

# Response to An Bord Pleanála Opinion

Bailey Gibson 2 – Proposed Strategic Housing  
Development

July 2022



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# Document Control Sheet

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## Table of Contents

1. Introduction.....	3
2. Statement of Response to Specific Matters .....	3
3. Statement of Response to Specific Information .....	15
3.1 A Response to the matters raised in the report of the Dublin City Council Transportation Department .....	15
3.2 Phasing Plan .....	15
3.3 Local Authority Areas .....	16
3.4 Sections.....	16
3.5 Photomontages .....	16
3.6 Analysis of wind microclimate and pedestrian comfort .....	17
3.7 Daylight/ Sunlight.....	17
3.8 Proposed materials and finishes .....	18
3.9 Building Lifecycle Report.....	19
3.10 Water Supply and Drainage.....	19
3.11 Historic Building Survey.....	19
3.12 Article 299B(1)(b)(ii)(II) and Article 299B(1)(c).....	20
4. Notification of Statutory Bodies.....	20

# 1. Introduction

This report addresses 14 specific information requirements requested by An Bord Pleanála (ABP) in their notice of Pre-Application Consultation Opinion (case ref. ABP 311959-21) on foot of a pre application consultation meeting for the proposed development.

## 2. Statement of Response to Specific Matters

1. Further consideration of, and possible amendment to the documents submitted and justification for the proposed development with regard to compliance with the Development Plan zoning objectives relating to this site. In this regard a detailed statement of consistency and planning rationale, clearly outlining how in the prospective applicant's opinion, the proposed development is compliant with local planning policies and in particular the Z4 - District Centres zoning objective, which aims 'To provide for and improve mixed-services facilities.' This may require possible amendment to the documents and/or design proposals submitted.

This response should be read in conjunction with the Statement of Consistency with the Dublin City Development Plan 2016-2022 and the Planning Statement submitted under separate cover. It is noted that it was not deemed necessary to amend the proposed development on foot of this point having regard to the planning rationale set out below and in the other supporting documentation.

### **Section 3(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016**

An application for strategic housing development is defined in section 3(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016 as, inter alia,

*"(a) the development of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses."*

The notion of "zoned" or in particular *"zoned...for a mixture of residential and other uses"* is not defined.

There are 14 zoning categories in the Dublin City Development Plan 2016 -2022 with two express residential zoning categories which are;

- Z1 Sustainable Residential Neighbourhoods and
- Z2 Residential Neighbourhoods (Conservation Areas).

Of the remaining zoning categories, Residential is "permissible in principle" for seven zoning categories;

- i. Z3 Neighbourhood Centres;
- ii. Z4 District Centres (incorporating Key District Centres);
- iii. Z5 City Centre ;
- iv. Z8 Georgian Conservation Areas;

- v. Z10 Inner Suburban and Inner City Sustainable Mixed-Uses;
- vi. Z12 Institutional Land (Future Development Potential);
- vii. Z14 Strategic Development and Regeneration Areas (SDRAs).

There are 4 zoning designations associated with the proposed development site, they are;

1. Z1 Sustainable Residential Neighbourhoods
2. Z2 Residential Neighbourhoods (Conservation Areas).
3. Z4 District Centres (incorporating Key District Centres)
4. Z14 Strategic Development and Regeneration Areas (SDRAs)

The Figure below is an extract from Map E of the DCDP, with the proposed application area superimposed (indicated with a red line boundary) on SDRA 12.

The majority of the proposed development site is within Z14 (shaded white).

The western portion (purple area) of the Bailey Gibson site is zoned Z4 and to the northeast of this, the yellow area is Z1.

There is a very small area (42 sq.m) hardly visible at this scale, zoned Z2. It is inside the existing entrance to the Bailey Gibson site from South Circular Road.

