

Planning Report & Statement of Consistency

**Tack Sandyford SHD
Strategic Housing Development for Build to
Rent apartment development for 207 units
at Ravens Rock Road/ Carmanhall Road,
Sandyford, Dublin 18**

April 2022

Prepared on behalf of

Sandyford Environmental Construction Ltd.



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Part A – Planning Report

1 Introduction

On behalf of the applicant, Sandyford Environmental Construction Limited this document, has been prepared to accompany an SHD application to An Bord Pleanála under the Planning and Development (Housing) and Residential Tenancies Act, 2016, as amended in relation to a proposed Strategic Housing Development (SHD) on a site c 0.7 ha, at Ravens Rock Road/ Carmanhall Road, Sandyford, Dublin 18.

This SHD application is made pursuant to An Bord Pleanála’s Pre-Application Consultation Opinion of 22/12/20 under Ref. ABP-308186-20.

Co-ordinated and concurrent SHD Applications for the Tack and Avid sites

Reference is made to the adjoining Avid site throughout this planning package, which is currently the subject of an SHD Pre-Application Consultation with An Bord Pleanála under reference ABP-312265-21. It is intended that in due course a co-ordinated and concurrent SHD planning application will be lodged by Atlas GP Ltd. for the adjoining Avid Site. This will be prepared by the same design team.

Under Section 17(3) of the Planning and Development (Amendment) (Large-scale Residential Development) Act 2021), Atlas GP Limited has confirmed to An Bord Pleanála of its intention to proceed and lodge an SHD application for the development within the period of 16 weeks beginning on the date on which a notice under section 6(7)(b) of the Act of 2016 is issued in relation to the proposed strategic housing development.

For clarity, the planning strategy is to pursue two separate planning applications that address the site specific challenges and opportunities of the block in a co-ordinated manner. It is intended that planning permissions at the sites will be capable of being delivered independently or jointly. A copy of correspondence is included in Appendix A.

The Design Statement by McCauley Daye O’Connell Architects (MDO) provides a Masterplan for the two sites. Proposed elevations and plans provide the planning authorities with and without proposals for the Avid site.

It is also noted that the amenity strip around the site (abutting Carmanhall Road and Blackthorn Road is in the ownership of Dún Laoghaire Rathdown County Council. This proposal envisages (and includes design proposals) providing comprehensive landscape improvements to protect and complement this zone in consultation with the local authority.

The developers are preparing a unified architectural design prepared by McCauley Daye O’Connell Architects (MDO), supported by an integrated planning and design team for both sites. An EIAR is being prepared by Golder Associates to jointly assess and accompany the two applications.

The document is structured as follows:

Part A Planning Report

Part B Statement of Consistency

Part A

Part A of this report provides further details of the proposed development in relation to the location and context of the application site. In summary, the proposed development consists

of 207 build to rent residential units, a creche, shared amenity facilities, demolition of two existing light industrial/office buildings, landscaping, underground parking and all site development works above and below ground in three blocks ranging from 6 to 10 storeys, above basement.

Part B

The statement has been prepared in accordance with the requirements of the strategic housing development guidance document issued by An Bord Pleanála.

A Statement of Consistency must demonstrate the following:

- In the prospective applicant’s opinion, the proposal is consistent with the relevant objectives of the Development Plan concerned. The statement should be accompanied by a list of the principal plan objectives considered by the prospective applicant in making the statement.
- In the prospective applicant’s opinion, the proposal is consistent with the relevant planning scheme for a strategic development zone made under section 169 of the Act of 2000 (where applicable). This does not apply to this application.
- In the prospective applicant’s opinion, the proposal is consistent with any relevant guidelines issued by the Minister under section 28 of the Act of 2000. The statement should be accompanied by a list of the guidelines considered by the prospective applicant in making the statement.

The statement demonstrates that the proposed development is consistent with relevant national planning policy, guidelines issued under Section 28 of the Planning and Development Act, 2000, as amended, and with planning policy in the Dún Laoghaire Rathdown County Development Plan 2016 – 2022, the Dún Laoghaire Rathdown County Development 2022-2028 and the Sandyford Urban Area Framework Plan 2022-28 (SUFP).

This application is made during a transition period between two development plans. The new Development Plan was adopted by the Elected Members of the Council at a special Council meeting held on the 10th of March 2022. The Plan will come into effect in 6 weeks from that date (i.e. 21st April 2022). Under the transitional provisions of the the Planning and Development (Amendment) (Large-scale Residential Development) Act 2021 this SHD application may be lodged no later than 19th April 2022. Therefore, while this SHD application is lodged under during the term of the expiring 2016 – 2022 County Development Plan, it will be assessed under the policies of the adopted Dún Laoghaire Rathdown County Development 2022-2028.

This statement should be read in conjunction with the accompanying detailed documentation prepared by McCauley Daye O’Connell (MDO) Architects, Waterman Moylan Engineers, IN2 Engineers, NMP Landscape as well as relevant Appropriate Assessment and Environmental Impact Assessment Report by Golder Associates.

Further details of consistency with the quantitative standards for residential development in the Apartment Guidelines, 2018 are set out in the Architectural Design Statement prepared by MDO Architects.

Statements on Material Contravention

Section 9(6)(a) of the Planning and Development (Housing) and Residential Tenancies Act 2016 states that the Board may decide to grant a permission for a proposed strategic housing development in respect of an application where the development materially contravenes the development plan relating to the area concerned. The application site lands are subject to the

Sandyford Urban Framework Plan and in particular the height and density provisions. Notwithstanding the National Planning Framework and relevant Section 28 Guidelines and it is considered that the height and density of the proposed development may be considered inconsistent with and materially contravene objectives of the Sandyford Urban Framework Plan (SUFP). Accordingly, the considerations for the Board take in relation to a material contravention and a justification of the proposed development in that context is included in a separate Material Contravention Statement.

2 General Site Location and Description

The subject sites are located within Sandyford Business District, Dublin 18. The site has frontage onto both the Blackthorn Road to the east and Carmanhall Road to the north. The surrounding area consists of low rise industrial, employment and office use.

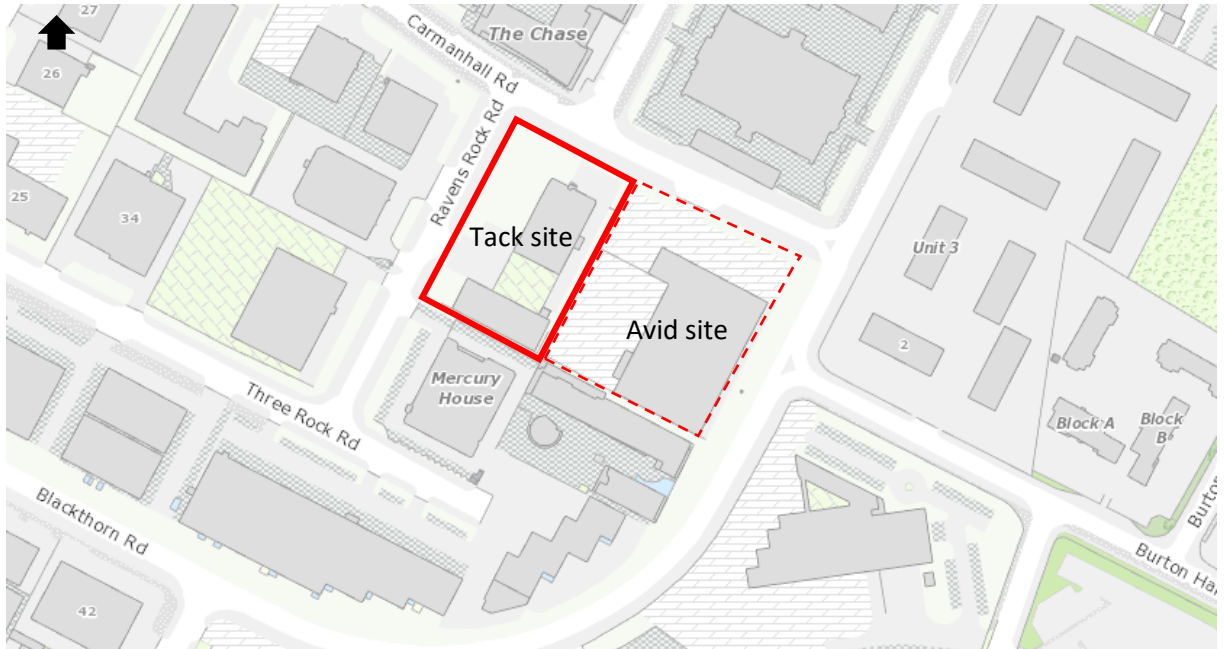


Figure 1: Site Location of Avid site & adjoining Tack site highlighted in red (Source: Myplan.ie)

The sites share a boundary with Mercury HQ and Innopharma Technology and Chill Insurance office buildings to the south (accessed off Three Rock Road). To the north of Carmanhall Road is a strip of convenience shops to the front of the Nova Atria Facebook complex.

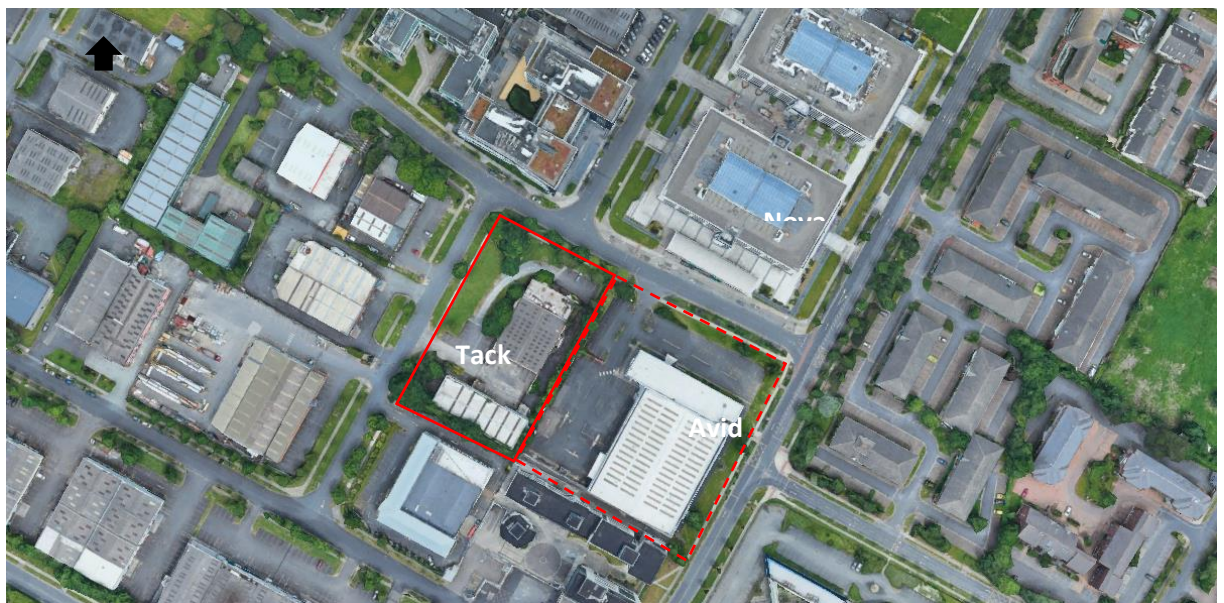


Figure 2: Aerial view of approximate outline of application site. Source google earth (note: structures shown on the Avid site are no longer in existence and it is now vacant)



Figure 3 View of Carmanhall Road facing south west with existing Tack buildings to the right of the grassed margin



Figure 4 View of Ravens Rock Road facing south east



Figure 5 View of Ravens Rock Road facing north towards ‘The Chase’ building to the left and Nova Atria to the right. The existing Tack buildings are visible on the right of the image.

2.1 Transport and Services

The application site is well connected to public transport and a short walk to the Sandyford Luas Stop and beside several bus stops.

Light Rail LUAS Green Line

The LUAS Green Line provides a high capacity public transport service running between Broombridge and Cherrywood. Both the Sandyford Stop and the Stillorgan Stop on Blackthorn Avenue will serve the proposed development with both stops being 6 minutes’ walk time from the subject site.

Bus Routes

Dublin Bus operates a number of staged services connecting Sandyford to diverse areas including City Centre, Blackrock (DART), Tallaght (LUAS) and Dun Laoghaire. Aircoach also operates regular services to Dublin Airport. Bus Routes include the following:

- 11 Ballymun to Sandyford Industrial Estate
- 47 City Centre to Belarmine
- 75 Dun Laoghaire to Tallaght
- 114 Ticknock to Blackrock Station
- Aircoach Route 700 between Sandyford and Dublin Airport

Cycle Infrastructure

There are very limited cycle facilities on the road network in the area around the subject site. This deficiency will be remedied by the implementation of the Sandyford Business District Pedestrian and Cycle Improvement Scheme.

Council Cycling Policy, adopted in June 2010, provides local guidelines on the delivery of the aims and objectives of the National Cycle Policy Framework 2009-2020. Developments in the Sandyford Business District will be required to adhere to the Council Cycling Policy as part of their Travel Plan.

In addition to the existing pedestrian facilities, the cycle environment in the area of the subject will be enhanced by the implementation of the Sandyford Business District Pedestrian and Cycle Improvement Scheme.

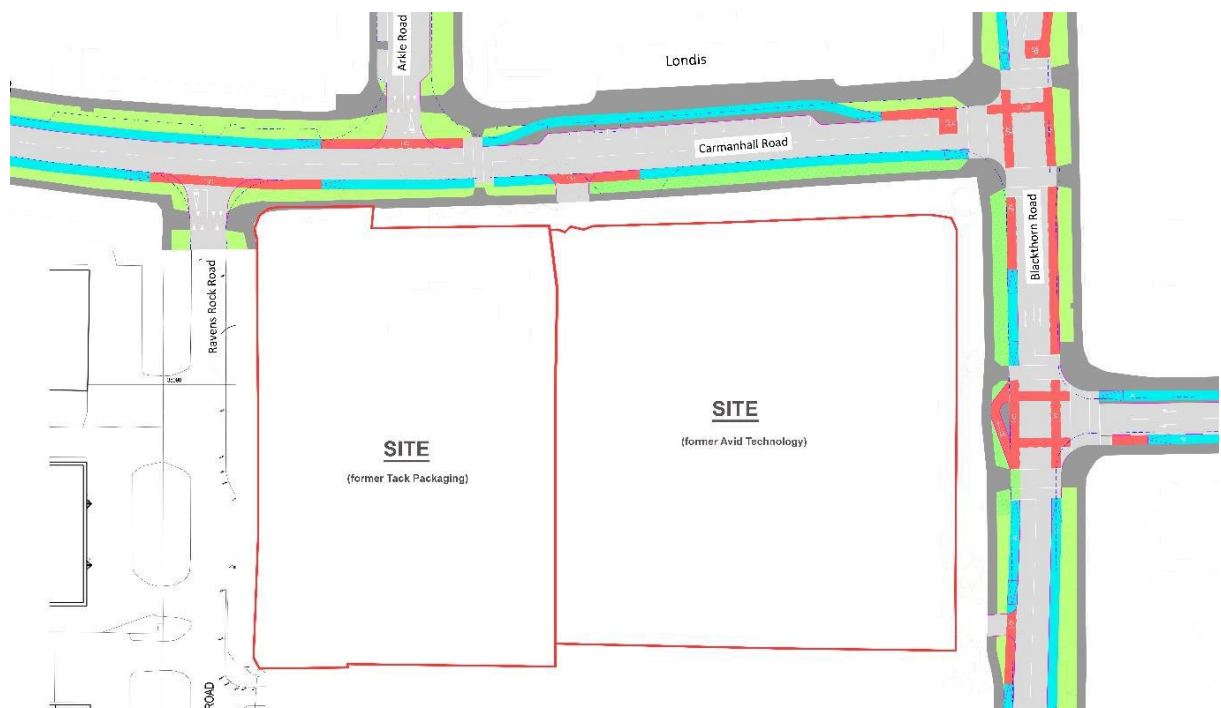


Figure 6 Sandyford Business District Pedestrian and Cycle Improvement Scheme

2.2 Amenities

The proposed development includes public open space of 438 sqm (Pocket Park) at the corner of Ravens Rock Road and Carmanhall Road focussed around the existing stand of oak trees. A communal courtyard of 1014 sqm is proposed at the centre of the 3 blocks, to be planted in accordance with the comprehensive design proposals provided by NMP Lanscape Archtitecs. The application site is close to a host of amenities including retail, medical, restaurants and cafes.

A social infrastructure report accompanies the SHD Planning Application which records the following facilities within the catchment of the site as identified in Figure 7 below.

2.1 Open Space, Sports and Leisure

The site is located in close proximity to a range of existing open space, sports and leisure facilities that are within a convenient distance of the subject site. There are a wide variety of playing fields and leisure facilities established in the Sandyford area. Several specific clubs and organisations were identified operating in the Sandyford area, providing a range of clubs to cater for a wide range of interests.

Table 1: List of Open Spaces, Sports and Leisure Facilities in Sandyford and surrounding area, identifies a range of open space, sports and leisure facilities available in Sandyford and outlines the distance from the subject site. The locations are illustrated in Figure 7.

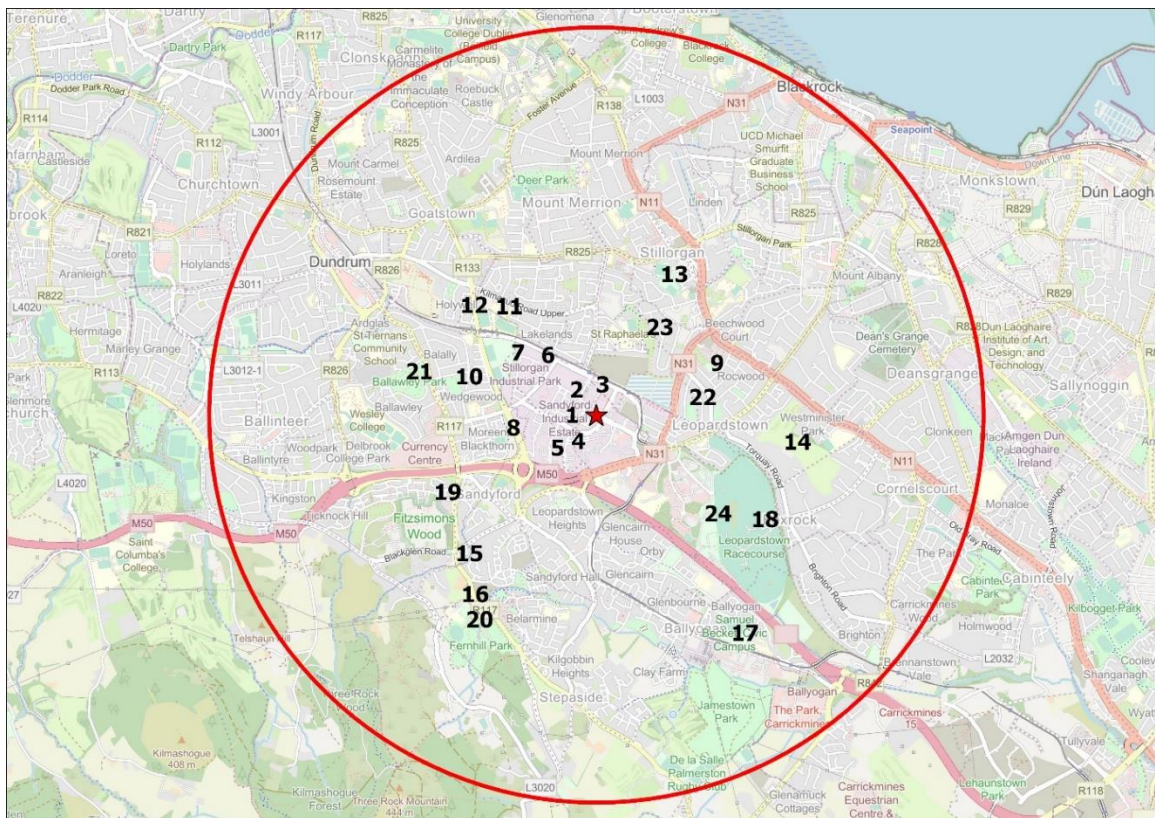


Figure 7: Map of Open space, Sports and Leisure Facilities

Table 1: List of Open Spaces, Sports and Leisure Facilities in Sandyford and surrounding area

Map ID	Name of Facility	Description of Facility	Address	Distance from Site (km)
1	Janz Gymnastics Club	Gymnastics	Unit A4 Three Rock Rd, Sandyford Business Park	0.4
2	Gracie Barra Sandyford	Brazilian Jiu-Jitsu	28 Corrig Rd	0.45
3	The Wall Climbing Gym	Bouldering & Rock Climbing	5 Arkle Rd, Sandyford,	0.2
4	Headon Boxing Academy	Boxing	61D Heather Rd, Sandyford	0.6
5	Jump Zone Sandford	Trampoline & Dodgeball	72 Heather Rd, Sandyford Business Park	0.65
6	Trojan Gymnastics Club	Gymnastics Club	7/8 Holly Ave, Stillorgan Business Park	0.95
7	Naomh Olaf GAA Club	GAA & Hurling & Badminton	Holly Ave, Blackthorn, Dublin	1.1
8	St Mary's Boys Football Club	Schoolboys Football	43 Moreen Park, Sandyford, Dublin	1.6
9	Leopardstown Tennis Club	Tennis	59 Leopardstown Grove, Stillorgan,	1.6
10	Ballally Celtic Football Club	Schoolboy's Football	2 Balally Hill, Sandyford, Dublin 16	1.8
11	Angels Boxing Club	Boxing	St. Benildus College Kilmacud Rd Upper Kilmacud West, Stillorgan	2.1
12	Stillorgan Rugby Football Club	Rugby	Kilmacud West, Dublin	2.1
13	Kilmacud Crokes GAA Club	GAA	Glenalbyn House, Glenalbyn Rd, Stillorgan,	2.1
14	Foxrock Golf Club	Golf	Golf Ln, Foxrock	2.1
15	Total Kickboxing	Kickboxing	Enniskerry Rd, Sandyford	2.7
16	LC Tennis	Tennis	LC Tennis, Enniskerry Rd, Sandyford,	3.3
17	Ballygogan Celtic Football Club	Men's Football	Stepaside, Ballygogan Road Ballygogan Avenue, Sandyford, Dublin	3.5

Map ID	Name of Facility	Description of Facility	Address	Distance from Site (km)
18	Leopardstown Golf Centre	Golf	Golf centre Foxrock, Dublin	1.9
19	Fitzsimon's Wood	Park	18, Co. Dublin	1.4
20	Fernhill Park & Gardens	Park	Enniskerry Rd, Newtownlittle, Dublin	2.2
21	Ballawley Park	Park	40 Ballawley Ct, Sandyford, Dublin 16	1.5
22	Leopardstown Park	Park	11-67 Leopardstown Park, Galloping Green South	1.06
23	Clonmore Park	Park	151-153 Stillorgan Heath, Leopardstown	2.2
24	Foxrock Golf Club	Golf Club	Golf Ln, Foxrock, Dublin 18,	1.9
25	Leopardstown Racecourse	Horse racing	Leopardstown Racecourse, Foxrock, Dublin 18, D18 C9V6	1.6

Under the adopted County Development Plan 2022-28, SUFP (Appendix 17).

- It is an objective of the Council to actively pursue the use of the evolving reservoir site as active public open space
- It is an objective of the Council to develop a Sandyford Business District Civic Park (circa 0.8ha of public open space) through a combination of development contributions and other funding streams. A balance will be struck in the design and the layout of this park between the smart, civic quality of an urban square, and the casual, spontaneous nature of a residential area. This will include significant water features, a high degree of sculptural influence, play opportunities, including those for children's play, hard & soft landscape features and extensive tree planting (Map 1, SLO 57)
- It is an objective of the Council to provide public open space for active and recreational uses as identified on Drawing No. 10.
- The Local Authority will actively pursue the provision of this public open space. This public open space will be funded in accordance with the Development Contribution Scheme adopted for the Plan area.
- Local Objective 85 - To secure the use of lands at Stillorgan Reservoir for Public Amenity Purposes

See Figure 8 below 'Amenity Open Space Plan of the Sandyford Urban Framework Plan 2022-2028'.

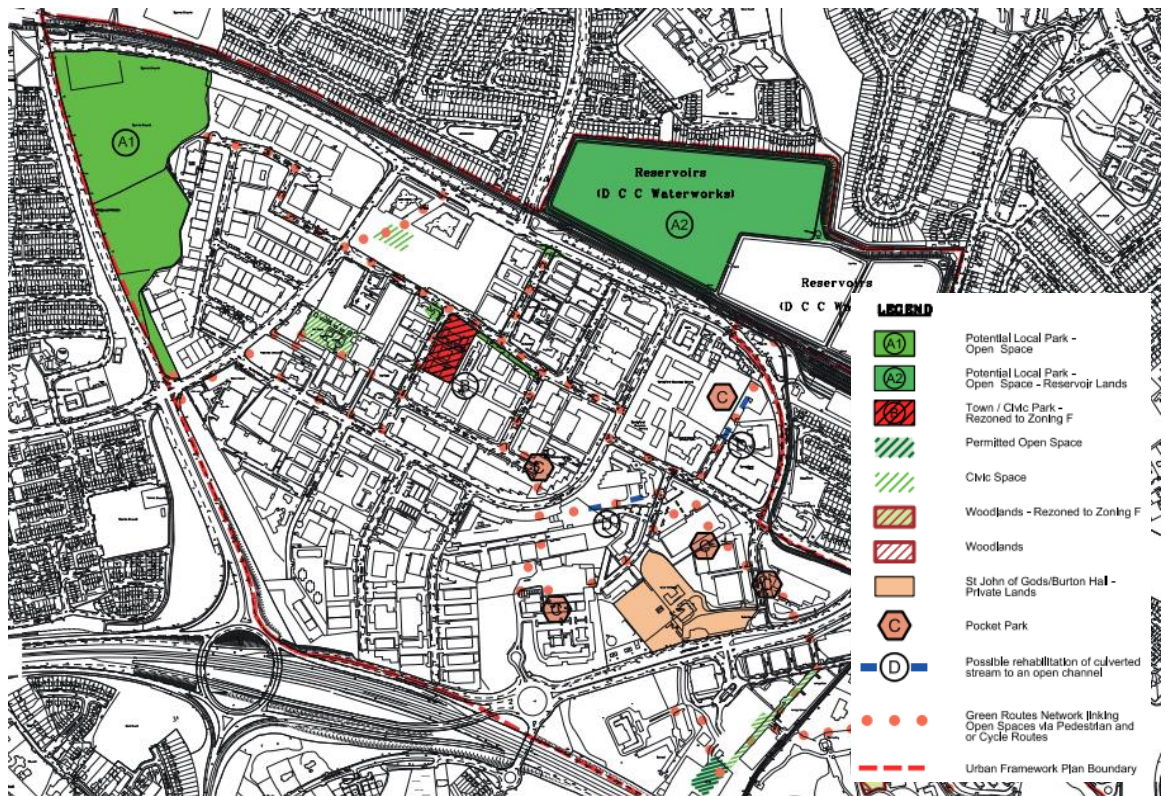


Figure 8 Drawing No. 10 Amenity Open Space Plan of the Sandyford Urban Framework Plan 2022-2028

3 Proposed development

The proposed development consists of 207 no. residential units, a creche, resident facilities, demolition works, new entrances, landscaping, basement underground parking and site development works. The proposed development is fully described below. It is noted that the overall area of the red line site area is 0.7ha (including junction, access and servicing arrangements). The net site area with the applicant's ownership is 0.57 ha.

3.1 Summary of proposed development

Development Parameter	Summary															
Site Area	Application Site 0.7 ha (net area 0.57)															
No. of residential units	207															
No. of houses:	None															
Breakdown apartment units	<table border="1"> <thead> <tr> <th>No.</th> <th>Type</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>48</td> <td>studio</td> <td>23%</td> </tr> <tr> <td>103</td> <td>1 bed</td> <td>50%</td> </tr> <tr> <td>55</td> <td>2 bed</td> <td>27%</td> </tr> <tr> <td>1</td> <td>3 bed</td> <td>0.5%</td> </tr> </tbody> </table>	No.	Type	%	48	studio	23%	103	1 bed	50%	55	2 bed	27%	1	3 bed	0.5%
No.	Type	%														
48	studio	23%														
103	1 bed	50%														
55	2 bed	27%														
1	3 bed	0.5%														
Residential related uses	Residential amenity spaces at ground level (c.415 sq.m.)															
Non-residential use	Crèche 306 sqm															
Demolition	Two light industry/office structures (total 1,613.49)															
Overall Floor area	16,725 (Gross Internal Area)															
Plot Ratio	2.94 (for net site area of 0.57)															
Building Footprint area	0.23 ha															
Dual Aspect	93 units (44.9%)															
Car Parking	79 at ground (area 2,042 sq.m.) and basement (1,865 sq.m.) levels.															
Cycle parking	288															
Height	6 to 10 storeys															
Public Open Space	0.0438 ha (c.07% of site) Pocket Park (Lower Ground floor) at corner of site															
Communal open space	0.34 ha. (c.48% of site) Podium (Ground Floor) + Roof Spaces															
Density	295.8 units per ha (for net site area of 0.57)															
Part V	20 units (10% of floor area)															



Figure 9 View of proposed development elevation onto Ravens Rock Road at the corner with Carmanhall Road featuring pocket park (Source: MDO Architects)



Figure 10 View of proposed development elevation onto Ravens Rock Road (Source: MDO Architects)

3.2 Design rationale of proposed development

The design rationale for the proposed development is illustrated in the design statement prepared by MDO Architects and the iterative process has evolved having regard to the *Urban Design Manual- A best Practice Guide (2009)*, the accompanying document to the Guidelines for

Planning Authorities on Sustainable Residential Development in Urban Areas (2009), the *Urban Development and Building Height Guidelines for Planning Authorities* (2018) and previous consultation with Dun Laoghaire Rathdown County Council and An Bord Pleanála.

