

Statement of Consistency Dublin City Development Plan 2016 - 2022

Bailey Gibson 2

Proposed Strategic Housing Development

June 2022



McCutcheon Halley
CHARTERED PLANNING CONSULTANTS

Document Control Sheet

Client	CWTC Multi Family ICAV acting solely in respect of its sub fund DBTR SCR1 Fund	
Project Title	Bailey Gibson SHD 2	
Document Title	Statement of Consistency Dublin City Development Plan 2016 - 2022	
Document Comprises	Volumes	1
	Pages (Including Cover)	63
	Appendices	0
Prepared by	Kayleigh Sexton	
Checked by	Paula Galvin	
Office of Issue	Dublin	
Document Information	Revision	
	Status	Final
	Issue Date	June 2022

CORK

6 Joyce House
Barrack Square
Ballincollig
Cork
P31 YX97

T. +353 (0)21 420 8710

DUBLIN

Kreston House
Arran Court
Arran Quay
Dublin 7
D07 K271

T. +353 (0)1 676 6971

www.mhplanning.ie

Contents

1.	Introduction	4
1.1	Purpose of Statement of Consistency.....	4
2.	Description of Development	6
3.	Statement of Consistency	10
3.1	Chapter 2 – Vision & Core Strategy	10
3.2	Chapter 3 – Addressing Climate Change	11
3.3	Chapter 4 – Shape and Structure of the City.....	12
3.4	Chapter 5 Quality Housing	17
3.5	Chapter 6 City Economy & Enterprise.....	22
3.6	Chapter 7 Retailing	22
3.7	Chapter 8 Movement & Transport	23
3.8	Chapter 9 Sustainable Environmental Infrastructure.....	25
3.9	Chapter 10 Green Infrastructure, Open Space & Recreation	29
3.10	Chapter 11 Built Heritage & Culture	33
3.11	Chapter 12 Sustainable Communities & Neighbourhood.....	35
3.12	Chapter 13 Monitoring, Implementation & Development Management	36
3.13	Chapter 14 Land Use Zoning.....	36
3.14	Chapter 15 Strategic Development & Regeneration Areas, Guiding Principles for Development.....	40
3.15	Chapter 16 Development Standards.....	46
3.15.1	Making Sustainable Neighbourhoods	46
3.15.2	Plot Ratio & Site Coverage.....	46
3.15.3	Density Standards	47
3.15.4	Unit Mix.....	49
3.15.5	Building Height	51
3.15.6	Floor to Ceiling Height	51
3.15.7	Floor Areas	51
3.15.8	Block Configuration.....	51
3.15.9	Aspect, Natural Lighting, Ventilation and Sunlight Penetration	52
3.15.10	Car Parking	53
3.15.11	Cycle Parking.....	54
3.15.12	Private Open Space	54
3.15.13	Public Open Space.....	55

3.15.14	Communal Open Space	59
3.15.15	Communal Facilities	60
3.15.16	Trees.....	60
3.15.17	Roads and Services.....	60
4.	Conclusion	61

Figures

Figure 1	Proposed Site Layout (Extract from Drawing PL0005)	9
Figure 2	Proposed Development Site relative to	50
Figure 3	Map K of City Development Plan.....	53
Figure 4	SDRA 12 Key Development Principles – Indicative Map.....	57

Tables

Table 1	Unit mix.....	7
---------	---------------	---

1. Introduction

This Statement of Consistency (SoC) has been prepared by McCutcheon Halley Chartered Planning Consultants in collaboration with the appointed Design Team on behalf of the Applicant, CWTC Multi Family ICAV acting solely in respect of its sub fund DBTR SCR1 Fund. A separate Statement of Consistency has been prepared in relation to compliance with National, Regional and S.28 Ministerial Guidelines.

The Applicant is applying for permission for a Strategic Housing Development (SHD) to An Bord Pleanála (ABP) in compliance with Section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

A description of the development is set out in Section 2 of this report. Broadly, it is proposed to develop a residential led mixed use scheme Former Bailey Gibson Site, former Player Wills Site, Dublin City Council land (formerly Boys Brigade pitch and part of St. Teresa's Gardens (all within Strategic Development Regeneration Area 12)), South Circular Road and Donore Avenue, Dublin 8.