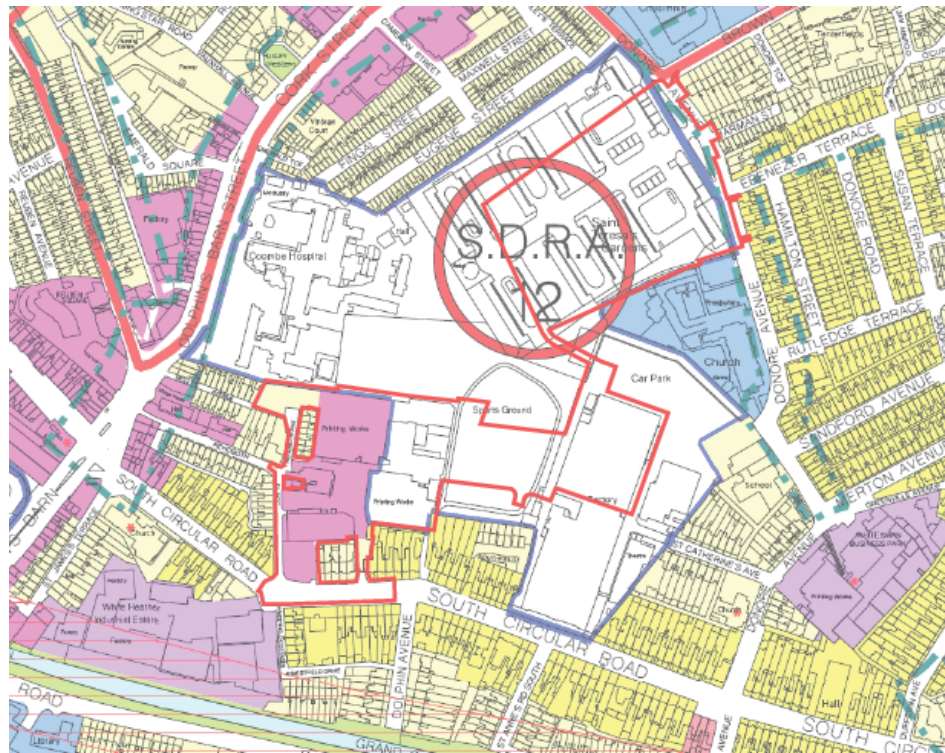


Figure 1 Proposed Development Site Zoning

Where “residential” is expressly provided for and/or permissible in principle as it is for all 4 zonings attached to this proposed development site, it falls within the description of a zoning for a “...mixture of residential and other uses.”.

Therefore, this proposed development being for 345 units on land zoned for residential use or for a mixture of residential and other uses meets the criteria of

3(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

### Statement of Consistency

This application includes 2 no. Statement of Consistency reports. One addresses the consistency of the proposed development with national, regional and section 28 Ministerial Guidelines and the other assesses the consistency of the proposed development with the operative development plan, the Dublin City Development Plan (DCDP) 2016-2022.

The analysis of the proposed development against the policies of the local plan, the DCDP identified 3 material contraventions.

- i. Density
- ii. Unit mix
- iii. Apartments per core per floor

A Material Contravention Statement accompanies this application and for each presents a justification having regard to the criteria in section 37(2)(b) of the Planning and Development Act 2000 (as amended).

Notably, in the context of this matter, the analysis presented in the Statement of Consistency with the Dublin City Development Plan 2016-2022 demonstrates that the proposed development complies with the zoning objectives relating to this site, including Z4, District Centre zoning objective, which aims 'To provide for and improve mixed-services facilities.

Having regard to this, the mix of uses proposed in blocks BG1-BG5 remains consistent with the plans and particulars submitted to An Bord Pleanála at the pre-application consultation stage.

### SDRA 12 & Land Use Zoning Objectives

As set out above the proposed development site encompasses 4 zoning designations. The largest of these is Z14 and the site is within Strategic Development and Regeneration Area 12, St. Teresa's Gardens & Environs which encompasses all 4 zoning objectives.

It is therefore necessary for the development to meet the objective for each individual zoning as well as satisfying the overall guiding principles set out in section 15.1.1.15 of the DCDP. In this context, at the macro scale, i.e., SDRA 12, a wholistic approach is necessary. To achieve this, it is necessary to understand the existing and emerging context of the local area and this proposed development is informed by the current and emerging baseline surrounding the site.

- **Z14, Strategic Development and Regeneration Area**

Approx. 4 hectares or 73% of the application area is zoned Z14, Strategic Development and Regeneration Area, and the objective is *"to seek the social, economic and physical development and/or rejuvenation of an area with mixed use, of which residential and 'Z6' would be the predominant uses. The purpose of the Z6 zoning is to provide for the creation and protection of enterprise and facilitate opportunities for employment creation."*

Having regard to the ability of Z14 lands to support significant mixed-use development; developments must include proposals for additional physical and social infrastructure/facilities to support same.

SDRAs are described in the DCDP as areas with capacity for a substantial amount of development. Table E of the Core Strategy allocates 1,000 units to SDRA 12.

The overall guiding principles for the development of SDRA 12 are set out in the DCDP and reproduced below. It is these principles that have shaped the proposed development now before An Bord Pleanála for permission.

*The development of a network of streets and public spaces will be promoted to ensure the physical, social and economic integration of St Teresa's Gardens with the former Player Wills and Bailey Gibson sites, with further integration potential with the sites of the Coombe Hospital and White Heather Industrial Estate.... Strong permeability through these lands will be encouraged to generate movement and activity east-to-west (connecting Dolphin's Barn Street and Cork Street with Donore Avenue) and north-to-south (connecting Cork Street and Donore Avenue with the South Circular Road and Grand Canal corridor); a high-quality public domain, provision of pedestrian and cyclist routes and provision of active streets will be promoted.*

**Applicant Response:** The design includes an abundance of public spaces. The total development site area is 5.5 (13.5 acres) hectares and approx. 2.2 hectares (5.4 acres) or 40% is allocated as public open space. This takes a variety of forms including a public park, 'Players Park', a Plaza, 'Rehoboth Plaza', a multi-sport playing pitch, a playground, 'St. Teresa's Playground' and a verdant boulevard, 'St. Teresa's Boulevard'. All of these spaces offer a unique contribution toward social integration, some areas encourage passive/incidental gatherings while others encourage children's play and organised sports. In this way social integration is supported and promoted. The location of the main public open spaces with direct access from the site's perimeter means that they are equally available to the existing community as the new community that will grow from the development of this new urban quarter.

