffic and Transport Assessment Guidelines 2014 - to assess the traffic impacts on the surrounding road network and provide measures to mitigate any adverse impacts - all in accordance with best practice guidelines.'

The proposed development provides a total of 237 no. car parking spaces (excluding drop off and taxi parking spaces) for the 419 no. residential units (a ratio of 0.57 per unit). The subject site is situated in a prime urban location immediately adjacent to a well-served public bus transport infrastructure, established cycle network and proximate to services and facilities. In this respect the proposed development promotes the appropriate integration of land use and transportation by minimising car dependency through reduced car parking provision and providing increased densities within easy walking distance of a public transport corridor and on lands within an established village.

The proposed development has been designed to be fully accessible for people with disabilities as demonstrated in the Landscape Design and Access Statement prepared by Cameo & Partners Landscape Architects. A Universal Access Statement has been prepared by O'Herlihy Access Consultancy and is submitted here with which confirms that the design team are fully committed to achieving universal access.

The proposed development connects to the existing N11 cycle network, upgrading the connection to the Cornelscourt Village bus stop by incorporating a dedicated pedestrian footpath.

The proposed development incorporates 10 no. car share spaces at basement level.

A Traffic Impact Assessment and a Preliminary Design Stage Quality Audit have been undertaken by DBFL Consulting Engineers and submitted herewith.

### 5.3.8 Green Infrastructure

Section 4.2 of the Development Plan provides that open space and recreational facilities are central to the delivery of sustainable communities. Such opportunities should be readily accessible, in terms of

proximity and ease of access. Good recreational facilities are fundamental in achieving a desirable quality of life and environment for existing and future residents, visitors and workers in the County.

The following policies of the Development Plan are considered relevant:

**Policy OSR5: Public Open Space Standards** *It is Council policy to promote public open space standards generally in accordance with overarching Government guidance documents 'Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities' (2009) and the accompanying 'Urban Design Manual - A Best Practice Guide'.*

**Policy OSR7: Trees and Woodland\*** *It is Council policy to implement the objectives and policies of the Tree Strategy for the County – 'dlr TREES 2011-2015' - to ensure that the tree cover in the County is managed and developed to optimise the environmental, climatic and educational benefits which derive from an 'urban forest'*

*The Council has prepared a Tree Strategy for the County. It includes four overall objectives and six policy statements aimed at promoting the care and protection of existing trees and the planting of more trees in the right places.*

The Sustainable Residential Development Guidelines provides that public open space should generally be provided at a minimum rate of 10% of the total site area. Section 8.2.8.2 of the Development Plan defines 'public' open space for compliance with open space standards as '*all areas of open space within a new development (be that public (taken in charge), communal, semi-private or otherwise) that is accessible by all residents/ employees of the development and in certain cases may be accessible by the wider general public.*' The proposed development provides some 22% of the overall site area as high quality accessible open space, well in excess of the 10% requirement.

The Sustainable Residential Development Guidelines emphasise the need to focus on qualitative standards including design, accessibility, variety, biodiversity and Sustainable Urban Drainage Systems. Full details of consistency with all of these qualitative standards are provided in the Landscape Design and Access Statement prepared by Cameo & Partners, Landscape Architects.

A Tree Survey for the subject site has been undertaken by Arborist Associates Ltd., and submitted herewith, which identified just one tree on the site, an early-mature holly on the western boundary. Appropriate measures will be put in place to protect the line of Lime trees located outside the site boundary along the N11. In the order of 313 no. trees will be planted as part of the proposed landscaping plan.

### **5.3.9 Environmental Infrastructure & Management**

Section 5.1.1 of the Development Plan considers water supply and wastewater and provides that the delivery and maintenance of this infrastructure is paramount to the continued sustainable development and economic growth of the County.

The following policies of the Development Plan are considered relevant:

**Policy EI8: Sustainable Drainage Systems\*** *It is Council policy to ensure that all development proposals incorporate Sustainable Drainage Systems (SuDS).*

**Policy EI9: Stormwater Impact Assessments\*** *It is Council policy to ensure that all new significant developments prepare a Stormwater Impact Assessment which incorporate Stormwater Audits in*

*accordance with the Council's Stormwater Management Plan Guidance Document and the Council's Development Management Thresholds Information Document.*

A Site-Specific Flood Risk Assessment and an Infrastructure Design prepared by DBFL Consulting Engineers accompany this application and have been prepared in accordance with Policies EI8 and EI9 the Development Plan.

Section 5.2.1 of the Development Plan considers Climate Change and includes the following policy is considered relevant:

**Policy CC7: Energy Performance in New Buildings.** *It is Council policy that all new buildings will be required to meet the passive house standard or equivalent, where reasonably practicable. By equivalent we mean approaches supported by robust evidence (such as monitoring studies) to demonstrate their efficacy, with particular regard to indoor air quality, energy performance, comfort, and the prevention of surface/interstitial condensation. Buildings specifically exempted from BER ratings as set out in S.I. .No 666 of 2006 are also exempted from the requirements of CC7. These requirements are in addition to the statutory requirement to comply fully with Parts A-M of Building Regulations.*

An Energy and Sustainability Report prepared by OCSC Consulting Engineers accompanies this application provides details of compliance with Policy CCC7.

#### **5.3.10 Statement of Consistency**

The site is predominantly zoned Objective A – *'To protect and/or improve residential amenity'*. Under this zoning objective residential development is permissible in principle while childcare services, retail and café are all open for consideration. A small portion of the site, associated with the existing access road to the site and the adjoining AIB lands, is zoned 'NC' which seeks *'to protect, provide for and / or improve mixed use neighbourhood centre facilities'*. Residential development is permitted in principle under the 'NC' zoning.

The proposed development is consistent with the requirements of the Core Strategy of the current Development Plan and would make a contribution to accommodating the anticipated additional population forecasted for DLRCC, as set out in Appendix B of the RSES. The delivery of a higher density form of development in the form of apartments blocks is consistent with Policies RES3 and RES4 of the Development Plan which promotes urban consolidation objectives by making the best use of brownfield lands, and to improve the housing stock of the County, through densification of existing built-up areas, having due regard to the amenities of existing established residential communities and to retain and improve residential amenities in established residential communities

The proposed development has been designed to be consistent with the residential development guidance and standards as identified in the Development Plan and, where explicitly referenced in the Advisory Note on Chapter 8, with the Apartment Guidelines.

Whilst the proposed development does not make provision of public open space it is noted that Section 8.2.8.2 of the Development Plan clearly includes communal open space as 'public' open space for the purposes of compliance with open space standards. This is consistent with the Sustainable Residential Development Guidelines which provides flexibility for higher density schemes. In this instance the generous provision of high quality communal and semi-private open space throughout the scheme at more than twice the required quantum will ensure adequate active and passive recreational space is

provided to meet the needs of future residents and contribute to the delivery of a high-quality residential scheme of exceptional standard.

The proposed siting of the apartment blocks and layout of the site is responsive to the immediate context and will ensure that the amenities of existing residents are preserved. The evolution of the form, massing and height of the proposed development has had regard to potential daylight / sunlight, wind and microclimate impacts and also a landscape and visual impact perspective. In this regard the submitted landscape and visual impact assessment (Chapter 12 EIAR) demonstrates that the form, massing and height of the proposed development sits comfortably on the site and will make a positive contribution to the character and appearance of the townscape.

There are some aspects of the proposed development which might be considered to materially contravene the relevant provisions of the Development Plan including building height and car parking requirements. With regard to these matters, the proposed development has been designed to be consistent with overarching principles and detailed objectives and standards as set out in national and regional planning policy and Ministerial Guidance. Accordingly, the proposed development may represent a Material Contravention of the Development Plan, and accordingly the requirements of section 5(6) of the 2016 Act, may be considered necessary by An Bord Pleanála. In this regard, a separate Report entitled Material Contravention Statement is submitted herewith.

Where there is sufficient ambiguity in the interpretation of the relevant Development Plan guidance, include apartment standards, public/communal open space provision and separation distances, such matters have also been addressed within the submitted Material Contravention Statement.

The proposed development has been informed by the Dun Laoghaire-Rathdown County Development Plan 2016-2022, has incorporated the relevant policies and objectives as contained therein, and is consistent with the Plan, noting the matters addressed in the Material Contravention Statement

#### **5.4 Draft Dun Laoghaire Rathdown County Development Plan 2022-2028**

The Dun Laoghaire-Rathdown Draft County Development Plan, 2022-2028 (the Draft Plan) went on public display on 12 January 2021. Material Amendments were put on public display on the 11 November 2021, with a new Plan due to be made January 2022. Assuming the Plan is made in January, the new Plan will have effect from a date in March 2022 and accordingly may be in place at the time of determining this application.

Accordingly, a review of the Draft Plan has been provided below to assess consistency of the proposed development with the likely provisions of the new Development Plan 2022-2028. For the purposes of this Review, it has been assumed that that the Material Amendments will be incorporated into the Draft Plan. Accordingly, anywhere the Draft Plan is referenced it includes all Material Amendments put on display in November 2021. For ease of reference, modifications to the original Draft Plan text have been indicated by **red text**.