The proposed development site is wholly within the area identified as Strategic Development Regeneration Area (SDRA) 12, St. Teresa's Gardens & Environs in the Dublin City Development Plan 2016-2022 (DCCDP).

The proposed development meets the threshold for SHD, being a development of 100 or more units on land zoned for residential use, and accordingly is subject to the provisions of the Planning and Development (Housing) and Residential Tenancies Act 2016.

A Material Contravention statement prepared by MHPlanning is submitted under separate cover. This report addresses 3 material contraventions of the DCDP. They are:

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

1.1 Purpose of Statement of Consistency

This Statement of Consistency assesses the proposed development against relevant national and regional planning policy and relevant guidelines issued by the Minister under section 28 of the Act of 2000.

The following is a list of the plans and guidelines considered in this report:

- Project Ireland 2040, National Planning Framework (2018)
- Eastern and Midlands Regional Spatial and Economic Strategy (2019)
- Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (2020)
- Housing for All: A New Housing Plan for Ireland (2021)
- Rebuilding Ireland: Action Plan for Housing and Homelessness (2016)

- Urban Development and Building Heights - Guidelines for Planning Authorities (2018)
- Design Manual for Urban Roads and Streets (2019)
- Sustainable Residential Development in Urban Areas - Cities, Towns & Villages (2009)
- Urban Design Manual – A Best Practice Guide (2009)
- Childcare Facilities Guidelines for Planning Authorities (2001)

For full details of consistency with the quantitative standards for residential units please refer to the Housing Quality Audit prepared by HJL Architects that accompanies this application under separate cover.

It is noted that a separate Statement of Consistency setting out how the proposal will be consistent with the objectives of the relevant development plan, in this case, the Dublin City Development Plan is included under separate cover. That report identifies four matters that could be deemed a material contravention of the Plan; density, apartment unit mix, and number of apartments per core. A Material Contravention Statement has been prepared and a justification is provided having regard to the provisions of section 37(2) of the Planning and Development Act 2000 (as amended).

2. Description of Development

The design rationale is to create and deliver a high quality, sustainable, residential led mixed use strategic housing development within this inner-city regeneration site that complies with the guiding principles for development within SDRA 12 as established in the Dublin City Development Plan 2016-2022.

The Proposed Site Layout is illustrated on **Drawing No. PL0005** contained within the architectural suite of drawings.

A comprehensive description of the proposed development is set out in the Planning Statement. The Statutory Notices should also be referenced.

Briefly, it is proposed to demolish the existing vacant buildings and structures on the Bailey Gibson site to make way for development of 345 new homes across 5 blocks, BG 1-BG 5, ranging in height from 2-7 storeys. The residential blocks will be contained within the Bailey Gibson site. The typology is predominantly apartments with 4 townhouses proposed in block BG5.

This is a mixed tenure scheme, with 292 units proposed as Build to Rent (BtR) across blocks BG1-BG3 and 53 units proposed as Build to Sell (BtS) in blocks BG4 and BG5. It is proposed to deliver 34 social and affordable homes as part of the overall total.

All apartments have private amenity space. At ground floor this is in the form of terraces and on upper levels, balconies. Each of BG1-BG4 have communal amenity areas either as a courtyard or podium area.

Tenant amenities and facilities are proposed in the BtR blocks and include a gym, co-working space, kitchen/lounge areas, concierge, and waste facilities.

Over 2 hectares of public open space including a multi-sport play pitch, a playground, 'St. Teresa's Playground', a boulevard, 'St. Teresa's Boulevard', a park, 'Players Park', a plaza, 'Rehoboth Plaza'.

The proposed non-residential uses include in blocks BG1 and BG2 commercial units that have the capacity to support daily living needs e.g., a shop, pharmacy and professional services. A creche with capacity for approx. 60 children. In block BG2 the design includes floorspace for a café/restaurant/bar together with storage for residents' bulky items.

In total there are 89 car parking spaces allocated to the proposed apartments and all are contained within the Bailey Gibson site. Apart from 1 space at podium level, the parking is contained within a basement. Additionally, 10 'GoCar' spaces are proposed at podium level for residents use only. Each of the 4 townhouses has 1 on-curtilage car parking space.

Visitor parking is at street level and the proposed sport pitch will be serviced separately by new spaces on the public roads. The scheme includes set down parking for the creche, a loading bay for deliveries and coach parking area.