A network of streets that prioritise active travel modes, walking and cycling, across the proposed development site are proposed. These new streets will in time link into the wider SDRA 12 lands as other sites become activated. In this way, physical integration is achieved both within the site and into the wider local area of Cork Street, Donore Avenue, South Circular Road (SCR), Dolphins Barn and beyond.

White Heather Industrial Estate is to the southwest of the Bailey Gibson site and south of the SCR. Cognisant of the barrier that a throughfare like SCR can present for community integration, this proposed development includes a crossing point and public realm improvements with a pedestrian refuge to allow for ease of movement between the sites. The design reduces the crossing distance for pedestrians and encourage lower vehicle speeds.

*A vibrant mixed-use urban quarter will be promoted with complementary strategies across adjoining sites in terms of urban design, inter-connections, and land-use.*

To date within SDRA 12, the permissions include;

- i. a Strategic Housing Development on the Player Wills site (ABP-308917-20) permitting development of 732 residential units (a combination of 492 build to rent apartments and 240 shared accommodation units) 852 sqm of floor space dedicated to community, arts and cultural and exhibition space together with artist and photography studios, • 701 sq.m of retail floor space, • 1,136 sq.m sq.m of café/bar/restaurant floor space, 438 sq.m co-working space, a 275 sq.m creche capable of accommodating approx. 45 childcare spaces. Tenant amenities and facilities (2,261 sq.m) including a library, lounges, a gym, business centre, entertainment areas and TV rooms etc. Public open space including Players Park, St Catherine’s Park – a playground, Players Building courtyard and a public plaza.
- ii. Part 8 DCC Approval, Reg. Ref 2475/18 permitting 54 units together with a football club premises, boxing club premises/changing facility and a shop. A park and multisport playing pitch and a temporary grass multisport pitch and associated

Other known project that are likely to seek permission are;

- i. ‘Donore Project’ to the immediate north of the proposed development site and the latest published information<sup>1</sup> indicates that it will deliver approx. 540 homes together with a creche, mobility hub, including a bicycle repair centre and public transport information point, and a management office.
- ii. Player Wills Phase 2 encompassing the balance of the site not permitted in the referenced SHD above and adjacent diocesan lands for the development of approx. 400 units , a community resource building, a new parish hall and a new presbytery; tenant amenities, pocket park and semi-private open space.

Together with this proposed development of 345 new homes, 2.2 hectares of public open space as outlined earlier in this response, 1,189 sq.m of tenant amenities and facilities including lounges, a gym , co-workings space, a creche for approx. 60 children, 773 sq.m of commercial floor space for retail, food, and beverage etc. the uses permitted, proposed and under consideration at design development stage would generate a vibrant mix of uses with day and night-time activity appropriate to the daily living needs of future residents and the wider area.

*A new public park is proposed as a landmark feature with passive supervision by residential and other uses; it will have a comprehensive landscaping strategy to provide significant greenery within the scheme and will make provision for a diverse range of recreational and sporting facilities for use by the wider neighbourhood.*

<sup>1</sup> <https://donoreproject.ie/>



**Applicant Response:** The proposed Players Park fulfils this requirement, please see Landscape Design Statement. Additionally, smaller parks and public spaces identified in the preceding section will supplement this primary public park.

*There is potential for one or two midrise buildings (up to 50 m) within the site, subject to the criteria set out in the standards section of this plan.*

**Applicant Response:** The permitted Player Wills site includes buildings of increased height and accordingly this proposed development is low rise and fully compliant with the height strategy of the DCDP.

*To acknowledge the existing sports lands of St Teresa's gardens and its environs and act to retain and augment these lands as sporting facilities for the benefit of the wider community and use by local sports clubs. That at least 20% of the SDRA 12 be retained for public open space, recreation & sporting facilities including an area to facilitate organised games.*

**Applicant Response:** SDRA 12 encompasses an area of 12.62 hectares including St. Teresa's Gardens, the former Player Wills and Bailey Gibson sites and the Coombe Hospital site. Accordingly, it is necessary to set aside 2.524ha as POS across the entirety of the SDRA.

The proposed development site is 5.5ha including 0.45ha that is not within SDRA 12. This area relates to surrounding public roads where works are proposed to facilitate access and connections to municipal services. Therefore, the SDRA 12 POS requirement applies to 5.05ha and accordingly 1.01ha is required to meet the Dublin City Development Plan requirement.

The indicative position and scale of the POS in the DCDP envisages that the 20% open space would be provided on lands owned by Dublin City Council. The proposed layout generally follows the indicative plan with the proposed sports pitch within the St. Teresa's Gardens area and the public park predominantly within the greenfield area known locally as the Boys Brigade pitch.

It is acknowledged that the extant permission for Player Wills includes Players Park and to avoid double counting, discounting the area of the permitted park from the overall POS in this application would mean an overall approx. 1.8 hectare provision.

Proposed 21,746sq.m – permitted Players Park 3,960 sq.m = 17, 786 sq.m

This quantity exceeds the requirement of 1.01 hectares for the application area.