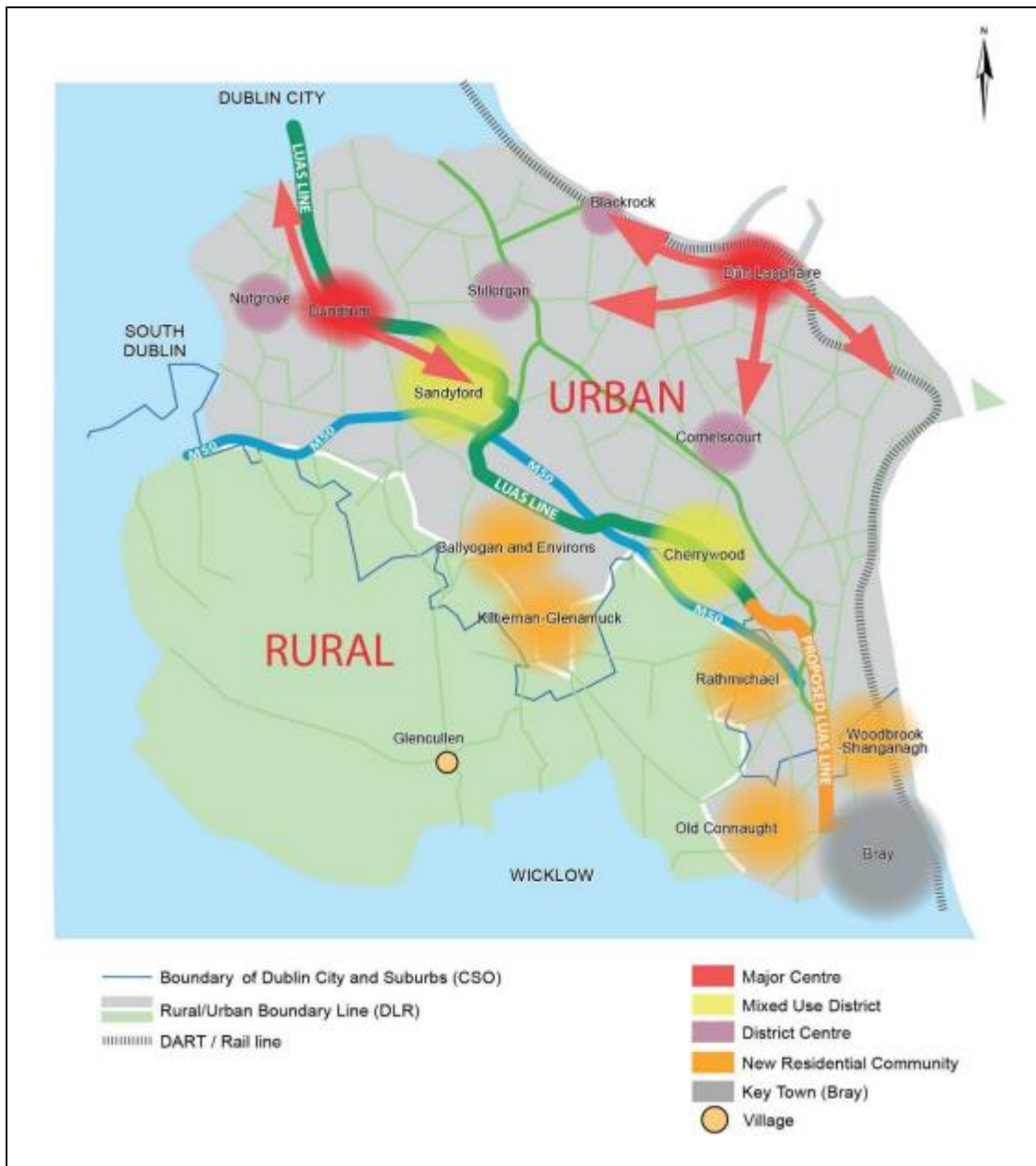
##### **5.4.1 Core Strategy and Settlement Strategy**

Section 2.3.3 of the Draft Plan notes that over the most recent intercensal period between 2011 and 2016, population in DLR increased by 11,757 people while housing stock only increased by 1,066 units. The Draft Plan acknowledges that vacancy reduced by some 2,020 units over the same period, however *'the evidence suggests a period of prolonged undersupply which has resulted in 'pent-up' housing demand'*.

This under-supply is further evidenced by an increase in household size experienced in the administrative area between 2011 and 2016.

The Core Strategy Map identifies infill/windfall category lands for brownfield and infill development to deliver compact growth and includes a number of sites which are currently in existing use but have potential for redevelopment for residential purposes. The Settlement Strategy Map (Figure 2.9) identifies Cornelscourt as a District Centre.

**Figure 5.2 Extract from Draft Plan Core Strategy Map**



(Source: Figure 2.9 Draft County Development Plan 2022-2028 – Material Amendments)

Section 2.6.2.1(ii) of the Draft Plan provides for the delivery of a compact growth agenda which requires increased focus on re-using previously developed ‘brownfield’ land, supporting the appropriate development of infill sites, and the re-use or intensification of existing sites. The Planning Authority acknowledges that infill and brownfield development can be more challenging to deliver than greenfield development for a variety of reasons and not least the challenge of integration with existing communities. Furthermore, this approach has to be supported by the requisite social and community infrastructure. However, the extent to which we prioritise brownfield/infill over greenfield development will reduce the rate of land use change and urban sprawl, delivering increased efficiencies in land management and support the Core Strategy objective for a transition to a low carbon society. Furthermore, it can bring enhanced vitality and footfall to an area, contribute to the viability of services,



shops and public transport, and enable more people to be closer to employment and recreational opportunities, as well as to walk or cycle more and use the car less.

The following Core Strategy

**Policy Objective CS11 – Compact Growth** *It is a Policy Objective to deliver 100% of all new homes, that pertain to Dublin City and Suburbs, within or contiguous to its geographic boundary. (Consistent with RPO 3.2 of the RSES)*

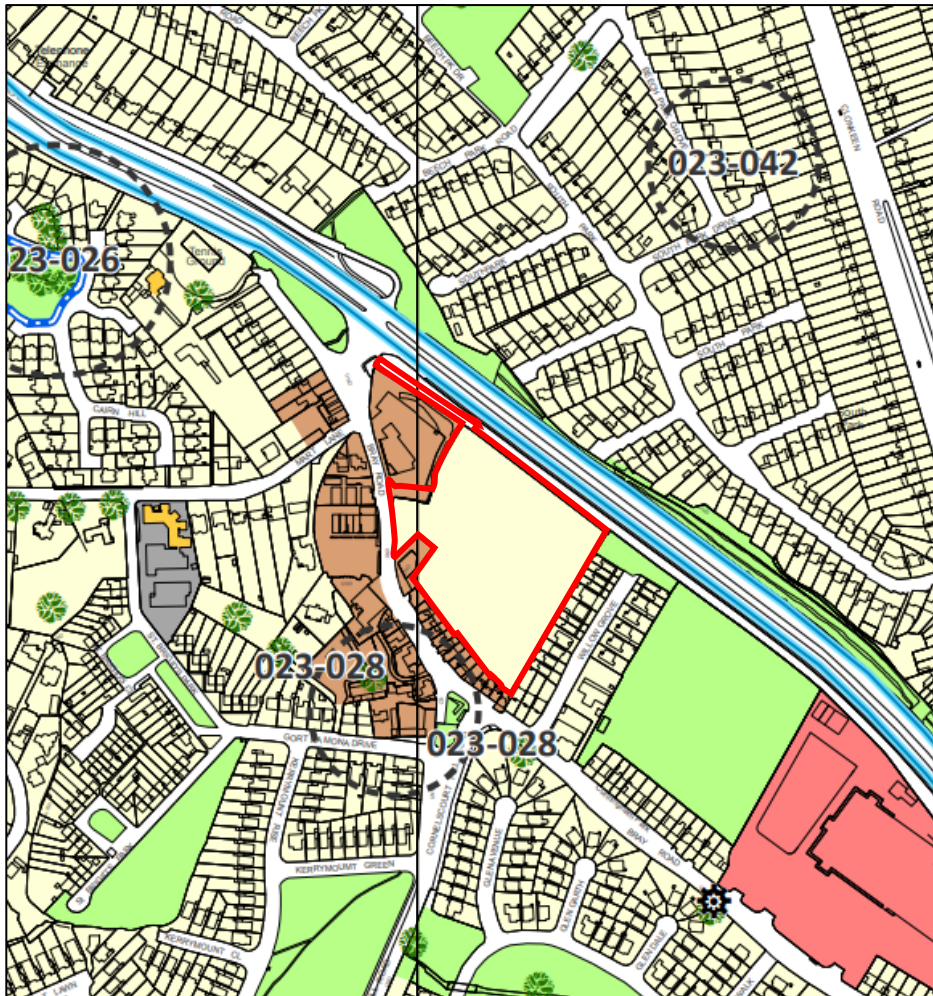
**Policy Objective CS14 - Vacancy and Regeneration** *It is a Policy Objective to address issues of vacancy and underutilisation of lands within the County and to encourage and facilitate the re-use and regeneration of vacant sites subject to the infrastructural carrying capacities of any area.*

The proposed development provides for the sustainable reuse of vacant, underutilised lands within the established settlement of Cornelscourt. The proposed development will assist in addressing the pent-up housing demand identified in the Core Strategy while also contributing to objectives for compact growth and transition to a low carbon society.