The site layout and building form has been influenced by:

- The pattern of development in the area and the identity of the site as a residential quarter with Sandyford;
- A permeable perimeter block development that creates active street frontage with the external environment and comfortable, protected spaces within;
- Address the objective of the Draft SUFC for this residential neighbourhood to “be contained by tall buildings at either end of Carmanhall Road”;
- A co-ordinated approach to the development of the Tack and Avid sites that enables and integrated architectural solution that is sensitive to amenity and daylight of the location;
- A central street that is a public spine through the development sites that supports both an integrated and coordinated design approach with flexible implementation options;
- A desire to provide attractive open spaces for future residents and the provision of well-designed attractive communal open space for the residents of the apartments;
- A desire to create an attractive architectural ensemble that would appeal to the current housing market and contribute to the aesthetic qualities of Sandyford;
- The creation of a good residential mix of apartments of different sizes that cater for a cross section of sizes appropriate to this central urban location;
- The provision of a resident facilities, creche and services on the site;
- The objective to enhance public space boundaries around the site and to encourage biodiversity;
- The precedent of decisions from the Board on SHD applications in the area (particularly former Aldi and Siemens site) highlights the new design for this site is appropriate under SPPR 3 criteria.

3.3 Creche

A creche 306 sqm is provided at lower ground and ground level. This will be accessible to both residents of the scheme and the wider area. An outdoor play area for the creche is provided in the communal open space area at ground level (podium). A drop-off car space is provided on the internal street to facilitate parents at busy drop-off and pick-up times.

3.4 Resident facilities

Resident facilities 415 sqm are provided in two units that face onto the public open space at the corner of Carmanhall Road and Ravens Rock at lower ground floor level and at the car park entry point;

- In Block C: 131.4 sqm
- In Block B: 252.4
- In Block A (at car park entry): 31.4 sqm

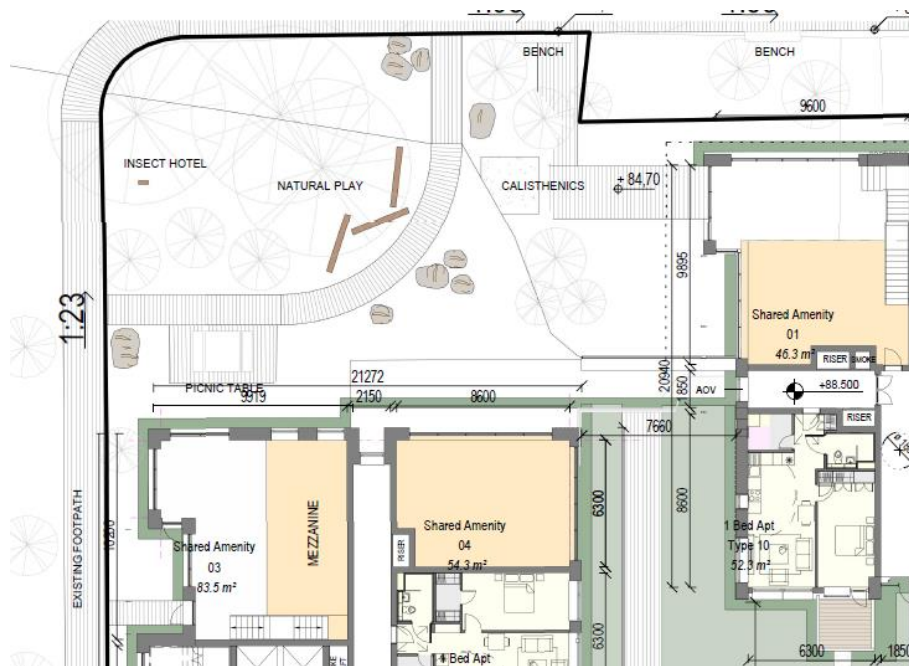


Figure 11 Extract from site plan illustrating location of Shared Amenity spaces overlooking the public open space.

The substantial area would be able to provide ancillary residential communal areas including residents lounge, co-working spaces, gym, concierge area, reading room, meeting room in addition to the provision of shared outdoor terraces. It is envisaged that the unit at the car park entry in Block A will function as a concierge.

3.5 Access and Parking

There is currently one vehicular access to the site from Ravens Rock Road. There is an existing access from Carmanhall Road to the former Avid Technology site. Vehicular access will be from Ravens Rock Road. Vehicular egress will be to Carmanhall Road.

Vehicular parking is provided at approx.. 0.3 spaces per unit (79 overall) at ground and basement levels. A set-down space is also provided on the internal street for servicing and creche. 288 cycle parking spaces are proposed.

3.6 Phasing

The proposed development will be developed in one phase.

It is notable that the subject site shares a common boundary with the adjoining Avid site, which is illustrated in the documentation with this application. The design proposals are fully integrated and it is likely that both scheme would be developed concurrently in the event of achieving planning permission from An Bord Pleanála. This clearly desirable in terms of development feasibility and economics.

However, it is noted that the two sites are in separate ownership, as such in the interest of providing resilient permissions, both sites are designed to be capable of being developed and serviced independently.

It is respectfully submitted that the Board can provide for temporary boundary works. The landscape plan by INM Landscape Architects includes fencing along the common property boundary in the short term if required.

The proposed pedestrian bridge linking the communal open space of the two sites at podium (ground floor) level is clearly a highly desirable amenity feature for the development. The Board is invited to consider including a planning condition that recognises the bridge be implemented in full in association with the development of the adjoining site.

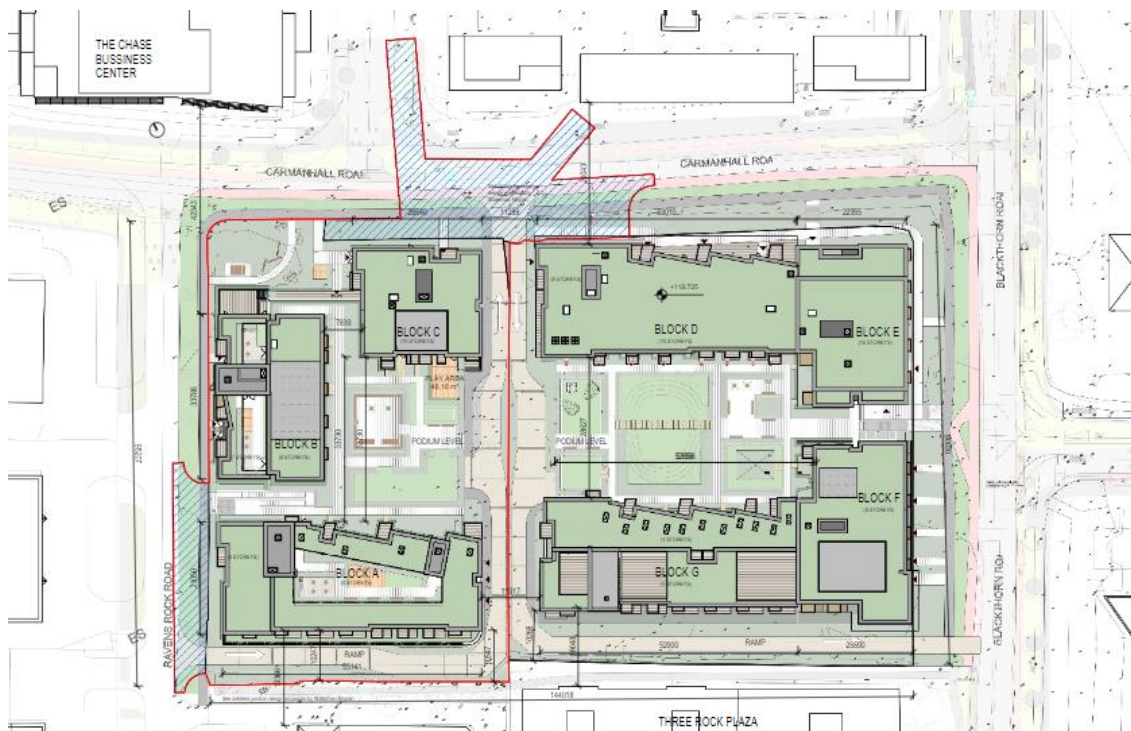


Figure 12: Proposed site plan with red line boundary showing overall masterplan with adjoining 'Avid' Site. Source: McCauley Day O'Connell Architects



Figure 13 Landscape Masterplan for the subject site and adjoining Avid site by NMP Landscape architects



Figure 14 Proposed elevation of development facing Carmanhall Road featuring Pocket Park at the corner with Ravens Rock Road (source: MDO Architects).

4 Planning History

4.1 Relevant Planning History on site

The applicants received planning permission for a mixed-use development which has expired. The permitted development **PA Reg Ref D05A/0566 (5/9/2005)** was for the following:

“The construction of 16,766 sq.m gross floor area; comprising of 609 sq.m retail/commercial floor area at ground floor in 3 units, a 210 sq.m gym/private health club and 15,947 sq.m of residential development comprising 182 apartments with private balconies in three blocks. Block A faces on to Carmanhall Road and is 9 storeys over ground floor with a total height of 33.250 meters, Block B is set into the site and faces Ravens Rock Road across a landscaped courtyard at ground level and is 10 storeys from ground level with a total height of 31.800 meters, Block C is on the corner of Carmanhall Road and Ravens Rock Road and set back from the existing trees and is 12 storeys over ground floor with a total height of 47.871 meters; with 214 car parking spaces and 182 bicycle parking spaces, bin storage across two basement levels with vehicular access from Ravens Rock Road through entry court; emergency vehicle access to garden level is from Carmanhall Road, and ancillary site developments, boundary treatments, all on a site of 0.5783 hectares at Tack Packaging, Carmanhall Road.”



Figure 15 Site Plan for development permitted under PA Reg Ref. D05A/0566

Site Area: 0.5783 Ha

No of Units Proposed: 182 units

Proposed density: 319 units / ha

Retail Area: 609sq.m

Gym Area: 210sq.m

Residential Area: 15,947sq.m

3 Blocks

A- 10 Storey (33.25m) Facing Carmanhall Rd.

B - 10 Storey (31.8m) internal to site

C-14 Storey (47.81) Facing Ravens Rock Rd.

Car Parking: 214 Spaces

Bike Parking: 182 spaces

Due to the recession, this development did not proceed.



Figure 16 Elevation to Ravens Rock Road of development permitted under PA Reg Ref. D05A/0566

4.2 Summary of site planning history

Ref. No.	Description	Decision	Date	Note
RA 588	Factory and Offices Holfeld Hydraulics	Grant	31/7/78	
YA 654	Escape stairs and alterations (extension)	Grant	14/6/83	
88A/568	Single storey industrial building to rear of existing factory	Grant	10/3/89	
95A/0027	New access onto Carmanhall	Grant	15/3/19	
99A/0003	3 Blocks Telemarketing/ Sales/IT 11580 sqm	Refuse	9/11/99	
PL06D.118488 D99A/0977	3 Blocks telemarketing etc 10,175 sqm	Refuse on appeal	27/9/00	

Ref. No.	Description	Decision	Date	Note
D00A/1243	9254 sqm office base industry, 3 blocks	Grant	27/2/01	Not commenced
D02A/0687	Change of use from Industrial Storage to recreational skateboard park, external signage and minor alterations.	Withdrawn	20/8/02	Withdrawn
D05A/0566	Retail/commercial and 182 apartments in three blocks up to 10 storeys	Grant	5/9/2005	Lapsed owing to recession

4.3 Relevant Extant Planning History adjacent to Application Site (Avid)

4.3.1 ABP Ref. 312265-21

Pre-Application Consultation in respect of Proposed Development of 336 no. Build to Rent Apartments and associated site works at former Avid Technology Site, Carmanhall Road, Sandyford Industrial Estate, Dublin 18.

An Bord Pleanála issued a Notice to convene a Pre-Application Consultation meeting on 27th April 2022. An SHD application will be lodged with An Bord Pleanála subsequent to receipt of the Board’s Opinion.

The Design Statement and Masterplan prepared by MDO Architects includes plans and detail on proposals for the Avid site. It demonstrates that the current proposal forms part of a coherent and integrated scheme for development of both sites in accordance with the proper planning and sustainable development of the area.

4.3.2 ABP-310104-21 Application for 428 no. Build to Rent apartments & childcare facility

Atlas GP Ltd. applied for an SHD development on 30/4/21 at the former Avid Site for:

construction of a Build-To-Rent residential development within a new part six, part eight, part nine, part eleven storey rising to a landmark seventeen storey over basement level apartment building (40,814sq.m) comprising 428 no. apartments (41 no. studio, 285 no. one-bedroom, 94 no. two-bedroom & 8 no. three-bedroom units) of which 413 no. apartments have access to private amenity space, in the form of a balcony or lawn/terrace, and 15 no. apartments have access to a shared private roof terrace (142sq.m) at ninth floor level;

ABP Refused Permission for 2 Reasons on 12/8/21:

1. Having regard to the proposed quantum and resulting form of development, in particular the enclosed nature of the scheme layout and height on this restricted site, it is considered that the proposed development would result in a substandard quality of communal open

space and an inadequate range and extent of resident support facilities and amenities serving the entire development.

... Furthermore, substandard bicycle parking facilities have been provided, in particular with regard to accessibility for all residents and the quantum provided for visitors, and the residential amenity of some individual apartments is deficient in relation to private amenity space and daylight availability.

In the absence of suitable alternative proposals to compensate for design deficiencies in the proposed units and the scheme as a whole, the Board considered that the proposed development would result in a substandard level of residential amenity for the future occupants of the proposed development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development would materially contravene the height and density provisions of the Dun Laoghaire-Rathdown County Development Plan 2016-2022, including the Sandyford Urban Framework Plan. The Board is not satisfied that a material contravention of the Development Plan is justified in this instance, in that the proposed development fails to meet the criteria set out in Section 3.2 and Specific Planning Policy Requirement 3 of the Urban Development and Building Height Guidelines for Planning Authorities. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4.3.3 *Sandyford Student SHD ABP Ref 303467*

Atlas GP Ltd. applied for an SHD Student Accommodation development on 4/1/19 at the former Avid Site for Permission for **131 student units** providing 817 student bedspaces on a site c. 1.05 ha. up to 9 storeys. ABP Granted Permission on 30/04/2019. The development provided for the following:

(i) Construction of a student accommodation development with an overall gross floor area of 25,459 square metres in one number seven to nine number storey block. The development will include:

- *17 number two-bed units;*
- *one number three-bed unit;*
- *eight number four-bed units;*
- *42 number five-bed units;*
- *21 number six-bed units;*
- *35 number seven-bed units; and*
- *seven number eight-bed units providing a total of 817 number bed spaces.*

Ancillary student support facilities are also proposed, including: an entrance/reception (101 square metres); management office (55 square metres); and gym (297 square metres) located at ground floor level, and 21 number communal spaces (internal), including movie room, study and hang-out spaces (comprising a total of 842 square metres) across all levels of the building;

(ii) The provision of two number commercial units fronting Blackthorn Road - a café/lounge (119 square metres) and a laundrette (85 square metres) at ground floor level fronting Blackthorn Road;

(iii) The provision of 57 number car-parking spaces (three number of which are disabled car-parking spaces), 586 number bicycle parking spaces (560 number provided within the ground floor parking area and 26 number provided along the Carmanhall Road and Blackthorn Road frontages), five number motorcycle parking spaces; bin stores, plant rooms, switch room and Electricity Supply Board sub-station at ground floor level; alterations to the existing vehicular entrance from Carmanhall Road; creation of a new vehicular entrance from the Blackthorn Road which will serve as an entrance for bin collection and emergency services only; and creation of a new cycle path along the Carmanhall Road and Blackthorn Road frontages;

(iv) All ancillary works, including landscaped areas, comprising an internal courtyard and public open space along the Carmanhall Road and Blackthorn Road frontages; boundary treatments, all ancillary drainage works, including sustainable drainage system, lighting; public footpath works; and all other associated site services, site infrastructure and site development works.

4.3.4 *D16A/0158 1st September 2016*

Permission granted by DLRCC for development comprising demolition of the existing building and the construction of a 5 - 8 storey mixed use development in 2 blocks comprising **147 no.** apartments, crèche, gym, media suite, café; single level undercroft providing 151 no. car parking spaces. The site was stated as 0.89 ha.

4.3.5 *Pre-Application Consultation Opinion for the Tack site (ABP-308186-20).*

Sandyford Environmental Construction Ltd. lodged a Pre-Application submission to ABP on 19/9/20 for:

233 build to rent residential units, a creche, shared amenity facilities, landscaping, underground parking and all site development works above and below ground on three blocks ranging from 6 to 14 storeys above a double basement.

On 22/12/20 The Board issued a Notice of Pre-Application Opinion highlighting the application required Further Consideration and Amendment concerning issues of 1) Development Strategy and 2) Residential Amenity. This included the following:

1. In relation to the scale, height, and design of the proposed development and the potential impact on the adjoining sites and surrounding environs of Sandyford

further consideration/ justification should address the proposed design and massing, inter alia the visual impact, and relate specifically to the justification for any material contravention of the density and height strategy in the development plan, issue of legibility, visual impact, and compliance with Section 3.2 of the Urban Development and Building Heights: Guidelines for Planning Authorities (2018)

2. Further consideration and/or justification of the documents as they relate to future residential amenity, having particular regard to the following:
 - Permeability of the block for pedestrians and movement strategy within and around the blocks, including consideration of interface with and passive surveillance of paths along the eastern and southern boundary, and legibility of the pedestrian entrances to the development.

- The quantum and quality of communal open space including the availability of sunlight and daylight to the courtyard, roof gardens, and the functionality of the spaces, including the ‘pocket park’.
- Sunlight and daylight within the apartments.
- The further consideration of dual aspect units having regard to the requirements of the Sustainable Urban Housing Design Standards for New Apartments (2018), SPPR 4. Further justification required in terms of residential amenity, consideration of outlook, and access to daylight/sunlight.
- Access to community and social infrastructure, open space and amenities, in the wider area.
- Provide updated Sunlight and Daylight Analysis (based on a representative sample of units that includes assessment of worst-case scenarios); updated Wind and Microclimate Analysis (including details of any proposed mitigation measures); and an Inward Noise Assessment

Also, a series of design criteria were highlighted, including:

- Consider further the permeability of the blocks, pedestrian movement strategy between blocks, interface and access to podium level open space, clarity in relation to level changes, interface with proposed new streets, and potential conflict between pedestrians and vehicles using the basement access ramp/‘street
- Detailed quantum and design of open space proposals at all levels including consideration of issues related to wind micro-climate, design, and usability of spaces, in particular at the upper levels, and any implications of the blue roof design.
- Further detail and consideration of works required to the public realm, including the ‘linear greenway’ required under the SUIP
- Provide further justification for the level of car and cycle parking proposed and detail the design of cycle parking spaces and secure storage areas.

The issues addressed in this Opinion are comprehensively addressed in a separate report by MacCabe Durney Barnes.

4.4 Ravens Rock Road SHD -

Under ABP Ref. TA06D.313209 Ravensbrook Limited lodged an application on 4th April 2022 for the Demolition of an existing building and hard surface parking area, construction of 101 no. Build to Rent apartments and associated site works. This proposed development is located directly opposite the Tack site at IVM House, 31 Ravens Rock Road and 31a Ravens Rock Road.

Information on the proposed development at www.ravensrockroadshd.ie confirms it includes the following:

- 101 no. build to rent apartments within a part 5, part 6 to part 11 no. storey building over partial basement comprising 65 no. 1 bedroom apartments and 36 no. 2 bedroom apartments (balconies on all elevations); 734sqm of external communal amenity space provided in the form of a podium courtyard at first floor level and a series of rooftop terraces at fifth, sixth and tenth floor levels, c. 514sqm of public open space provided fronting Carmanhall Road;
- 511 sqm of resident support facilities/ services and amenities space provided at ground and first floor levels;

- Vehicular access to the development will be from the upgraded existing access from Ravens Rock Road;
- Provision of 10 no. car parking spaces [1 no. accessible], 2 no. motorcycle spaces; in an undercroft carpark and 234 no. cycle parking spaces;
- Provision of 4 no. Ø0.3m Microwave link dishes to be mounted on 2 No. steel support pole affixed to lift shaft overrun, all enclosed in radio friendly GRP shrouds, together with associated equipment at roof level;
- Provision of an ESB substation, switch room and plant room at ground floor level, hard and soft landscaped areas, public lighting, attenuation, service connections [on Carmanhall Road, Ravens Rock Road and Arkle Road] and all ancillary site development works (including public realm upgrades on Carmanhall Road and Ravens Rock Road).

Review of the Design Statement highlights the building is conceived as a corner building that complements the massing and development potential on the adjoining sites.

The concurrent submission of this application highlights that the scale, character and character of the Carmanhall Road neighbourhood is developing and evolving rapidly. It is clear that a vibrant mixed use, sustainable urban quarter will emerge quickly in support of the Government's objectives to address housing supply shortages.

4.5 Planning precedents

The site location is situated within an area experiencing rapid transition. SHD applications (ABP 305940-19 & ABP 301428-18) have been granted for high density development on the outskirts of the business park, along Blackthorn Avenue (up to 17 storeys).

Sandyford Central

Former Aldi site, Carmanhall Road, Sandyford Business District, Dublin 18 Case Reference: ABP-305940-19 (Blackthorn Drive (North) /Carmanhall Road) permission was granted for 564 no. build to rent apartments, creche and associated site works on 12/03/2020.

Rockbrook

At the eastern end of Carmanhall Road a mixed use residential scheme (Rockbrook Phase I) and (Rockbrook Phase II) have been granted planning permission (Ref.: ABP304405-19) adjacent to the Aldi site.

The Inspector concluded:

In conclusion, I consider the principle of residential development to be acceptable on this site having regard to the zoning of the site under the Sandyford Urban Framework Plan 2016-2022. The housing density and mix are acceptable with regard to the location of the site in an established urban area adjacent to the Stillorgan Luas stop and close to a wide range of services and facilities. In my opinion, the proposal will provide a high quality development, catering to a certain cohort of the population. The proposed residential design and layout are in accordance with the relevant national and local policies on residential development and will provide a satisfactory standard of residential accommodation and residential amenity. The height and visual impact of the development is considered acceptable and there is a robust rationale for the design approach adopted.

Commenting on the Rockbrook Phase II: SHD scheme (ABP PL06D.304405428) for 428 apartments in two blocks ranging in height from five to fourteen storeys ABP noted:

‘the site is at a location suitable for higher residential densities in accordance with the ‘Guidelines on Sustainable Residential Development in Urban Areas’ and RES3 of the Development Plan due to its proximity to the existing Stillorgan Luas stop and proposed public transport interchange. The proposed residential density exclusive of the proposed retail, commercial and community uses is 255 units/ha. This is acceptable given the location and the established and permitted pattern of development in the immediate vicinity on the Rockbrook site, the former Aldi site to the immediate east and the Beacon South Quarter site to the immediate south.’

Siemens site

Under Ref. ABP-311722-21, The Board Granted Permission on 31/03/2022 for a development comprising of 190 Build to Rent apartment.

The site of c. 0.377 ha comprises at the former Siemens site, corner of Blackthorn Avenue and Ballymoss Road, Sandyford Industrial Estate, Dublin 18.

The ‘Build to Rent’ (BTR) apartment development consisting of two blocks of 14-15 storeys height (including basement) and includes 190 number apartments comprising 92 number one-bed units, 86 number two bed units and 12 number three bed units. The BTR development will also include;

- Resident support facilities and resident services and amenities including entrance foyer / concierge, management area, study workspaces, multipurpose room, storage areas, roof pavilions and bicycle service station.
- Non-residential uses comprising office space (518 square metres), restaurant (232 square metres), gym (163.5 square metres) and café kiosk (25 square metres).
- Provision of a public plaza at the junction of Ballymoss Road and Blackthorn Avenue (stated area 565 square metres), in addition to a publicly accessible garden amenity space (207 square metres) and communal resident amenity spaces (combined total area 1,223 square metres).
- Vehicular and cycle access from Ballymoss Road.
- A total of 59 number basement car parking spaces (54 number resident spaces and five number office spaces).
- A total of 474 number bicycle parking spaces (432 basement spaces and 42 surface spaces).

The Inspectors Report makes a number of important comments which are applicable to this current proposal.

10.5.2. Having regard to the above, I consider that the development materially contravenes the SUFP and development plan policy UD6 in terms of building height and I note that the applicant’s Material Contravention Statement addresses this matter. With regard to national policy, NPO 35 of the NPF seeks to increase residential densities in settlements and NPO 13 states that building heights in urban areas 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. The principle of increased

height, such as that set out here, is therefore supported by the NPF, subject to compliance with the relevant performance criteria.

10.5.6. To conclude, having regard to the applicant’s rationale, to the DLRC CE Report, to and to my above assessment and in view of other national planning policies, I consider that proposed development satisfies the criteria set out in section 3.2 of the Building Height Guidelines. I therefore consider that the proposed 14 – 15 storey height is appropriate within the surrounding context, having regard to the location of the subject site within an existing Mixed Outer Core which is well served by public transport. The permission for 17 storeys on the adjoining Sandyford Central site is also noted in this regard.

13.1 The development is considered to be compatible with the MOC zoning objective that applies at the development site. It will deliver a high quality residential development at a serviced site that is located at a central/accessible location adjacent to a public transport node. The proposed quantum and density of residential development are considered to be acceptable in principle in this context and with regard to relevant national and regional planning policies. The proposed height represents a reasonable response to its context. The development provides a satisfactory standard of amenity and public realm and will contribute to place making in the wider area. It is considered that the development will achieve or contribute to several objectives of the SUFP including in relation to the provision of active street frontages and a public plaza at the junction of Blackthorn Avenue and Ballymoss Road and enhanced pedestrian connections at Ballymoss Road. I am satisfied that the development is in accordance with the SUFP objective to provide a ‘building of notable design’ at this location. I am also satisfied that it will not result in significant adverse impacts on visual or residential amenities such as would warrant a refusal of permission. I am satisfied that the development generally achieves an acceptable quality of design and finish such that it provides an adequate standard of residential accommodation for future occupants, subject to conditions, while making optimum use of this zoned and serviced site in an established residential and employment area adjoining the Stillorgan Luas stop. I also consider that the development is generally satisfactory with regard to national and development plan guidance for BTR development. I am satisfied that the development will not result in a traffic hazard or in undue adverse traffic impacts. Drainage, access and parking arrangements are acceptable subject to conditions. I am satisfied that the development will not be at risk of flooding and will not increase the risk of flooding elsewhere. . Having regard to the above assessment, I recommend that section 9(4)(c) of the Act of 2016 be applied and that permission is GRANTED for the development as proposed.

The Board’s Order is equally instructive to pertinent issues in this current application:

The Board considered that, while a grant of permission for the proposed Strategic Housing Development would not materially contravene a zoning objective of the statutory plan for the area, a grant of permission could materially contravene the Dun Laoghaire-Rathdown county Development Plan 2016-2022 in relation to building height, car parking and housing mix. The Board considers that, having regard to the provisions of section 37(2) of the Planning and Development Act 2000, as amended, the grant of permission in material contravention of the County Development Plan and Local Area Plan would be justified for the following reasons and considerations.

In relation to section 37(2)(b)(i) of the Planning and Development Act 2000, as amended:

The proposed development is considered to be of strategic and national importance having regard to the definition of ‘strategic housing development pursuant to section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, and its potential to increase delivery of housing and its current under supply set out in Rebuilding Ireland Action Plan for Housing and Homelessness issued in July 2016.