*A community hub will be incorporated into the scheme to provide a wide range of community facilities accessible to the wider neighbourhood; opportunities to highlight the heritage of the local area by proposing community uses close to important landmark buildings such as St Teresa's Church will be promoted.*

**Applicant Response:** The community hub is permitted as part of the Player Wills extant permission. 852 sq.m of floor space in the former factory, a protected structure is dedicated to community, culture, arts uses. The proposed multi-sport players pitch is located to the northeast of the site adjacent to the diocesan lands.

*Provision shall be made for the expansion of St Catherine's National School, Donore Avenue, in the redevelopment of the former Player Wills site, subject to agreement with the Department of Education and Skills.*

**Applicant Response:** This is provided for in the extant Player Wills permission. The site is permitted as a temporary public park until such time as the Department of Education seek to utilise it.

- **Z4, District Centre**

At the micro scale, approx. 0.8 hectares (52%) of the Bailey Gibson site is zoned Z4, – District Centres (incorporating Key district centres) and the objective is 'To provide for and improve mixed-services facilities.'

This accounts for approx. 6% of the overall SDRA 12 area of 12.62 hectares.

The Development Plan states in relation to Z4;

*"To maintain their role as district centres, new development should enhance their attractiveness and safety for pedestrians and a diversity of uses should be promoted to maintain their vitality throughout the day and evening. In this regard, opportunity should be taken to use the levels above ground level for additional commercial/retail/ services or residential use with appropriate social facilities. Higher densities will be permitted in district centres, particularly where they are well served by public transport. The district centre can provide a focal point for the delivery of integrated services."*

It is to be noted that in Chapter 2 of the DCDP, in calculating the amount of lands which are zoned residential it specifically includes Z4 lands. This is in Table C - Core Strategy Figures (pg. 22), which includes "Other zonings incorporating residential uses: Z3, Z4, Z5, Z8, Z10, Z12, Z14, and Z 15". In fact, this list includes all lands where "residential" is permissible in principle and also "open for consideration" under the relevant zoning category.

Appendix 3 of the DCDP is the Retail Strategy and it includes a section for SDRAs;

*"The retail strategy for the Greater Dublin Area states that it is important that where large areas of new housing are planned that new retail centres are provided in tandem with housing, at a scale appropriate to meet the regular convenience and lower order comparison shopping needs of these communities. It further states that in granting such development, cognisance should be taken of existing retail in other areas, but that retail provision in such growth areas should not be restricted on the basis of permitted retail development in existing areas and the quantum set out in the regional strategy, emphasising instead the need for overall regard to patterns of sustainable travel and community viability."*

The principle of considering existing facilities within the wider locality is also supported in the 2009 Sustainable Residential Development in Urban Areas Guidelines which the DCDP has regard to. It is the Policy of Dublin City Council:

*SN4: To have regard to the Department of Housing, Planning, Community and Local Government's Guidelines on Sustainable Residential Development in Urban Areas and its accompanying Urban Design Manual, 2010, the Guidelines on Local*

*Area Plans and the related Manual, 2013 and the joint DTTS and DCLG's Design Manual for Urban Streets and Roads (DMURS), 2013 and the NTA's Permeability Best Practice Guide, 2015, in the making of sustainable neighbourhoods. (www.environ.ie)*

The western part of the Bailey Gibson site is zoned Z4, Blocks BG1 and BG4 are proposed within this part of the site and together they incorporate 200 units and non residential uses. The range and scale of these uses is informed by a Social Infrastructure Audit of existing facilities and services locally together with known permissions and other projects in the design development phase as outlined earlier in this response.

Block BG1 is Build to Rent tenure and it includes 151 residential units and tenant facilities, amenities, and services with cumulative gross floor area of 151 sq.m. It also includes a childcare facility (347 sq.m) and 2 commercial units (combined 322 sq.m). BG 4 is Build to Sell block and it includes 49 residential units.

Positioned at the neighbourhood intersection i.e., where this new urban area meets the existing built environment, the commercial units address Rehoboth Plaza, a public gathering space and focal point within this vibrant area.



Figure 2 Rehoboth Plaza

Having regard to the results of the social infrastructure audit and to allow for the greatest flexibility this application seeks permission for the following uses Class 1 (shop), Class 2 (financial/professional services), Class 8 (health services), Class 10 (community/arts) and Class 11 (bingo hall). The reason for including such a wide suite of uses is to ensure as far as practical that the units will be occupied thereby safeguarding against vacancy and promoting vitality. All of the uses proposed i.e., residential, childcare facility, shop and open space are all listed as permissible uses in the zoning matrix.



Figure 3 Distribution of Commercial & Tenant Amenities

It is evident from Figure 1, that the District Centre zoning on the Bailey Gibson site is part of a wider mixed-service zoning approach in the immediate urban village area. To the west of Bailey Gibson, the extract from Map E of the DCDP shows the clear intent for Dolphins Barn Street & Cork Street to also act as a District Centre. Given the concentration of mixed services that exist along this corridor it is important not to undermine this in any way. It is noted that this was acknowledged by An Bord Pleanála during the processing of the SHD application for the adjacent Player Wills site and the reports attached to that planning file state;

*“There are employment opportunities nearby and a raft of other community and commercial services all close at hand.”*

The creche and proposed commercial floorspace are strategically located at the Rehoboth entrance, the closest location to the existing mixed service centre on Dolphins Barn Street.