#### **5.4.2 Zoning**

Under the Draft Plan the site remains zoned predominantly Objective 'A' 'to protect and/or improve residential amenity' with a small portion of the site zoned 'NC' which seeks 'to protect, provide for and / or improve mixed use neighbourhood centre facilities'. Residential, childcare and retail/café uses all remain permitted in principle with the Draft Plan land use zoning. Build to Rent is open for consideration on Objective A and NC zoned lands.

The proposed development is residential in nature and fully compatible with the overall policies and objectives for the zone, will not have undesirable effects, and would otherwise be consistent with the proper planning and sustainable development of the area. Accordingly, the proposed development fully complies with the Draft Plan zoning objectives for the subject lands.

**Figure 5.3 Draft Zoning Context (Indicative Site Boundary outlined in Red)**

(Source: Maps 6/7 Draft Dun Laoghaire Rathdown County Development Plan 2022-2028)

The proposed development remains consistent with the zoning objectives provided for under the Draft Plan.

### 5.4.3 Housing Policy

Policy Objective PHP1 seeks to increase the delivery of housing throughout the county, consistent with the requirements of the NPF and RSES and embed the concept of neighbourhood **and community** into the spatial planning of the County by supporting and creating neighbourhoods.

Policy Objective PHP4 seeks to implement a strategy for residential development based on a concept of sustainable urban villages and promote and facilitate the provision of '10-minute' neighbourhoods. The sustainable urban village concept is based on the premise that people should be able to access most of their daily living requirements within easy reach, preferably within a short walking or cycle timeframe of their homes. This concept, which focuses on reducing the need to travel by private car, is central to the principles of sustainable development and aids the reduction of greenhouse gases

Policy Objective PHP18 relates to residential density and provides that it is a Policy Objective to:

- *'Increase housing (houses and apartments) supply and promote compact urban growth through the consolidation and re-intensification of infill/ brownfield sites having regard to proximity and accessibility considerations, and development management criteria set out in Chapter 12.*

- *Encourage higher residential densities provided that proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development.'*

In particular, the Draft Plan notes that bus lanes which will form part of the Bus Connects redesign will be considered bus priority routes for the purposes of increased density. In this respect the Draft Plan specifically provides that higher densities can be justified along the proposed Core Bus Corridor routes including existing QBCs on N11.

The Draft Plan seeks to maximise the use of zoned and serviced residential land. Consolidation through sustainable higher densities allows for a more compact urban growth that, in turn, more readily supports an integrated public transport system. This together with the '10-minute' neighbourhood concept, has the potential to reduce the urban and carbon footprint of the County.

Policy Objective PHP20 relates to the protection of existing residential amenity and provides:

*'It is a Policy Objective to ensure the residential amenity of existing homes in the Built Up Area is protected where they are adjacent to proposed higher density and greater height infill developments.*

- *On all developments with a units per hectare net density greater than 50, the applicant must provide an assessment of how the density, scale, size and proposed building form does not represent over development of the site. The assessment must address how the transition from low density to a higher density scheme is achieved without it being overbearing, intrusive and without negatively impacting on the amenity value of existing dwellings particularly with regard to the proximity of the structures proposed. The assessment should demonstrate how the proposal respects the form of buildings and landscape around the site's edges and the amenity enjoyed by neighbouring uses.*
- *On all developments with height proposals greater than 4 storeys the applicant should provide a height compliance report indicating how the proposal conforms to the relevant Building Height Performance Based Criteria "At District/Neighbourhood/Street level" as set out in Table 5.1 in Appendix 5.*
- *On sites abutting low density residential development (less than 35 units per hectare) and where the proposed development is four storeys or more, an obvious buffer must exist from the rear garden boundary lines of existing private dwellings.*
- *Where a proposal involves building heights of four storeys or more, a step back design should be considered so as to respect the existing built heights.*

In accordance with Policy Objective PHP1, Sections 5.2.1 and 5.2.3 above demonstrate consistency with the overarching principles of the NPF & RSES. The proposed development provides for the sustainable development of a vacant site within an established suburban village, with a range of social infrastructure and amenities within easy walking distance, consistent with the sustainable urban village concept advocated under Policy Objective PHP4. The proposed development facilitates consolidation of the existing Dublin City suburbs through sustainable higher densities for more compact urban growth as per Policy Objective PHP 18.

With regard to Policy Objective PHP20, the Response to ABP Opinion Item 2 provides a detailed justification of the proposed building density and form given the sites location, relationship with adjoining properties and national planning policy (see the ABP Response prepared by Declan Brassil &

Co. and the Architectural Design Statement prepared by HJL). A response to the building height performance-based criteria as set out in Table 5.1 of the Draft Plan is included at Appendix C of this Report. With respect to the provision of obvious buffers with rear boundaries of exiting dwellings, it is noted that the proposed houses are proposed along the eastern boundary to provide an appropriate transition to the two storey properties onto Willow Grove, increasing the separation distance from the taller elements of the proposed development. Along the southern boundary, a generous landscaped buffer is provided between Building D and the rear boundaries of properties fronting onto Old Bray Road. In addition, third floor level of Block D has been set back to minimise impact on existing properties and provide an appropriate transition to the scale of the existing Village.

#### 5.4.3.1 Build to Rent Accommodation

Policy Objective PHP27<sup>3</sup> of the Draft Plan provides that *'it is a Policy Objective to facilitate the provision of Build-to-Rent ~~and Shared Accommodation~~ in suitable locations across the County and accord with the provisions of 'Sustainable Urban Housing: Design Standards for New Apartments', 2018 (and any amendment thereof). Proliferation ~~of these housing types~~ Built to rent should be avoided in any one area'*.

Section 12.3.6 of the Draft Plan requires that all proposed BTR accommodation must comply with SPPR 7 and SPPR 8 as set out within the Design Standards for New Apartments, 2018 (and any amending SPPR as appropriate). In this regard applications for proposed BTR must clearly demonstrate compliance with the guidelines and include details in relation to:

- *The proposed ownership and operation by an institutional entity for a minimum period of not less than 15 years and no individual residential unit can be sold or rented separately for that period. A covenant or legal agreement shall be submitted and entered into in this regard.*
- *Proposed residential support facilities such as laundry facilities, concierge and management facilities, maintenance/repair services, waste management facilities, etc.*
- *Proposed resident services and amenities for communal recreational and other activities by residents.*

The proposed development has been designed to fully comply with the Apartment Guidelines. The scheme will remain in the ownership and operation of an institutional entity for a minimum of 15 years. Residential support facilities have been provided in the form of concierge / management facilities, tenant storage areas and waste management facilities. Residential services and amenities proposed include a gym in Building C, a range of communal recreational rooms in Buildings A, B, D and E and a multi-purpose residential amenity pavilion (in the courtyard space between Buildings A and B). The proposed retail/café unit and childcare facility provide further complementary services and facilities which will benefit future residents. A total of 779sqm of internal communal residential amenity space is proposed, which together with external communal open space (4,703sqm) results in some 13.1sqm communal amenity space per unit (including the 7 no. houses).

Section 12.3.6 of the Draft Plan requires that all proposed BTR accommodation must comply with SPPR 7 and SPPR 8 as set out within the Design Standards for New Apartments, 2020 (and any amending SPPR as appropriate) and provides

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<sup>3</sup> The Material Amendments provide for policy objective numbers to be renumbered as required. For ease of reference, policy and section numbers as included in the Draft Plan as originally published have been used in this Report.

*'Where any derogations in standards including standards relating to **unit mix**, open space, car parking and storage are availed of, a condition should be attached to any grant of permission to state that planning permission must be sought for a change of tenure to another tenure model following the period specified in the covenant.'*

However, Section 12.3.6 goes on to state that BTR accommodation must comply with all apartment standards set out in Section 12.3.5 (which includes minimum internal storage spaces, a requirement for the majority of units to exceed minimum floor standards by 10%, and a maximum of 12 units per core) and on-site car parking must comply with the requirements set out in Section 12.4.5.

Material Amendments to the Draft Plan have clarified in Section 12.3.5 that the requirement to exceed minimum floor standards by 10% and the minimum of 12 units per core do not apply to BTR schemes in accordance with SPPR 8. However, it is noted that SPPR 8 of the Apartment Guidelines explicitly provides that other standards shall not apply to BTR schemes including restrictions on dwelling mix, internal storage, and car parking.

The Draft Plan requires that in all instances, the applicant shall clearly demonstrate that the BTR development is located within a 10 minute walking time from high frequency public transport routes. In this respect, the proposed development is located less than 200m and 2 to 3 minute walk.