5 Consultations with Planning Authority and An Bord Pleanála

5.1 Meetings with Dun Laoghaire Rathdown County Council

5.1.1 Meeting 27th July 2020

Attendees section 247 with Dún Laoghaire Rathdown County Council 27 th July 2020	
Present: Design Team and applicant	Present: DRCC
Joe O'Connell Jerry Barnes Rosie Mclaughlin Robert McCauley Sylwia Allen John O'Donovan Carlota S. Alvarez Donal O Connor Eoin Munn	Ger Ryan Niamh Fleming Eoin Kelliher Bernard Egan Donal Kearney

Topics	Specific comment by DRCC	Response
Strategic	Plan led. Issue with density	Noted and density reduced.
Height	Too high, does not meet SUFP. Different height on Ravensrock Road. Density to high. Avid site different bookend.	Revised. 6 Storey on Ravensrock Rod and 8 in Carmanhall Road. The buildings step up to 8/9 storeys then step up to 14 storey (with a mezzanine) to create a taller building element within scheme providing landscaped corner park.
Layout / design	Layout seems appropriate for site and much better than 2005. Three blocks work v well and preservation of trees. Picking up Avid. Agree will not get perimeter block, U shape good.	Layout amended to provide a street along Avid site side. Design Statement/Masterplan Included
	Own door required	Provided
	No cafes/retail allowed under SUFP Mix, number of studio and one bed and dual aspect and double stack corridors.	Will not provide any commercial for wider area.
	Reference to docklands.	Distinguished from Docklands as that area has residential on both sides
Layout and lighting	Clearly identify dual aspect on drawings. Block A could be better dual aspect and reduce depth of floor plan. Guidelines provide SPPR dual aspect 50 percent in this location.	Scaled drawings provided 1:200 and revised. Dual aspect improved to 46 % and is above requirement of 33% in this area. Avid site permitted by ABP impacts on adjacent site.

Topics	Specific comment by DRCC	Response
	Level of sunlight in courtyard less than 2 hours	Courtyard improved by reducing height of blocks
Adjacent development	Advised to contact adjacent site. Impact on permitted student SHD to be looked at in terms of daylight/sunlight	Willing to work together to get best layout for both sites. Have made contact. Adjacent site seeking new SHD.
Landscape	Council wish to see as many trees kept as possible. Council wish to see continuation of cyleway as approved. Will assist applicant Edge for green corridor, if could meet with parks and transport and how see could be delivered.	Trees will be retained in pocket park. Planted by applicant. Applicant showing area outside application site for information only to be agreed with Council Applicants retaining verge and footpath layout and will meet with Parks after tri partite meeting.
Engineering Roads	Want to avoid multiple access	Applicant has no control over adjacent sites. Creating a new street to east in line with SUFF.
Parking	0.69 parking not lowest but transport will be looking for 1-1.5 per unit and reduction of quantum will start looking better	Noted.
Engineering Drainage	Will share comments with NJOG. Queried type of structure, for attenuation-tank, concrete in basement to take calculated volume	Podium does not lend itself to take surface water Central attenuation, chose adjacent to Ravensrock Road and natural fall
Part V	To be agreed with Council	Noted
Ecology	Report to be provided	No Bats from survey
AA and EIA	Report to be provided	Noted and provided
Others to be provided	Microclimate report SFRA Taking in Charge drawing Waste Management etc.	Waste Management and Microclimate at full report after tri partite meeting. SFRA complete. Taking in charge not applicable

5.1.2 Meeting 19th October 2019

Attendees section 247 with Dún Laoghaire Rathdown County Council 19/10/2020	
Present: Design Team and applicant	Present: DLRCC
Joe O'Connell Jerry Barnes Dave O Connell	Louise McGauran Senior Planner, Michelle Costello, Senior Executive Planner, Bernard Egan, Senior Executive Engineer

Topics	Specific comment by DRCC	Response
Topics	<ul style="list-style-type: none"> - revious planning permission (expired) - Height - Civil engineering - Broad outline of similar plan. 	<ul style="list-style-type: none"> - Density

	- SUFP	Complete redesign carried out
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Topics	Specific comment by DRCC	Response
Strategic	<p>Further consideration/justification of the documents as they relate to the Dun Laoghaire Rathdown Development Plan 2016-2022 and the SUFP</p> <p>Submit a rationale regarding the proposed density and height</p> <p>Set out what amenities/community/social infrastructure are available in the area</p> <p>In relation to open space, outline what exists and what is proposed for the area</p> <p>Material Contravention Statement should address relevant aspects</p>	<p>Noted and density reduced.</p> <p>The density in the surrounding area is high</p> <p>A park and community facilities (creche and community room) are being provided</p> <p>Justification for the height in this urban location with precedent in locality</p> <p>Buildings are set back and 15-20 metres deep</p> <p>The character of the buildings follows the SUFP</p> <p>There are internal streets and courtyards</p>
Development Strategy	<p>Pedestrian movement around and between the blocks needs to be more clearly indicated and permeability issues highlighted. More detail needed in relation to the interaction of buildings with the public realm.</p> <p>Consider a privacy strip for units facing Ravens Rock Road and to the units at the corner of Block C with Ravens Rock Road. Further detail and consideration of public realm works .</p> <p>Clarity is in relation to whether Block C residents can access the communal open space at podium level from that level</p> <p>Further consideration of the impact of the bulk, scale and</p>	<p>Access to the podium level is via the concierge</p> <p>There is controlled access to the central courtyard</p> <p>Steps are proposed from the green street</p> <p>The eastern street connects to the southern street</p> <p>There is a fall of 3 metres</p> <p>A ramp will link both streets</p>

Topics	Specific comment by DRCC	Response
	<p>massing of the proposed development on the adjoining sites and vice versa</p> <p>Show the calculation of open space areas, what is included and what is excluded.</p> <p>The childcare facility play space is not indicated on the plan and should not be included in the communal area calculation</p> <p>The quantum and quality of the communal open space, including detailed designs, required for communal open space at podium level and above on the 7th, 8th and 9th floors.</p> <p>A more detailed arboricultural assessment is required</p>	
	<p>Show impacts on the courtyards</p> <p>Layout is good</p> <p>Retention of the landscape to the north is positive</p> <p>The gabbling onto the adjoining site is good.</p> <p>Concerned with the green street and wrap around.</p> <p>Detail the treatment of the Mercury building</p> <p>Proposed basement ramp is a concern</p> <p>Consider moving the vehicular entrance to Mercury House</p> <p>Look to integrate the loading bays</p> <p>Quality of open space is a concern</p>	
Height	<p>Too high, does not meet SUFP. Different height on Ravensrock Road. Density too high.</p> <p>Avid site different bookend.</p>	<p>Revised. 6 Storey on Ravensrock Road and 8 in Carmanhall Road. The buildings step up to 8/9 storeys then step up to 14</p>

Topics	Specific comment by DRCC	Response
		storey (with a mezzanine) to create a taller building element within scheme providing landscaped corner park.
Layout / design	Layout seems appropriate for site and much better than 2005. Three blocks work v well and preservation of trees. Picking up Avid. Agree will not get perimeter block, U shape good.	Layout amended to provide a street along Avid site side. Design Statement/Masterplan Included
	Own door required	Provided
	No cafes/retail allowed under SUFP Mix, number of studio and one bed and dual aspect and double stack corridors.	Will not provide any commercial for wider area.
Layout and lighting Residential Amenity – sunlight/daylight, dual aspect apartments, residential support facilities and amenities, communal open space	Outline the sunlight/daylight impact on the apartments, courtyards and roof terraces Clarify the number of dual aspect apartments Detail the quantum of residential support facilities and amenities Justify the amenity value for apartments Show the movement between shared amenity spaces Clarify the design rationale for the mezzanine level to the childcare facility Show bin storage areas Identify play area for the childcare facility and how it interfaces with the proposed podium level open space and playground.	Scaled drawings provided 1:200 and revised. Dual aspect improved to 46 % and is above requirement of 33% in this area. Avid site permitted by ABP impacts on adjacent site. Courtyard improved by reducing height of blocks The lighting for courtyards follows BRE standards North facing units have a good standard of daylight 5% of rooms don't comply This will be addressed

Topics	Specific comment by DRCC	Response
	<p>Council:</p> <p>The centre of the courtyard falls below BRE standards</p> <p>Detail amenities being provided</p> <p>Explain how trees are being protected</p>	
Adjacent development	<p>Advised to contact adjacent site. Impact on permitted student SHD to be looked at in terms of daylight/sunlight</p>	<p>Willing to work together to get best layout for both sites. Have made contact. Adjacent site seeking new SHD.</p>
Landscape	<p>Council wish to see as many trees kept as possible. Council wish to see continuation of cycleway as approved. Will assist applicant</p> <p>Edge for green corridor, if could meet with parks and transport and how see could be delivered.</p>	<p>Trees will be retained in pocket park. Planted by applicant.</p> <p>Applicant showing area outside application site for information only to be agreed with Council</p> <p>Applicants retaining verge and footpath layout and will meet with Parks after tri partite meeting.</p>
Open Space	<p>Council Concerned that the proposed high density will affect open space in the wider area</p> <p>Potential deficit of public open space in the wider area</p>	<p>This site is a central site and is self sufficient</p>
Transport	<p>Outline the quantum of car parking</p> <ul style="list-style-type: none"> • Show the accessibility of cycle parking spaces • Explain the provision for cycle parking in the public realm • Re-examine the loading bay on Ravens Rock Road 	<p>Satisfied with the level of parking</p> <p>Loading bays can be examined</p>
Engineering Roads	<p>Want to avoid multiple access</p> <p>Council:</p> <p>The green street needs good permeability</p> <p>Outline the levels</p> <p>Try to preserve the existing pedestrian routes</p>	<p>Applicant has no control over adjacent sites.</p> <p>Creating a new street to east in line with SUPP.</p>

Topics	Specific comment by DRCC	Response
	<p>Ensure easy access to the basement for the short stay bicycle parking</p> <p>Proposal for the cycle path at Carmanhall Road will be published in January</p> <p>Satisfied with the public realm at Carmanhall Road</p>	
Parking	<p>0.69 parking not lowest but transport will be looking for 1-1.5 per unit and reduction of quantum will start looking better</p> <p>Council:</p> <ul style="list-style-type: none"> • Car parking is low at 0.53 spaces per unit 	<p>Noted.</p> <p>ABP Precedent for lower parking ratio in SUFP area</p>
Engineering Drainage	<p>Will share comments with NJOG.</p> <p>Queried type of structure, for attenuation-tank, concrete in basement to take calculated volume</p> <p>Detail surface water</p> <p>Outline the flood risk assessment in relation to blockages and the potential for surcharging</p> <p>Provide more information for the blue roof proposals</p>	<p>Podium doesn't lend itself to take surface water</p> <p>Central attenuation, chose adjacent to Ravensrock Road and natural fall</p> <p>Satisfied that any potential issues can be overcome</p>
Part V	To be agreed with Council	Noted
Ecology	Report to be provided	No Bats from survey
AA and EIA	Report to be provided	Noted and provided
Others to be provided	<p>Microclimate report</p> <p>SFRA</p> <p>Taking in Charge drawing</p> <p>Waste Management etc.</p>	<p>Waste Management and Microclimate at full report after tri partite meeting.</p> <p>SFRA complete.</p> <p>Taking in charge not applicable</p>

5.2 Tri partite meeting with An Bord Pleanála ABP-308186-20

The tripartite meeting and pre-application documentation resulted in a detailed Opinion from the Board. This is addressed in a separate document as a response to the Opinion. The main items under discussion are noted as follows. ABP’s formal Record of Meeting is included as an Appendix to this report.

Attendees section 247 with Dún Laoghaire Rathdown County Council 17th December 2020		
Present: Design Team and applicant	Present: DRCC	An Bord Pleanála:
Robert McCauley, MDO Architects Sylwia Allen, MDO Architects Carlota Alvarez, OCSC Eoin Munn, Transport Insights John O’ Donovan, NJ O’ Gorman Engineers Jerry Barnes, MacCabe Durney Barnes Joe O’ Connell, UI Group Shelley Hargadon, UI Group	Ger Ryan, Senior Planner Gormla O’Corrain, Senior Executive Planner Bernard Egan, Senior Executive Engineer, Drainage Claire Casey, Senior Executive Engineer, Transportation Donal Kearney, Assistant Parks Superintendent, Parks and Landscape Services	Tom Rabbette, Assistant Director of Planning Una O’ Neill, Senior Planning Inspector Ciaran Hand, Executive Officer

5.3 Conclusion of Consultations

The applicants and the Planning Authority engaged in discussions at a general and specific level on the proposed development. As seen from above, the applicants have designed the scheme to respond to all the issues raised by the Planning Authority and the opinion of the Board.

A separate report prepared by MacCabe Durney Barnes provides a comprehensive Response to An Bord Pleanála’s formal PAC Opinion.

6 Strategic policy context

6.1 Dun Laoghaire Rathdown County Development Plan 2016-2022

It was noted in section 1 of this report that this application is made during a transition period between two development plans. The new Development Plan was adopted by the Elected Members of the Council at a special Council meeting held on the 10th of March 2022. The Plan will come into effect in 6 weeks from that date (i.e. 21st April 2022). Under the transitional provisions of the the Planning and Development (Amendment) (Large-scale Residential Development) Act 2021 this SHD application may be lodged no later than 19th April 2022. Therefore, while this SHD application is lodged under during the term of the expiring 2016 – 2022 County Development Plan, it will be assessed under the policies of the adopted Dún Laoghaire Rathdown County Development 2022-2028. The Statement of Consistency in Part B of this report addresses the policy of both plans.

In terms of site specific guidance and standards for residential development the County Development defers to the ‘Sustainable Urban Housing – Design Standards for New Apartments (updated December 2020)’. This is carried over to the recently adopted County Development Plan 2022-2028. SPPR 3 of the Urban Development and Building Height Guidelines for Planning Authorities is also important. Both are addressed below.

6.1.1 Zoning

The current zoning objective in the DúnLaoghaire- Rathdown County Development Plan 2016-2022 is Objective A2 *“To provide for the creation of sustainable residential neighbourhoods and preserve and protect residential amenity”.* (see Figure 17)

6.1.2 Residential

Policy RES 3 in relation to Residential Density states:

“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.”

The Plan then states:

“As a general rule the minimum default density for new residential developments in the County (excluding lands on zoning objectives ‘GB’, ‘G’ and ‘B’) shall be 35 units per hectare. This density may not be appropriate in all instances, but will serve as a general guidance rule, particularly in relation to ‘greenfield’ sites, or larger ‘A’ zoned areas.”

Section 8.2.3.2(ii) *“In general the number of dwellings to be provided on a site should be determined with reference to the Government Guidelines document: ‘Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities’ (2009).....However, the overriding concern should be the quality of the proposed residential environment to be created and higher densities will only be acceptable if the criteria which contribute to this environment are satisfied. Higher residential density will not be appropriate in every circumstance and qualitative built form can sometimes be a more important determinant. Higher densities should have regard to surrounding dwellings and should be achieved in tandem with the protection of the amenity of future residents of the proposed development.”*

With regard to public transport services and residential density, the Development Plan states:

“Where a site is located within circa 1 kilometre 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 a District Centre, higher densities at a minimum of 50 units per hectare will be encouraged.”

6.1.3 Building Heights:

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

Appendix 9, ‘Building Height Strategy,’ outlines Development Plan policy in relation to building height. Appendix 9 in turn defers the evaluation of building height to the Sandyford Urban Framework Plan 2016.

The proposed scheme proposes a mix of building heights of 6 to 10 storeys. The taller element is located appropriately to ensure there is no overlooking or overbearing impacts.

6.2 Sandyford Urban Framework plan 2016 (SUFP)

SUFP 3 refers to height and states:

‘It is Council Policy that building height in Sandyford Business District accords with the height limits indicated on Building Height Map 3.’

The Sandyford Urban Framework Plan 2016 sets out blanket heights for individual parcels of land within the Sandyford Business District including the subject site which has been designated as having a permitted/developed height limit of 6-8 storeys.

As noted above, ABP has accepted the rationale that higher and denser develop is suitable at certain locations within the district.



Figure 17: Map No. 1 of SUFP - Land Use Zoning

Specific Local Objective 113 applies to the subject site. It states:

To facilitate the provision of community infrastructure at ground floor along the eastern outer edge of the Carmanhall residential neighbourhood along Blackthorn Road, to create active street frontage and to ensure the appropriate provision of social and community infrastructure to serve the needs of the resident and employee population.

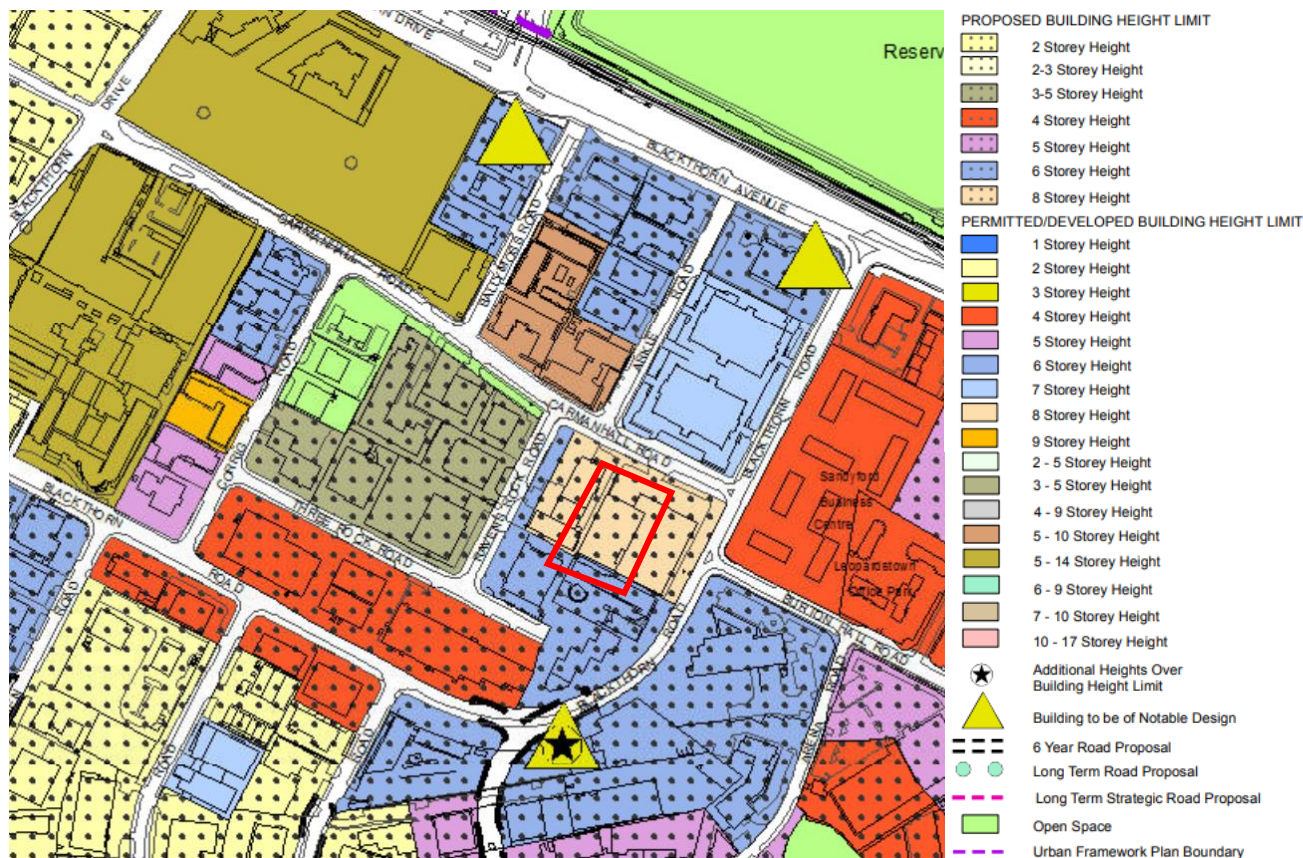


Figure 18: Map no. 3 Building Height (SUFP 2016-22)

The SUFP notes “at strategically identified locations the SUFP allows for the design of buildings or elements to exceed the generally permitted building height by one or two storeys”.

It further notes “it is essential that any building makes a positive contribution to the built form of the area. It is intended that building height shall therefore be determined by how it responds to its surrounding environment and be informed by; location; the function of the building in informing the streetscape; impact on open space and public realm (in particular shadow impact), impact on adjoining properties, views into the area and long distance views.”

6.2.1 Evolving Height Strategy in adopted County Development Plan 2022-28

It is pertinent to refer to the adopted County Development Plan SUFP. The Figure below shows that the new increases the general height of the block to 9 Storeys. The adopted Plan also states:

“This residential neighbourhood shall be contained by tall buildings at either end of Carmanhall Road”.

The adopted Plan (SUF) refers to the area under section 3.5.4. **Zone 5 – Sustainable Residential Neighbourhoods; - 11: Carmanhall Road Residential Neighbourhood.**

- Carmanhall Road which forms the base line for this residential neighbourhood is considered essential in enhancing connectivity and linking the different retail, commercial and residential aspects of Sandyford Business District.
- **This residential neighbourhood shall be contained by tall buildings at either end of Carmanhall Road where the building line along the southern side of Carmanhall Road shall be set back to provide a linear greenway.** This linear greenway will widen into a substantial Civic Park located at the junction of Corrig Road and the north west of Carmanhall Road. It is envisaged that the Park together with the greenway will provide high amenity open space for both the local residents and employees alike.
- **The urban form shall provide a strong, animated and active outer edge, with commercial uses at ground floor level, to the residential neighbourhood fronting onto Blackthorn Road. This outer edge whilst promoting routes and permeability will act as a buffer to the inner residential area and the green areas of this neighbourhood.**

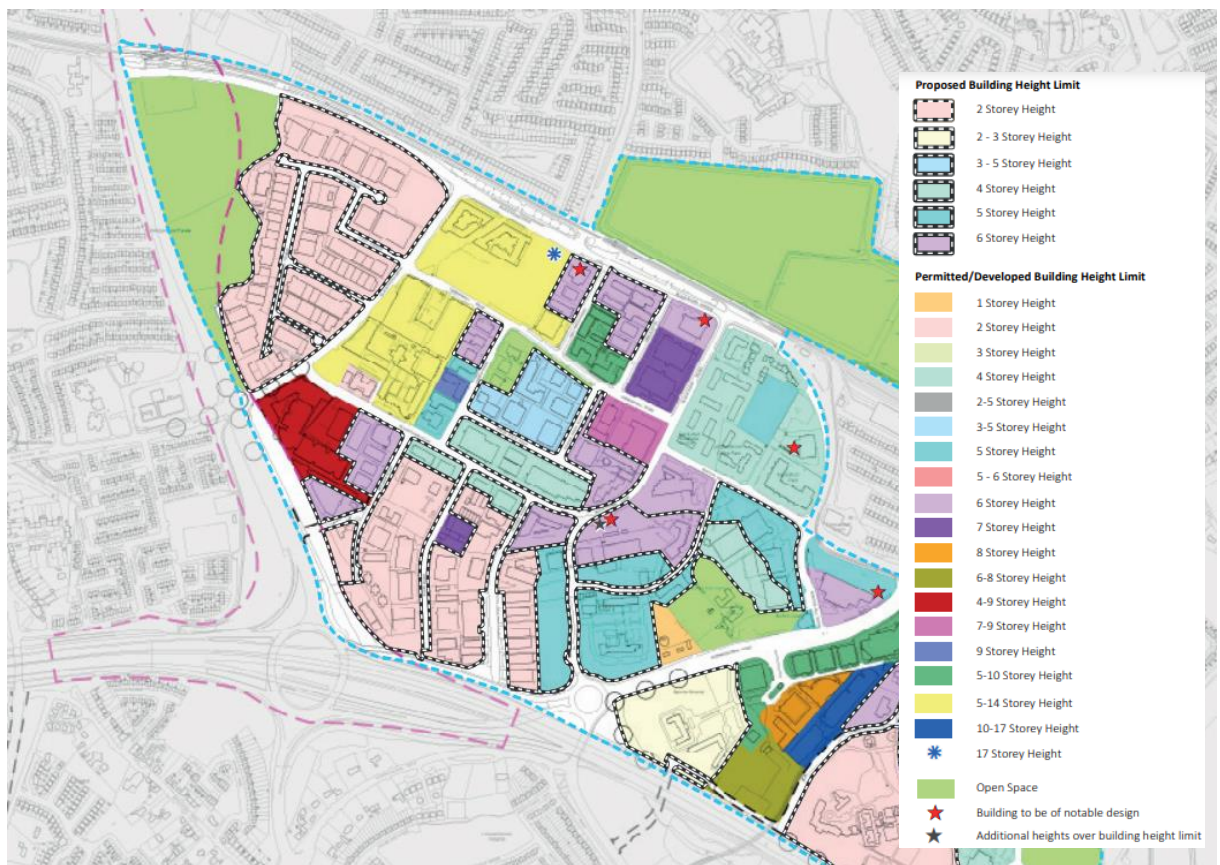


Figure 19: Map 3 – Building Heights of the Sandyford Urban Framework Plan 2022-2028

6.2.2 Character Areas



Figure 7 Drawing 11 Design Principles and Character Areas

The proposed development has been designed to address the following objectives of the current SUPP.

- Carmanhall Road which forms the base line for this residential neighbourhood is considered essential in enhancing connectivity and linking the different retail, commercial and residential aspects of Sandyford Business District.
- This residential neighbourhood shall be contained by tall buildings at either end of Carmanhall Road where the building line along the southern side of Carmanhall Road shall be set back to provide a linear greenway. This linear greenway will widen into a substantial Civic Park located at the junction of Corrig Road and the north west of Carmanhall Road. It is envisaged that the Park together with the greenway will provide high amenity open space for both the local residents and employees alike.
- The urban form shall provide a strong, animated and active outer edge, with active uses at ground floor level, to the residential neighbourhood fronting onto Blackthorn Road. This outer edge whilst promoting routes and permeability will act as a buffer to the inner residential area and the green areas of this neighbourhood.
- The inner 'softer centre' of the residential neighbourhood shall comprise of a number of square urban blocks in a grid pattern of suitable scale and size in order to facilitate good sun penetration to the lower floor units.
- To promote connectivity, the urban blocks shall be individually modelled to provide visual variety for both residents and those working within Sandyford Business District. The blocks shall be of sufficient density to sustain urban living.

6.2.3 Density/plot ratio

With regards to density and scale, SUPP 2 (2016) states

“It is Council policy to ensure that Sandyford Business District develops in an orderly manner in accordance with the increase in uses set out in the objectives of this Plan and the Density and plot ratio set out in Map 2”.

The subject site is indicated as the location for maximum density in the district. The SUFP envisaged a density of 175 units per ha. The proposed density is approx.. 295.8 units per ha.

6.2.4 *Urban Development and Building Heights (2018)*

The Sandyford Urban Framework Plan 2016 was prepared prior to the adoption and progression of national policy, the subsequent *Ireland 2040 - National Planning Framework*, the *Urban Development and Building Heights Guidelines for Planning Authorities 2018* and the *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities 2020* take precedence over local level objectives.

Increased height and associated density represents the principles of proper planning and sustainable development and is fully in accordance with National Policy which seeks to increase height and density in appropriate core urban areas.

The Guidelines were published subsequently to the National Planning Framework and set out the criteria for consideration for increased building height in urban / city-centre locations and suburban and wider town location with a view to accommodate significant population growth. It is now Government policy to generally seek to increase building height in appropriate urban locations.

The key relevant Specific Planning Policy Requirements (SPPRs) are summarised as follows:

SPPR 1 Planning Authorities are responsible for identifying appropriate locations for building heights in their statutory plans and that no blanket ‘numerical’ height shall be applied.

SPPR 2 In driving general increases in building heights, planning authorities shall also ensure appropriate mixtures of uses, such as housing and commercial or employment development, are provided for in statutory plan policy.

SPPR 3 Where; (A) 1. an applicant for planning permission sets out how a development proposal complies with the criteria above; and 2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines; then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise

SPPR 4 In planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure three criteria.

SPPR 1 of the Guidelines notes that blanket numerical limitations on building height shall not be provided through statutory plans therefore the imposition of the height restriction at the subject site would be contrary to SPPR 1. The subject site is suitably located to accommodate additional height in line with National Policy due to its central and accessible location (as set out in the Apartment Guidelines, 2018) in close proximity to numerous substantial employers, located within easy walking distance and the Luas of high capacity urban public transport stops. The Board’s decision for the former Aldi and Siemens sites highlights that the new design for this site is appropriate under SPPR 3 criteria.

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

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

The Guidelines provide that where there is good planning, good management, and the necessary social infrastructure, higher density housing has proven capable of supporting sustainable and inclusive communities. In general, increased densities should be encouraged on residentially zoned lands and particularly in (a) City and town centres; (b) ‘Brownfield’ sites (within city or town centres) and (c) Public transport corridors.

(a) City and town centres

“5.5 The increase of population within city or town centres with their range of employment, recreation, educational, commercial and retail uses can help to curtail travel demand; therefore, these locations have the greatest potential for the creation of sustainable patterns of development. Increasing populations in these locations can assist in regeneration, make more intensive use of existing infrastructure, support local services and employment, encourage affordable housing provision and sustain alternative modes of travel such as walking, cycling and public transport. While a mix of residential and other uses will often be desirable in city and town centres, particular care is needed to ensure that residential amenity is protected. The infilling of “gap” sites will also contribute to the improvement of the architectural form.”