The creche would create daytime footfall while the future uses of the two commercial units is flexible and may be occupied by Class 1 (shop), Class 2 (financial/professional services), Class 8 (health services), Class 10 (community/arts) and Class 11 (bingo hall) satisfying the requirement for a diversity of uses as envisaged by the zoning designation.

The intent for Z14 and Z4 lands are closely aligned i.e., to facilitate mixed use neighbourhoods. In this context, the extant permission on the Player Wills site is relevant. It includes approx. 3,400 sq.m of non-residential uses, including provision for shops, a café, co-working space, a creche and a community hub.

Within the wider application and on the immediately adjacent Z14 zoned land, blocks BG2 and BG 3 will deliver 1,038 sq.m of tenant amenities and facilities including a gym, concierge, co-working space, communal kitchen/living areas. A café/restaurant/bar is also proposed in block BG 2.

It is reasonably concluded that the proposed development delivers a wide range and substantial form of mixed uses that would meet resident and community needs when considered holistically and given the site's designation as a SDRA, it is not appropriate to consider any one zoning designation in isolation.

- **Z1, Sustainable Residential Neighbourhood**

Approx. 0.2 hectares in the northwest portion of the site, toward the south of the Bailey Gibson site is zoned 'Z1' - Sustainable Residential Neighbourhoods, with an objective *"to protect, provide and improve residential amenities."* Block BG5 and part of Block BG1 are located in the north-western corner and within this zoning, both blocks would deliver new homes. Both are designed as perimeter blocks within this zoned and their height is 2-3 storeys cognisant of the existing 2-storey built environment. The scale proposed knits into the existing neighbourhood context and the **Daylight & Sunlight Availability Assessment** demonstrates that the proposed development would have a negligible impact on almost all surrounding buildings.

2. Further clarification of, and possible amendment to, the documents submitted with regard to the extent of the subject lands which fall within Strategic Development and Regeneration Area (SDRA) 12 as described in the Dublin City Development Plan 2016, and as outlined in Fig. 32 and Zoning Map E thereof. The application should address compliance with the relevant provisions of the plan in this regard, particularly with regard to land use and open space provision. In providing clarity in relation to this matter, the prospective applicant should also refer to the provisions of the Development Framework for St. Teresa's Gardens and Environs (DCC June 2017) which describes the status of the Bailey Gibson lands in this regard. (Map and annotation on page 5 of the Framework Plan and the table on Page 25 thereof, Public Open Space Provision).

The proposed development site is identified in the Dublin City Development Plan (DCDP) 2016-2022 as forming part of Strategic Development Regeneration Area (SDRA) 12, St. Teresa's Gardens and Environs.

SDRA 12 encompasses an area of 12.62 hectares including St. Teresa's Gardens, the former Player Wills and Bailey Gibson sites and the Coombe Hospital site. An Indicative Key Development Principles plan for SDRA 12 is included in Chapter 15 of the DCDP and Map E is included as an Appendix to the development plan, both are reproduced below. It is important to note that while the SDRA boundary in both plans excludes some of the Bailey Gibson site, this is not an accurate reflection of the full extent of SDRA 12.

Section 15.1.1.15 of the DCDP states;

*"SDRA 12 St Teresa's Gardens and Environs (Inclusive of former Player Wills and Bailey Gibson sites and Coombe Hospital)."*

Section 1.6 of the DCDP states;

*“Should any conflict arise between the written statement and the maps or diagrams, the written statement shall take precedence.” (emp. added)*

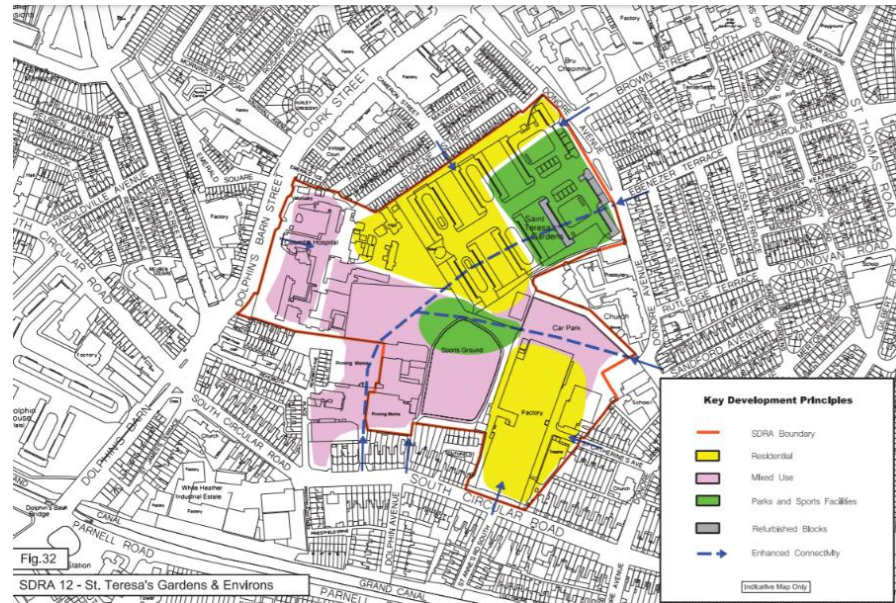


Figure 4 SDRA 12 (Source DCDP 2016-2022)