#### 5.4.4 Development Standards

Chapter 12 of the Draft Plan provides development management standards to ensure the proper planning and sustainable development of the county.

The relevant residential development control standards as set out in the Draft Plan are summarised in Table 5.3.

**Table 5.4 Compliance with Draft Plan Residential Development Control Standards**

Relevant Development Plan Standard and Guidance	Statement of Compliance with Development Plan Standard and Guidance
<p><b>Residential Density</b> – Section 12.3.3.2 of the Draft Plan provides in general, the number of dwellings (<b>houses or apartments</b>) to be provided on a site should be determined with reference to the Government Guidelines documents <b>including:</b></p> <ul style="list-style-type: none"> <li>• 'Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities' (2009)</li> <li>• <b>Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (2020).</b></li> </ul> <p>As a general principle, and on the grounds of sustainability, the objective is to optimise the density of development in response to type of</p>	<p>As outlined in respect of the Development Plan above, the proposed density is consistent with the Sustainable Residential Development Guidelines, and more recent national planning policy, which have no upper limits and which seeks to consolidate the urban area, increase density of the development.</p> <p>In particular, the proposed development promotes compact urban growth by the sustainable development of underutilised lands, within an established settlement, adjacent to a public transport corridor.</p> <p>The proposed siting of the apartment blocks and layout of the site is responsive to the immediate context to ensure that the amenities of existing residents are preserved. Taller elements are proposed along the N11 with height reducing</p>

<p>site, location, and accessibility to public transport.</p> <p>In this respect, Objective PHP18: Residential Density provides that it is a Policy Objective to:</p> <p><i>'Increase housing (houses and apartments) supply and promote compact urban growth through the consolidation and re-intensification of infill/ brownfield sites having regard to proximity and accessibility considerations, and development management criteria set out in Chapter 12.</i></p> <p><i>Encourage higher residential densities provided that proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development.'</i></p>	<p>towards the village and adjoining boundaries with existing properties.</p> <p>The proposed development seeks to provide a high level of amenity and quality design, while also protecting and complementing the existing amenities and character of the immediate surrounding area.</p>
<p><b>Dual Aspect</b> – 12.3.5.1 refers the requirements of SPPR4 of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' (2018), which provides guidance with respect to the minimum number of dual aspect apartments that may be provided in any single apartment schemes. In accordance with this guidance, the Draft Plan provide that the County is classified as a suburban or intermediate location and therefore: there shall generally be a minimum of 50% dual aspect apartments in a single scheme.</p> <p>The Draft Plan defines a dual aspect apartment as designed with openable windows on two or more walls, allowing for views in more than just one direction. The windows may be opposite one another, or adjacent around a corner. The use of windows, indents or kinks on single external elevations, in apartment units which are otherwise single aspect apartments, is not considered acceptable and/or sufficient to be considered dual aspect and these units, will be assessed as single aspect units.</p>	<p>The proposed development provides a total of 54.1% dual aspect apartments.</p> <p>Careful consideration has been given to determining which units can be considered dual aspect. In this respect corner units, through units and units with large rebates (in excess of 3m) to facilitate meaningful dual aspect have only been included. Please refer to the Dual Aspect Analysis Report prepared by HJL Architects submitted herewith.</p>



<p><b>Mix of Units</b> – In order to demonstrate compliance with Policy Objective PHP26 and based on the findings of the Draft Housing Strategy and Interim HNDA, planning applications received for 50+ residential units either individually or cumulatively with lands located within the neighbourhood (10-minute walk) will be required to incorporate a variety and choice of housing units by type and size so as to meet the differing household need in the County.</p> <p>Table 12.1 provides that for the Existing Built up area, schemes of 50+ units Apartment Developments may include up to 80% studio, one and two bed units with no more than 30% of the overall development as a combination of one bed and studios and no more than 20% of the overall development as studios, and a minimum 20% 3+ bedroom units.</p> <p>Section 12.3.6, of the Draft Plan, provides that:</p> <p><i>'Where any derogations in standards including standards relating to <b>unit mix</b>, open space, car parking and storage are availed of, a condition should be attached to any grant of permission to state that planning permission must be sought for a change of tenure to another tenure model following the period specified in the covenant.'</i></p>	<p>The proposed development provides 70% one-bed units, 26.5% two bed units and 3.5% units.</p> <p>The proposed development is not consistent with the requirements of Table 12.1. However, it is noted that the proposed development provides for a BTR scheme, which in accordance with SPPR 8 of the Apartment Guidelines there is no restriction on dwelling mix. Section 12.3.6 of the Draft Plan (as incorporated at Material Alteration stage) acknowledges derogations for BTR schemes, for a range of standards including unit mix.</p> <p>Furthermore, Policy PHP27 explicitly states that it a policy objective to <i>'facilitate the provision of Build-to-Rent <del>and Shared Accommodation</del> in suitable locations across the County and accord with the provisions of 'Sustainable Urban Housing: Design Standards for New Apartments', 2020 (and any amendment thereof)'</i>.</p>
<p><b>Open Space Provision</b> – All residential schemes must provide a minimum provision of <b>public open space</b> in accordance with the Table 12.8, which has regard to the content of the Section 28 Guidelines 'Sustainable Residential Development in Urban Areas' (2009).</p> <p>Table 12.8 requires residential development in the existing built up area to provide 15% of the site area as public open space.</p> <p>Section 12.8.3.1 of the Draft Plan acknowledges <i>'that in certain instances it may not be possible to provide the above standards of public open space. High density urban schemes and/or smaller urban infill schemes for example <u>may provide adequate communal open space but no actual public open space</u>. In these instances where the required</i></p>	<p>The proposed development provides communal open space rather than public open space. The omission of public open space is consistent with Section 12.8.3.1 which provides that higher density urban schemes and infill schemes may provide adequate communal open space but no actual public open space.</p> <p>In this respect, the proposed development provides a total of 22% of the site area as high quality useable communal open space.</p> <p>The proposed development provides communal open space well in excess of the requirements of Appendix 1 of the Apartment Guidelines (see Table 5.1 above) and also in excess of the requirements of Table 12.9 of the Draft Plan.</p>



<p><i>percentage of public open space is not provided the Council will seek a development contribution under Section 48 of the Planning and Development Act 2000, as amended'.</i></p> <p>In addition, Section 12.8.3.2 provides that <b>communal open space</b> must also be provided for apartments and in some instances for houses, in accordance with the minimum standards set out in Table 12.9 of the Development Plan which is consistent with the requirements of Appendix 1 of Apartments Guidelines.</p>	
<p><b>Private Open Space</b> – 12.8.3.3(i) requires that all houses shall provide an area of good quality usable private open space behind the front building. Table 12.10 requires a minimum of 60sqm private open space for 3 bed houses.</p> <p>Table 12.11 sets out minimum private open space requirements in line with Appendix 1 of the Apartments Guidelines.</p>	<p>The proposed houses all benefit from rear gardens ranging in size from 134sqm to 160sqm, all well in excess of the requirements of Table 12.10.</p> <p>The proposed development provides private open space for each apartment consistent with the requirements of Appendix 1 of the Apartment Guidelines and therefore consistent with the requirements of Table 12.11.</p>
<p><b>Internal &amp; External Storage</b> – Table 12.3 of the Draft Plan provides minimum storage space requirements which are consistent with the requirements of the Apartment Guidelines.</p> <p>Apartment schemes should provide external storage for bulky items outside individual units (i.e. at ground or basement level), in addition to the minimum apartment storage requirements. These storage units should be secure, at ground floor level, in close proximity to the entrance to the apartment block and allocated to each individual apartment unit.</p> <p><b>Table 12.3b</b>, introduced with the Material Amendments, provides <b>external storage standards which require 4m<sup>3</sup> for 1-bed apartments, 6m-8m<sup>3</sup> for 2-bed apartments (3 or 4 person respectively), 10m<sup>3</sup> for 3 bed apartments.</b></p>	<p>All apartments benefit from internal storage areas consistent with the requirements of Appendix 1 of the Apartment Guidelines and therefore Table 12.3.</p> <p>As outlined for the Development Plan generally the full storage requirement is provided within the unit. However for 11 no. units there is a small shortfall in the total storage space provided within the unit. For these units, additional designated storage in excess of the shortfall, are provided at basement level at locations close to the stair/lift cores for ease of access.</p> <p>It is submitted that proposed external storage requirements as introduced by Table 12.3b have not been fully met. However, in accordance with the Apartment Guidelines additional storage is available at basement level for use by other residents for the storage of bulky goods. Allocation of this additional external storage space will be by the Management Company.</p>