Provision is made for disabled parking, electric vehicle charging, a car sharing scheme and motorcycle parking. 784 spaces are proposed for cycle parking

including secure residents parking, visitor parking and spaces for cargo bicycles.

Other works include the development of a network of streets across the proposed development site that will link with other sites within SDRA 12 and into the wider street network of Dublin 8. Improvement works within existing local streets to facilitate access and safe movement.

Ancillary development works includes the construction of electricity substations, meter rooms, plant rooms at basement level, waste storage areas, solar photovoltaics, drainage, landscaping, and lighting.

The scheme includes 341 apartments and 4 houses. Blocks BG1-3 are Build to Rent and incorporate 292 units. Blocks BG4 and BG5 are Build to Sell with 53 units. The ratio of BtR to BtS is 85:15.

The mix of units together with detail of their distribution across the blocks is presented below.

Building Ref.	Studio	1 Bed	2 Bed	3 Bed	4 Bed House	Total
Build to Rent (BtR)						
BG 1	28	108	10	5	-	151
BG 2	-	44	45	-	-	89
BG 3	5	30	17	-	-	52
Total BTR	33	182	72	5		292
Build to Sell (BtS)						
BG 4	-	15	34	-	-	49
BG 5	-	-	-	-	4	4
Total BTS	-	15	34	-	4	53
Overall Total	33	197	104	5	4	345

Table 1 Unit mix

The proposed mix as a percentage of the total 345 units is;

- Studios – 10%
- 1 Bed Apartments – 57%
- 2 Bed Apartments– 30%
- 3 Bed Apartments– 2%
- 4-bed Townhouse – 1%

The proposed Build to Rent mix as a percentage of the total 292 units is;

- Studios – 11%
- 1 Bed Apartments – 62%
- 2 Bed Apartments– 25%
- 3 Bed Apartments– 2%

The proposed Build to Sell mix as a percentage of the total 53 units is;

- 1 Bed Apartments – 28%
- 2 Bed Apartments– 64%
- 4 Bed Townhouses – 8%

The proposed tenant amenities (gym, lounges, communal kitchen/living area, co-working, bin storage etc.) provide a shared environment for the Build to Rent occupants to be part of the community.

Vehicular access to the Bailey Gibson site is proposed via 2 entrances comprising 1 entry-only access via Rehoboth Place and 1 exit-only access via South Circular Road. The design also includes a vehicular access at the north-eastern corner of the site via Donore Avenue to facilitate access to the proposed sports pitch.

The internal street network is designed to provide connectivity across the proposed development site and would link with the permitted Player Wills scheme (ABP Ref. Ref: 308917) also within SDRA 12.

Three pedestrian/cyclist access points are proposed from South Circular Road, Rehoboth Place, Rehoboth Avenue and Donore Avenue.

The public open space (POS) and communal open space is varied and provides opportunities for active and passive recreation together with play. Opportunities that would contribute to building a sense of community are maximised in the design so as to encourage interactions and engagement. There is clear hierarchy of spaces distributed across the scheme that provide for the needs of all users regardless of age and ability. The planting proposals prioritise native species, pollinators and generally seeks to enhance biodiversity value. The landscape design is fully coordinated with the surface water drainage design and encompasses sustainable urban drainage systems (SuDS). The sunlight analysis demonstrates that all open spaces benefit from good levels of sunlight.

The proposed creche is designed to cater for approx. 60 children. The scheme will generate a need for approx. 11 childcare spaces and so there is a significant overprovision which will be available to the wider community. The location of the creche at the Rehoboth Plaza entrance facilitates convenient access for parents dropping children.

The proposed Site Layout is shown below.



Figure 1 Proposed Site Layout (Extract from Drawing PL0005)

3. Statement of Consistency

3.1 Chapter 2 – Vision & Core Strategy

The core strategy's settlement hierarchy is to prioritise inner city, key district centres and strategic development and regeneration areas (SDRAs). The proposed development site is both an inner city and SDRA site and its redevelopment is thus compliant with and would represent a key deliverable in the implementation phase of the core strategy.