Notably, this indicative key development principles plan applies a broad brush approach which reflects the zoning objectives for Z14 and Z4. It is clear from this plan that the intended location of the public open space was on the Dublin City Council owned land. This proposed development follows this approach but also includes Rehoboth Plaza on the Bailey Gibson site.

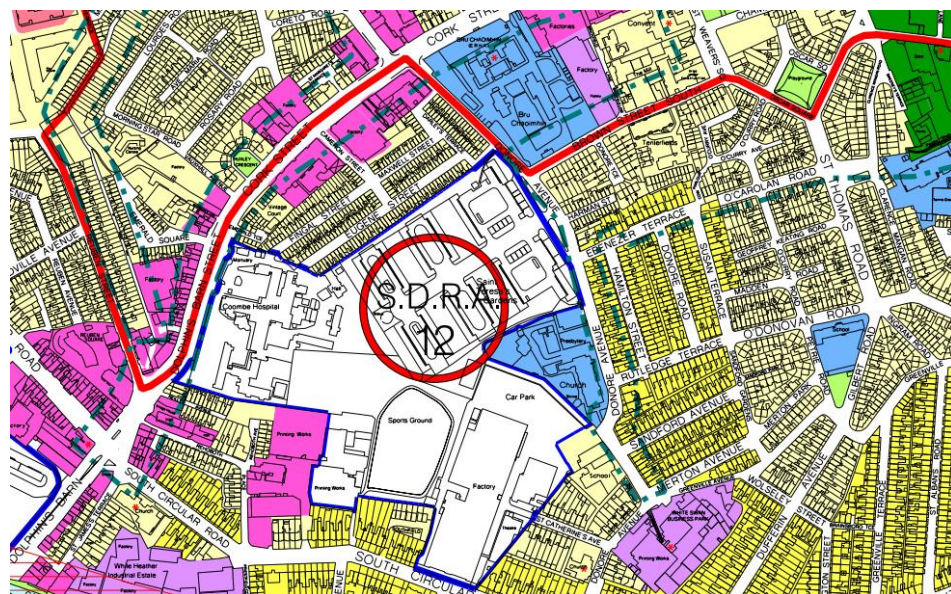


Figure 5 SDRA 12: Extract from Map E of Dublin City Development Plan 2016-2022

Dublin City Council's 2017 Development Framework for St. Teresa's Gardens and Environs (henceforth referenced as Development Framework) is acknowledged. Importantly, it is not relied upon in this application to justify the proposed development. This is because the Development Framework was not subject to strategic environmental assessment (SEA) and is therefore not lawfully adopted. The Board in making their determination should be cognisant of this fact.

### **Public Open Space**

The guiding principles for SDRA 12 are set out in Chapter 15 of the Dublin City Development Plan (DCDP) 2016-2022. With respect to public open space (POS) it requires that at least 20% of the SDRA 12 be retained allocated, and the overall guiding principles identify that the spaces should provide for recreation and sporting facilities including an area to facilitate organised games.

SDRA 12 encompasses an area of 12.62 hectares including St. Teresa's Gardens, the former Player Wills and Bailey Gibson sites and the Coombe Hospital site. Accordingly, it is necessary to set aside 2.524ha as POS across the entirety of the SDRA.

The proposed development site is 5.5ha including 0.45ha that is not within SDRA 12. This area relates to surrounding public roads where works are proposed to facilitate access and connections to municipal services. Therefore, the SDRA 12 POS requirement applies to 5.05ha and accordingly 1.01ha is required to meet the Dublin City Development Plan requirement.

5 areas of POS are proposed and together will provide approx. 2.2 hectares (21,746 sq.m) of POS. This is more than double the required quantity and thus the proposed development is fully compliant with the Development Plan requirement.

It is acknowledged that the extant permission for Player Wills includes Players Park and to avoid double counting, discounting the area of the permitted park from the overall POS in this application would mean an overall approx. 1.8 hectare provision.

Proposed 21,746sq.m– permitted Players Park 3,960 sq.m = 17, 786 sq.m

This quantity exceeds the requirement of 1.01 hectares for the application area.

Please refer to the Statement of Consistency with the Dublin City Development Plan 2016-2022 and the Planning Statement for further analysis of Public Open Space.

### 3. Statement of Response to Specific Information

Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the applicant was notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission.

#### 3.1 A Response to the matters raised in the report of the Dublin City Council Transportation Department

*The response should include, inter alia:*

*(a) A car parking management plan and a Mobility Management Plan / Travel Plan.*

A **Mobility Management Plan** prepared by Systra has been submitted as part of this planning application under separate cover. In addition, a Car Parking Management Plan is detailed in Section 6.7 of the accompanying **Traffic and Transport Assessment** prepared by Systra.