	Notwithstanding, the proposed external storage areas may be considered to be a Material Contravention of Table 12.3b of the Draft Plan (introduced as a Material Amendment).
<p><b>Refuse Storage</b> – 12.3.4.7 requires that Adequate refuse storage, recycling and composting areas, and future expansion of separated waste disposal for residential developments shall be adequately catered for. In the case of communal refuse storage provision, the collection point for refuse should be accessible both to the external collector and to the resident and be secured against illegal dumping by non-residents.</p> <p>In the case of individual houses, the applicant shall clearly show within a planning application the proposed location and design of bin storage to serve each dwelling and having regard to the number of individual bins required to serve each dwelling at the time of the application and any possible future requirements for refuse storage/collection</p>	<p>Each apartment Building is served by individual common waste storage areas at basement level.</p> <p>Communal waste storage area will also be provided for the proposed houses at basement level.</p> <p>A collection point has been identified adjacent to the set down area within the scheme which should reduce potential for illegal dumping.</p>
<p><b>Separation Distances</b> – Section 12.3.5.2 of the Draft Plan requires a minimum clearance distance of circa 22 metres, in general, is required, between opposing windows in the case of apartments up to three storeys in height. In taller blocks, a greater separation distance may be prescribed having regard to the layout, size, and design. In certain instances, depending on orientation and location in built-up areas, reduced separation distances may be acceptable. In all instances where the minimum separation distances are not met, the applicant shall submit a daylight availability analysis for the proposed development.</p>	<p>As outlined in respect of the Development Plan, separation distances between the principal facades of the larger buildings are in excess of 22m. There are limited locations where the separations distances are less.</p> <p>The proposed site layout and Architectural Design Report provided by HJL Architects demonstrates that the proposed development incorporates adequate separation distances internally within the scheme but also externally between proposed dwellings and existing adjoining dwellings to the north, east, south and west of the site. The proposed development has been sensitively sited to avoid any adverse residential amenity impacts arising and accordingly the separation distances are considered consistent with the requirement of Section 12.3.5.2. Where separation distances below 22m are proposed specific design</p>

	<p>measures have been incorporated to ensure adjoining residential amenity is protected.</p> <p>A Sunlight and Daylight Report prepared by 3DDB has been submitted as part of this application.</p> <p>Notwithstanding, out of an abundance of caution, the requirements of Section 12.3.5.2 have been referenced in the Material Contravention Statement submitted with this application.</p>
<p><b><u>Car Parking</u></b> – the subject site is located within Zone 2 on Map T2 due to its location adjacent to the N11 Quality Bus Corridor (QBC) to be replaced with CBC (Core Bus Corridor) 13 and 15.</p> <p>Within parking Zone 2 maximum standards shall apply for all uses except for residential where reduced provision may be acceptable dependent on criteria set out in Section 12.4.5.2 as follows:</p> <ul style="list-style-type: none"> <li>• Proximity to public transport services and level of service and interchange available.</li> <li>• Walking and cycling accessibility/permeability and any improvement to same.</li> <li>• The need to safeguard investment in sustainable transport and encourage a modal shift.</li> <li>• Availability of car sharing and bike / e-bike sharing facilities.</li> <li>• Existing availability of parking and its potential for dual use.</li> <li>• Particular nature, scale and characteristics of the proposed development (as noted above deviations may be more appropriate for smaller infill proposals).</li> <li>• The range of services available within the area.</li> <li>• Impact on traffic safety and the amenities of the area.</li> <li>• Capacity of the surrounding road network.</li> </ul>	<p>A total of 238 no. car parking spaces are proposed.</p> <p>The proposed car parking allocation has been based on a need's assessment having regard to existing car availability within the area, car parking demand surveys, the car parking requirements outlined in the Apartment Guidelines and the location of the site adjacent to a high-quality bus corridor.</p> <p>It is considered that the proposed car parking provision is consistent with national policy objectives, and those outlined in the Draft Plan, to promote sustainable travel patterns.</p> <p>Notwithstanding, the proposed development may represent a Material Contravention of the Draft Plan and accordingly the requirements of section 5(6) of the Planning &amp; Development (Housing) and Residential Tenancies Act, 2016, may be considered necessary by An Bord Pleanála.</p> <p>It is considered that reduced car parking scheme in apartment schemes, irrespective of tenure or ownership, is consistent with objectives of supporting climate action and provided for in the Apartment Guidelines. In this respect, it is not considered necessary for a condition to be attached as outlined in the Development Plan due to the lower car parking rate.</p>

<ul style="list-style-type: none"> <li>• Urban design, regeneration and civic benefits including street vibrancy.</li> <li>• Robustness of Mobility Management Plan to support the development.</li> <li>• The availability of on street parking controls in the immediate vicinity.</li> <li>• Any specific sustainability measures being implemented including but not limited to: <ul style="list-style-type: none"> <li>○ The provision of bespoke public transport services.</li> <li>○ The provision of bespoke mobility interventions</li> </ul> </li> </ul> <p>The following parking standards apply:</p> <p>1-bed apartment – 1 space per unit</p> <p>2-bed apartment – 1 space per unit</p> <p>3-bed + apartment – 2 spaces per unit</p> <p>3 bed house – 2 spaces per unit</p> <p>Childcare – 1 per 60sqm GFA</p> <p>Café &gt;100sqm – 1 space per 50sqm</p> <p>The Draft Plan notes that where a where a Build to Rent scheme avails of lower car parking based on the nature of the use a condition should be attached to any grant of permission to state that planning permission shall be sought for a change of tenure to another tenure model following the period specified in the covenant.</p>	
<p><b>Bicycle Parking</b> – Section 12.4.6 provides that cycle parking should accord with the Council published – ‘Standards for Cycle Parking and Associated Cycling Facilities for New Developments’ (2018) or any subsequent review of these standards. These are minimum cycle parking standards. In car parking Zones 1 and 2 these minimum standards should be exceeded</p> <p>Section 12.4.6.2 provides that in general, new residential developments of 5 units or more or non-residential of 400 sq. m. or over will be</p>	<p>As outlined above, the proposed development provides for a total of 819 no. bicycle parking spaces, well in excess of the requirements of the Standards for Cycle Parking and Associated Cycling Facilities for New Developments.</p> <ul style="list-style-type: none"> <li>• Adequate space has been provided at both basement and surface level to accommodate the number of bicycle spaces proposed. 3 no. cargo bicycle spaces have been designated at surface (ground floor) level</li> <li>• A total of 664 no. bicycle stores are proposed at basement level to ensure secure, long-</li> </ul>

<p>assessed in accordance with the following criteria:</p> <ul style="list-style-type: none"> <li>• Is the number of cycle parking spaces and footprint adequate and is there suitable provision for parking of outsized formats (cargo bikes etc)?</li> <li>• Is the location of cycle parking convenient, appropriate and secure with adequate provision for covered parking?</li> <li>• Is the cycle parking area accessible in terms of dedicated access routes with ramps and/or kerb dishing where required?</li> <li>• Do the internal cycle access routes connect well with off-site cycle facilities – existing and proposed?</li> <li>• Is there adequate and appropriately designed and integrated provision for ancillary cycling and pedestrian facilities including showers, locker / changing rooms and drying areas?</li> </ul>	<p>term parking is convenient to the various Buildings.</p> <ul style="list-style-type: none"> <li>• Routes to all bicycle stores are fully accessible from lower ground level via access ramps. In addition, a wheel channel is provided alongside the steps from podium to lower ground level to provide a more immediate route to lower ground level.</li> <li>• The internal cycle routes provide for a direct connection to the existing N11 cycle lane.</li> <li>• The proposed development is predominantly residential and according communal showers and changing rooms are not considered necessary.</li> </ul>
<p><b>Motorcycle Parking</b> – Section 12.4.7 provides that it is an objective of the Council to require developments to provide motorcycle parking spaces at a minimum of four or more spaces per 100 car parking spaces. The type of motorcycle stand and typical parking</p>	<p>A total of 10 no. motorcycle parking spaces have been provided at basement level. This is consistent with the requirements of the Draft Plan.</p>
<p><b>Natural Day Light &amp; Ventilation</b> – Section 12.3.4.2 provides that all habitable rooms within new residential units shall have access to appropriate levels of natural / daylight and ventilation. <del>In this regard, and in order to maximise available light, glazing to all habitable rooms should not be less than 20% of the floor area of any habitable room.</del> Development shall be guided by the principles of Site Layout Planning for Daylight and Sunlight, A guide to good practice (Building Research Establishment Report, 2011) and/or any updated, or subsequent guidance, in this regard. A daylight analysis will be required for all proposed developments of</p>	<p>Glazing to all habitable rooms is not less than 20% of the floor area of any habitable room.</p> <p>A Daylight and Sunlight Report accompanies the application, prepared in accordance with the BRE and all relevant guidance.</p> <p>The analysis determined an approximate compliance rate of ~97% rooms exceeding the BRE Guidelines for average daylight factor (ADF), and that the vast majority of spaces were determined to comfortably exceed the values.</p>