The application area is part of SDRA 12 St Teresa's Gardens. Table E, *Capacity of Sub-areas of the City for Residential Development* identifies that SDRA 12 has an estimated capacity of 800-1000 units. The proposed development is for 345 units and as a standalone application it does not breach the estimated housing capacity. However, there is an extant strategic housing development permission (ABP Ref. 308917) for the Player Wills site, also within SDRA 12, that permits 492 Build to Rent apartments and 240 Build to Rent shared accommodation units. Cumulatively, the proposed development together with the permitted scheme, would generate a total of 1,077 units.

This matter is in our opinion a minor breach of the estimated housing capacity and it would not constitute a material contravention of the Development Plan.

Indeed, it could be reasonably concluded that the shared accommodation element of the permitted Player Wills development could be discounted having regard to the fact that such units would not constitute permanent homes and this unit type is not accounted for within the DCCDP. Under this scenario, combined the proposed development and the permitted Player Wills scheme would realise 837 units which is within the estimated housing capacity.

To deliver the core strategy, the Development Plan identifies that a number of mechanisms will be employed including that Dublin City Council will prepare area-specific guidance for the strategic development and regeneration areas (SDRAs) using the appropriate mechanisms of local area plans (LAPs) and schematic masterplans and local environmental improvement plans (LEIPs).

The 2017, St. Teresa's Gardens and Environs Development Framework satisfies the definition of a 'schematic masterplan' in the City Development Plan, *"A framework to provide area-specific and more detailed design guidance for large-scale mixed-use development, for example, to indicate an overall structure for a new neighbourhood."* Accordingly, the area specific guidance requirement of the development Plan has been discharged.

3.2 Chapter 3 – Addressing Climate Change

<p>Chapter 3: Addressing Climate Change</p> <p>Compliance of the Proposed Development with relevant Section / Policy</p>
<p>Ch. 3 - Section 3.5.2 Sustainable Energy/Renewable Energy</p>
<p>Policy CC3: To promote energy efficiency, energy conservation, and the increased use of renewable energy in existing and new developments.</p>
<p>Response:</p> <ul style="list-style-type: none"> ✓ The buildings are designed to the requirements of Part L of the Building Regulations and accordingly meet the nearly zero energy building standard (NZEB) standard. The definition for Nearly Zero Energy Buildings in the Energy performance in Buildings Directive (EPBD) is "a very high energy performance For all new builds, NZEB is equivalent to a 25% improvement in energy performance on the 2011 Building Regulations NZEB requires a Maximum Energy Performance Coefficient of 0.3, a Maximum Carbon Performance of 0.35 and a renewable Energy Ratio of 20%. ✓ The façade performance specification is optimised to limit heat loss, improve air tightness and thermal transmittance and to maximise natural daylight. ✓ A low energy lighting design will be utilised to reduce energy consumption and increase occupant thermal comfort. ✓ Renewable energy technologies such as Air Source Heat Pumps and Solar PV will be considered for implementation. ✓ The design targets a Building Energy Rating (BER) of A2/A3.
<p>Policy CC4: To encourage building layout and design which maximises daylight, natural ventilation, active transport and public transport use.</p>
<p>Response:</p> <ul style="list-style-type: none"> ✓ The design development process paid due attention to the skylight availability on the exterior facades of the proposed blocks. ✓ 42% of units are dual aspect as detailed in the Dual Aspect Analysis Report. The design of the proposed blocks BG1-BG safeguards the daylight to nearby buildings. The Daylight & Sunlight Availability Assessment, included under separate cover, demonstrates there is a negligible impact on almost all of the surrounding buildings ✓ The buildings are designed to the requirements of Part F of the Building Regulations which relates to ventilation. To achieve this the design (a) limits the moisture content of the air within the building so that it does not contribute to condensation and mould growth, and b) limits the concentration of harmful pollutants in the air within the building and (c) adequate provision shall be made to prevent excessive condensation in the floor or in a roof void above an insulated ceiling. ✓ The proposed development site is at a location that will offer occupants travelling to and from the development alternative travel modes that will reduce car reliance. The site is accessible to a Luas stops, Dublin bus stops, bicycle lanes and local car sharing locations. Full details are presented in the Traffic & Transport Assessment and the Mobility Management Report.

Chapter 3: Addressing Climate Change

Compliance of the Proposed Development with relevant Section / Policy

- ✓ The design promotes permeability and connectivity across SDRA 12 and this will facilitate active transport, walking and cycling.
- ✓ The design places an emphasis on accommodating cycling and in this regard there are significant numbers of long and short stay cycle parking facilities built into the development.