“ 5.6 In order to maximise inner city and town centre population growth, there should, in principle, be no upper limit on the number of dwellings that may be provided within any town or city centre site, subject to the following safeguards:

- *compliance with the policies and standards of public and private open space adopted by development plans;*
- *avoidance of undue adverse impact on the amenities of existing or future adjoining neighbours;*
- *good internal space standards of development;*
- *conformity with any vision of the urban form of the town or city as expressed in development plans, particularly in relation to height or massing;*
- *recognition of the desirability of preserving protected buildings and their settings and of preserving or enhancing the character or appearance of an Architectural Conservation Area; and*
- *compliance with plot ratio and site coverage standards adopted in development plans”.*

The proposed development for 207 units is high density development in an appropriate location in a Build To Rent model. The proposed development is a material contravention of the SUFP in terms of height and density and a statement to that effect has been prepared accordingly.

7 Appropriate Assessment, Ecological Assessment and Environmental Impact Assessment

7.1 Appropriate Assessment

The European Council Birds Directive (79/409/EEC) and E.C. Habitats Directive (92/43/EEC, as amended), which are jointly transposed into Irish law by the European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477/2011, as amended).

A screening for Appropriate Assessment report has been prepared by Golder Associates as part of the planning application for a residential development.

In accordance with their obligations under the European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477/2011), the proposed development has to be assessed if the development could have 'likely significant effects' on any other Natura sites. The screening document provides supporting information to assist the competent authority with an Appropriate Assessment screening exercise, including: a description of the proposed development, details of its environmental setting, a map and list of Natura 2000 sites within the potential zone of impact, and an assessment of potential impacts. It is concluded that the proposed development will not cause direct or indirect impacts on any Natura 2000 sites, and that Appropriate Assessment is not required.

7.2 Environmental Impact Assessment

An EIAR report by Golder associates accompanies the application. With a total of 207 units the application falls beneath the mandatory threshold for EIAR infrastructure development under the Planning and Development Regulations (2001-21), Schedule 5, Part 2, Infrastructure Projects 10(b)(1).

However, considering the overall strategy to pursue a co-ordinated and concurrent approach to the Tack and Avid sites Site and cumulative development, it is considered that the cumulative impact of the two sites exceeds the Threshold and as such it is prudent to undertake an EIAR that has regard to the potential impact of development of both sites .

The EIAR document provides full detail on the scope and rationale for the EIAR assessment.

8 Part V

As part of the s247 pre-application consultations with South Dublin County Council, Part V units were proposed in Block A at Ground and First Floor level. The letter from Dun Laoghaire Rathdown County Council, dated 29th March 2022, responded to this proposal for a 25 year long-term lease of units on site. The current proposal reflects this original proposal and includes 20 dwellings representing 10% of all floor area and consists of:

- 4 no. Studio units
- no. 1 bed apartments
- 6 no. 2 bed apartments

9 Legal Covenant

A legal covenant is required for Build to Rent Schemes. Build-to-Rent developments must remain as a managed accommodation for 15 years, and no individual units are sold or rented separately for this period of time. A draft legal agreement accompanies this application.

10 Flood risk

The site and development proposals have been considered in accordance with the requirements of “*The Planning System and Flood Risk Management Guidelines for Planning Authorities*” 2009, published by the Department Environment, Heritage and Local Government.

A flood risk screening report accompanies the application prepared by Waterman Moylan.

11 Water Services and Drainage

Please see engineering service report from Waterman Moylan. The scheme has been designed in accordance with the requirements of Irish Water. A *Statement of Design Acceptance* from Irish Water accompanies the application.

The surface water drainage and attenuation have been designed in consultation with Dun Laoghaire Rathdown County Council’s Engineering Department. It accords with their requirements.

For full details, please see *Engineering Drainage Report* from Waterman Moylan Consulting.

12 Access and traffic

Please see Traffic and Transport Assessment, Travel Plan and DMURS statements from Waterman Moylan Engineers. Car parking with a total of 79 car spaces will be provided at Lower Ground Level and Basement. Cycle parking with 288 spaces will be provided at Lower Ground Level. Access for vehicular traffic is proposed from Ravens Rock Road with egress onto Carmanhall Road. Parking provision for motorcycles within the proposed development will be 3 spaces (4% of the car parking provision).

The public realm around the site will incorporate an upgrade of the pedestrian and cycle environment. The development includes all associated infrastructure to service the development including access junctions, footpaths and cycle paths together with a network of watermains, foul water drains and surface water drains.

An entrance only access is proposed on Ravens Rock Road for cars, service deliveries, refuse freighter and emergency vehicles.

An exit only for all vehicles is proposed onto Carmanhall Road immediately to the west of the boundary between the subject site and the adjoining Avid Technology site to the east.

No constraint is expected from the existing signalised pedestrian crossing which is located immediately to the west of the existing access. It is proposed that this crossing be relocated as part of the Sandyford Business District Pedestrian and Cycle Scheme.

The internal road layout and possible future connection to the future internal road layout within the former Avid Technology site to the east. The traffic assessment incorporates concurrent development proposals for the former Avid Technology site provide for approx.. 336 Build-to-Rent residential units and 118 car parking spaces at Lower Ground Level and Basement. Access is proposed from Carmanhall Road and egress onto Blackthorn Road.

The TTA provides a comprehensive assessment of public transport availability and capacity in the area. The nearest Luas stops are the Stillorgan Stop and the Sandyford Stop both located on Blackthorn Avenue less than 0.5km to the north of the proposed development. Both stops are within 6 minutes walking distance.

It notes that Services on the Luas Green Line between St Stephens Green and Sandyford commenced in 2004. Subsequently, the line was extended south to Cherrywood in 2010 (Line B1) and north to Broombridge in 2017 (Line BX). Luas services operate at 2 – 15 minute intervals in both directions. There are some 200 services per day in each direction between Sandyford and the City Centre.

The area is well served by bus as well. This includes Dublin Bus (Routes 11, 47 and 75), Go Ahead (Route 114) and (Aircoach Dublin Airport) services to. Future bus routes under Bus Connects are also considered.

The internal road network has been designed in accordance with the requirements of the *Design Manual Urban for Roads and Streets* (DMURS). The *Traffic and Transport Assessment* by Waterman Moylan demonstrates how the scheme has been designed from a traffic and transport perspective to integrate within the existing network and to minimise potential impacts.

13 Construction and Demolition Management /Waste Plans

A Preliminary Construction and Environmental Management Plan (CEMP) prepared by Golder WSP Environmental Consultants, a Preliminary Construction Management Plan (CMP) and a Resource & Waste Management Plan (RWMP) for Construction & Demolition Waste by Waterman Moylan Engineers and an Operational Waste Management Plan prepared by AWN Consulting accompany the application.

14 Conclusion

The proposed development is for a high-quality residential development on residentially zoned land. The proposal achieves the government policy of providing housing in established areas to meet compact growth objectives. The proposal specifically seeks to proactively respond to the Board's Opinion by providing a co-ordinated and coherent planning and design strategy for both Tack and Avid sites. The proposal is consistent with national and local policy and the proper planning and sustainable development of the area.

Part B – Statement of Consistency

15 Statement of Consistency

15.1 Key provisions

The key national and regional planning policy documents as well as Section 28 Guidelines as it relates to the proposed development are set out below. After each section it is indicated if the development is consistent with the stated policies.

National	Project Ireland 2040 - National Planning Framework (2018)
	National Development Plan 2018-2027
	Rebuilding Ireland Action Plan for Housing and Homelessness (2016)
	Housing for All – A New Housing Plan for Ireland (2021)
	National Transport Authority Transport Strategy for the Greater Dublin Area 2016- 2035
	Design Manual for Urban Roads and Streets (2013) amended 2019
	Smarter Travel – A New Transport Policy for Ireland (2009-2020)
	Birds and Habitats Directive
	Delivering Homes, Sustaining Communities (2007) and the accompanying Best Practice Guidelines- Quality Housing for Sustainable Communities (2007)
	The Provision of Schools and the Planning System – A Code of Practice for Planning Authorities 2008
	Climate Action Plan 2019
	Architectural Heritage Protection Guidelines for Planning Authorities 2011
Regional	Eastern and Midland Regional Assembly - Regional Spatial & Economic Strategy (RSES) 2019
Guidelines	Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (2020)
	Urban Development and Building Heights- Guidelines for Planning Authorities (2018)
	The Planning System and Flood Risk Management (2009)

	Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)
	Urban Design Manual - A Best Practice Guide (2009)
	The Planning System and Flood Risk Management (2009)
	Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (2009)
	Urban Design Manual - Best Practice Guidelines (2009)
	Guidelines for Planning Authorities on Childcare Facilities (2001)
County	Dún Laoghaire Rathdown County Council Development Plan 2016-2022
	Dún Laoghaire Rathdown County Council Development Plan 2022-2028
Local	Sandyford Urban Framework Plan (SUFPP)

15.2 National

15.2.1 Project Ireland 2040 - National Planning Framework

The National Planning Framework (NPF) guides national, regional and local planning decisions until 2040 as the high-level strategic plan for shaping the future growth and development. The National Strategic Outcomes are expressed as follows:

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

Several policy objectives may be considered applicable to this development.

National Policy Objective 3a

This states that it is a national policy objective to *“deliver at least 40% of all new homes nationally within the built up envelope of existing urban settlements”*.

The present application fully meets this objective.

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.'

The proposed development is located on residentially zoned lands in an urban area. In particular, the location of new housing should be prioritised in existing settlements, in this case within the built-up area of Sandyford. The site is on a site contiguous to existing and approved development.

National Policy Objective 13:

"In urban area, planning and related standards, including 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".

The NPF 2040 seeks to increase densities and building heights in appropriate urban locations to consolidate urban sprawl and increase the sustainability of public transport networks. The NPF states that:

"In particular, general restriction on building height or universal standards for car parking or garden size may not be applicable in all circumstances in urban areas and should be replaced by performance based criteria appropriate to general locations e.g. city/ town centre, public transport."

The proposed development is located within the Sandyford Urban Area which is a major employment hub. The subject development is also located in an area that has the potential to accommodate increased building heights adjacent to high quality public transport and major employment centres. It is therefore considered that the subject site is an appropriate location for increased building heights and increased densities and supports the objectives of the NPF. The SUFP has not been revised in light of the Building Height Guidelines 2018. The proposed development provides for a high-quality Build To Rent accommodation within an urban area which will create an attractive, liveable and well designed urban place capable of creating a diverse and integrated community within the existing residential and commercial area.

National Policy Objective 32

'To target the delivery of 550,000 additional households to 2040 National Policy.'

The present application contributes to this objective.

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.'

The present application meets this objective and has regard to the pre-application consultation. New homes will be provided at a sustainable location, with access to existing services and facilities, including Luas adjacent. It includes elements of community facilities which positively contribute to the quality of life of existing and prospective residents.

Policy Objective 34

‘Support the provision of lifetime adaptable homes that can accommodate the changing needs of a household over time.’

The present application meets this objective by providing a mix of unit sizes. A lifecycle assessment report will be submitted as part of the final application to An Bord Pleanála.

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.’

The proposed development meets this objective and replaces low density non-conforming light industrial and office building with residential use on residentially zoned lands.

15.2.2 National Development Plan 2018-2027

The National Development Plan sets out the investment priorities that will underpin the successful implementation of the new National Planning Framework (NPF). This will guide national, regional and local planning and investment decisions in Ireland over the next two decades, to cater for an expected population increase of over 1 million people.

“1.6 Housing Challenge

Resolving the systemic factors underlying the current housing crisis is at the heart of the NPF and reflecting this, housing and sustainable urban development is a priority for the National Development Plan. By 2040 the population of Ireland is expected to reach almost 6 million with a need for 550,000 more homes and the creation of 660,000 additional jobs to achieve and maintain full employment. The need to provide in excess of half-a-million more homes over the period to 2040 corresponds to a long-term trend of 25,000 new homes every year. A higher level of output is needed in the short- to medium-term to respond to the existing deficit that has given rise to the housing crisis.”

The proposed development provides 207 residential units at an appropriate density and mix along with the provision of ten percent integrated social housing. The proposed development accords with the National Development Plan.

15.2.3 Rebuilding Ireland Action Plan for Housing and Homelessness (July 2016)

The overarching aim of this Action Plan was to ramp up delivery of housing from an under-supply across all tenures to help individuals and families meet their housing needs, and to help those who are currently housed to remain in their homes or be provided with appropriate options of alternative accommodation, especially those families in emergency accommodation.

Accelerating delivery of housing for the private, social and rented sectors is a key priority for the Government. Ensuring sufficient stable and sustained provision of housing that is affordable, in the right locations, meets peoples different needs and is of lasting quality.

The Plan sets targets to double the annual level of residential construction to 25,000 homes and deliver 47,000 units of social housing in the period to 2021, while at the same time making the best use of the existing housing stock and laying the foundations for a more vibrant and responsive private rented sector.

It included:

Pillar 3 – Build More Homes

Increase the output of private housing to meet demand at affordable prices.

Pillar 4 – Improve the Rental Sector

Address the obstacles to greater private rented sector delivery, to improve the supply of units at affordable rents.

Under the heading of ‘Key Actions to be delivered under the action plan’ it includes:

Pillar Objective	Key Actions
Address the obstacles to greater private rented sector delivery, to improve the supply of units at affordable rents.	<ul style="list-style-type: none"> • Develop a strategy for a viable and sustainable rental sector • Introduce legislation on balanced arrangements for tenancy terminations • Review the standards for rental accommodation • Enhance the role of the Residential Tenancies Board • Introduce an Affordable Rental Scheme • Encourage “build to rent” • Support greater provision of student accommodation

The proposed development provides 207 Build to Rent residential units at an appropriate density and mix along with the provision of ten percent integrated social housing in high density urban area. The proposed development accords with this Government Strategy *Rebuilding Ireland Action Plan for Housing and Homelessness*.

15.2.4 Housing for All – A New Housing Plan for Ireland (DHLGH 2021)

This strategy highlights that Ireland’s housing system is not meeting the needs of enough of our people stating (p.16);

- There are not enough houses to buy or rent in the private sector.
- There are not enough houses being built by the State for those who need social housing.
- Housing has become increasingly unaffordable for the ‘squeezed middle’ who would once have expected to be able to purchase their own home.
- Too many people are experiencing homelessness or are unable to access appropriate housing.
- The cost of building housing is too high.
- Too much vacant housing stock remains unused.
- Our housing stock needs to be more environmentally friendly.

Housing for All provides four pathways to achieving four overarching objectives:

- Supporting Homeownership 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

It notes at page 23 that *“The State must act decisively to increase supply of both private and public housing. An average of 33,000 homes must be provided every year between now and 2030. Increased housing output is needed in all sectors - private, affordable and social – to meet the needs of people in a wide variety of circumstances.”*

Private Rental and Private Ownership Homes are the biggest Pathway for delivering housing output from 2022 to 2030, with a targeted delivery of 170,000 homes.

The proposed development provides 207 residential units at an appropriate density and mix along with the provision of ten percent integrated social housing in high density urban area. The proposed development accords with this Government Strategy ‘Housing for All’.

15.2.5 *National Transport Authority Transport Strategy for the Greater Dublin Area 2016-2035*

This strategy provides a framework for the planning and delivery of transport infrastructure and services in the Greater Dublin Area (GDA) over the next two decades. 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 investment priorities. It is, therefore, an essential component, along with investment programmes in other sectors, for the orderly development of the GDA over the next 20 years.

Corridor F (Arklow – Wicklow – Greystones – Bray – Cherrywood – Dundrum – Dun Laoghaire – Dublin City Centre) stretches from the south east business districts to Wicklow, based around the N/M11 route and containing both the DART and Luas Green Line. The Strategic Development Zone of Cherrywood is in this corridor.

It is, proposed to upgrade the Luas Green Line to Metro standard from the city centre, where it will link into the new Metro North, as far as its current terminus at Bride’s Glen. From this point to Bray, a new Luas line is proposed. This will provide a new north-south inland rail axis from Swords to Bray. These rail services will be supplemented by the proposed BRT on the N11 from UCD to Blanchardstown, and the core radial bus corridors on the N11, south of UCD, and on the Rock Road.

To provide for growth in vehicular trip demand and improve road safety, the N11 and M50 between Newtownmountkennedy and Sandyford (including the M11/M50 junction) will be upgraded. Additionally, Loughlinstown roundabout will be improved, while a distributor road network will be developed to service development lands at Kiltiernan / Glenamuck.

This development proposes to develop residentially zoned lands which are in close proximity of luas, bus and cycle networks. The proposed development accords with the strategy.

15.2.6 *Design Manual for Urban Roads and Streets (2013) as amended 2019*

The *Design Manual for Urban Roads and Streets* (DMURS) has as its aim, to put well-designed streets at the heart of sustainable communities.

The key issues include the provision of transport networks that promote real alternatives to car journeys and encouragement of lower vehicular speeds in urban areas with a view to making

streets safer and more attractive places. The use of DMURS is mandatory on all urban roads and streets with a speed limit of 60 km/h or less. The application is accompanied by a report from Waterman Moylan who address the compliance with DMURS.

A number of core elements are included in DMURS including:

- There will be no frontage free distributor roads, with long uninterrupted straights and high boundary walls;
- Carriageway widths, especially in residential areas, will be narrower, but footpaths and verges may be wider;
- All junctions will have tighter radii, especially those where the side road serves a residential area;
- Pedestrian delays will be included in the calculation of optimum traffic signal timings. Consequently, traffic signals will have lower cycle times;
- Residential areas will no longer be a series of cul-de-sacs which are linked to the general road network by a single access, but will be accessible from multiple points;
- Signalised junctions will no longer provide left turn slip roads with dividing islands. Instead, junctions will be more compact and more pedestrian friendly;

The adopted design approach successfully achieves the appropriate balance between the functional requirements of different network users whilst enhancing the sense of place. The implementation of self-regulating street design actively manages movement by offering real modal and route choices in a low speed, high quality residential environment. Specific attributes of the schemes design which contribute to achieving compliance with the DMURS objectives include:

- Pedestrian and cycle links are provided from the site.
- On-street car parking is actively managed through the provision of basement parking.
- A mix of parking arrangements are proposed including the provision of facilitating electrical vehicles.
- On-street activity is promoted internally along the residential streets through the adoption of “own door” dwellings on Ravens Rock Road.
- The proposed residential development has an internal hierarchy of a local street.

This application submission includes a DMURS report prepared by Waterman Moylan Engineers.

15.2.7 Smarter Travel – A New Transport Policy for Ireland (2009-2020)

The vision for sustainability in transport sets out five key goals:

- i. to reduce overall travel demand,
- ii. to maximise the efficiency of the transport network,
- iii. to reduce reliance on fossil fuels,
- iv. to reduce transport emissions and
- v. to improve accessibility to transport.

To ensure that a reduction in travel demand and reliance on the car can be achieved, there must be appropriate, reliable and user-friendly alternatives in place. The main commitment is to transform both rural and urban bus services to meet this challenge. It envisages that around 200,000 people will switch to cycling and walking. In this regard, the application site is beside

the Luas and provision is made for extensive cycle parking. The site is also along several bus routes at Blackthorn Road.

To achieve these goals and to ensure that sustainable travel and transport is achieved by 2020, the Government sets the following key targets:

- Future population and employment growth will predominantly take place in sustainable compact forms, which reduce the need to travel for employment and services
- 500,000 more people will take alternative means to commute to work to the extent that the total share of car commuting will drop from 65% to 45%
- Alternatives such as walking, cycling and public transport will be supported and provided to the extent that these will rise to 55% of total commuter journeys to work
- The total kilometres travelled by the car fleet in 2020 will not increase significantly from current levels
- A reduction will be achieved on the 2005 figure for greenhouse gas emissions from the transport sector.

Light Rail LUAS Green Line

The LUAS Green Line provides a high capacity public transport service running between Broombridge and Cherrywood. Both the Sandyford Stop and the Stillorgan Stop on Blackthorn Avenue will serve the proposed development with both stops being 6 minutes' walk time from the subject site.

Bus Routes

Dublin Bus operates a number of staged services connecting Sandyford to diverse areas including City Centre, Blackrock (DART), Tallaght (LUAS) and Dun Laoghaire. Aircoach also operates regular services to Dublin Airport. Bus Routes include the following:

- 11 Ballymun to Sandyford Industrial Estate
- 47 City Centre to Belarmine
- 75 Dun Laoghaire to Tallaght
- 114 Ticknock to Blackrock Station
- Aircoach Route 700 between Sandyford and Dublin Airport

15.2.8 NTA's Permeability Best Practice Guide 2015

The Guide published by the NTA considers that there are benefits to be gained from maintaining and creating pedestrian and cycle links in urban and suburban areas.

The layout allows for the full consideration of pedestrians within the site. A new pedestrian/cycle access is provided along Carmanhall Road, integrated with development proposals for the adjoining site. Movement is also facilitated through proposed streets along the south western edge of the site.

Sandyford Business District Pedestrian and Cycle Improvement Scheme.

This Council Cycling Policy, adopted in June 2010, provides local guidelines on the delivery of the aims and objectives of the National Cycle Policy Framework 2009-2020. Developments in the

Sandyford Business District will be required to adhere to the Council Cycling Policy as part of their Travel Plan.

In addition to the existing pedestrian facilities, the cycle environment in the area of the subject will be enhanced by the implementation of the Sandyford Business District Pedestrian and Cycle Improvement Scheme.

15.2.9 Birds and Habitats Directive

The European Council Birds Directive (79/409/EEC) and E.C. Habitats Directive (92/43/EEC, as amended), which are jointly transposed into Irish law by the European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477/2011, as amended).

A screening for Appropriate Assessment report has been prepared as part of the planning application for a residential development by Golder Associates.

15.2.10 Delivering Homes, Sustaining Communities Statement on Housing Policy (2007) and the accompanying Best Practice Guidelines- Quality Housing for Sustainable Communities (2007)

Delivering Homes, Sustaining Communities sets out a range of actions focused on:

- building sustainable communities;
- responding to housing need in a way that maximises choice and responsibility;
- and effectively delivering accommodation programmes.

Sustainable communities are defined in the Guidelines as having a high quality natural and built environment, with a dynamic and innovative economy, good transport, supportive community and voluntary services, and are environmentally sound.

The Best Practice Guidelines Consider that good quality, sustainable housing development should be:

- Socially and environmentally appropriate
- Architecturally appropriate
- Accessible and adaptable.
- Safe, secure and healthy
- Affordable.
- Durable
- Resource efficient

This application is accompanied by an Architectural Design Statement by MDO Architects which includes a Housing Quality Assessment (HQA) for Typical Apartments and Schedule of Floor Areas. This shows there is consistency with the suite of documents applicable to sustainable residential development.

15.2.11 The Provision of Schools and the Planning System – A Code of Practice for Planning Authorities 2008

This SHD application is accompanied by a Social infrastructure Audit report prepared by MacCabe Durney Barnes. It includes an analysis of primary schools and post-primary schools in the vicinity of the subject site.

According to the the Department of Education database, there are 15 no. primary schools serving the subject site within a 3.5km catchment area. There is a wide choice of school types available, including single sex and mixed schools. The total number of enrolments at these schools is 5,605 pupils.

There are 9 no. post-primary schools within a 3.5 km catchment of the subject site. Collectively, these schools provide, single sex and mixed sex schools. The total enrolment for these schools is 4,273 pupils.

Based on the perceived school-going numbers that will be generated, it is considered reasonable to assume that the school-going population from the proposed development can be accommodated within the existing school and planned/permitted school infrastructure in the surrounding vicinity, particularly as the lifecycle of more established residential areas in proximity to the subject lands move beyond the school going age. In light of the above, it is anticipated that the capacity of primary and secondary schools which serve the Goatstown Stillorgan School Planning Area and the surrounding areas will increase further in the near future. This will in turn further improve availability of school places for residents of the subject development and the surrounding areas.

15.3 Regional

15.3.1 *Eastern and Midland Regional Assembly –Regional Spatial & Economic Strategy (RSES) (2019-2031)*

The *Regional Spatial and Economic Strategy the Eastern and Midland Regional Assembly (EMRA)* was made on the 28th June 2019 and is a strategic plan and investment framework to shape the future development of the eastern regional to 2031 and beyond which is a new concept in Irish Planning tying spatial planning to economic factors.

The Regional Economic and Spatial Strategy (RSES), considers the wider Dublin Metropolitan Area (DMA) home to 1.4 million people. The Dublin Metropolitan Area Strategic Plan (MASP) supports employment generation at strategic locations.

The vision for the 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 central need identified by the RSES is ‘to be people focused as quality of life encapsulates strong economic output and stability, good environmental performance and good standard of living for all.’

The RSES outline Guiding Principles for Integration of Land Use and Transport in the region. They include the following:

- For urban-generated development, the development of lands within or contiguous with existing urban areas should be prioritised over development in less accessible locations. 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.
- Planning at the local level should prioritise 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.
- Support the ‘10 minute’ settlement concept, whereby a range of community facilities and services are accessible in short walking and cycling timeframes from homes or accessible by high quality public transport to these services in larger settlements.
- Cycle parking should be appropriately designed into the urban realm and new developments at an early stage to ensure that adequate cycle parking facilities are provided.
- Support investment in infrastructure and behavioural change interventions to encourage and support a shift to sustainable modes of transport and support the use of design solutions and innovative approaches to reduce car dependency.

RSES Settlement Strategy supports, and as set out in Regional Policy Objective 4, the consolidation and redevelopment of infill, and brownfield sites to provide high density and people intensive uses within the existing built up area of Dublin city and suburbs. The aim is to have

“50% of all new homes to be provided in the existing built up area of Dublin City and Suburbs in tandem with the delivery of key infrastructure to achieve a population of 1.4 million people by 2031.”

RPO 4.3 supports development of infill sites as follows:

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

Section 5.3 sets the Guiding Principles for the growth of the Dublin Metropolitan Area. Some of these principles include:

- Compact sustainable growth
- Integrated transport and land use
- Accelerate housing delivery
- Co-ordination and active land management

RPO 5.4 states the future development of strategic residential development areas within the Dublin Metropolitan area shall provide for higher densities and qualitative standards as set out in the Section 28 national guidelines.

RPO 5.5 promotes a clear sequential approach to the future development of Dublin Metropolitan Area, with a primary focus on the consolidation of the city and existing suburbs, and the development of Key Metropolitan Towns.

The NPF sets out ambitious targets to achieve compact growth with 50% of housing to be provided within or contiguous to the built-up area of Dublin City and suburbs. To achieve this, the MASP identifies strategic residential and employment corridors along key public transport corridors existing and planned, that contain development opportunities.

Regional Policy Objective 5.4 states

*“Future development of strategic residential development areas within the Dublin Metropolitan area shall **provide for higher densities and qualitative standards as set out in the ‘Sustainable Residential Development in Urban Areas’, ‘Sustainable Urban Housing; Design Standards for New Apartments’ Guidelines, and ‘Urban Development and Building Heights Guidelines for Planning Authorities’**. (Our emphasis)*

The RSES also promote development within the metropolitan area of Dublin that achieve integration of land use and transport planning (Section 8.1), compact growth (as an alternative to urban sprawl)(Section 8.2), and apartment developments that help achieve a wider demographic profile for an area (particularly in areas with empty nesters in suburban locations).

The MASP aims to continue densification in the city centre, re-intensify strategic employment areas within the M50 ring and to activate key strategic sites such as Cherrywood to complement existing employment hubs such as the city centre, Docklands and Sandyford Business District, providing for a limited number of people intensive employment locations that are accessible to public transport.

The proposed development provides for a high-quality residential development of an appropriate density on an infill site which serves to consolidate the Metropolitan Area of Dublin. It is well served by public transport, promotes cycling and walking, is highly accessible to employment, schools, shops and other community facilities. Community facilities are provided on site in the form of a creche and public open space and play facilities.

15.4 Section 28 Guidelines

15.5 Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (2020)

The Sustainable Urban Housing Design Standards for New Apartments were published by the Minister for Housing, Planning and Local Government in March 2018. The guidelines update previous guidance from 2015 and supersede Development Plans and previous guidelines.

The Build-to-Rent typology is defined within the Guidelines 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 further note that Build-to-Rent developments:

‘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.’

The Guidelines identify three location types suitable for apartment development. The range of locations is not exhaustive and will require local assessment that further considers these and other relevant planning factors. The application site is considered under s2.4

1) Central and/or Accessible Urban Locations

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

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

15.5.1 Specific Planning Policy Requirements

The key relevant Specific Planning Policy Requirements (SPPRs) are summarised as follows as they relate to Build to Rent apartments.