<p>50+ units or as otherwise required by the Planning Authority. The impact of any development on existing habitable rooms should also be considered.</p>	
<p><b>Phased Development</b> – Section 12.3.4.4 of the Draft Plan provides that no large developments over 100 residential units shall be permitted unless it can be demonstrated that adequate provisions for specified physical and social infrastructural requirements, including: roads, sewers, water mains, community, recreational and sporting facilities (indoor and outdoor), public transport, first and second level schools and shops are available at completion to support development.</p>	<p>As outlined above in response to phased development required under the current Development Plan, the submitted documentation demonstrates that there is ample physical and social infrastructure to allow the proposed development progress as a single phase.</p>
<p><b>Minimum Apartment Floor Area</b> – Section 12.3.5.5 requires all apartment developments shall accord with or exceed the minimum floor areas indicated in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities', (2018).</p> <p>In order to safeguard standards, the majority of apartments in any proposed scheme of 10 or more shall exceed the minimum floor area standard for any combination of 1, 2 or 3 bed, by a minimum of 10% (excluding studios).</p> <p>The Material Amendments to the Draft Plan provided for the inclusion of a footnote on the 10% stating that it is not applicable to BTR development in accordance with SPPR 8</p>	<p>As outlined in the HQA submitted herewith, all apartments exceed the minimum floor areas as required in the Apartment Guidelines. Some 85% of units exceed the minimum standards by 8.8%.</p> <p>As outlined Section 5.1.2 above and highlighted in the footnote included at Material Amendment stage, the requirement for the majority of apartments to exceed the minimum standards by 10% does not apply to BTR Schemes (SPPR 8 (iv) of the Apartment Guidelines).</p>
<p><b>Additional Design Requirements</b> - Ground level apartment floor to ceiling heights shall be a minimum of 2.7 metres and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use.</p> <p>A maximum of 12 apartments per floor per core may be provided in apartment schemes.</p> <p>The Material Amendments to the Draft Plan provided for the inclusion of a of a footnote on the on the 12 apartments per floor per cores</p>	<p>Floor to ceiling heights at ground and lower ground floor level are a minimum of 2.7m. Typical Floor to ceiling heights of 2.4m is achieved on all of the upper levels (above ground floor level).</p> <p>The maximum units accessed from a lift core is 14 no. units (Building B) and 13 no. units (Building A).</p> <p>As outlined Section 5.1.2 above and highlighted in the footnote included at Material Amendment stage, the requirement for a maximum of 12 apartments per floor per core does not apply to</p>

stating that it is not applicable to BTR development in accordance with SPPR 8	BTR Schemes (SPPR 8 (v) of the Apartment Guidelines).
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### 5.4.5 Building Height

Policy Objective PHP39 relates to building design and height and provides that it is a Policy Objective to:

- *Encourage high quality design of all new development.*
- *Ensure new development complies with the Building Height Strategy for the County as set out in Appendix 5 (consistent with NPO 13 of the NPF).*

The Council policy in relation to building height throughout the County is detailed in three policy objectives as set out in the Building Height Strategy (BHS) (Appendix 5). Of relevance to the subject site is Policy Objective BHS 1 which provides:

*'It is a policy objective to support the consideration of increased heights and also to consider taller buildings where appropriate in the Major Town Centres of Dún Laoghaire and Dundrum, the District Centres of Nutgrove, Stillorgan, Blackrock, and **Cornelscourt**, within the Sandyford UFP area, UCD and in suitable areas well served by public transport links (i.e. within 1000 metre/10 minute walk band of LUAS stop, DART Stations or Core/Quality Bus Corridor, 500 metre/5 minute walk band of Bus Priority Route) provided that proposals ensure a balance between the reasonable protection of existing amenities and environmental sensitivities, protection of residential amenity and the established character of the area. (NPO 35, SPPR 1& 3).*

*Having regard to the Building Height Guidelines and more specifically in order to apply SPPR 3 there may be instances where an argument can be made for increased height and/or taller buildings in the areas mentioned above. In those instances, any such proposals must be assessed in accordance with the performance based criteria set out in table 5.1 which is contained in section 5. The onus will be on the applicant to demonstrate compliance with the criteria.*

*Within the built-up area of the County increased height can be defined as buildings taller than prevailing building height in the surrounding area. Taller buildings are defined as those that are significantly taller (more than 2 storeys taller) than the prevailing height for the area. ' [Emphasis added]*

New text added at Material Amendment stage clarifies the extent of the bus priority network, making specific reference to the N11:

*'It should be noted that there are a number of existing bus lanes in the County which afford some localised bus priority, however following the adoption of the Bus Connects Network Redesign they are no longer part of an overall bus priority network. In this regard higher densities can be justified along the proposed Core Bus Corridor routes (existing QBCs on N11 and Rock Road) and the Kill Lane/Avenue Mounttown route (Bus Priority Route), which is a strategic bus link between Dún Laoghaire and the N11 and along which, sections of bus lanes are already in place' [Emphasis added]*

It is considered that the proposed building heights are consistent with Policy Objective BHS 1 which specifically identifies Cornelscourt as an appropriate location for the consideration of increased heights and taller buildings. Table 5.1 of the BHS also contains a detailed set of performance based criteria for the assessment of height so as to ensure protection of the unique amenities of the County whilst also



allowing increased height. Appendix C of this Report details where an assessment of the proposed development having regard to the Table 5.1 criteria has been submitted as part of this application.

#### **5.4.6 Statement of Consistency**

There is no material change to the residential zoning of the subject site under the Draft Plan and accordingly the proposed development remains consistent with the residential land use zoning context.

The proposed development provides for the sustainable reuse of vacant, underutilised lands within the established settlement of Cornelscourt. The proposed development will assist in addressing the pent-up housing demand identified in the Core Strategy. Furthermore, the proposed development will be consistent with Policy Objective CS111 and CS14 which seek compact urban growth and encourage the re-use and regeneration of vacant sites.

The proposed development provides for the sustainable development of a vacant site within an established suburban village, with a range of social infrastructure and amenities within easy walking distance, consistent with the sustainable urban village concept advocated under Policy Objective PHP4 and consolidation of the suburbs through sustainable higher densities for more compact urban growth as per Policy Objective PHP 18. Detailed justification of the proposed density and building heights have been provided throughout the application documentation.

The proposed development has been designed to be consistent with the residential development guidance and standards as identified in the Draft Plan. It is considered that there is conflicting, or not clearly stated, policies within the Draft Plan insofar as they relate the application of SPPR 8 for BTR Schemes in relation to housing mix and car parking standards. Furthermore, it is considered unclear if the Draft Plan allows the level of flexibility in the provision of internal storage requirements as provided for under the Apartment Guidelines. The requirements of Table 12.3b are not consistent with the Apartment Guidelines. In this regard, notwithstanding its consistency with the Apartment Guidelines, where there is ambiguity in the provisions of the Draft Plan, which matters have been considered in the Material Contravention Statement should the Board determine them to be a material contravention of the Draft Plan.

The proposed development has been informed by the Draft Dun Laoghaire-Rathdown County Development Plan 2022-2028 as currently on display, has incorporated the relevant policies and objectives as contained therein, and is consistent with the Plan, noting the matters addressed in the Material Contravention Statement.

**APPENDIX A: DRAFT COVENANT IN RESPECT OF BTR UNITS REMAINING AS A INSTITUTIONAL ENTITY FOR A PERIOD OF 15 YEARS**

**DATED**

**2021**

**Cornel Living Limited**

**and**

**Dun Laoghaire-Rathdown County Council**

---

**DRAFT / Section 47 Agreement**

**Build to Rent Premises at Cornelscourt, Dublin 18**

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**McCann FitzGerald**  
Solicitors  
Riverside One  
Sir John Rogerson's Quay  
Dublin 2  
BNMS\32595497.2

Draft 1

**MEMORANDUM OF AGREEMENT** made on the 2021

**BETWEEN:**

- (1) Cornel Living Limited of Riverside One, Sir John Rogerson's Quay, Dublin 2, D02 X576 (the "Developer") of the one part; and
- (2) Dun Laoghaire-Rathdown County Council (the "County Council") of the other part.

**RECITALS:**

- (A) The Developer applied to An Bord Pleanála for Strategic Housing Development for permission under the Planning and Developments Acts 2000 to 2021 ("Planning Acts") to develop a 419 no. Build-To-Rent apartments which application was dated [ • ] ("Development") at lands Cornelscourt, Dublin 18 ("Development Site").
- (B) An Bord Pleanála granted permission, Register Reference [ • ] dated [ • ] ("Planning Permission") pursuant to the Planning Acts for the Development subject to certain conditions as described in the Planning Permission, a copy of which is included at Appendix A.
- (C) The Developer and the County Council, as planning authority for the functional area in which the Development Site is located, have agreed to enter into this agreement pursuant to condition no. [insert condition number] of the Planning Permission and Section 47 of the Planning Acts in relation to the use of the 419 no. Build-To-Rent apartments ("Relevant Development").

**NOW THEREFORE IT IS AGREED AND DECLARED** as follows:

1. The application for planning permission of the Developer dated the [ • ] (the plans, drawings and documents referred to therein) and the Planning Permission, are hereby incorporated in this Agreement and shall be read and construed therewith.
2. This Agreement shall bind the Developer and its Assignees and Successors in title and all persons claiming through or under it in accordance with the provisions of Section 47 of the Planning Acts.