3.3 Chapter 4 – Shape and Structure of the City

Chapter 4: Shape and Structure of the City

Compliance of the Proposed Development with relevant Section / Policy

Ch. 4 - Section 4.5.3.1 Urban Density

Policy SC13: To promote sustainable densities, particularly in public transport corridors, which will enhance the urban form and spatial structure of the city, which are appropriate to their context, and which are supported by a full range of community infrastructure such as schools, shops and recreational areas, having regard to the safeguarding criteria set out in Chapter 16 (development standards), including the criteria and standards for good neighbourhoods, quality urban design and excellence in architecture. These sustainable densities will include due consideration for the protection of surrounding residents, households and communities.

Response:

- ✓ The Development Plan does not explicitly establish a density standard for the proposed development site. The Department of the Environment, Heritage and Local Governments 2009 Guideline, *Sustainable Residential Development in Urban Areas* is referenced in the Development Plan and regarding inner city sites it states that in order to maximise inner city population growth, there should, in principle, be no upper limit on the number of dwellings that may be provided within any city centre site, subject safeguards.
- ✓ The proposed development has a nett density of 225 units per hectare. This is consistent with the higher density extant SHD permissions permitted by An Bord Pleanála at the Bailey Gibson and Player Wills, also within SDRA 12.
- ✓ The proposed development site is located on the South Circular Road and Donore Avenue and a short walk (less than 5 minutes) to bus stops providing access to high frequency and high-capacity bus services, the Luas service red line service is also within walking distance. Full details are presented in the Traffic & Transport Assessment.
- ✓ The proposed development includes public amenities, a fully sized sports pitch, public playground, public park and a creche. The proposed non-residential floor space will provide for neighbourhood daily living needs including shops and a restaurant. SDRA 12 includes a reservation for a

Chapter 4: Shape and Structure of the City

Compliance of the Proposed Development with relevant Section / Policy

school site and this has been provided for in the extant permission for the Player Wills site.

- ✓ The **Architectural Drawings**, considered in conjunction with the **Architectural Design Statement**, and **Landscape Design Statement** demonstrate the highest standards of urban design that will create a vibrant and attractive urban neighbourhood for people to live, work and socialise. This new urban quarter will be a positive addition to the surrounding neighbourhood.
- ✓ The design provides attractive streets and public spaces, community infrastructure and tenant amenities. Permeability through the development is achieved by connectivity with the existing and permitted surrounding street network.
- ✓ The buildings have a max height of 24m which is compliant with the design guidelines for SDRA 12 of the Dublin City Development Plan. Buildings at the perimeter step down to respond to local building heights.
- ✓ In the Daylight and Sunlight Availability Assessment, the proposed development has been simulated and benchmarked against the existing site condition. In this scenario, the proposed development has a negligible impact on almost all surrounding buildings. A minor adverse impact is experienced at a small number of properties at Rehoboth Avenue and South Circular Road. Further details in regard to the impacts are contained within the accompanying report.

Policy SC14: To promote a variety of housing and apartment types which will create a distinctive sense of place in particular areas and neighbourhoods, including coherent streets and open spaces.

Response:

- ✓ Variety is supported in the tenure mix i.e. Build to Rent and Build to Sell with a ratio of 18:15. The proposed mix is 68% studios and 1-bedroom units and 32% 2+ bedroom units and the units are designed to facilitate whole lifecycle living. A variety of open space with active and passive uses together with a hierarchy of streets that prioritise active travel modes is integrated in the design, see **Landscape Design Statement**. The materiality (see Architectural Design Statement) is well considered and responds to the existing context drawing i.e. local dolphin barn brick and red brick tones.

Policy SC15: To recognise and promote green infrastructure and landscape as an integral part of the form and structure of the city, including streets and public spaces.

Response:

- ✓ The design of the streets, public open spaces and communal open spaces integrates green infrastructure such as sustainable urban drainage measures, tree planting and the planting strategy is designed to promote biodiversity and aligns with the All Ireland Pollinator Plan. See **Landscape Design Statement**.