Table B1: Summary of 2020 Apartment Guidelines in relation to Built to Rent

	Policy	Requirement	Proposal			SPPR Ref.
			No.	Type	%	
MIX	BTR No Restriction	None				1 + 8
			48	studio	23%	
			103	1 bed	50%	
			55	2 bed	27%	
			1	3 bed	0.5%	
FLOOR AREAS	Studio (1 person)	37 sq.m.	Applied 40.5 – 47.17 sq.m.			3
	1-bedroom (2 per) (type 1)	45 sq.m.	Applied 48.3 - 65.8 sq.m.			3
	2 -bed (4 person)	73 sq.m.	Applied 80.9 - 85.2			3
	3-bedroom (5 person)	90 sq.m.	Applied 119.6 sq.m.			3
	Central and accessible	Min. 33%	Applied			4
	Suburban/ intermediate	Min. 50%	N/A			
	Preference 3 bed = dual aspect		3 bed is dual aspect			
	North face single aspect limited		All single aspect have been designed not to be north facing within the 45 degree angle (due north)			
	No limitation					6
	Ground Floor	2.7 m	Applied			5
DUAL ASPECT	Upper Floor	2.4 m	Applied			
	Must remain as rental	15-year period	Agreement to submit			7

The MDO Architectural Design Statement (Section 5) demonstrates that all apartment types are compliant with the Specific Planning Policy Requirements (SPPRs) are summarised as follows as they relate to Build to Rent apartments in terms of Storage, Private amenity and room sizes.

In line with similar SHD developments in Dublin, parking is proposed at 0.35 spaces per unit. Parking is addressed in the Traffic and Transport report prepared by Waterman Moylan Engineers.

Shared residential amenities, facilities and associated spaces (c. 721 sq.m.). Of this, some 306 sq.m. is identified for a ground floor creche unit. The remaining 415 sq.m. are identified for use for communal facilities such as co-working spaces, library or lounge areas. The central courtyard area of the Tack block provides for Communal amenity space of approx. 1,050 sqm. Roof gardens of 402 sq.m. are also provided, complementing green roof of 1,250 sq.m. A public pocket park of 425 sq.m. is provided at the junction of Ravens Rock and Carmanhall Road

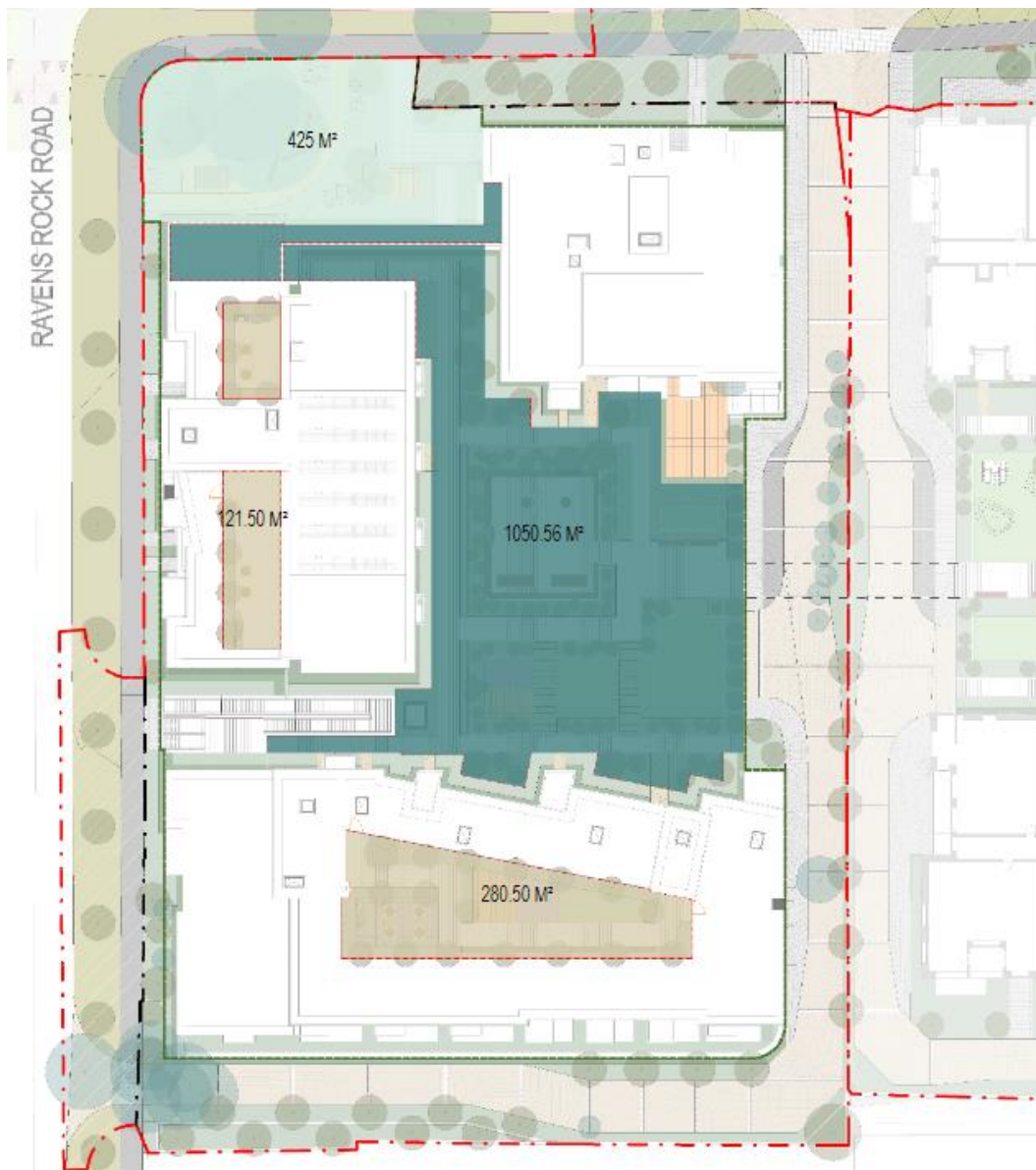


Figure 20 Proposed amenity areas (Source: INM Landscape Architects)

15.5.2 *Non specific policy in Guidelines*

Size in excess of ten percent floor area

Does not apply to build to rent.

Play areas

The Guidelines indicate the following should be provided.

- Small play spaces (about 85 – 100 sq. metres) for the specific needs of toddlers and children up to the age of six, with suitable play equipment, seating for parents/guardians, and within sight of the apartment building, in a scheme that includes 25 or more units with two or more bedrooms.
- Play areas (200–400 sq. metres) for older children and young teenagers, in a scheme that includes 100 or more apartments with two or more bedrooms.

The play area will be detailed in the full application to the Board in the Landscape Drawings and Landscape design report. As this is pre application stage landscape layout has been provided NMP landscape architects and will be further developed after the tri partite meeting with the Board.

Dual aspect

It is a policy requirement that apartment schemes deliver at least 33% of the units as dual aspect in more central and accessible and some intermediate locations, i.e. on sites near to city or town centres, close to high quality public transport or in SDZ areas, or where it is necessary to ensure good street frontage and subject to high quality design. The Design Statement prepared by MDO Architects confirms that 45% of the proposed residential units have dual aspect, which exceeds the requirements as stated in section 3.19 of Design Standards for New Apartments.

In relation to single aspect apartments, the number of south facing units should be maximised, with west or east facing single aspect units also being acceptable. The Guidelines provide that north facing single aspect apartments may be considered, where overlooking a significant amenity such as a public park, garden or formal space, or a water body or some other amenity feature.

The development has been designed using passive solar principles. The apartments in the scheme have a predominantly east-west orientation with no single aspect apartments facing due north.

Internal Daylight Analysis

This SHD planning application package includes a comprehensive Daylight & Sunlight Report undertaken by IN2 Engineering Design Partnership.

The report summarises the analysis undertaken, and conclusions determined for the proposed arrangements.

Section 5.0 details the results of sunlighting and shading to external Amenity spaces within proposed developments. 65% of proposed communal open space is predicted to receive at least

2 hours of direct sunlight on the 21st March. Therefore, amenity spaces were found to be compliant with the guidelines.

The impact of the proposed development on neighbouring buildings is assessed in Section 6.0. The proposed development is sited in the Sandyford Business District and therefore there are no dwellings within the impact zone of the scheme. Dwellings are defined under the BRE guide as having an expectation of sunlight and daylight, as there are none, the analysis was deemed not applicable.

The internal daylight analysis, as detailed in section 7.0, has been undertaken for all units across the development. The analysis determined that 95% of rooms were in excess of the prescribed BRE/BS guidelines as set out within this report, for average daylight factors (ADF). This extent of compliance was achieved through design development, with increased glazing/ reduced balcony depths / balcony locations etc. applied to ensure the residences can benefit from maximised daylight availability.

The 2020 apartment guidelines advise that *“Where an applicant cannot fully meet all of the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, which planning authorities should apply their discretion in accepting taking account of its assessment”*, therefore section 7.0 identifies these alternative, compensatory solutions.

IN2 note the BRE guide should be seen as advisory only as the guide was developed for low density urban housing, and was developed to inform design rather than to constrain it. Although the guide provides numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design.

IN2 highlight that while it should be noted that the current applicable guideline for calculation of daylight is the BRE'S BR 209, a comparative analysis has also been provided in Appendix A. This compares results under BR 209, BS EN.17037 and IS EN.17037, as defined in the standards and guidelines section of this report. This analysis determined generally good correlation between BR 209 and BS EN17037, which are both relevant for residential application. Unlike these documents, IS EN17037 does not provide specific guidance for residential application and is therefore more suited to commercial application.

Additionally, a further assessment has been compiled to include the results inclusive of the future development of the Avid site to the south of the scheme to ensure the proposed development does not impinge on its development potential.

In summary, this report confirms that Best Practice Sunlight and Daylight Availability have been ensured for the proposed Tack Sandyford Residential development.

Appendix standards

The Architectural Design Statement (Section 5) sets out minimum standards for apartment to be complied with.

Cycle Provision

The Guidelines provide the following;

‘Quantity – a general minimum standard of 1 cycle storage space per bedroom shall be applied. For studio units, at least 1 cycle storage space shall be provided. Visitor cycle parking shall also be provided at a standard of 1 space per 2 residential units. Any deviation from these standards shall be at the discretion of the planning authority and shall be justified with respect to factors such as

location, quality of facilities proposed, flexibility for future enhancement/enlargement, etc.' (our emphasis)

The proposed overall cycle space provision is 288 spaces and complies.

15.6 Urban Development and Building Heights (2018)

The Guidelines were published subsequently to the National Planning Framework and set out the criteria for consideration for increased building height in urban / city-centre locations and suburban and wider town location with a view to accommodate significant population growth. It is now Government policy to generally seek to increase building height in appropriate urban locations.

The key relevant Specific Planning Policy Requirements (SPPRs) are summarised as follows:

SPPR number	Summary	Application
SPPR 1	Planning Authorities are responsible for identifying appropriate locations for building heights in their statutory plans and that no blanket 'numerical' height shall be applied.	The County Development Plan has been reviewed since the publication of these Guidelines. However, a numerical height is prescribed under the Urban Framework Plan.
SPPR 2	In driving general increases in building heights, planning authorities shall also ensure appropriate mixtures of uses, such as housing and commercial or employment development, are provided for in statutory plan policy.	See development description above in section 3.
SPPR 3	Where; (A) 1. an applicant for planning permission sets out how a development proposal complies with the criteria above; and 2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines; then the planning authority may approve such development, even where specific objectives of the relevant development plan or	The criteria referred to are addressed comprehensively in the Material Contravention Statement and justification.

SPPR number	Summary	Application
	local area plan may indicate otherwise	
SPPR 4	In planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure three criteria.	Not applicable as central urban location.

15.7 The Planning System and Flood Risk Management (2009)

The core objectives of the Guidelines are to:

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

A Strategic Flood Risk Assessment is submitted with this application pack. No issues regarding flooding have been raised in the report on the site.

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

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

The Guidelines provide that where there is good planning, good management, and the necessary social infrastructure, higher density housing has proven capable of supporting sustainable and inclusive communities. In general, increased densities should be encouraged on residentially zoned lands and particularly in the following locations:

- (a) City and town centres
- (b) ‘Brownfield’ sites (within city or town centres).
- (c) Public transport corridors
- (d) Inner suburban / infill
- (e) Institutional lands

(f) Outer Suburban / ‘Greenfield’ sites

The Guidelines set out layout and design considerations, whereby proposals must make the most effective use of the site, while contributing positively to the surroundings. Development must have a sense of identity and place, while providing for effective connectivity. Public areas forming part of the proposals should be guided by passive surveillance.

The proposed development is located on **(a), (b) and (c)**.

(a) City and town centres

“5.5 The increase of population within city or town centres with their range of employment, recreation, educational, commercial, and retail uses can help to curtail travel demand; therefore, these locations have the greatest potential for the creation of sustainable patterns of development. Increasing populations in these locations can assist in regeneration, make more intensive use of existing infrastructure, support local services and employment, encourage affordable housing provision and sustain alternative modes of travel such as walking, cycling and public transport. While a mix of residential and other uses will often be desirable in city and town centres, particular care is needed to ensure that residential amenity is protected. The infilling of “gap” sites will also contribute to the improvement of the architectural form.”

“ 5.6 In order to maximise inner city and town centre population growth, there should, in principle, be no upper limit on the number of dwellings that may be provided within any town or city centre site, subject to the following safeguards:

- *compliance with the policies and standards of public and private open space adopted by development plans;*
- *avoidance of undue adverse impact on the amenities of existing or future adjoining neighbours;*
- *good internal space standards of development;*
- *conformity with any vision of the urban form of the town or city as expressed in development plans, particularly in relation to height or massing;*
- *recognition of the desirability of preserving protected buildings and their settings and of preserving or enhancing the character or appearance of an Architectural Conservation Area; and*
- *compliance with plot ratio and site coverage standards adopted in development plans”.*

The proposed development for 207 units is high density development in an appropriate location in a Build to Rent model. The proposed development is a material contravention of the SUFP in terms of height and density and a statement to that effect has been prepared accordingly.

15.8.1 Urban Design Manual- A best Practice Guide (2009)

The Urban Design Manual is the accompanying document to the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas* (2009). This manual establishes 12 criteria that residential development should be assessed against. The proposed development is considered consistent with the 12 criteria as specified below and as illustrated in the accompanying design statement. This is also referred to within the context of the County Development Plan below.

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

An AA screening report accompanies this application prepared by Golder Associates.

15.8.3 Guidelines for Planning Authorities on Childcare Facilities (2001)

Government policy on childcare is to increase the number of childcare places and facilities available and to improve the quality of childcare services for the community. The Guidelines are to be reviewed by the Department.

For new housing areas, an average of one childcare facility for each 75 dwellings would be appropriate. One childcare facility is provided in this development. This Creche is designed to have capacity to serve both the subject site and adjoining Avid site.

This SHD application is accompanied by a Social infrastructure Audit report prepared by MacCabe Durney Barnes which includes an analysis of Childcare provision. The Tusla early years services registration list provides information on Childcare places. There are 16 Childcare facilities with an enrolment of 1,353 within a 3.5 km catchment of the subject site.

It finds that the provision of a 306 sq.m childcare facility, which is capable of accommodating the projected 29 children of pre-school age, which is appropriate given the extensive availability of childcare facilities, both existing and planned within the catchment of this study area. The proposed facility is considered appropriate having regard to the standards presented within the Guidelines for Planning Authorities on Childcare Facilities (2001).

15.8.4 Climate Action Plan 2019

The Action Plan includes the following objectives:

- Increase reliance on renewables from 30% to 70%.
- Increase attention to Energy and Carbon ratings in all aspects of managing property assets.
- Make growth less transport intensive through better planning, remote and home-working and modal shift to public transport.
- A target of 55% renewable power and at least 500,000 electric vehicles on the road by 2030.
- Reduced travel distances and greater proximity to employment and services, which will enable a greater proportion of journeys by bike or on foot (zero emissions)
- Greater urban density, which when combined with the point above, will ensure more viable public transport (less emissions per person than by individual vehicle)
- Greater sustainable mode share, which will enable cities and towns to densify, as development will not be dependent on road capacity nor car parking requirements, and less land will be required for the latter
- Closer proximity of multi-storey and terraced buildings, which will require less energy and make renewables-based systems of energy distribution such as district heating, or area-wide technology upgrades, more feasible
- Actions to address spatial planning and urban form of development are required to aid the transition to a low carbon and climate resilient society.

The proposed development will help to achieve the targets set by the Climate Action Plan 2019 in the following ways:

- The provision of solar panels within the development and the inclusion of green and roof on the apartment blocks will assist with decarbonisation and the reduction of greenhouse gas emissions.
- The provision of a high-density development, higher than previously developed in this area in accordance with the NPF providing for high density residential development in close proximity to existing community facilities, transport and amenities.
- The application site location is served by transport links, including the Sandyford Luas stop. The provision of more housing in this location will support the existing public transport serving the area and will make the provision of further public transport options (such as increased frequency of services) viable.
- The scheme prioritises pedestrians and cyclists which will help to encourage cycling and walking as a mode of transport especially those attending the nearby schools.
- Car parking spaces can be equipped with an electrical charge point to ensure that the transition to an electric car is a viable option for all residents.

15.9 County Development Plan

15.9.1 Introduction

This SHD application is made during a transition period between two development plans for Dun Laoghaire Rathdown County Council. The new Development Plan was adopted by the Elected Members of the Council at a special Council meeting held on the 10th of March 2022. The Plan will come into effect in 6 weeks from that date (i.e. 21st April 2022). Under the transitional provisions of the the Planning and Development (Amendment) (Large-scale Residential Development) Act 2021 this SHD application may be lodged no later than 19th April 2022. Therefore, while this SHD application is lodged under during the term of the expiring 2016 – 2022 County Development Plan, it will be assessed under the policies of the adopted Dún Laoghaire Rathdown County Development 2022-2028.

It is notable that Pre-application consultations were undertaken with regard to the 2016-2022 County Plan. The following review demonstrates there is considerable consistency between the two plans.

15.10 Dún Laoghaire Rathdown County Development Plan 2016 – 2022

15.10.1 Zoning

The current zoning objective in the Dún Laoghaire- Rathdown County Development Plan 2016-2022 is Objective A2 *“To provide for the creation of sustainable residential neighbourhoods and preserve and protect residential amenity”*. There is also a specific objective *“To protect and preserve Trees and Woodlands”*. Section 8.2.8.6 of the current Development Plan states that new developments shall be designed to incorporate, as far as practicable, the amenities offered by existing trees and hedgerows and new developments shall have regard to objectives to protect and preserve trees and woodlands as identified on the County Development Plan Maps.

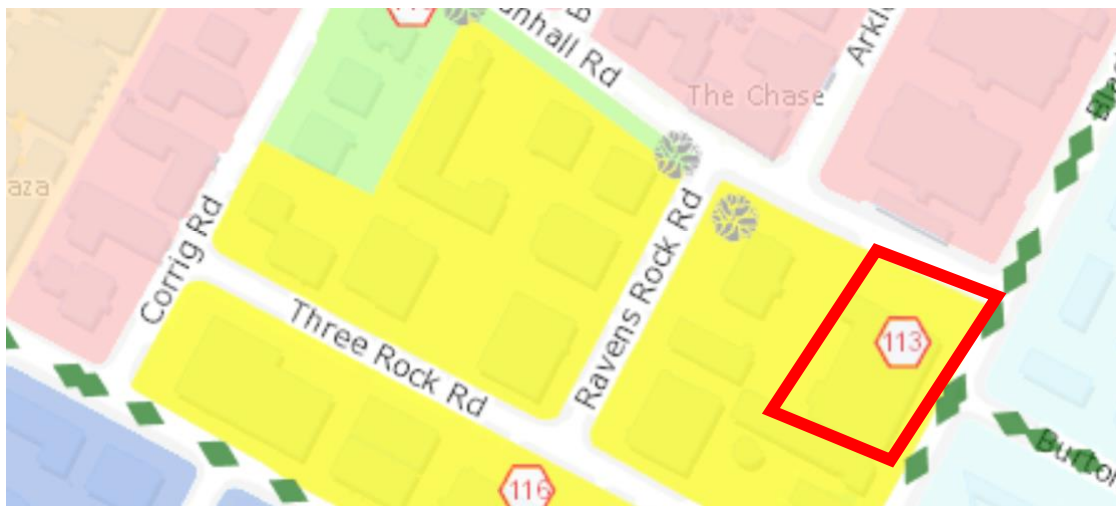


Figure 21 Extract from DLR Development Plan 2016-22 interactive maps

There is considerable repetition between the policies of the County Development Plan 2016-2022 (CDP) and the Guidelines outlined above.

As there is significant overlap between the guidelines above and the development plan, the statement of consistency as required regarding the development plan is addressed by topic below.

15.10.2 Permissible uses

Chapter 8 of the Development Plan indicates ‘permitted’ and ‘open for consideration’ uses.

Permitted in Principle uses outlined for the ‘A2’ zoning include the following:

Assisted Living Accommodation, Open Space, Public Services, Residential, Residential Institution, Community Facility, Childcare Service.

The Open for Consideration uses outlined for the ‘A2’ zoning include the following:

Bring Banks/Bring Centres, Carpark (ancillary), Cultural use, Doctor/Dentist etc., Home Based Economic Activities.

The proposed development is permitted in principle.

15.10.3 Core Strategy

The focus of the Core Strategy is

‘residential development and in ensuring that there is an acceptable equilibrium between the supply of zoned, serviced land for residential development and the projected demand for new housing, over the lifetime of the Plan’.

The Strategy seeks to focus higher density development in suitable strategic nodes along existing or planned public transport corridors. The subject lands are located within a defined District Centre and thus appropriate for the scale and form of development proposed.

The Sandyford Business District is identified as a primary growth node from which a significant portion of the supply of residential units will derive up to the 2022 horizon – and potentially beyond.

The proposal is consistent with the Core Strategy. The provision of 207 residential units accords with the stated objective of meeting the County’s projected housing needs through the provision of new residential development on zoned, serviced land.

15.10.4 Residential

Policy RES 3 in relation to Residential Density states:

“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.”

The Plan then states:

“As a general rule the minimum default density for new residential developments in the County (excluding lands on zoning objectives ‘GB’, ‘G’ and ‘B’) shall be 35 units per hectare. This density may not be appropriate in all instances, but will serve as a general guidance rule, particularly in relation to ‘greenfield’ sites, or larger ‘A’ zoned areas.”

Section 8.2.3.2(ii) *“In general the number of dwellings to be provided on a site should be determined with reference to the Government Guidelines document: ‘Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities’ (2009).....However, the overriding concern should be the quality of the proposed residential environment to be created and higher densities will only be acceptable if the criteria which contribute to this environment are satisfied. Higher residential density will not be appropriate in every circumstance and qualitative built form can sometimes be a more important determinant. Higher densities should have regard to surrounding dwellings and should be achieved in tandem with the protection of the amenity of future residents of the proposed development.”*

With regard to public transport services and residential density, the Development Plan states:

“Where a site is located within circa 1 kilometre 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 of a District Centre, higher densities at a minimum of 50 units per hectare will be encouraged.”

This application comprises 207 no. units on 0.73 ha in close proximity to good public transport services (Luas). The scheme has been designed sympathetically to respond to the receiving environment, minimisation of any overbearing, overshadowing or overlooking impacts on adjoining while preserving the amenities of future residents. The issue of density and height is addressed fully on the material contravention statement.

15.10.5 Overall Housing Mix

“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.”

The proposed development provides a mix of dwelling types and sizes that will accommodate a variety of households and is, therefore, compliant with RES7.

15.10.6 Social Housing (Part V)

“Policy RES8: Provision of Social Housing It is Council policy to promote the provision of social housing in accordance with the projects outlined in the Council’s Interim Housing Strategy and Government policy as outlined in the DoECLG ‘Social Housing Strategy 2020’.”

The proposed development is subject to the requirements of the Part V of the Planning and Development Act 2000 (as amended). Outline and indicative Social housing proposals have been provided to the Housing Department in DLRCC. Detailed Part V proposals accompany this Pre-application consultation request as required, including a schedule and plans of proposed units and value estimates.

15.10.7 Development Management Standards

The 2018 Apartment Guidelines provide a number of Specific Planning Policy Requirements (SPPRs), including certain minimum and maximum standards the minimum standards for apartment units. Where any conflict arises between an SPPR and the Development Plan, the Guidelines supersede the Development Plan.

In general development management standards are set out under section 8 of the CDP. These are presented in the sections hereafter.

15.10.8 Quality Residential Design (s.8.2.3.1 of the CDP)

CDP Standards	Development Response
<p>The objective of Dun Laoghaire-Rathdown County Council is to achieve high standards of design and layout to create and foster high quality, secure and attractive areas for living. The following criteria will be taken into account when assessing applications:</p>	<p>It is considered that the proposed development consists of residential development on residentially zoned lands. Any other uses proposed as part of this SHD application are permissible in principle</p>
<p>Land use zoning and specific objectives contained in this Plan and any Strategic Development Zone/Local Area Plan/Urban Framework Plan/</p>	<p>Higher density is proposed having regard to the location of the site in Sandyford and in proximity to high capacity public transport, specifically within a short distance walk of the Luas Green Line. Nonetheless, as the proposed density is in excess of that envisaged in the Sandyford UFP, it may be viewed as a material contravention. Please refer to the Material Contravention Statement.</p>
<p>Density - Higher densities should be provided in appropriate locations. Site configuration, open space requirements and the characteristics of the area will have an impact on the density levels achievable.</p>	
<p>Quality of the proposed layout and elevations, the quality of the residential environment will be of primary significance in determining the</p>	

CDP Standards	Development Response
acceptability of planning applications. Layouts, elevations, and plan form must be designed to emphasise a ‘sense of place’ and community, utilising existing site features, tree coverage and an appropriate landscape structure.	The architectural response for the site is of high quality. We particularly refer the Board to the Architect’s Design Statement.
Levels of privacy and amenity, the relationship of buildings to one another, including consideration of overlooking, sunlight/daylight standards and the appropriate use of screening devices.	Adequate levels of privacy and amenity are achieved owing to the orientation of the units and the distances applied between block. We refer the Board to the Architect’s Design Statement.
Quality of linkage and permeability – to adjacent neighbourhoods and facilities and the nature of the public realm / streets and spaces.	We refer the board to the Architect design statement which addresses linkages and permeability.
Accessibility and traffic safety - proximity to centres and to public transport corridors, existing and proposed.	The site owing to its location within a short walking distance to the Luas Green Line is highly accessible.
Quantitative standards - set out in this Chapter and/or referenced in Government guidelines.	Quantitative standards are discussed in the relevant sections.
Safety and positive edges to the public realm - opportunities for crime should be minimised by ensuring that public open spaces are passively overlooked by housing and appropriate boundary treatments applied. A safety audit may be required.	The quality and design of the edges to the public realm has been the subject of engagement and consultation with the Council. We refer to the landscape report which provides the rationale.
Quality of proposed public, private and communal open spaces and recreational facilities.	High quality proposals are put forward for communal, public and private open space. We refer to the landscape report and the landscape drawings which set out the detailed provision. We also refer to the Architect’s residential quality audit which address private open space.
Compliance with National Housing Policy as set out in the ‘Housing Policy Statement’ 2011 (e.g. lifecycle provision, size, tenure, mix, etc.)	Commentary on compliance with housing provided in other sections of this report.
Compliance with social and community infrastructure (e.g. childcare facilities, schools, local shops, facilities for the elderly etc.).	This SHD application includes a social infrastructure audit which review capacity and gaps in the area.
Quality of the pre-existing environmental sound environment.	Issues pertaining to noise have been addressed in the EIAR. The urban context of the site is addressed in more details in the Architect Design Statement.