**Section 47 of the Planning Acts**

3. In accordance with condition no. [insert condition number] of the Planning Permission and in accordance with Section 47 of the Planning Acts and in accordance with Section 5.0 of the Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments published 2020, the Developer hereby covenants and agrees with the County Council to restrict and regulate the Relevant Development for the period of 15 (fifteen) years<sup>1</sup> from the date of the Planning Permission (the "Term") as follows:
  - (a) the Relevant Development shall remain owned and operated by a single entity;<sup>2</sup>
  - (b) no individual residential unit may be sold separately<sup>3</sup> (save to a group company of the said single entity within the definition of holding company or subsidiary company under sections 7 and 8 of the Companies Act 2014 and/or any financial institution which provides debt funding to the said single entity in respect of the Relevant Development);

<sup>1</sup> The period specified in SPPR 7 of the Apartment Guidelines.

<sup>2</sup> The requirement explained at paragraph 5.3 and required by SPPR 7 of the Apartment Guidelines.

<sup>3</sup> The requirement explained at paragraph 5.3 and required by SPPR 7 of the Apartment Guidelines.

Draft 1:

- (c) no individual residential unit may be sub-let separately;<sup>4</sup>
  - (d) upon expiry of the Term, any of the individual residential units may be sold individually or collectively without the need for any further planning permission;<sup>5</sup> and
  - (e) **[if necessary, any other conditions or matters to be agreed as part of the planning process]**
4. Nothing in Clause 3 of this Agreement shall prohibit:
- (a) sale of the entire of the Relevant Development to a single entity;<sup>6</sup>
  - (b) leasing of units in accordance with section 96(3)(b)(iva) of the Planning Acts, to satisfy the requirements of the County Council under Part V of the Planning Acts;<sup>7</sup> or,
  - (c) the owner of the Relevant Development from leasing individual residential units as part its investment in the Relevant Development as a long term commercial rental undertaking.<sup>8</sup>
5. Upon expiry of the Term, the Developer shall be discharged from its obligations under this Agreement. Upon the written request of the Developer, the County Council shall provide an acknowledgment in writing of the satisfactory compliance by the Developer with its obligations under this Agreement.

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<sup>4</sup> The requirement explained at paragraph 5.3 and required by SPPR 7 of the Apartment Guidelines.

<sup>5</sup> The requirement explained at paragraph 5.11 of the Apartment Guidelines.

<sup>6</sup> The requirement explained at paragraph 5.3 and required by SPPR 7 of the Apartment Guidelines.

<sup>7</sup> The requirement explained at paragraph 5.12 of the Apartment Guidelines.

<sup>8</sup> The requirement explained at paragraph 5.3 of the Apartment Guidelines.

Draft 1

**Appendix A**  
**Planning Permission**

Draft 1:

**In witness** whereof the parties have executed this Deed the day and year first above written.

Present when the common seal of Cornel  
Living Limited was affixed to this deed and  
this deed was delivered:

\_\_\_\_\_  
[Director]

\_\_\_\_\_  
[Director/Secretary]

**[County Council to confirm form of  
execution clause]** Present when the common  
seal of County Council was affixed to this  
deed and this deed was delivered:

\_\_\_\_\_  
[Director]

\_\_\_\_\_  
[Director/Secretary]



**APPENDIX B: CORRESPONDENCE FROM DAA AND IAA IN RESPECT OF SCHEME ORIGINALLY PROPOSED ON SUBJECT SITE UNDER ABP REF. 306225-19**

## CORRESPONDENCE WITH IAA AND DAA

**From:** MACCRIOSTAIL Cathal <Cathal.MacCriostail@IAA.ie>

**Subject: RE: Proposed SHD Development at Cornelscourt Village, Old Bray Road, Cornelscourt, Dublin 18**

**Date:** 3 October 2019 at 09:44:07 IST

**To:** Linda McEllin <linda@brockmclure.ie>

**Cc:** HUGHES John <John.HUGHES@IAA.ie>, Katie Waters <katie@brockmclure.ie>, Suzanne McClure <suzanne@brockmclure.ie>, Nigel Somerfield <nigel.somerfield@daa.ie>

Dear Linda,

With thanks to Nigel for forwarding your email below, I can confirm that from an Air Traffic Management(ATM) perspective, the proposed project at Cornelscourt does not have an impact on air navigation.

Please don't hesitate to contact me if needed if anything further is needed.

Kind regards,

Cathal

### Cathal Mac Criostail

Údarás Eitlíochta na hÉireann / Irish Aviation Authority


The Times Building, 11-12 D'Olier Street, Dublin 2, D02 T449, Ireland

✉ [cathal.maccristail@iaa.ie](mailto:cathal.maccristail@iaa.ie)

☎ [+353 \(0\)1 6031173](tel:+353016031173)

📞 [+353 \(0\)86 0527130](tel:+3530860527130)

🌐 [www.iaa.ie](http://www.iaa.ie)

 [Do you really need to print this?](#)

**From:** Linda McEllin <linda@brockmclure.ie>

**Sent:** Wednesday 2 October 2019 15:37

**To:** Nigel Somerfield <nigel.somerfield@daa.ie>

**Cc:** HUGHES John <John.HUGHES@IAA.ie>; MACCRIOSTAIL Cathal <Cathal.MacCriostail@IAA.ie>;

Katie Waters <katie@brockmclure.ie>; Suzanne McClure <suzanne@brockmclure.ie>

**Subject:** Re: Proposed SHD Development at Cornelscourt Village, Old Bray Road, Cornelscourt, Dublin 18

Thanks Nigel.

I can confirm that we sent the query in to [FOD@IAA.ie](mailto:FOD@IAA.ie) and trust that the matter will be reviewed by the relevant personnel there.

Thanks for copying the relevant contacts.

Linda

Linda McEllin  
Brock McClure  
Planning and Development Consultants  
63 York Road,  
Dun Laoghaire,  
Co.Dublin

[linda@brockmcclure.ie](mailto:linda@brockmcclure.ie)  
[brockmcclure.ie](http://brockmcclure.ie)

[+353 87 630 1678](tel:+353876301678)

[+353 1 559 3859](tel:+35315593859)

**From:** Nigel Somerfield <[Nigel.Somerfield@daa.ie](mailto:Nigel.Somerfield@daa.ie)>

**Date:** Wednesday 2 October 2019 at 15:35

**To:** Linda McEllin <[linda@brockmcclure.ie](mailto:linda@brockmcclure.ie)>

**Cc:** 'John Hughes IAA' <[john.hughes@iaa.ie](mailto:john.hughes@iaa.ie)>, Cathal MacCriostail <[Cathal.MacCriostail@IAA.ie](mailto:Cathal.MacCriostail@IAA.ie)>

**Subject:** RE: Proposed SHD Development at Cornelscourt Village, Old Bray Road, Cornelscourt, Dublin 18

Dear Linda

Thank you for message.

I can confirm that the proposed development does not give rise to any concerns for DAA in relation to Dublin Airport.

You mention that you wish to engage with the IAA also – in case you have not made contact separately, I am copying this message to Mr John Hughes (IAA-SRD) and Mr Cathal MacCriostail (IAA-ANSP), who may be able to provide you with further confirmation, if required, in relation to safe air navigation.

Regards

---

**Nigel Somerfield**

Aerodrome Standards Manager

T: [00353-1-814 4349](tel:00353-1-8144349) email: [nigel.somerfield@daa.ie](mailto:nigel.somerfield@daa.ie)

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Document Classification: Class 1 - General

**From:** Linda McEllin <[linda@brockmcclure.ie](mailto:linda@brockmcclure.ie)>

**Sent:** Tuesday 1 October 2019 11:15

**To:** Nigel Somerfield <[Nigel.Somerfield@daa.ie](mailto:Nigel.Somerfield@daa.ie)>

**Cc:** Suzanne McClure <[suzanne@brockmcclure.ie](mailto:suzanne@brockmcclure.ie)>; Katie Waters <[katie@brockmcclure.ie](mailto:katie@brockmcclure.ie)>

**Subject:** Proposed SHD Development at Cornelscourt Village, Old Bray Road, Cornelscourt, Dublin 18

Dear Nigel,

On behalf of our client, **Cornel Living Limited**, we are preparing a Strategic Housing Development planning application for lodgement to An Bord Pleanála shortly. The proposal is located at Cornelscourt village, Old Bray Road, Cornelscourt, Dublin 18 and provides for a new residential development of 468 residential units, a café/restaurant, office space and residential tenant amenity facilities.

Heights of up to 12 storeys are proposed. I have attached a Site Location Plan and Site Layout Plan for information purposes.

As part of the planning application process and in line with new requirements published under the Urban Development and Building Height Guidelines of 2018, there is a requirement for us to assess if the proposal “*maintains safe air navigation*”.

Whilst we do not consider the proposal to contain tall buildings (i.e. max height proposed is 12 storeys – Block A), we nonetheless wish to engage with the DAA and IAA to ensure that the appropriate consultation has taken place and that confirmation would be forthcoming from the DAA/IAA that the proposed development would not impact on “*safe air navigation*”.

The site layout plan attached confirms that that Block A is the tallest building with an overall height of 36.725m above ground level of 52.250m.

I would appreciate if you could review the attached and revert to me at your earliest convenience confirming that the proposal would not impact on “*safe air navigation*”.