Ch. 4 - Section 4.5.4.1 Approach to Taller Buildings

Chapter 4: Shape and Structure of the City

Compliance of the Proposed Development with relevant Section / Policy

Policy SC16: To recognise that Dublin City is fundamentally a low-rise city and that the intrinsic quality associated with this feature is protected whilst also recognising the potential and need for taller buildings in a limited number of locations subject to the provisions of a relevant LAP, SDZ or within the designated strategic development regeneration area (SDRA).

Response:

- ✓ The proposed development’s height strategy is compliant with the City Development Plan and all buildings are low rise, i.e. max 24m. The taller elements (i.e. 7 storeys) of the scheme are concentrated toward the centre of the Bailey Gibson site and the scale of the proposed buildings is stepped down at the site’s boundaries.

Policy SC17: To protect and enhance the skyline of the inner city, and to ensure that all proposals for mid-rise and taller buildings make a positive contribution to the urban character of the city, having regard to the criteria and principles set out in Chapter 15 (Guiding Principles) and Chapter 16 (development standards). In particular, all new proposals must demonstrate sensitivity to the historic city centre, the River Liffey and quays, Trinity College, the cathedrals, Dublin Castle, the historic squares and the city canals, and to established residential areas, open recreation areas and civic spaces of local and citywide importance.

Response:

- ✓ The proposed development is entirely low-rise.
- ✓ An assessment of the visual impact of the proposed development is presented in the Landscape & Visual Impact Assessment and the Built Heritage chapters of the EIAR. A suite of photomontages is included under separate cover.

Policy SC18: To promote a co-ordinated approach to the provision of tall buildings through local area plans, strategic development zones and the strategic development and regeneration areas principles, in order to prevent visual clutter or cumulative negative visual disruption of the skyline.

Response:

- ✓ The design guidelines for SDRA 12 facilitates 2 buildings up to 50m. This allowance is allocated to the extant Player Wills permission and accordingly the proposed development is low-rise.

Ch. 4 - Section 4.5.5 The Public Realm

Policy SC19: To promote the development of a network of active, attractive and safe streets and public spaces which are memorable, and include, where appropriate, seating, and which encourage walking as the preferred means of movement between buildings and activities in the city. In the case of pedestrian movement within major developments, the creation of a public street is preferable to an enclosed arcade or other passageway.

Response:

- ✓ The proposed development site currently has barriers that impede the free movement east to west and north to south. The layout of the street network

Chapter 4: Shape and Structure of the City

Compliance of the Proposed Development with relevant Section / Policy

remedies this. New streets are designed to be attractive with opportunities integrated for passive recreation. Streets and public spaces are overlooked to promote safety. Further detail on this aspect is set out in the Architectural Design Statement and the Landscape Design Statement.

Policy SC20: To promote the development of high-quality streets and public spaces which are accessible and inclusive, and which deliver vibrant, attractive, accessible and safe places and meet the needs of the city’s diverse communities

Response:

- ✓ The proposed public spaces offer opportunities for all ages and abilities to access and fully utilise their offering. The Landscape Design Statement sets out the programming of each area.
- ✓ The proposed public open spaces are diverse and this will support the development of a vibrant new urban quarter;
 - a) A multi-purpose play pitch within DCC lands to the northeast of the application area.
 - b) A public boulevard, ‘St. Teresa’s Boulevard’, to the south of the proposed pitch.
 - c) A public park, ‘St. Teresa’s Playground’ incorporating a playground to the north of the proposed pitch.
 - d) A public park (‘Players Park’) to the east of the Bailey Gibson site.
 - e) A public plaza (‘Rehoboth Plaza’) at the entrance to the Bailey Gibson site.

Policy SC21: To promote the development of a built environment and public spaces which are designed to deter crime and anti-social behaviour, which promote safety, and which accord with the principles of universal design, as set out in the Dublin City Public Realm Strategy.

Response:

- ✓ The scheme integrates accessible public space with a variety of uses that would promote day and night activity which ensures high-level of footfall. This in turn acts as a natural deterrent to crime and antisocial activity.
- ✓ The layout is cognisant of passive surveillance and facilitates ‘eyes on the street’.
- ✓ Public spaces integrate opportunities for seating to allow people rest as their needs might dictate.
- ✓ The layout is fully permeable i.e. there are no cul-de-sacs or other design measures that are known to facilitate anti-social behaviour.