15.10.9 Quantitative Standards (s.8.2.3.2 of the CDP)

CDP Standards	Development Response
<p>(i) Dwelling Size and Mix</p> <p>This section refers back to Section 2.1 – Residential Development of the CDP.</p> <p>Under RES7 – Overall Housing Mix, the development management standards set under section 8.2.3 are referred to.</p>	<p>The HQA prepared by MDO shows compliance with the relevant quantitative size standards for apartments. The proposed development includes 48 studio units, 103 one- bed units, 55 2-bed units and 1-bed units or a total of 207. This would equate to:</p> <p>Studio + 1 bed units: 151 units or 72.9%</p> <p>2-bed units: 55 units or 26.6%</p> <p>3-bed units: 1 unit or 0.5 %</p> <p>Under section 8.2.3.3 (iii) of the CDP, the following requirements apply: <i>'larger schemes over 30 units should generally comprise of no more than 20% 1-bed units and a minimum of 20% of units over 80 sq.m.'</i></p> <p>As the proposed mix may be viewed to contravene the plan, we refer the Board to the statement of Material Contravention.</p>
<p>(ii) Residential Density</p> <p>In general the number of dwellings to be provided on a site should be determined with reference to the Government Guidelines document: 'Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities' (2009). As a general principle, and on the grounds of sustainability, the objective is to optimise the density of development in response to type of site, location and accessibility to public transport. However, the overriding concern should be the quality of the proposed residential environment to be created and higher densities will only be acceptable if the criteria which contribute to this environment are satisfied. Higher residential density will not be appropriate in every circumstance and qualitative built form can sometimes be a more important determinant. Higher densities should have regard to surrounding dwellings and should be achieved in tandem with the protection of the amenity of the future residents of the proposed development (Refer also to Policy RES3 in Section 2.1.3.3).</p>	<p>The proposed density is 295.8 uph. Although taken literally, the requirements set under point (ii) appear to have been complied with. But given that the proposed development exceeds the density envisaged under the SUFP. As this may be viewed to contravene the plan, we refer the Board to the statement of Material Contravention.</p>

CDP Standards	Development Response
<p>In Dun Laoghaire-Rathdown, apart from in exceptional circumstances, (e.g. where an LAP has identified sites where lower densities may be considered or in sites 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 higher than 50 dwellings per hectare.</p> <p>The Council acknowledges the ‘Kickstart’ Incremental Development Approach as outlined in the DoECLG and the NTA study ‘Planning and Development of Large Scale, Rail Focused Residential areas in Dublin’ (2013) in relation to Sandyford, Cherrywood, Stepside and Carrickmines. The purpose of the ‘Kickstart’ approach is not to be used to achieve lower densities in a scheme but rather to ensure eventual overall delivery of higher densities in order to support high capacity public transport modes (Refer also to Policy RES3, Section 2.1.3.3).</p>	
<p>(iii) Parking Standards</p> <p>Parking inevitably remains an integral element of overall land use and transportation policy within the County (Refer also to Section 2.2 – Sustainable Travel and Transportation). The purpose of parking standards is to ensure that a considered and appropriate level of parking is provided to serve new development.</p> <p>The Planning Authority will apply restrictive planning conditions to apartment development to ensure that parking spaces are for the sole use of occupants of the development - occupants vehicles can be private or commercial - and shall not be rented out to nonresidents. Likewise, visitor parking will require to be clearly indicated and measures will be put in place to ensure such spaces are reserved for the use of visitors only. The parking standards to be applied in new residential developments in Dun Laoghaire-Rathdown are set out in Table 8.2.3.</p>	<p>The development plan requires a standard car parking provision of 1 space for all 1 and 2-bed units and 2 spaces for all 3+ bed units depending on the location. Reduced car parking standards for any development (residential and non-residential) may be acceptable dependent on, location (proximity to district and town centres), proximity to public transport, land use, travel plan and justification on sustainability grounds. The Apartment Guidelines 2020 note a default minimal of car parking standards in accessible locations which are served by public transport, which would include the subject site.</p> <p>The proposed development includes 79 spaces. This amount is justified in the Transport and Traffic Assessment and supported by a Travel Plan. Although when relying</p>

CDP Standards	Development Response
	on the Apartment Guidelines, this amount is acceptable, it may be viewed as a material contravention of the CDP. On this basis, we refer the Board to the Statement of Material Contravention.
<p>(iv) Refuse Storage and Services 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>All applications should clearly indicate the location of all proposed service meters for electricity/gas/water etc.</p>	The development complies. Please refer to the architect’s drawings.

15.10.10 Apartment Development (s.8.2.3.3 of the CDP)

It is noted at Chapter 8 that ‘Specific Planning Policy Requirements’ set out in the DoECLG Apartment Guidelines take precedence over a number of Dún Laoghaire-Rathdown standards and specifications as set out in Section 8.2.3.3 [(i) Design Standards, (ii) Dual Aspect, (v) Internal Storage, (vii) Minimum Apartment Floor Areas and (viii) Apartments - Public, Communal and Private Open Spaces – Standards] of the 2016 – 2022 County Development Plan. These policy objectives have since been replaced by the Design Standards for New Apartments 2020 and in this respect, are considered to take precedence over Section 8.2.3.3 of the CDP: Apartment Development. In this respect, this statement of consistency has not considered these objectives. Compliance with the Apartment Guidelines is detailed above. The relevant remaining standards under Section 8.2.3.3 are addressed below.

CDP Standards	Development Response
<p>(iv) Separation between blocks 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>	The blocks are laid in such manner that any directly opposing windows would be located at least 22m away from each other. Separation distances are largely in excess of the 22m requirements.

CDP Standards	Development Response
<p>The minimum clearance distance of circa 22 metres between opposing windows will normally apply 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.</p>	
<p>(viii) Apartments – Public, Communal and Private Open Spaces – Standards</p> <p>Section 8.2.8.2 - Public/Communal Open Space Quantity of the Dun Laoghaire County Development Plan 2016-2022 states:</p> <p><i>‘The Planning Authority will require public* and/or communal open space to be provided within new residential and large-scale commercial developments. An absolute default minimum of 10% of the overall site area for all residential developments shall be required to be reserved for use as Public Open and/or Communal Space.</i></p> <p><i>Open Space: For all developments with a residential component – 5+ units - the requirement of 15 sq.m-20 sq.m. of Open Space per person shall apply based on the number of residential/housing units. For calculation purposes, open space requirements shall be based on 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. A lower quantity of open space (below 20 sq.m per person) will only be considered acceptable in instances where exceptionally high-quality open space is provided on site and such schemes may be subject to financial contributions as set out under Section 8.2.8.2.’</i></p> <p><i>* For the purposes of this section, ‘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) 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</i></p>	<p>The proposed breakdown is as follows:</p> <p>Public open space: 438 sqm (pocket park)</p> <p>Communal open space – courtyard: 1,014 sqm</p> <p>Communal open space – roof terrace: 4,19 sqm.</p> <p>Together they yield: 1,871 sqm of public and communal open space.</p> <p>This appears to be in excess of the 10% public and/or communal open space to be provided under the development plan.</p> <p>Using the plan’s calculations using presumed occupancy, the development would require 6,250 sqm of open space. On this basis, the development would not comply.</p> <p>Given the lack of clarity between what the plan considers to be an acceptable quantum and what it considers to be ‘an absolute default’, a material contravention has been prepared.</p>

CDP Standards	Development Response
<i>taken in charge or be publicly owned/controlled by the Council. (page 205)”</i>	

15.10.11 Residential Development – General Requirements (s.8.2.3.5 of the CDP)

Under this section, the development plan sets out requirements pertaining to:

- (i) Roads and footpaths
- (ii) Habitable rooms sizes
- (iii) Naming of residential estates
- (iv) Phased development
- (v) Management companies and taking in charge
- (vi) Bonds
- (vii) Hours of construction

The items above are complied with the documentation provided as part of this SHD application showing how the development complies. In relation to point (iii) naming of residential estates and (vi) bonds the applicants will accept a condition to that effect.

15.10.12 Urban Design Principles

“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 proposed development complies with the ‘Urban Design Manual – A Best Practice Guide’ (2009), and the ‘Design Manual for Urban Roads and Streets’ (2013), as outlined in the report by Waterman Moylan Engineers.

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).”

A Design Statement prepared by MDO Architects is included which addresses the 12 criteria:

UD3 on 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.’

The proposed development includes high quality landscape proposals which have been discussed with the council. In particular the development an amenity strip around the site (abutting Carmanhall Road and Blackthorn Road is in the ownership of Dún Laoghaire Rathdown County Council. This proposal envisages (and includes design proposals) providing comprehensive landscape improvements to protect and complement this zone in consultation with the local authority. We refer the Board to the landscape drawings and associated report. On this basis, the development complies.

15.10.13 *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, ‘Building Height Strategy,’ outlines Development Plan policy in relation to building height.

The proposed scheme proposes a mix of building heights up to 10 storeys in height and the taller element is located appropriately to ensure there is no overlooking or overbearing impacts and is the subject of a material contravention statement.

15.10.14 *Sustainable Travel and Transport (section 8.2.4)*

Under section 8.2.4, the plan sets out development management standards for sustainable travel and transport. The proposed development has been designed in accordance with the relevant Council’s Guidelines and DMURS as seen in the DMURS Statement by Waterman Moylan.

In accordance with 8.2.4.2, a traffic and transport assessment has been prepared. A travel plan also accompanies this application (s.8.2.4.3).

Street lighting is provided in accordance with the applicable standards. Please refer to documentation by IN2.

Section 8.2.4.5 of the plan discusses car parking standards. These have been discussed in preceding sections and a material contravention has been prepared to address residential parking. The standards applying to childcare facilities are identified in table 8.2.4 and equate to 1 space per 1 staff (including set down). The written statement also notes in section 8.2.4.5 that these are ‘*maximum parking standards for non-residential land uses to be a key measure in influencing the travel mode choice for all journeys*’. Given the highly accessible location of the site and the fact that the creche is primarily aimed at meeting the needs arising from the development, then the provision of the set down / loading bay should be deemed acceptable.

A loading bay is provided. All car parking spaces meet the size requirements. We refer the Board to section 2.7 of the TTA which discusses the different types of parking provided (EV, car sharing, disabled).

In relation to cycle parking, we refer to the TTA (section 2.10), 240 long term spaces and 48 short term spaces are proposed.

In relation to motorcycle parking, we refer to the TTA. Under section 8.2.4.8 of the plan, 4 or more space should be provided for every 100 car parking spaces. The development includes 79 car parking spaces which yield a requirement for 3 spaces. Those are located at lower ground level, next to the residents gym.

Under s 8.2.4.10 of the plan on the design of underground and multi-storey car parks. The proposed basement is compliant with the requirements set under the plan.

S.8.2.4.11 presents the parking and access requirements for childcare facilities. The proposed childcare facility is at ground floor level with street access and was designed to be accessible too all users. Details are included relating to the number of rooms and children. Aside from the set down / loading bay, no specific car parking allocations were made for the creche owing to a) the fact that it is proposed to primarily serve the children residents of the scheme and b) given its location within a 5 min walk from a Luas stop. As this may be viewed as a material contravention, we refer the Board to the statement of material contravention.

S.8.2.4.12 of the plan provides guidance relating to EV parking. Please refer to the TTA which shows compliance with the plan.

A construction and environment management plan (CEMP) is submitted as part of this application.

15.10.15 *Open Space and Recreation*

Section 8.2.8 of the plan addresses open space requirements. These have been discussed in preceding sections of this report. We refer the Board to the landscape drawings and the landscape report which sets out the rationale.

Notwithstanding this, we note this section of the plan states: *‘A lower quantity of open space (below 20 sq.m per person) will only be considered acceptable in instances where exceptionally high quality open space is provided on site and such schemes may be subject to financial contributions as set out under Section 8.2.8.2 (iii) below.’*

The plan further states: *‘Any relaxation of open space provision will be assessed on a case-by-case basis and should not be seen as setting a precedent for future developments.’*

Although the applicants are not of the view that the proposed development is a material contravention of the open space requirements, a material contravention was prepared as there may be doubt. We wish to note here that the plan does allow for a lower quantum, providing that it is of high quality. This approach nuances that set out earlier and confirms the applicants’ position that the proposal does not constitute a material contravention.

Similarly, the requirements pertaining to the provision of public / communal open set out under 8.2.8.3 of the plan have already been discussed in preceding sections.

Green roofs are provided to the tune of 1,250.6 sqm.

Section 8.2.7.4 on private open space has been largely superseded by the Apartment Design Guidelines and is addressed in the material contravention statement.

Section 8.2.7.5 on play facilities aligns with the requirements of the Apartment Design Guidelines. The development response is provided in other parts of this report.

Section 8.2.8.6 on trees and hedgerows requires the undertaking of an arboricultural assessment. We refer to the documentation by CMK. As the development proposes to remove some trees, it is proposed to be compensated by tree planting as part of the landscape proposals.

15.10.16 *Environmental Management*

An EIAR accompanies this application. It addresses air pollution and noise pollution as discussed under section 8.2.9 of the development plan. An appropriate assessment screening report is also submitted.

We refer to the EIAR and the CEMP which discusses the hours of operation.

All lighting proposals are discussed in the lighting report by IN2.

Waste storage and collection are discussed in operational waste management plan by AWN.

We refer to engineering drawings by Waterman Moyland which provide details of drainage and water supply.

15.10.17 Climate Change Adaption and Energy

In accordance with section 8.2.10, the application meets the highest standards of sustainable design. We refer to the energy statement which sets out how the development will achieve high standards of energy efficiency.

A flood risk assessment has been submitted as part of this application.

15.10.18 Archaeological and Architectural Heritage

Under s.8.2.11 of the plan, there may be a requirement to submit Archaeological Impact Assessments. We refer the Board to the EIAR.

15.11 Sandyford Urban Framework Plan

Appendix 15 of the County Plan contains the SUFP.

15.11.1 Zoning

The site is zoned residential A2. It is an objective of the Council to provide for the creation of Sustainable Residential Neighbourhoods, and preserve and protect residential amenity in Zone 5 of Sandyford Business District.

Unlike the mixed use zoning, to the western end of Carmanhall Road, there is no qualification on residential numbers where “land use zoning objectives provide for the residential development permitted to date within the Mixed Use Core Areas”. Future residential development will primarily be focused in the residentially zoned lands within the Plan with the following land use zoning objective: A2.

15.11.2 Character areas

The UFP divides the plan area into zones and the application site falls into Zone 5.



Figure 22 Extract from UFP Character areas, extract from Map 12.

The proposed development is consistent with the zoning objective and permitted uses. The applicant will engage with the Planning Authority in relation to the Council proposed green

cycle/pedestrian route and will seek the consent of the Council to carry out works outside of the ownership.

15.11.3 Density/plot ratio

SUPP 2 relating to density and scale states

“It is Council policy to ensure that Sandyford Business District develops in an orderly manner in accordance with the increase in uses set out in the objectives of this Plan and the Density and plot ratio set out in Map 2”.

Map 2 provides a density of 150 units per ha. The proposed density is 295.8 units per ha. A material contravention statement applies.



Figure 23 Extract from UFP Plot Ratios/Residential Densities Map 2

15.11.4 Height

SUPP 3 of the Sandyford Urban Framework Plan 2016 relating to height states:

‘It is Council Policy that building height in Sandyford Business District accords with the height limits indicated on Building Height Map 3.’

The Sandyford Urban Framework Plan 2016 sets out blanket heights for individual parcels of land within the Sandyford Business District including the subject site which has been designated as having a permitted/developed height limit of 6-8 storeys



Figure 24 Extract from UFP Heights Map 3

The identified height is 6-8 storeys. A material contravention statement therefore applies.

15.11.5 Parks



Figure 25 Extract from Parks Map 10

A proposed green route runs along Carmanhall Road. This will be complied with. In addition, it notable that a pocket park will be provided as part of the Tack site development.

15.11.6 Zone 5 key parameters

Zone 5 – Sustainable Residential Neighbourhoods relates to Sites 1, 5 and 11: Carmanhall Road. The application site is located on site 11.

Three neighbourhoods are proposed (Map 1 and Drawing 14).

SUFP	Application
Carmanhall Road which forms the base line for this residential neighbourhood is considered essential in enhancing connectivity and linking the different retail, commercial and residential aspects of Sandyford Business District.	The proposed block onto Carmanhall Road provides residential and open space consistent with the SUFP.
This residential neighbourhood shall be contained by tall buildings at either end of Carmanhall Road where the building line along the southern side of Carmanhall Road shall be set back to provide a linear greenway. This linear greenway will widen into a substantial Civic Park located at the junction of Corrig Road and the north west of Carmanhall Road. It is envisaged that the Park together with the greenway will provide high	The SUFP identified the application site and the Tack site as one block (Block 11) in Map 13 but the heights vary. The proposed design has responded to the permitted development by the Board on the adjacent site. The applicant will facilitate the greenway and engage with the Planning Authority.

SUFPP	Application
amenity open space for both the local residents and employees alike.	In addition, the applicant is providing a small corner park and will retain the mature trees planted and cared for by the applicant.
<p>The urban form shall provide a strong, animated and active outer edge, with commercial uses at ground floor level, to the residential neighbourhood fronting onto Blackthorn Road.</p> <p>This outer edge whilst promoting routes and permeability will act as a buffer to the inner residential area and the green areas of this neighbourhood.</p>	<p>This does not apply to the application site. It may be noted that the strong urban edge envisioned in the SUFP can be characterised as a major traffic route in the original industrial estate layout.</p> <p>The A2 zoning fronting Blackthorn Road does not permit commercial uses at ground floor.</p>
<p>The inner ‘softer centre’ of the residential neighbourhood shall comprise of a number of square urban blocks in a grid pattern of suitable scale and size in order to facilitate good sun penetration to the lower floor units.</p>	<p>The layout is fully consistent with the character map in the SUFP providing a perimeter block across the Tack and Avid sites as articulated in the joint Masterplan.</p>
<p>To promote connectivity, the urban blocks shall be individually modelled to provide visual variety for both residents and those working within Sandyford Business District. The blocks shall be of sufficient density to sustain urban living.</p>	<p>The SUFP incorporates both the application site and the Avid site as Block 11. The applicant has designed a scheme that is of a density consistent with the NDP.</p>
<p>Street frontages shall be predominately own door access, family type units to promote active frontages with corners emphasised according to orientation.</p>	<p>Residential units on Ravens Rock Road have own door access. The Creche and Amenity Spaces also open up to the pocket park.</p>
<p>Dwelling frontages shall be specific to the dwelling’s location and orientation in relation to aspect and street hierarchy. For example, level changes should be introduced where dwellings front public spaces, which would retain privacy whilst improving surveillance.</p>	<p>Level changes are accommodated with a Lower Ground and Ground Floor level arrangement.</p>
<p>Roads within the zone to be reduced in width and be tree-lined to create an Avenue effect, in consultation with the Planning Authority</p>	<p>The landscape design plan supports intensive planting along the linear corridors around the site. The applicant will facilitate the Council in the delivery of landscape and planting measures to protect the Council’s investment in the verge areas and complement the Council’s approach to planting and maintenance.</p>

Sustainable Residential Neighbourhoods: Three neighbourhoods are proposed (Map 1 and Drawing 13). Sites 1, 5 and 11: Carmanhall Road Residential Neighbourhood

15.11.7 Summary of Zone 5 objectives

Zone 5 objectives	Application Response
<p>A2 1 It is an objective of the Council to ensure the residential neighbourhoods are developed at a density that is in accordance with the density provision set out in Map 2.</p>	<p>See material contravention statement</p>
<p>A2 2 It is an objective of the Council to require the provision of indoor community facilities as part of residential development schemes and in accordance with the Land Use Zoning Objectives (Appendix 1 of this Plan).</p>	<p>Resident facilities are provided. A creche opened to residents and the wider community is provided.</p>
<p>A2 3 It is an objective of the Council to require all residential development within Zone 5 to benefit from public open space in accordance with the requirements set down in the Dún Laoghaire-Rathdown County Development Plan. The applicant shall set out clearly in any proposed development how this requirement is being addressed.</p>	<p>The development shall provide measure that complement the landscaping of linear greenways along public roads around the site.</p>
<p>A2 4 It is an objective of the Council to require all residential developments to provide private open space in accordance with the requirements set down in the Dún Laoghaire-Rathdown County Development Plan.</p>	<p>Provided.</p>
<p>A2 5 It is an objective of the Council to require a set back of the building line along Carmanhall Road to protect the existing sylvan character and to provide a buffer from the employment uses opposite (Drawing 10).</p>	<p>Provided.</p>

15.11.8 Specific objective on adjacent site

SLO 113 *'To facilitate the provision of community infrastructure at ground floor along the eastern outer edge of the Carmanhall residential neighbourhood along Blackthorn Road, to create active street frontage and to ensure the appropriate provision of social and community infrastructure to serve the needs of the resident and employee population.'*

The creche and residential amenity spaces are located at ground level facing Carmanhall Road, consistent with this objective of the SUFP.

15.11.9 Public Realm

Applicants will be required to demonstrate how spaces between buildings will be developed so that on completion the area will not appear as a series of discrete developments where edges create barriers. The function of these areas, and how they are designed to link with adjoining sites, will have to be clearly set out and facilitated by future development proposals. Particular attention will be required to be paid to:

- Building interface with public spaces and between buildings, including set backs;
- Surfaces;
- Entrances;
- Landscaping and where appropriate, how level differences are managed within and between sites;
- Continuous street frontages and enclosure of space; and
- Palette of materials and finishes and their compatibility with adjoining sites and specific character areas.

The Design Statement and layout has been designed with a new street adjacent to the Tack site in accordance with the layout in the SUFP. A specific public space is being created around the mature trees which were planted by the applicant. This key pocket park on the junction will enhance the public realm.

15.12 Dún Laoghaire Rathdown County Development 2022-2028.

This application is made during a transition period between two development plans. The new Development Plan was adopted by the Elected Members of the Council at a special Council meeting held on the 10th of March 2022. The Plan will come into effect in 6 weeks from that date (i.e. 21st April 2022). Therefore, while this SHD application is lodged under during the term of the expiring 2016 – 2022 County Development Plan, it will be assessed under the policies of the adopted Dún Laoghaire Rathdown County Development 2022-2028.

It is noted that the policies set out below were published as the Draft Plan or amendments to the Draft Plan and that a final consolidated version of the adopted plan with any material amendments was not available at the date of SHD submission.

There is considerable repetition between the policies of the County Development Plan 2016-2022 (CDP) and the Guidelines outlined above. This particularly applies to Chapter 12 Apartment Development (s. 12.3.5). Compliance with apartment standards is further demonstrated in the Design Statement and Housing Quality statement prepared by MDO Architects. As there is significant overlap between the guidelines above and the development plan, the statement of consistency as required regarding the development plan is addressed by topic below.

15.12.1 Zoning

The zoning objective in the Dún Laoghaire- Rathdown County Development Plan 2022-2028 is Objective A2, *‘To provide for the creation of sustainable residential neighbourhoods and preserve and protect residential amenity’*.

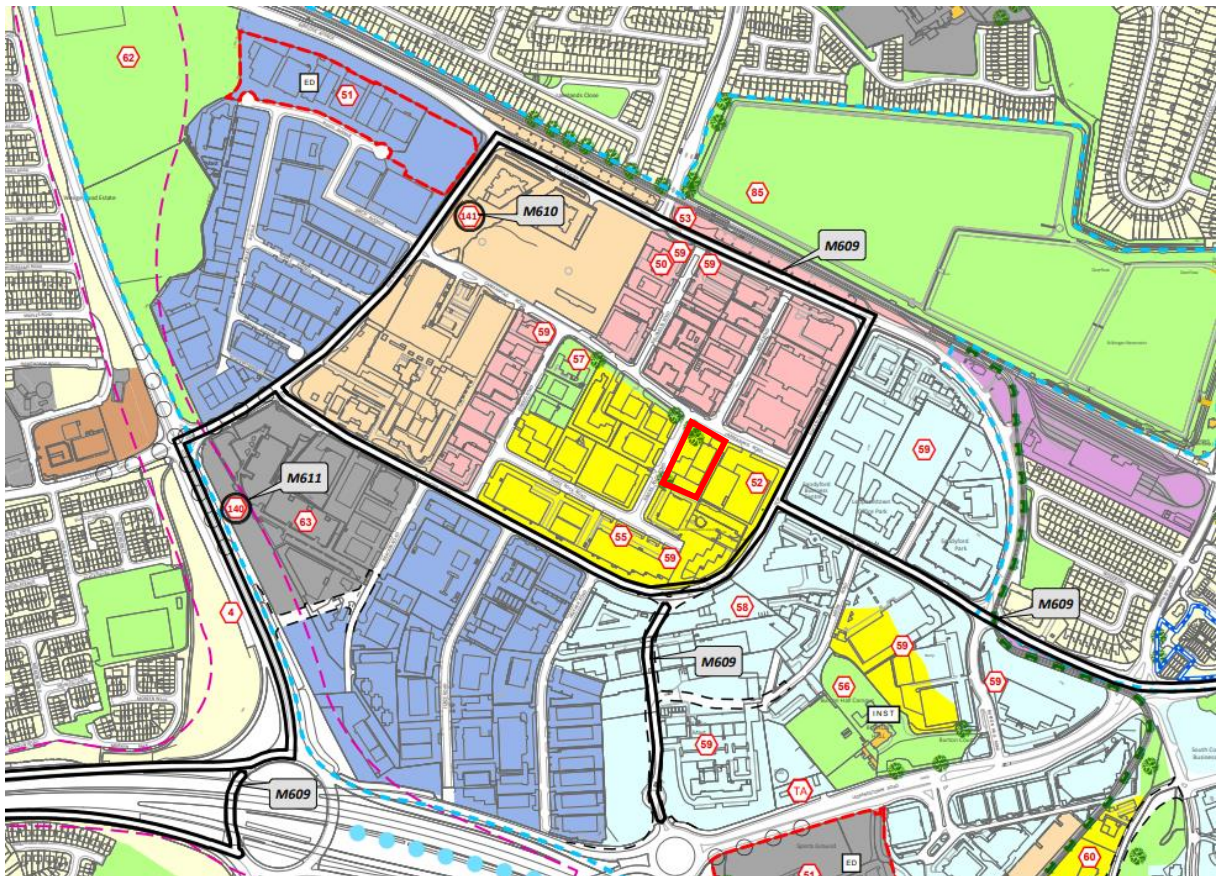


Figure 26 Dún Laoghaire- Rathdown County Development Plan 2022-28 (Map 6)

Chapter 13 of the Development Plan indicates ‘permitted’ and ‘open for consideration’ uses.

Table 13.1.15. states that Permitted in Principle uses outlined for the ‘A2’ zoning include the following:

Assisted Living Accommodation, Community Facility, Childcare Service, Education, Open Space, Public Services, Residential, Residential Institution

The Open for Consideration uses outlined for the ‘A2’ zoning include the following:

Bring Banks/Bring Centres, Build to Rent, Carpark (ancillary), Cultural use, Doctor/Dentist etc., Home Based Economic Activities

The proposed BTR residential development is permissible in principle.

15.12.2 Core Strategy

Section 2.4.2 of the Plan sets out Settlement Strategy as illustrated in Figure 26 below.

“The settlement strategy for the Core Strategy of the Draft County Development Plan seeks to support the overarching Development Plan Vision and supports the transition to a low carbon and climate resilient County through the implementation of a compact growth agenda, increased integration between land-use and transportation, increased sustainable mobility and, the sustainable management of our environmental resources. The settlement strategy applies an asset-based approach to spatial development focusing employment and housing growth on existing and future transport corridors and aligning growth with the delivery of supporting enabling and supporting social infrastructure. The strategy seeks to deliver compact and sustainable growth within the existing built footprint of the County and build upon existing physical, social, economic and natural assets which are available. The strategy is supported by an increased focus on healthy place-making and the liveability factors which define our urban places. In accordance with the provisions of Section 10(2B) of The Act, Figure 2.9 illustrates the Core Strategy Map which depicts the DLR settlement strategy for the Plan period.” [our emphasis].

The Sandyford Business District is identified as a mixed use district from which a significant portion of the supply of residential units will derive up to the 2028 horizon – and potentially beyond.

Section 2.4.3 of the Core Strategy highlights:

The policy approach set out throughout the Plan, is about creating a liveable County where residential development is balanced with the need for supporting community infrastructure. It is recognised that the creation of sustainable residential communities requires more than the provision of housing alone, and it is imperative that the Plan supports the creation of vibrant, sustainable communities with access to good housing choice, open space and recreation, a range of quality transport options and appropriate social and community infrastructure.

Section 2.4.8.3 of the Plan notes:

In addition, there is significant opportunity for the redevelopment and intensification of brownfield lands at the Sandyford Business District, as well as elsewhere throughout the County.

Sandyford is identified as a ‘mixed use district’ in the in the core strategy. The adopted plan outlines a need for between 22,763 and 25,353 new residential units within the lifetime of the plan and will contribute to achieving the targets at Table 2.10 of the Plan in accordance with Policy Objective CS2.

The proposal is consistent with the Core Strategy. The provision of 207 residential units accords with the stated objective of meeting the County’s projected housing needs through the provision of new residential development on zoned, serviced land.