*(b) An Operational and Service management plan which should have regard to the range of uses proposed across the site.*

An **Operational and Service Management Plan** is contained within Section 6.9 of the **Traffic and Transport Assessment** prepared by Systra and submitted as part of this planning application under separate cover.

*(c) A Quality Audit in accordance with Advice Note no. 4 of the Design Manual for Urban Roads and Streets (DMURS).*

A **Quality Audit** is enclosed as **Appendix C** to the **Traffic and Transport Assessment** prepared by Systra and submitted as part of this planning application under separate cover.

#### 3.2 Phasing Plan

*A comprehensive phasing plan for the proposed development which should address the timing of delivery of all services, infrastructure, community facilities and open space along with residential units across the site.*

**Architectural Drawing No. PL-0008** prepared by Henry J. Lyons and submitted at full scale as part of this planning application under separate cover illustrates the proposed phasing for the proposed development. Please refer also to Section 2.2 of the accompanying **Construction and Environmental Management Plan** prepared by DCON Safety Consultants.

It is the Applicant's intention to deliver the development in one phase.



### 3.3 Local Authority Areas

*Details of the areas intended to be taken in charge by the local authority*

Please refer to Drawing No. L1-105 in the Landscape suite of drawings prepared by Niall Montgomery & Partners

The plan defines the respective areas proposed to be taken in charge by DCC Roads Department and DCC Parks Department.

Furthermore, a general specification of hard materials, paving and site furniture is included in key plans indicating locations across the proposed development. The materials proposed for the areas proposed to be taken in charge by DCC comply with the Construction Standards for Road and Street Works in Dublin City Council (2020).

### 3.4 Sections

*Detailed sections showing the relationship with adjoining properties. With regard to no. 1 Rehoboth Avenue, the application should clearly address the treatment of intervening lands and should avoid the creation of left-over/dead space.*

The proposed development has been designed such that the proposed Block BG1 will front onto the junction of Rehoboth Avenue and Rehoboth Place. A timber screen expression at ground floor level of the block will provide privacy around the proposed external area which forms part of the proposed creche facility. This expression continues to the gable of the adjacent structure at No. 1 Rehoboth Place, which encloses a yard used by the owners of the property. **Architectural Drawing No. PL-3010–PL-3013** prepared by Henry J. Lyons and submitted at full scale as part of this planning application under separate cover illustrates the various boundary conditions across the proposed development site. **Drawing No. L1-104** in the Landscape Suite of drawings should also be referenced.

### 3.5 Photomontages

*The application should be accompanied by additional photomontages / other visualisations illustrating the relationship of the proposed development with the adjoining streets to the west and in particular with no. 40 Rehoboth Place. The presence of this property should be clearly identified in plans, sections and elevation drawings accompanying the application.*

The location and presence of the property at No. 40 Rehoboth Place has been identified throughout the suite of **Architectural Drawings** submitted as part of this planning application. Additional imagery has been produced to show its location in the context of the proposed development, which is contained in the **Urban and Architectural Design Statement** prepared by Henry J. Lyons and the **Planning Statement** prepared by McCutcheon Halley Planning submitted with this planning application under separate cover.

### 3.6 Analysis of wind microclimate and pedestrian comfort

*An analysis of wind microclimate and pedestrian comfort should be submitted, with reference to pedestrian occupation and usability of new public spaces in the context of the proposed and adjoining developments. The analysis should also address the safety and comfort of residential amenity spaces, including communal spaces and private upper floor balconies, both within the site and on adjoining lands. Any required mitigation or other design measures arising from such assessment should be clearly described and assessed in the study. The assessment should have regard to the interaction with future development on adjoining lands.*

A **Wind Microclimate Assessment** prepared by ARUP is submitted with his planning application under separate cover. The report assesses the wind comfort, usability, and safety of the proposed public spaces across the proposed development (i.e., main thoroughfares and seating areas). Attention is also given to the private and semi-private open spaces, including terraces, balconies, and the upper-level courtyard of proposed Block BG2.

As part of the assessment, three scenarios have been examined to include the following:

- i. the proposed development in the context of the existing and permitted surroundings with and without the proposed landscaping; and
- ii. the proposed development and landscaping in the context of future (i.e., cumulative) surroundings.

The design of the proposed mixed-use blocks includes features which will have a positive impact on the wind conditions across the proposed development. These are highlighted in the accompanying report and included recessed entrances, solid balustrades on most residential balconies, canopies at the upper level terraces of Block BG1, side screens used as dividers for the multi-apartment balconies, and slatted screens along the western terraces of block BG1.