I am available at the mobile below should you wish to discuss further.

Thanks,

Linda McEllin

Brock McClure

Planning and Development Consultants

63 York Road,

Dun Laoghaire,

Co. Dublin

[linda@brockmcclure.ie](mailto:linda@brockmcclure.ie)  
[brockmcclure.ie](http://brockmcclure.ie)

+353 87 630 1678

+353 1 559 3859

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SÉANADH: Tá an fhaisnéis sa ríomhphost seo agus i gceangaltáin ar bith faoi rún agus tá sé d'aird agus d'úsáid an Fhreagróra (na bhFreagróirí) dá bhfuil sé ceaptha amháin. Más rud é nach tusa an freagróir (na freagróirí) dá bhfuil an ríomhphost seo ceaptha, ní cheadaítear duit an teachtaireacht, an ceangaltá(i)n nó cuid ar bith dó a úsáid, a nochtadh, a chóipeáil, a scaipeadh nó a choinneáil. Má chreideann tú go bhfuair tú an ríomhphost seo trí earráid, bheimis buíoch dá gcuirfeá é sin in iúl dúinn láithreach. Scríos gach cóip den ríomhphost seo agus ceangaltá(i)n ar bith ó chóras do ríomhaire chomh maith le do thoil.

Mura bhfuil sé luaite go sainráite, níl sé beartaithe leis an ríomhphost seo caidreamh conarthach ar bith a chruthú. Murar seoladh an ríomhphost seo i gcúrsaí fhostaíocht an tseoltóra nó i gcomhlíonadh a dhualgas/a dualgas ní ghlacfaidh daa dliteanas ar bith as ábhar na teachtaireachta nó ceangaltá(i)n ar bith.

daa cpt. Oifig Chláraithe: Aerfort Bhaile Átha Cliath, Co. Bhaile Átha Cliath. Uimhir Chláraithe: 9401 Éire.

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**APPENDIX C: COMPLIANCE WITH TABLE 5.1 OF THE BUILDING HEIGHT STRATEGY OF THE DRAFT  
DUN LAOGHAIRE RATHDOWN COUNTY DEVELOPMENT PLAN 2022-2028**

**Table 5.1: Criteria for assessing proposals for increased height (Defined as building or buildings taller than prevailing building heights in the surrounding urban areas) or taller buildings or for a building that is higher than the parameters set out in any LAP or any specific guidance set out in this draft County Development plan, must demonstrate satisfaction with the following criteria:**

Criteria for All Such Proposals	DM Requirement	Response
<b>At County Level</b>		
Proposal assists in securing objectives of the NPF, in terms of focusing development in key urban centres, fulfilling targets in relation to brownfield, infill development and delivering compact growth.		Section 5.2.1 of this Report
Site must be well served by public transport – i.e. within 1000 metre/10 minute walk band of LUAS stop, DART Stations or Core/Quality Bus Corridor, 500 metre/5 minute walk band of Bus Priority Route - with high capacity, frequent service and good links to other modes of public transport.*		Traffic Impact Assessment and Mobility Management Plan prepared by DBFL Consulting Engineers
Proposal must successfully integrate into/enhance the character and public realm of the area, having regard to topography, cultural context, setting of key landmarks.. In relation to character and public realm the proposal may enclose a street or cross roads or public transport interchange to the benefit of the legibility, appearance or character of the area.	Landscape and visual assessment by suitably qualified practitioner.  Urban Design Statement.  Street Design Audit (DMURS 2019)	Landscape Design and Access Statement prepared by Cameo & Partners.  Chapter 12 EIAR Landscape & Visual Impact Assessment  Architectural Design Statement prepared by HJL Architects  DMURS Compliance Statement prepared by DBFL Consulting Engineers.
Protected Views and Prospects: Proposals should not adversely affect the skyline, or detract from key elements within the view whether in foreground, middle ground or background. A proposal may frame an important view.		Chapter 12 EIAR Landscape & Visual Impact Assessment
Infrastructural carrying capacity of area as set out in Core Strategy of CDP, relevant Urban Framework Plan or Local Area Plan.		Infrastructure Design Report, DBFL

At District/Neighbourhood/Street Level		
Proposal must respond to its overall natural and built environment and make a positive contribution to the urban neighbourhood and streetscape.	Proposal should demonstrate compliance with the 12 criteria as set out in "Sustainable Residential Development in Urban areas, Guidelines for Planning Authorities" 2009.  Street Design Audit (DMURS 2019).	Architectural Design Statement prepared by HJL Architects  DMURS Compliance Statement prepared by DBFL Consulting Engineers.
Proposal should not be monolithic and should avoid long, uninterrupted walls of building in the form of slab blocks.	Design Statement	Architectural Design Statement prepared by HJL Architects
Proposal must show use of high quality, well considered materials	Design Statement  Building Life Cycle Report.	Architectural Design Statement prepared by HJL Architects  Building Lifecycle Report prepared by Aramark
Proposal where relevant must enhance urban design context for public spaces and key thoroughfares and marine or river/stream frontage	Must also meet the requirements of "The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009".	Site Specific Flood Risk Assessment prepared by DBFL Consulting Engineers
Proposal must make a positive contribution to the improvement of legibility through the site or wider urban area. Where the building meets the street, public realm should be improved.		Architectural Design Statement prepared by HJL Architects
Proposal must positively contribute to the mix of uses and /or building/dwelling typologies available in the area.	Design Statement	Architectural Design Statement prepared by HJL Architects
Proposal should provide an appropriate level of enclosure of streets or spaces.	Design Statement	Architectural Design Statement prepared by HJL Architects
Proposal should be of an urban grain that allows meaningful human contact between all levels of buildings and the street or spaces.		Architectural Design Statement prepared by HJL Architects
Proposal must make a positive contribution to the character and identity of the neighbourhood.		Architectural Design Statement prepared by HJL Architects
Proposal must respect the form of buildings and landscape around the site's edges and the amenity enjoyed by neighbouring properties.		Architectural Design Statement prepared by HJL Architects



<b>At site/building scale</b>		
Proposed design should maximise access to natural daylight, ventilation and views and minimise overshadowing.	Must address impact on adjoining properties/spaces/	Sunlight & Daylight Analysis prepared by 3DDB  Dual Aspect Analysis Report and Architectural Design Statement prepared by HJL Architects
Proposal should demonstrate how it complies with quantitative performance standards on daylight and sunlight as set out in BRE guidance "Site Layout Planning for Daylight and Sunlight" (2nd Edition). Where a proposal does not meet all the requirements, this must be clearly identified and the rationale for any alternative, compensatory design solutions must be set out. On relatively unconstrained sites requirements should be met.		Sunlight & Daylight Analysis prepared by 3DDB
Proposal should ensure no significant adverse impact on adjoining properties by way of overlooking overbearing and/or overshadowing.		Architectural Design Statement prepared by HJL Architects
Proposal should not negatively impact on an Architectural Conservation Area (ACA) or the setting of a protected structure.		Chapter 15 of EIAR Cultural Heritage
<b>County Specific Criteria</b>		
Having regard to the County's outstanding architectural heritage which is located along the coast, where increased height and/or taller buildings are proposed within the Coastal area from Booterstown to Dalkey the proposal should protect the particular character of the coastline. Any such proposals should relate to the existing coastal towns and villages as opposed to the coastal corridor.	An urban design study and visual impact assessment study should be submitted and should address where appropriate views from the sea and/or piers.	Chapter 12 EIAR Landscape & Visual Impact Assessment
Having regard to the high quality mountain foothill landscape that characterises parts of the County any proposals for increased heights and/or taller building in this area should ensure appropriate scale, height and massing so as to avoid being obtrusive.	An urban design study and visual impact assessment study should be submitted.	Chapter 12 EIAR Landscape & Visual Impact Assessment
Additional specific requirements (Applications are advised that requirement for same should be teased out at pre planning's stage)		Response to ABP Opinion prepared by Declan Brassil & Co
Specific assessments such as assessment of microclimatic impacts such as down draft.		Chapter 11 EIAR Wind & Microclimate

Potential interaction of building, materials and lighting on flight lines in locations in proximity to sensitive bird/bat areas.		See Section 5.1.3 of this Report
Assessment that the proposals allows for the retention of telecommunications channels, such as microwave links.		See Section 5.1.3 of this Report
An assessment that the proposal maintains safe air navigation		See Section 5.1.3 of this Report
Relevant environmental assessment requirements, including SEA, EIA (schedule 7 information if required), AA and Ecological Impact Assessment, as appropriate.		See Section 5.1.3 of this Report. EIAR and NIS submitted.
Additional criteria for larger redevelopment sites with taller buildings		
Proposal should make a positive contribution to place making, incorporating new streets where appropriate, using massing and height to achieve densities but with variety and scale and form to respond to scale of adjoining development.		Architectural Design Statement prepared by HJL Architects
For larger unconstrained redevelopment sties BRE standard for daylight and sunlight/any forthcoming EU standards on daylight sunlight should be met		Sunlight & Daylight Analysis prepared by 3DDB