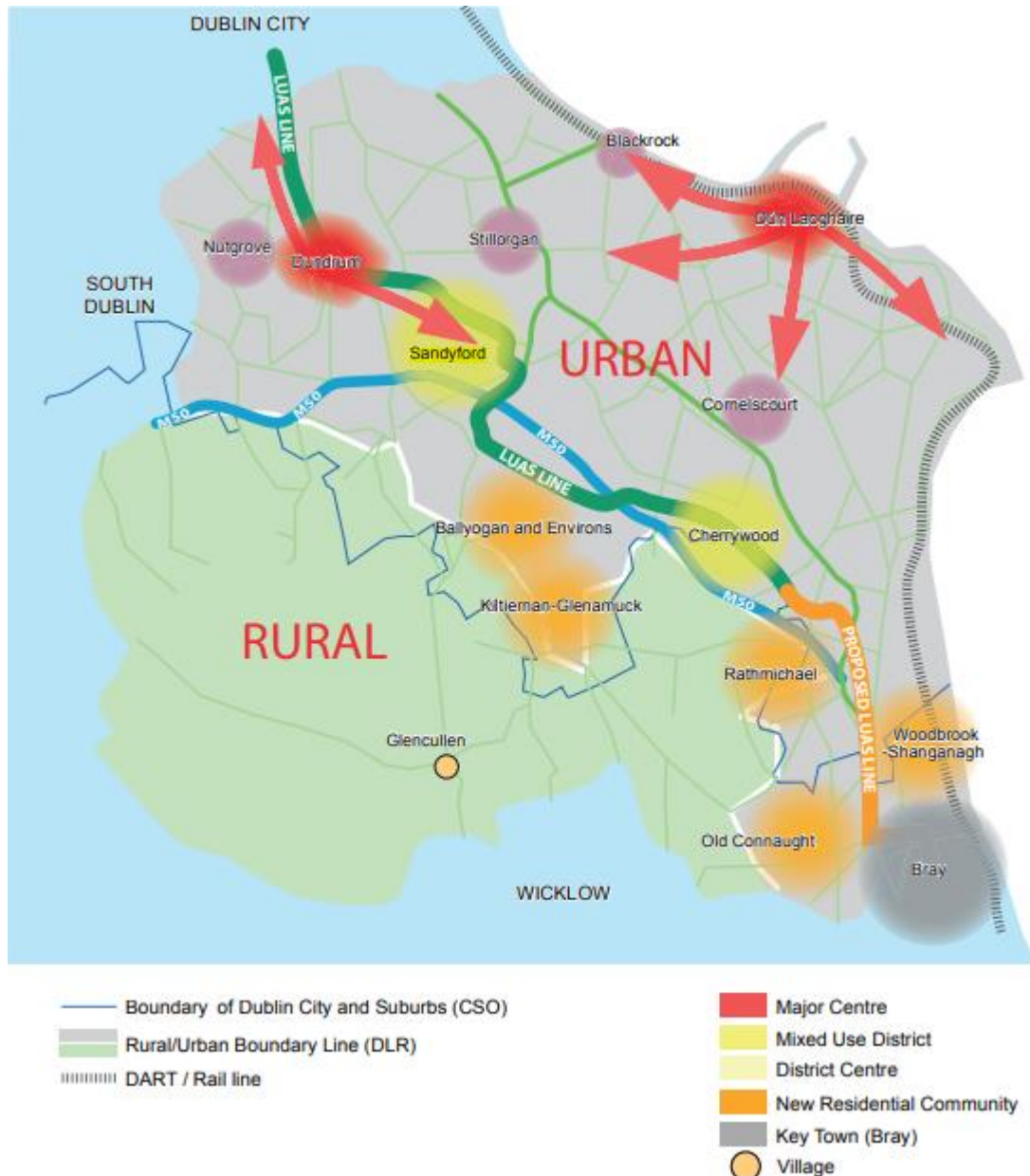


Figure 27 Core Strategy map (Figure 2.9) of Dun Laoghaire Rathdown County Development Plan 2022-28

The following Core Strategy and Climate Change policies are relevant to the proposal:

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 CS13 – Strategic Regeneration It is a Policy Objective to support the development and renewal of strategic regeneration sites in the County

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.”

Policy Objective CA17 It is a Policy Objective to promote urban greening - as an essential accompanying policy to compact growth - which supports the health and wellbeing of the living and working population, building resilience to climate change whilst ensuring healthy placemaking. Significant developments shall include urban greening as a fundamental element of the site and building design incorporating measures such as high quality biodiverse landscaping (including tree planting), nature based solutions to SUDS and providing attractive routes and facilities for the pedestrian and cyclist (Consistent with RPO 7.6, 7.22, 7.23, 9.10 of the RSES)”.

The proposal is consistent with the Core Strategy.

15.12.3 Neighbourhood, People and Places

Chapter 4 of the plan sets out, that *“In order to deliver on compact growth whilst ensuring a quality of life for residents in DLR, it is imperative that the County protects and enhances residential amenities through enabling the creation of vibrant, sustainable neighbourhoods with access to good housing choice, open space and recreation, a range of quality transport options and appropriate social and community infrastructure to support our residential communities.”*

Relevant Neighbourhood, People and Places policies are set out below.

“Overarching Policy Objective PHP1: That increased delivery of housing throughout the County will be subject to the Strategic Policy Objective to: Align with the provisions of the National Planning Framework and the Eastern and Midlands Regional Spatial and Economic Strategy. Accord with the Core Strategy set out in Chapter 2, the Housing Strategy and Interim Housing Needs Demand Assessment for the County in Appendix 2 and/or the provisions of the future Regional Housing Need Demand Assessment. Embed the concept of neighbourhood into the spatial planning of the County by supporting and creating neighbourhoods and ensuring that residential development is delivered in tandem with the appropriate commensurate enabling infrastructure, including access to sustainable neighbourhood infrastructure, sustainable modes of transport, quality open space and recreation and employment opportunities

Policy Objective PHP6: Childcare Facilities It is a Policy Objective to: Encourage the provision of appropriate childcare facilities as an integral part of proposals for new residential developments and to improve/expand existing childcare facilities across the County. In general, at least one childcare facility should be provided for all new residential developments subject to demographic and geographic needs.

Policy Objective PHP18: Residential Density. It is a Policy Objective to: Promote compact urban growth through the consolidation and re-intensification of infill/brownfield sites. 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.

Policy Objective PHP26: Housing Mix: It is a Policy Objective to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided throughout the County in accordance with the provisions of the Housing Strategy and Interim Housing Need Demand Assessment (HNDA) and any future Regional HNDA.

Policy Objective PHP27: 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 should be avoided in any one area.

Policy Objective PHP30: Provision of Social Housing It is a Policy Objective to promote the provision of social housing in accordance with the Council’s Housing Strategy and Government policy as outlined in the DoHPLG ‘Social Housing Strategy 2020’.

Policy Objective PHP34: Healthy Placemaking It is a Policy Objective to: Ensure that all development is of high quality design with a focus on healthy placemaking consistent with NPO 4, 26 and 27 of the NPF, and RPO 6.1, 6.12, 9.10 and 9.11 of the RSES. 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). 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 Objective PHP35: Inclusive Design & Universal Access It is a Policy Objective to promote and support the principles of universal design ensuring that all environments are inclusive and can be used to the fullest extent possible by all users regardless of age, ability or disability consistent with RPO 9.12 and 9.13 of the RSES”

The proposal is consistent with these objectives. PHP27 Build to Rent is addressed in further detail below (under Residential Size and Mix)

The proposed BTR development is located within 10 minutes walking distance of high frequency public transport routes at the Sandyford Luas stop the Stillorgan Road Luas stops.

The location of the site is therefore to be entirely suitable to cater for BTR development. Sandyford is a mixed use area with a large workforce, with a wide selection of services, amenities, employment and shops provided at the Beacon South Quarter and easily accessible at Dundrum Town Centre, via public transport. There is clearly not a proliferation of BTR developments within the area, with just two other BTR schemes permitted in the local area (as noted in section 4.3 (planning history)). The proposed development is therefore consistent with this policy.

15.12.4 Local Objectives

Map 6 of the Development Plan indicates Local Objective 52 at the subject site. This states the objective:

To facilitate the provision of community infrastructure at ground floor along the eastern outer edge of the Carmanhall residential neighbourhood along Blackthorn Road, to create active

street frontage and to ensure the appropriate provision of social and community infrastructure to serve the needs of the resident and employee population.

The Tack subject site does address Blackthorn Road. However, Community Infrastructure (Creche) and residential amenity spaces are placed at ground level on the Carmanhall Road to create active street frontage and is consistent with the Local Objective.

15.12.5 Building Height:

Policy Objective PHP39: Building Design & Height 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)

Appendix 5 of the County Development Plan sets out the County Building Height Strategy and includes BHS1 and BHS 2 as follows:

Policy Objective BHS 1 - Increased Height

It is a policy objective of to support the consideration of increased heights and also to consider taller buildings where appropriate in the major town centres of DunLaoghaire 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 LUA 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 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.

Policy Objective BHS 2 -building height in areas covered by an approved Local Area Plan or Urban Framework Plan (UFP must form part of the County Plan)

It is a policy objective to promote and support proposed heights as set out in any approved statutory Local Area Plan and as set out for certain areas in this draft county development plan (Sandyford Urban Framework Plan, Dundrum Urban Framework Plan and Dun Laoghaire Framework Plan)

Having regard to the Building Height Guidelines and more specifically in order to apply SPPR3 there may be instances where an argument can be made for increased height and or taller buildings in the areas mentioned above on the basis of placemaking 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.

Table 5.1 which is contained in Section 5 of Appendix 5 of the County Plan is included in Appendix B of this report for the Board's convenience.

Height objectives under the SUFP are addressed in section 15.13. below. It is highlighted that elements of the proposed development (6 to 10 storeys) are higher than provided for in the urban framework plan that applies to the site (6 to 9 storeys). However, An Bord Pleanála may still grant planning permission for the proposed development having regard to the policy framework set out under Policy Objective PHP39 (and SUFP 3). Should the Board consider that a material contravention of the County Development Plan arises. A detailed justification of the material contravention of the height is provided in the accompanying Statement of Material Contravention.

15.12.6 Residential Size and Mix

The plan is consistent with the 2018 Apartment Guidelines provide a number of Specific Planning Policy Requirements (SPPRs). Section 12.3. of the County Development Plan 2022-28 refers to Design Standards. It notes at section 12.3.3.2 Residential Density that;

In general, the number of dwellings to be provided on a site should be determined with reference to the Government Guidelines document: ‘Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities’ (2009). As a general principle, and on the grounds of sustainability, the objective is to optimise the density of development in response to type of site, location, and accessibility to public transport. (See policy PHP18, Chapter 4).

The response of the proposed development to the Guidelines has been articulated in 15.4 to 15.8 of this report and is shown to be consistent with national standards.

Section 12.3.6 of the Plan specifically addresses BTR sating:

Built-to-Rent (BTR) accommodation consists of purpose-built, long-term rental apartment accommodation that incorporates dedicated residential amenities and facilities. BTR accommodation will only be permitted in suitable locations in accordance with Policy Objective PHP27. 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 quantum and scale of the proposed residential support facilities, services and amenities must have regard to and adequately support the number of future residents within the BTR scheme. BTR accommodation must comply with all apartment standards set out in Section 12.3.5. A derogation with regard to in-unit storage may be considered where alternative, secure storage area can be provided on-site. All proposed units must provide for private open space in the form of a balcony, terrace, winter garden or roof garden.*

A reduction in the area of private open space serving each unit will only be considered in instances where at least an additional 10% high quality, useable, communal and/or additional compensatory communal support facilities are provided. On-site car parking must comply with the requirements set out in Section 12.4.5.

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.

Where any derogations in standards including standards relating to 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.

This SHD application includes a draft legal agreement in respect of the proposed ownership in compliance with SPPR7 of the Apartment Guidelines and is consistent with this policy.

The Councillors of Dun Laoghaire Rathdown County Council amended the Draft Development Plan to include BTR developments within Table 12.1 which requires a Minimum of 40% 3+ bedroom units.

This policy is inconsistent with SPPR 8(i) of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (DHLGH, 2020).

At the date of submission of this SHD application it is not clear that this policy shall remain in effect or if the Office of the Planning Regulator (OPR) shall refer the matter to the Minister for Direction.

Given this unit mix in the proposed development is not consistent with Table 12.1 of the adopted County Plan a detailed justification is provided in the material contravention statement.

15.12.7 Other Documentation Required under Chapter 12

Chapter 12 of the Dún Laoghaire Rathdown CDP 2022-2028 sets out the development management standards. These are addressed below.

CDP Standards	Development Response
12.1.1.2 Design statement	We refer the Board to the Design Statement prepared by MDO.
12.1.1.3 Landscape plans	We refer the Board to the Landscape Report by NMP Landscape Architects.
12.1.2.1 EIAR	We refer the Board to the EIAR by Golder and Associates
12.1.2.2 AA	We refer the Board to the AA screening report by Golder and Associates
12.1.2.3 Ecological Impact Assessment	We refer the Board to the EIAR by Golder and Associates which addresses biodiversity.
12.2.1 Built Environment	We refer the Board to the Preliminary Fire Safety and Access and & Use Strategy which addresses Universal Access. We also refer to the Energy Statement by IN2.

CDP Standards	Development Response
12.2.6 Urban Greening	We refer to the landscape design statement by NMP and to the SUDS Measures and overland flood route drawing by Waterman Moylan.

15.12.8 Apartment Design

In general, the development plan applies the standards of the Design Standards for New Apartments with the exception of a few items discussed below. There is a degree of repetition between the 2016 and 2022 CDPs, so the sections below only address changes between the two plans.

Under s. 12.3.5.1 Aspect in Apartments the plan states:

*‘the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’ (2018), 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, **DLR as a 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.’ (our emphasis)

We point here that the Council has effectively applied a blanket category to the entirety of the county, irrespective of location and connectivity to public transports. It is also unclear whether this exempt built-to-rent scheme from this standard or not.

The applicants have set out in different sections of this report why the site should be considered a ‘more central and accessible location’ under the Guidelines particularly when considering the provision of car parking. As the Council appears to hold a different view and apply a blanket category, this could be viewed as a material contravention.

15.12.9 Open Space

Table 12.7 outlines the categories of open space for residential development as follows:

Public Open Space

Public open space is defined as being generally freely available and accessible to the public, and in the case of certain residential developments has, or is intended to be, ‘taken-in-charge’ by the Local Authority. In all new residential development schemes, there should be some appropriate provision made for public open space within the site. In all instances where public open space is not provided a contribution under Section 48 will be required for the short fall.

Communal Open Space

Communal open space is for the use of a set group of residents within the development only and would ordinarily be maintained by a Management Company i.e. is privately owned. This would be typical of apartment - type residential developments and can be gated/ located adjacent to one/two specific apartment blocks for their exclusive semiprivate use. It can also apply to some housing schemes.

Private Open Space

Private open space normally refers to balconies and/or private gardens, which are the responsibility of, and only accessible to, the individual resident.

The adopted Plan notes that all applications for residential schemes (including Built to Rent) should include a clear written schedule and colour coded drawing with public, private and communal open space provision identified.

It is further noted (12.8.3.1) that in relation to communal open space, the adopted Plan states:

It is acknowledged 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 may provide adequate communal open space but no actual public open space. In these instances where the required 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

“In very high density schemes (in excess of 100 units per hectare), the Council may seek a development contribution under Section 48 of the Planning and Development Act 2000, as amended, for the shortfall in communal open space provision.”

Section 12.8.5.4 ‘Roof Gardens’ (amendment (196) states:

“Roof gardens are a valuable form of urban greening (see Section 3.4.4.1). Consideration of the use of roof gardens as communal open space shall be on a case by-case basis and will not normally be acceptable on a site where there is scope to provide communal open space at grade, as roof gardens do not provide the same standard of amenity particularly to young children. Consideration must also be given to the overall design, layout, and location of the roof garden, including its height. For larger apartment schemes in excess of 50 units no more than 30% of the communal open space shall be provided by way of a roof garden.

While recognising that the primary form of communal open space should be provided at grade, where intensive green roofs are being provided in accordance with Section 12.8.6.3 and Appendix 7.2 there may be scope for their use as additional amenity areas in the form of roof gardens.

This SHD application includes a detail Landscape Masterplan prepared by NMP Landscape Architects.

The proposed development provides 438 sqm of public open space which equates to c. 10% of the (net) site area which meets the 2016 plan requirements but is inconsistent with the 15% standard sought in the adopted plan. The communal open space requirement amounts to some 1,014 sq. m. in the courtyard and 419 sq.m. at roof level. (41% of Communal Space). The NMP Landscape Design Statement illustrates that the total requirement is 1103 sq.m. and total provided is 1433 sq.m.

The adopted plan allows for a reasonable allocation of Public and Communal Open Space having regard to the high density nature of the development and the high quality nature of space proposed. However, should the Board consider a material contravention arises, this is addressed in the accompanying statement.

Private Amenity

In accordance with BTR policy 12.3.6, all proposed units provide for private open space in the form of a balcony, terrace, winter garden or roof garden.

15.12.10 *Design Statements*

Section 12.1.1.2 requires that a Design Statement should be submitted for all applications of 1000+sq.m. commercial development or applications of 30+ residential units (refer also to Policy Objective PHP41 and Section 12.3.1 below).

This SHD is accompanied by a Design Statement prepared by MDO Architects. It addresses (and is consistent with) the 12 criteria that residential development should be assessed against under The Urban Design Manual is the accompanying document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009).

15.12.11 *External Storage*

The adopted Plan also notes that apartment schemes should provide external storage for bulky items outside individual units, in addition to minimum apartment storage requirements. Proposed Material Amendment no. 168 indicates external storage standards shall accord with or exceed the levels outlined in Table 12.3b

We refer the Board to section 12.3.5.3 ‘Internal Storage and External Storage’ which require in table 12.3b that the following external storage standards be complied with or exceeded.

Table 12.3b

Number of Bedrooms	Storage area (cubic metres)
Studio/1 bedroom	4m cubed
2 bedroom (3 person)	6m cubed
2 bedroom (4 person)	8m cubed
3 bedroom	10m cubed

The proposed development includes 13.75 sqm of external storage at basement level. Applying the requirement stated in the table above, the development would yield a requirement of 1,054 sqm of external storage.

We refer the Board to SPPR8 (i) of the Apartment Design Guidelines clearly state in respect of Build to Rent developments: ‘No restrictions on dwelling mix and **all other requirements** of these Guidelines shall apply, unless specified otherwise;’ and (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.

On this basis, we contend that the proposed development, being a Built-to-Rent scheme complies with the Guidelines. This item is addressed in the Material Contravention Statement if the Board consider it to be of relevance.

15.12.12 *Parking*

Amendment 186 of the Adopted Plan includes “Table 12.7 Sandyford Urban Framework Plan Area - Parking Maximums For All Future Residential Developments New Residential parking thresholds in SUFP as follows:

Unit size	Car parking spaces per unit
1 bed	0.6
2 bed	0.8
3 or more bed	1
All units	Minimum of 0.02 car share spaces

It is highlighted that the adopted Development Plan standard is for maximum parking. This is consistent with Government's Apartment Design Guidelines.

Vehicular parking is provided at approx.. 0.3 spaces per unit (79 overall) at ground and basement levels. A set-down space is also provided on the internal street for servicing and creche. 288 cycle parking spaces are proposed. The proposed development is therefore consistent with the provisions of the adopted plan on parking.

15.13 Sandyford Urban Framework Plan 2022-2028 (SUFP)

Appendix 17 of the County Plan contains the SUFP.

15.13.1 Zoning

The site is zoned residential A2. It is an objective of the Council to provide for the creation of Sustainable Residential Neighbourhoods, and preserve and protect residential amenity in Zone 5 of Sandyford Business District.

Permitted in Principle

Assisted Living Accommodation, Community Facility, Childcare Service, Education, Open Space, Public Services, Residential, Residential Institution

Open For Consideration

Bring Banks/Bring Centres, Build to Rent, Carpark (ancillary), Cultural use, Doctor/Dentist etc., Home Based Economic Activities.

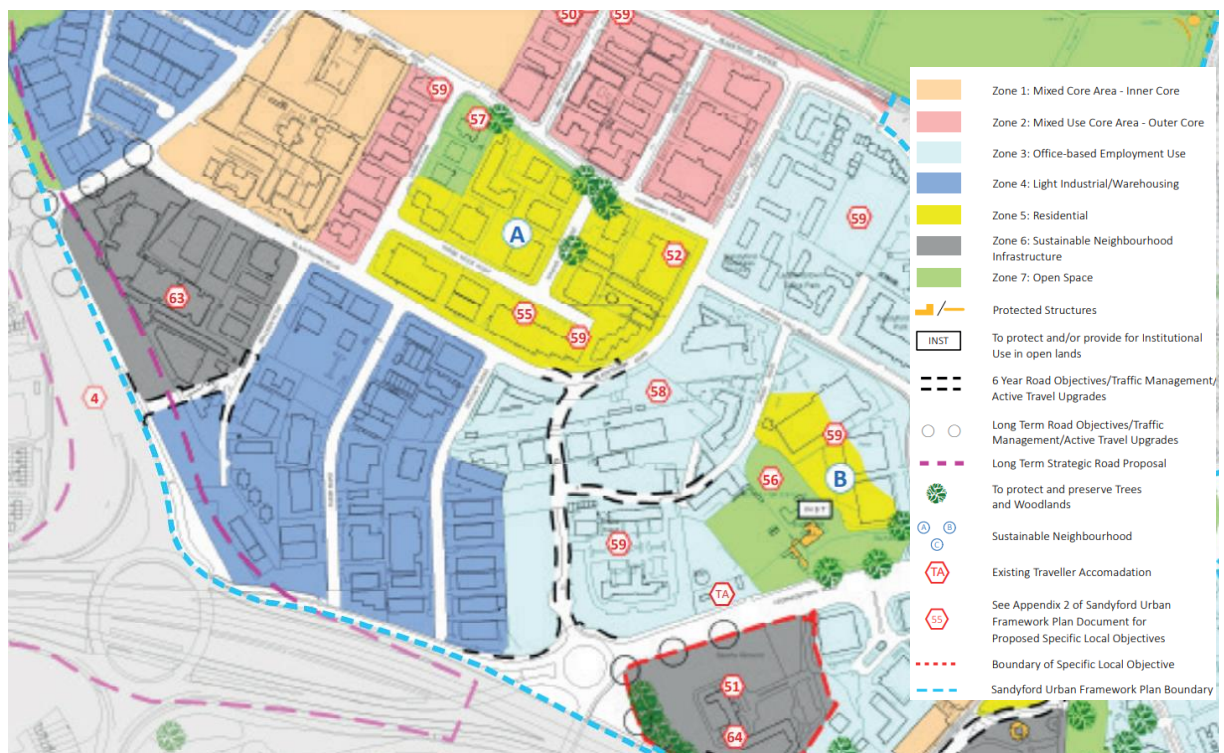


Figure 28: Map I – Land Use Zoning of the Sandyford Urban Framework Plan 2022-28

The SUFP also includes the following pertinent statement regarding the surroundings of the site.

Zone 5 Residential

(a) Carmanhall Road Neighbourhood

This residential neighbourhood is to be centrally located within Sandyford Business District adjacent to the Mixed Use Core Area, reducing the need to travel and enhancing the viability of retail facilities and services and the vitality of the area as a whole. It is suitably

located close to existing residential developments at Beacon South Quarter, Rockbrook and at Corrig Road and Ballymoss Road and is within walking distance of proposed social, educational and recreational amenities and the proposed transport interchange and Luas along Blackthorn Drive/Avenue.

The outer edge of this residential area, fronting Blackthorn Road, provides for uses that will create active street frontage and provide a transition between the residential area and the opposing employment based areas along Blackthorn Road. It is anticipated that these own door business units will provide appropriate facilities for small businesses (Map 1, SLO 55).

3.5.4. Zone 5 – Sustainable Residential Neighbourhoods

Sites 1, 5 and 11: Carmanhall Road Residential Neighbourhood

- *Carmanhall Road which forms the base line for this residential neighbourhood is considered essential in enhancing connectivity and linking the different retail, commercial and residential aspects of Sandyford Business District.*
- *This residential neighbourhood shall be contained by tall buildings at either end of Carmanhall Road where the building line along the southern side of Carmanhall Road shall be set back to provide a linear greenway. This linear greenway will widen into a substantial Civic Park located at the junction of Corrig Road and the north west of Carmanhall Road. It is envisaged that the Park together with the greenway will provide high amenity open space for both the local residents and employees alike.*
- *The urban form shall provide a strong, animated and active outer edge, with commercial uses at ground floor level, to the residential neighbourhood fronting onto Blackthorn Road. This outer edge whilst promoting routes and permeability will act as a buffer to the inner residential area and the green areas of this neighbourhood.*

The subject site is located within the Carmanhall Road Neighbourhood as identified 'A' on Map 1 (see above figure 28). The site is not effected by SLO 52 or SLO 55 as referred to above. SLO 52 refers to the corner of Carmanhall Road and Blackthorn Road and SLO 55 refers to sites fronting Blackthorn Road. Notwithstanding, it is noted that a residents co-working space and a residents lounge are provided at ground floor level of the proposed building directly overlooking the proposed public open space. In addition, own door access is provided to ground floor units fronting both Carmanhall Road and Ravens Rock Road

15.13.2 Density and Scale

SUFP 2 relating to density and scale states:

2.5.1 Policy SUFP 2 Density and Scale It is Council policy to ensure that Sandyford Business District develops in an orderly manner in accordance with the increase in uses set out in the objectives of this Plan and the Density and plot ratio set out in Map 2.

Map 2 provides for a density of 150 units per ha. for the subject site.

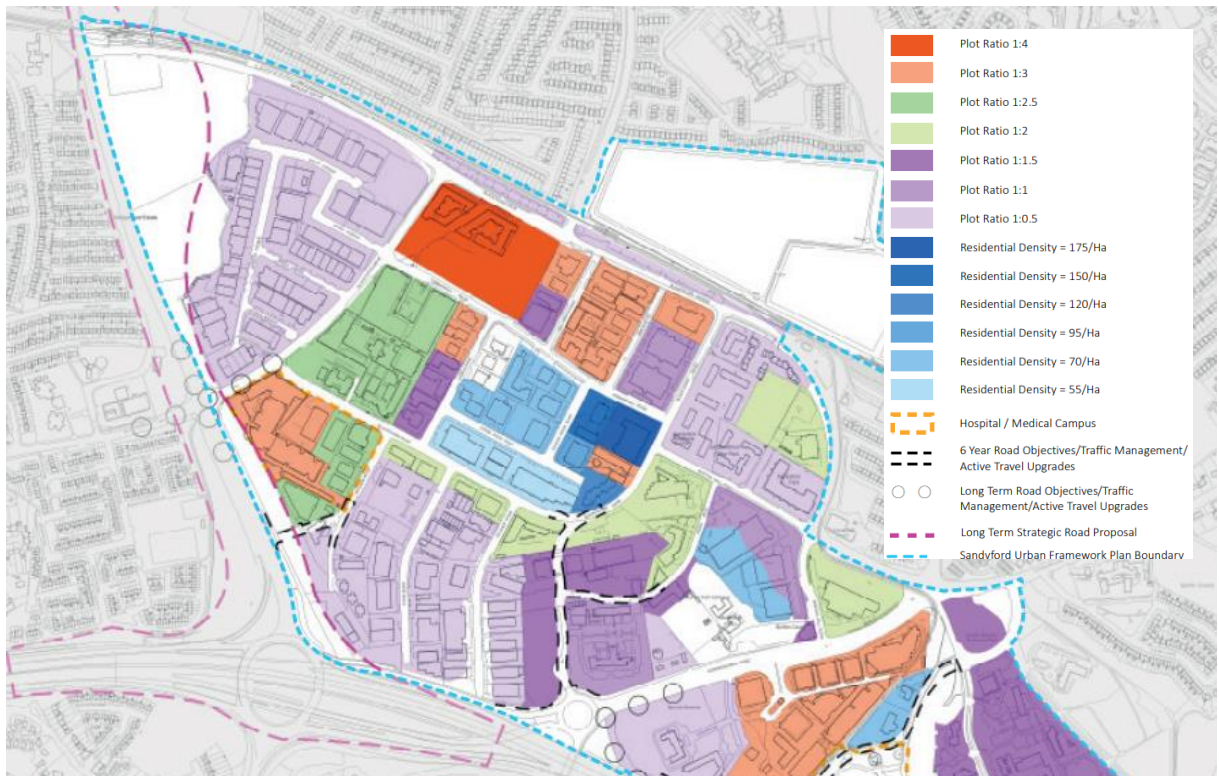


Figure 29 Map 2 - Plot Ratios & Residential Densities of the Sandyford Urban Framework Plan 2022-2028

The proposed development has a density of 295.8 units per hectare. As noted in Section 6.3 of this report, Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), there should, in principle, be no upper limit on the number of dwellings that may be provided within any town or city centre site.

Objective DS3 states:

It is an objective of the Council to ensure where the plot ratio proposed is greater than 1:2, the layout should take the form of streets in order to contribute to the vibrancy of these core areas.

The documentation submitted with this application, demonstrates that the proposed density is appropriate, supports a high quality standard of residential amenity and would avoid undue adverse impact on the amenities of existing or future adjoining neighbours.

Should the Board consider that this item comprises a Material Contravention of the Development Plan, it has been addressed in the separate Material Contravention statement.

15.13.3 Height

Policy SUFP 3 of the Sandyford Urban Framework Plan 2022 states:

3.2.1 Policy SUFP 3 Building Height in Sandyford Business District

It is Council Policy that building height in Sandyford Business District accords with the height limits indicated on Building Height Map 3, subject to policy objectives BH1 and BH2 of the Dun Laoghaire Rathdown County Development Plan 2022-2028. (consistent with NPO 35 of the NPF, SPPR 3 of the 'Urban Development and Building Height; Guidelines for Planning Authorities' (2018)).