### 3.7 Daylight/ Sunlight

*The application should include a comprehensive daylight and sunlight assessment examining the proposed dwelling units and amenity / open spaces, as well as potential impacts on daylight and sunlight to adjoining properties. In preparing such assessment regard should be had to the provisions of section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities (2018) and to the approach outlined in guides like the BRE 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'.*

*The assessment should provide a comprehensive view of the performance of the entire development in respect of daylight provision. Where any alternative, compensatory design solutions in respect of daylight are proposed, these should be clearly identified and justified, and their effect appropriately described and or quantified.*

*The results of the Daylight and Sunlight assessment should be clearly presented such that the potential effect or otherwise on individual adjoining properties can be easily identified.*

A **Daylight and Sunlight Availability Assessment** prepared by ARUP is submitted with this planning application under separate cover. The report provides a comprehensive assessment of daylight and sunlight availability. It follows the methods and metrics outlined in BR 209 (2022), BS EN 17073:2018 and IS EN 17073:2018. All material is presented in a clear and transparent manner.

The report contains a defined section that outlines a justification for the design and presents any compensatory measures that have been included.

### **3.8 Proposed materials and finishes**

*A report that specifically addresses the proposed materials and finishes to the scheme, including specific detailing of external finishes, landscaping and paving, pathways, entrances and boundary treatments. Particular regard should be had to the requirement to provide high quality, durable and sustainable finishes which have regard to the context of the site.*

Details of the proposed materials and finishes are contained in the **Materials & Finishes Report** prepared by Henry J. Lyons submitted with this application under separate cover. This includes information in relation to both buildings and landscape. The Urban & Architectural Design Statement and Landscape Design Statement should also be consulted.

The proposed materials have been chosen to be both robust and timeless, provide texture and tone, and tie into the surrounding public realm whilst also providing for integrated intuitive wayfinding. High quality paving is proposed for the public realm across the proposed streetscapes, parklands, and boulevards. Paving proposals for the courtyards will have a rustic feel and incorporate a combination of paving flags, smaller setts, and cobbles. The street furniture proposed has been selected on the basis of its durability and suitability to ensuring that seating is age friendly, incorporating backs on seats with arm rests on 50% of seating. The proposed seating shall be located at intervals to facilitate rest stops as required.

### 3.9 Building Lifecycle Report

*A Building Lifecycle Report in accordance with section 6.13 of the Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning Authorities (2020) guidelines which should consider external materials on all elevations. The report shall also address the management and maintenance of public spaces and access routes to the development.*

A Building Lifecycle Report prepared by Aramark has been submitted as part of this planning application under separate cover which provides an initial assessment of long-term running and maintenance costs as they would apply on a per residential unit basis at the time of application, as well as demonstrating what measures have been specifically considered to effectively manage and reduce costs for the benefit of the residents.

### 3.10 Water Supply and Drainage

*A report demonstrating that the proposed water supply and drainage arrangements can be implemented without any dependency on works permitted under separate planning permissions on adjoining lands. The report should also address the matters raised in report of the Dublin City Council Engineering Department – Drainage Division, dated 07/12/2022.*

A **Civil Engineering Infrastructure Report** and **Engineering Drawings** prepared by BMCE are submitting as part of this planning application under separate cover. These documents clearly demonstrate that both the water supply and drainage proposals for the proposed development can be implemented in full without reliance on works permitted under planning permissions on adjoining lands. The proposed development has direct water supply connections to existing public mains at both South Circular Road and Rehoboth Avenue. There is also an existing watermain under the proposed multi-sport playing pitch which will be diverted to the south and west of the pitch, wholly within the development site boundaries. The site also has direct connections to public foul and surface water culverts at Donore Avenue. To satisfy a requirement stipulated by Irish Water to remove surface water discharge to the combined sewer at Donore Avenue, a portion of the former Player Wills site, from which surface water currently discharges to the combined sewer system, is included within the site boundary for the proposed development. Here, the runoff from existing roofs and hardstanding at grade will be redirected to the surface water network and thus comply with this Irish Water requirement, without any reliance on any works which may be proposed as part of applications for planning permission on the adjoining lands.

### 3.11 Historic Building Survey

*A historic building survey and an Industrial Heritage Statement of Significance in respect of any industrial features to be impacted by the development.*

A **Built Heritage Assessment** is included as Chapter 14 of the Environmental Impact Assessment Report (EIAR). The accompanying appendices are included in Volume III of the EIAR. Appendices 14.3 and 14.4 contain internal and external Photographic Surveys of the existing buildings on site prepared by David Slattery Conservation Architects. Appendix 14.7 is an Industrial Heritage Assessment of the existing Bailey Gibson buildings and Appendix 14.8 is an Architectural

Heritage Assessment of the former Player Wills Factory and Appendix 14.9 is a Conservation Record Study of St. Teresa's Gardens.

A drawn survey of the existing buildings on site is illustrated on **Architectural Drawing(s) No.s PL-0110, PL-0111, PL-0112, PL-0520, PL-0521, and PL-0522** prepared by Henry J. Lyons Architects.

### **3.12 Article 299B(1)(b)(ii)(II) and Article 299B(1)(c)**

*The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 unless it is proposed to submit an EIAR at application stage.*

An EIAR is submitted under separate cover with this application.

## **4. Notification of Statutory Bodies**

*Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended:*

- 1. Irish Water*
- 2. Transport Infrastructure Ireland*
- 3. National Transport Authority*
- 4. Dublin City Childcare Committee*

It is confirmed that all of the bodies listed have been notified of the making of this application.