This is qualified by the following statements

BH1 SUFP

It is an objective of the Council to ensure that Sandyford Business District is developed in accordance with height limits set out in Map 3 Building Height subject to the building making a positive contribution to the built form as set out above

BH5 SUFP

Additional height may be permitted where it can be demonstrated that additional height over the height limits identified on Map 3 accords with policy objective BHS1 and BHS2, of the Dun Laoghaire Rathdown County Development Plan 2022-2028, Appendix 5 subject to complying with the safeguards outlined in these policies as set out in Table 5.1 of the BH Strategy and any other development limits/phasing set out in the SUFP. Any application for increased height or taller buildings over and above the parameters set out in Map 3 shall be subject to assessment under policy objective BHS1 and BHS2 of the CDP.

Map 3 of the Sandyford Urban Framework Plan 2022 sets out heights for individual parcels of land within the Sandyford Business District including the subject site which has been designated as having a permitted/developed height limit of 6-9 storeys (Figure 29).

Appendix 5 of the County Development Plan sets out the criteria referred to under BHS1 and BHS2.

The Architectural Design Statement by MDO Architects sets out in detail the rationale and design development of the massing and design of the proposed development in respect of Policy Objective BHS1 and BHS2. This includes a demonstration of how the proposal complies with the 12 Criteria set out in “Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities (2009).

A Visual Impact Assessment is included in Chapter 13 of the EIAR and Verified Photomontages by Digital Dimensions are also provided. The application package is also accompanied by Building Life Cycle Report (MJP Consultants), a Strategic Flood Risk Assessment and a DMURS report (Waterman Moylan). A comprehensive Daylight and Sunlight assessment prepared by IN2 is also included in the SHD Package. The EIAR includes Micro Climate and Noise Assessments.

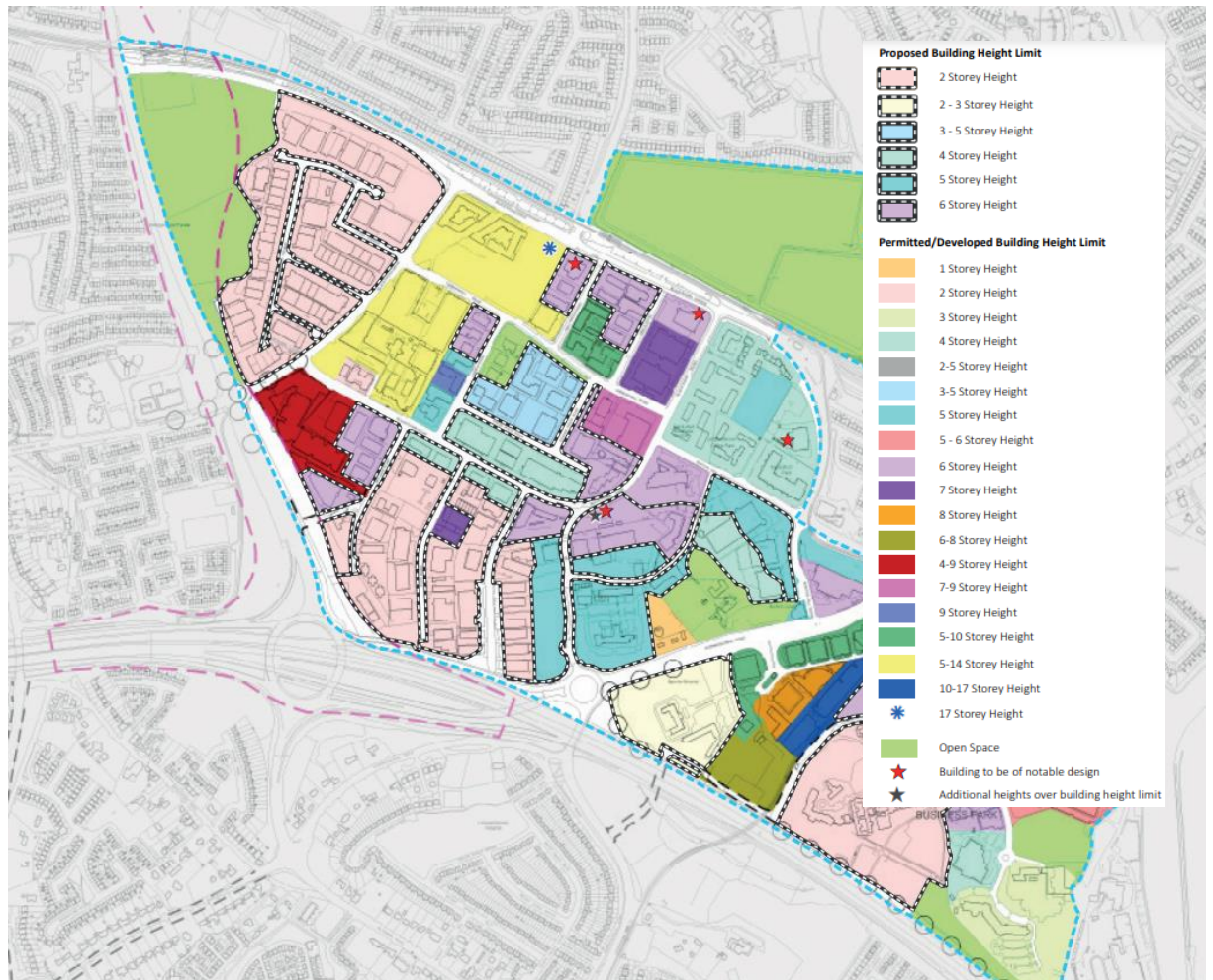


Figure 30 Map 3 – Building Heights of the Sandyford Urban Framework Plan 2022-2028

Figure 30 below is from the Design Statement prepared by MDO Architects. It illustrates that the architectural elevations have been designed to a ‘shoulder height’ of 6 storeys to Ravens Rock Road and 8 storeys to Carmanall Road. The increase of two storeys above the SUFP limit is designed to visually step back from the street through the use of materials.

Elements of the proposed development are higher than provided for in the urban framework plan that applies to the site. However, An Bord Pleanála may still grant planning permission for the proposed development having regard to the policy framework set out under SUFP 3. Should the Board consider that a material contravention of the County Development Plan arises. A detailed justification of the material contravention of the height is provided in the accompanying Statement of Material Contravention.

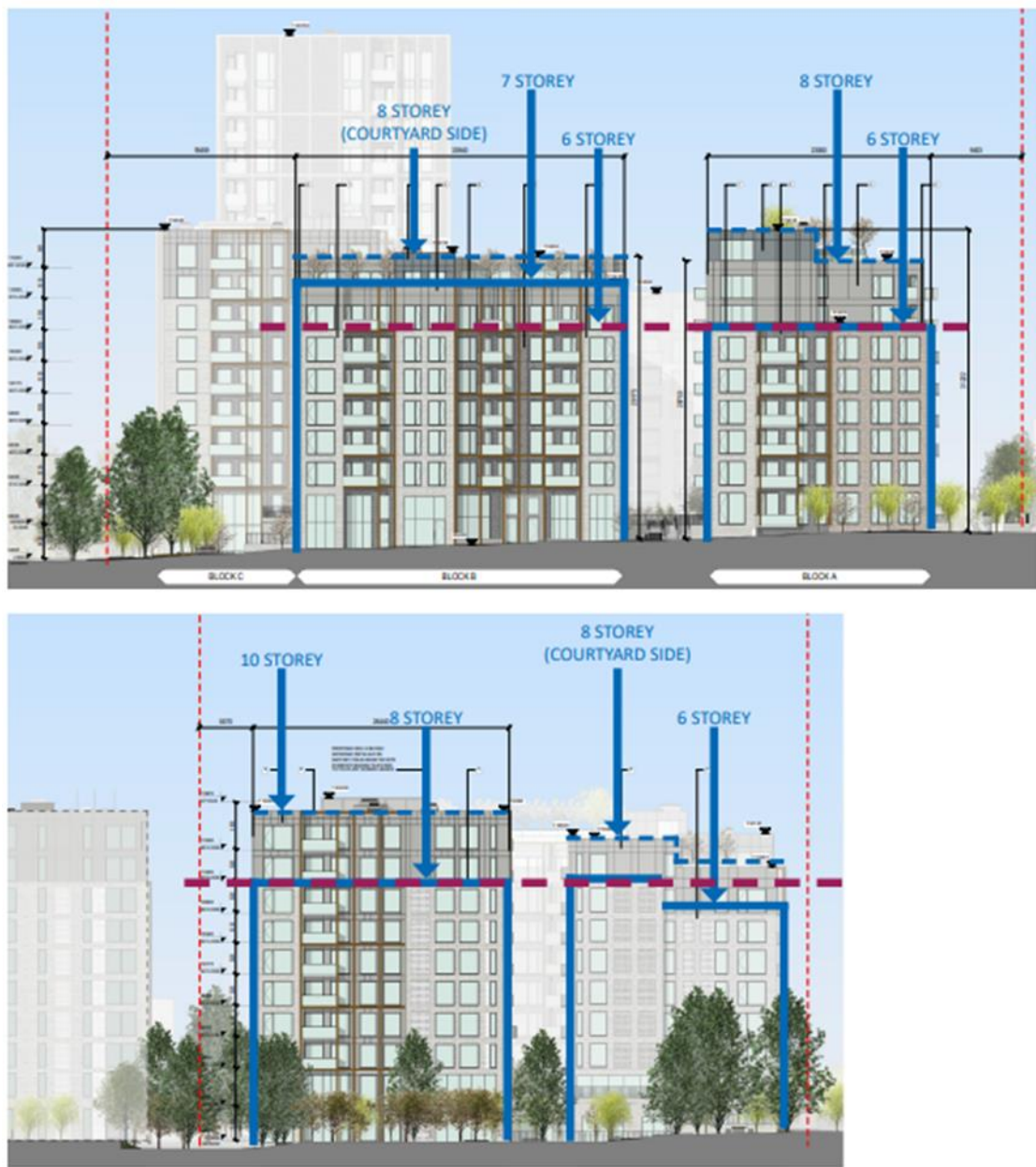


Figure 31 Analysis of proposed building height above 'shoulder height' street frontage (Source: MDO Architects Design Statement)

15.13.4 Transport

The SUFP sets out the following relevant Transport Objectives:

“TAM1 It is an objective of the Council to require all future development in the Sandyford Business District to achieve a peak hour transport mode split of 45% trips by car drivers (maximum) and 55% trips by walking, cycling and public transport and other sustainable modes (minimum targets) as per Government policy stated in the document published by the Department of Transport entitled, ‘Smarter Travel, A Sustainable Transport Future 2009-2020’.

“TAM8 It is an objective of the Council to require future developments within the Sandyford Business District that impact on the road network to submit a Quality Audit to be carried out in accordance with DMURS and best UK practice. Note: Potential applicants for planning permission should engage in pre-planning discussions with the Council’s Transportation Section to ascertain which audits, if any, should be submitted with the application. Further details on the guidance on the audit thresholds can be found within the ‘Development Management Thresholds’.

TAM9 It is an objective of the Council that a Travel Plan will be required for developments in the Sandyford Urban Framework Plan that exceed the thresholds set in the following table. “

Waterman Moylan Engineers have prepared a Traffic and Transportation Statement and a Residential Travel Plan, both of which accompany this application in accordance with TAM1, TAM8 and TAM9.

TAM13 It is an objective of the Council to require applicants to explore the potential to share access points with adjoining properties so as to limit the number of entrances and exits.

The Masterplan prepared for the Tack and Avid sites in support of the two separate applications provides a single access/egress junction onto Carmanhall Road as well in addition to the access-only vehicular entrance from Ravens Rock Road. This is consistent with objective TAM 13.

15.13.5 Parking

The SUFP includes the following parking objective:

TAM14

It is an objective of the Council that development shall adhere to the parking standards as set out in section 12.4.5 of the Written Statement and the cycle standards as set out in – ‘Standards for Cycle Parking and Associated Cycling Facilities for New Developments’ (2018) or any subsequent review of these standards.

Table 12.7 Sandyford Urban Framework Plan Area - Parking Maximums For All Future Residential Developments New Residential parking thresholds in SUFP (Table is shown in section 15:12 above).

15.13.6 Trees

Map 1 of the Sandyford Urban Framework Plan 2022-2028 includes a site specific objective on the site; *To protect and preserve Trees and Woodlands.*

Reference is also made to Policy PR5

PR5: It is an objective of the Council to endeavour to conserve all street and roadside trees where feasible and to replace all trees removed with an appropriate species, where the removal of street and roadside trees is necessary.

15.13.7 Public Realm

The adopted plan lists the following policies and objectives which are relevant to the proposal in relation to public realm, mature trees and green routes:

“Policy SUFP 4 Public Realm – It is Council policy to promote a high standard of public realm within Sandyford Business District. Public realm is defined as all external spaces that are publicly accessible, including streets, parking areas, footpaths, squares and parks.

PR9 It is an objective of the Council to protect the mature trees and their setting at Burton Hall and along Carmanhall Road.

WF3 It is an objective of the Council to provide Green Routes that will link the open space network (in particular the pocket parks and urban plazas), along streets within the Sandyford Business District. These routes will cater for pedestrians and cyclists. The routes shall provide the connectivity identified in Drawing 10.”

The proposed development supports the retention and enhancement (where appropriate of the verges and street trees along the public roads bounding the site. We refer the Board to the Arboricultural Assessment, Arboricultural Impact and Tree Protection Strategy Report by CMK and Landscape Design proposals by NMP Landscape Architects.

A public park is provided with retains the mature oak trees at the corner of the Carmanhall and Ravens Rock Roads. The landscape and engineering proposals support the green routes along the edge of the site. Overall the proposed development is consistent with the public realm provisions of the SUFP.

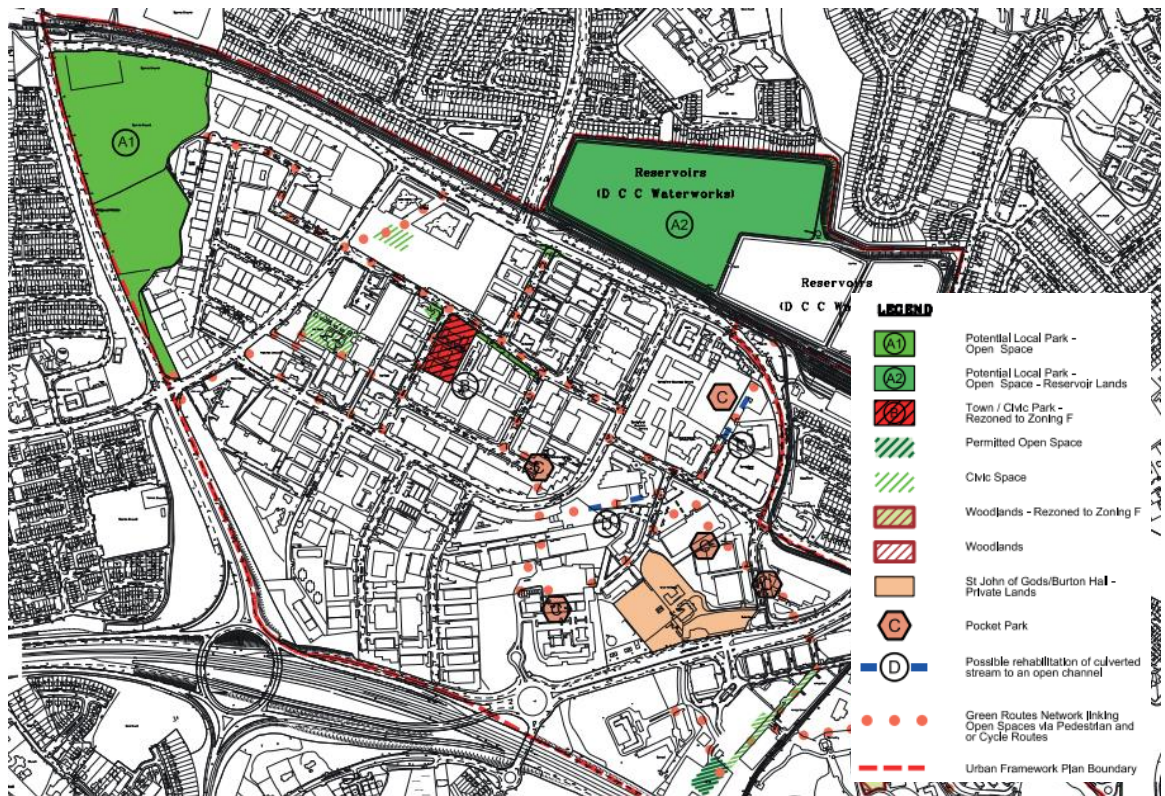


Figure 32 Drawing No. 10 Amenity Open Space Plan of the Sandyford Urban Framework Plan 2022-2028

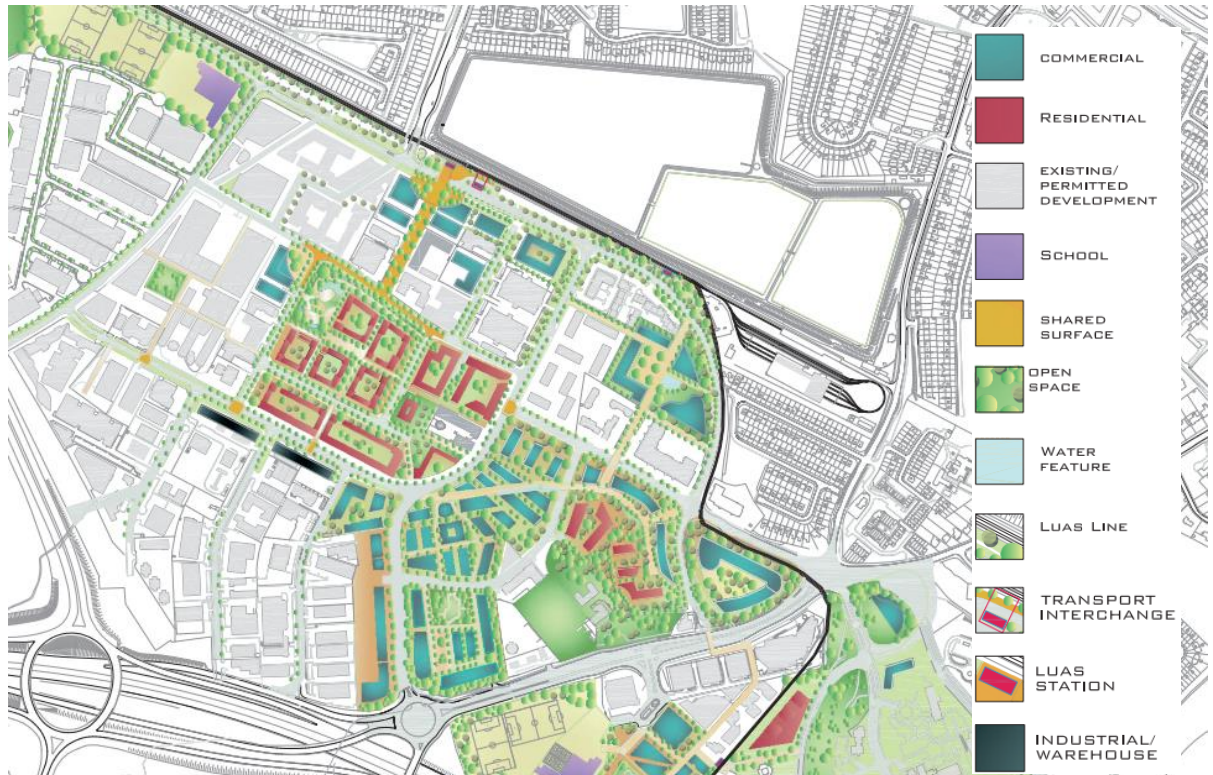


Figure 33 Drawing No. 11 Design Principles and Character Areas of the Sandyford Urban Framework Plan 2022-2028

15.13.8 Public / Communal Open Space

The following relevant objectives apply to areas within the ‘open space’ zone:

“F3 It is an objective of the Council to develop a Sandyford Business District Civic Park (circa 0.8ha of public open space) through a combination of development contributions and other funding streams. A balance will be struck in the design and the layout of this park between the smart, civic quality of an urban square, and the casual, spontaneous nature of a residential area. This will include significant water features, a high degree of sculptural influence, play opportunities, including those for children’s play, hard & soft landscape features and extensive tree planting (Map 1, SLO 57)

F4 It is an objective of the Council to provide public open space for active and recreational uses as identified on Drawing No. 10. The Local Authority will actively pursue the provision of this public open space. This public open space will be funded in accordance with the Development Contribution Scheme adopted for the Plan area.

F5 It is an objective of the Council to facilitate the provision of a series of pocket parks/urban plazas to be used for small scale localised recreation. These public open spaces may be themed so as to provide a variety of experiences (e.g. landscaped or small active recreational facility). These parks provide break out areas along the Green Routes. (Map 1, SLO 59)

F6 It is an objective of the Council to protect the stands of trees within South County Business Park by including them and the lands within which they stand, within the Open Space zoning.”

The development of this BTR development will support the implementation of objectives F3 to F5 and is consistent with these policy objectives.

There are no objectives in the SUFP to provide public open space or a park on the subject site.

15.13.9 Water and Drainage

SWD1 states that it is an objective of the Council to ensure that stormwater management and Sustainable Drainage Measures (SuDS), including a requirement to undertake Stormwater Audits, shall form part of any application.

This SHD planning application includes an Engineering Assessment Report (EAR) with Surface Water Drainage proposals and a SUDs assessment prepared by Waterman Moylan Consulting Engineers. They also prepared a Flood Risk Assessment. A Stormwater Audit has been carried out in respect of the EAR Report by Punch Consulting Engineers.

16 Conclusion

This statement of consistency demonstrates how the proposed development compiles with relevant national, regional and local planning policies and objectives

The proposal which comprises the construction of a ‘Build-to-Rent’ housing development comprising 207 no. residential apartments with associated communal and community infrastructure facilities at the Former Tack site, Carmanhall Road, Sandyford Industrial Estate, Dublin 18, is considered to be acceptable and compliant with the policies and objectives as set out in the applicable national, regional and local planning policy context.

At a National and Regional level, this statement has demonstrated consistency with the following:

- Ireland 2040 - Our Plan National Planning Framework;
- Project Ireland 2040 National Development Plan 2018—2027;
- Urban Development and Building Heights - Guidelines for Planning Authorities (December 2018)
- Rebuilding Ireland – Action Plan for Housing and Homelessness, July 2016
- Housing for All – A New Housing Plan for Ireland (DHLGH 2021)• Quality Housing for Sustainable Communities – Guidelines for Planning Authorities;
- Sustainable Residential Development in Urban Areas - Guidelines for Planning Guidelines (2009);
- Urban Design Manual – A Best Practice Guide 2009;
- Regional Spatial and Economic Strategy (RSES) for Eastern and Midland Regional Assembly
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018-2020); and,
- Guidelines for Planning Authorities on Childcare Facilities (2001).

Consistency is also demonstrated with the objectives, policies and provisions of the Dún Laoghaire-Rathdown Development Plan 2016-2022 and the Sandyford Urban Framework Plan 2016-2022, which represent the key planning policy documents at a local level, with consideration also presented in respect of the adopted Dún Laoghaire-Rathdown Development Plan 2022-2028 and the Sandyford Urban Framework Plan 2022-2028.

The development has been designed to an exceptionally high standard to contribute to the ever-evolving urban form of the area. Further to this, the proposed scheme has been designed having regard to the amenities of adjoining sites, providing for appropriate setbacks and lower height-built form elements adjacent to same with the higher built form elements being provided along the north-eastern site boundary to provide for maximum separation distance.

It is considered that the proposed development comprising 207 no. residential units at this application site within Sandyford Industrial Estate and within proximate distance of Dublin City Centre presents an appropriately scaled residential development on appropriately zoned land. It is considered that the subject site, being located within close proximity to an employment centre of significant scale and served by multiple public transport links to Dublin city centre, has the capacity to accommodate additional residential accommodation and respond to the current housing shortage.

Elements of the scheme which may be considered inconsistent with Development Plan Policy have been addressed fully in the Material Contravention Statement, namely; Height, Density, Apartment mix (BTR), Car Parking, External Storage and Tree preservation.

It is respectfully submitted that overall the proposed development is consistent with the proper planning and sustainable development of the area, and is consistent with all relevant national, regional and national planning policies and guidelines.

Appendix A

Letter of consent and support from Atlas GP in support of the proposed development

ATLAS GP LIMITED

7th Floor, O'Connell Bridge House, 27/28 D'Olier Street, Dublin 2, D02 RR99

14th March 2022

Letter of Consent

To whom it may concern,

We the undersigned are the owners of the property located on Blackthorn Road/Carmanhall Road (former Avid Technology International Site), Sandyford, which is currently the subject of an SHD Pre-Application Consultation with An Bord Pleanála under reference ABP-312265-21. This site shares a common boundary with the former 'Tack' site bounded by Carmanhall Road and Ravens Rock Road which is subject of an SHD planning application to An Bord Pleanála.

We can confirm that Atlas GP Ltd. and Sandyford Environmental Construction Ltd. have prepared a joint Masterplan for the two adjoining sites to facilitate future development with a co-ordinated and complementary approach. There is a portion of Atlas GP Ltd. property within the redline of Sandyford Environmental Construction Ltd. SHD application boundary (identified as 'Avid Land' on the enclosed plan 1081-MDO-TS-XX-DR-A-05003).

Under Section 17(3) of the Planning and Development (Amendment) (Large-scale Residential Development) Act 2021, Atlas GP Limited has confirmed to An Bord Pleanála of its intention to proceed and lodge an SHD application for the development within the period of 16 weeks beginning on the date on which a notice under section 6(7)(b) of the Act of 2016 is issued in relation to the proposed strategic housing development.

We hereby wish to state our support for the application by Sandyford Environmental Construction Ltd. For clarity, we consent to the making of the planning application, including the 'Avid Land' described above and having regard to development along the common property boundary, in order to provide for a co-ordinated approach to development.

Yours faithfully,



Pat Crean
Director
For and on behalf of Atlas GP Ltd



1 SITE PLAN MASTERPLAN

NO	DATE	DESCRIPTION	BY
1	2024-01-15	ISSUED FOR PERMIT	MD
2	2024-01-15	ISSUED FOR PERMIT	MD

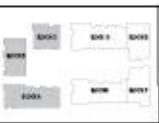
SITE LEGEND

— SITE BOUNDARY

— LEGAL INTEREST BOUNDARY

DLRCC LAND = 1315 m²

AWD LAND = 7 m²



PLANNING

Client: Blackburn Environment Centre Ltd (BEC) of Ltd

Project: 20240101 SANDYFORD SHD

Title: SITE PLAN - MASTER PLAN

Number: 1001-MDO-TS-XX-DR-A-05003

Date: 24/01/2024 | Version: 1 | Page: 1

BLACKBURN ENVIRONMENT CENTRE
11 Weymouth Square, Duxford, Cambs, CB22 3QJ
Tel: 01352 833111 | Fax: 01352 833112
www.bec.org.uk

Appendix B

Dun Laoghaire Rathdown County Development Plan 2022-2028, Appendix 5, 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.

Criteria for All Such Proposals	DM Requirement
At County Level	
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.	
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.*	
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).
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.	
Infrastructural carrying capacity of area as set out in Core Strategy of CDP, relevant Urban Framework Plan or Local Area Plan.	
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).
Proposal should not be monolithic and should avoid long, uninterrupted walls of building in the form of slab blocks.	Design Statement.
Proposal must show use of high quality, well considered materials.	Design Statement. Building Life Cycle Report.
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".
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.	
Proposal must positively contribute to the mix of uses and /or building/dwelling typologies available in the area.	Design Statement.
Proposal should provide an appropriate level of enclosure of streets or spaces.	Design Statement.
Proposal should be of an urban grain that allows meaningful human contact between all levels of buildings and the street or spaces.	

Criteria for All Such Proposals	DM Requirement
Proposal must make a positive contribution to the character and identity of the neighbourhood.	
Proposal must respect the form of buildings and landscape around the site's edges and the amenity enjoyed by neighbouring properties.	
At site/building scale	
Proposed design should maximise access to natural daylight, ventilation and views and minimise overshadowing.	Must address impact on adjoining properties/spaces/
<p>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).</p> <p>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.</p>	
Proposal should ensure no significant adverse impact on adjoining properties by way of overlooking overbearing and/or overshadowing.	
Proposal should not negatively impact on an Architectural Conservation Area (ACA) or the setting of a protected structure.	
County Specific Criteria	
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.
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.
Additional specific requirements (Applications are advised that requirement for same should be teased out at pre planning's stage).	
Specific assessments such as assessment of microclimatic impacts such as down draft.	
Potential interaction of building, materials and lighting on flight lines in locations in proximity to sensitive bird/bat areas.	
Assessment that the proposals allows for the retention of telecommunications channels, such as microwave links.	
An assessment that the proposal maintains safe air navigation.	
Relevant environmental assessment requirements, including SEA, EIA (schedule 7 information if required), AA and Ecological Impact Assessment, as appropriate.	
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.	
For larger unconstrained redevelopment sites BRE standard for daylight and sunlight/any forthcoming EU standards on daylight sunlight should be met.	