Ch. 4 - Section 4.5.9 Urban Form and Architecture

Policy SC25: To promote development which incorporates exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture befitting the city’s environment and heritage and its diverse range of

Chapter 4: Shape and Structure of the City

Compliance of the Proposed Development with relevant Section / Policy

locally distinctive neighbourhoods, such that they positively contribute to the city's built and natural environments. This relates to the design quality of general development across the city, with the aim of achieving excellence in the ordinary, and which includes the creation of new landmarks and public spaces where appropriate.

Response:

- ✓ The proposed development being part of SDRA 12 and wider regeneration proposals will contribute to the creation of a vibrant new urban quarter at this location, replacing what is now a vacant, declining, impermeable site that undermines the area in which it sits.
- ✓ As outlined above, the design includes a significant amount of public open space. The most notable of these from an urban design perspective would be the proposed Players Park, Rehoboth Plaza and St. Teresa's Boulevard.
- ✓ The scheme's materiality is of a high quality and reflects the local heritage while setting the development apart as a distinctive new neighbourhood.

Policy SC26: To promote and facilitate innovation in architectural design to produce contemporary buildings which contribute to the city's acknowledged culture of enterprise and innovation, and which mitigates, and is resilient to, the impacts of climate change.

Response:

- ✓ The design of the buildings maximises solar gain in so far as is reasonable and having regard to the need to achieve other planning requirements e.g. high density development on inner city sites.
- ✓ The scheme's materiality is of a high quality and reflects the local heritage while setting the development apart as a distinctive new neighbourhood.
- ✓ The design includes significant cycle parking provision, space for car sharing clubs to operate, and new streets all of which promote decreased car ownership and usage with consequent benefits for climate.
- ✓ The buildings are designed to meet Part L/NZEB as outlined earlier.
- ✓ The surface water drainage design includes an uplift to account for climate change.

Policy SC28: To promote understanding of the city's historical architectural character to facilitate new development which is in harmony with the city's historical spaces and structures.

Response:

- ✓ The Player Wills building is a new addition to the Record of Protected Structures. It sits to the east of the Bailey Gibson site. The proposed layout incorporates a public park that will act as a visual green break between the two sites.
- ✓ As outlined earlier the scale of the buildings are low-rise and are designed to integrate with the surrounding streetscape.
- ✓ The materiality both buildings and public realm is cognisant of the existing environment and draws inspiration from it.

3.4 Chapter 5 Quality Housing

Chapter 5: Quality Housing
Compliance of the Proposed Development with relevant Section / Policy
Ch. 5 - Section 5.5.1 National and Regional Guidelines and the Housing Strategy
<p>Policy QH1 To have regard to the DoEHLG Guidelines on ‘Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities’ (2007); ‘Delivering Homes Sustaining Communities – Statement on Housing Policy’ (2007), ‘Sustainable Urban Housing: Design Standards for New Apartments’ (2015) and ‘Sustainable Residential Development in Urban Areas’ and the accompanying Urban Design Manual: A Best Practice Guide (2009)</p>
<p>Response:</p> <ul style="list-style-type: none"> ✓ The Design Team are familiar with the guidelines outlined above and in developing this proposed development regard was had to them. It is noted that the 2015 Design Standards for New Apartments is superseded by the 2020 Guidelines. The Housing Quality Assessment prepared by HJL Architects included with this application confirms that the scheme is compliant with the requirements of the 2020 Guidelines.
<p>Policy QH3 (i) To secure the implementation of the Dublin City Council Housing Strategy in accordance with the provision of national legislation. In this regard, 10% of the land zoned for residential uses, or for a mixture of residential and other uses, shall be reserved for the provision of social and/or affordable housing in order to promote tenure diversity and a socially inclusive city</p>
<p>Response:</p> <ul style="list-style-type: none"> ✓ The proposed development includes 34 social and affordable homes i.e. 10% of the total units proposed and a Part V Proposal report is submitted under separate cover. This provide evidence of the timeline of transaction of the Bailey Gibson site which confirms that notwithstanding changes to Part V, 10% is applicable in this instance.
Ch. 5 - Section 5.5.2 Sustainable Residential Areas
<p>Policy QH5 To promote residential development addressing any shortfall in housing provision through active land management and a co-ordinated planned approach to developing appropriately zoned lands at key locations including regeneration areas, vacant sites and under-utilised sites</p>
<p>Response:</p> <ul style="list-style-type: none"> ✓ There is a shortfall in housing across the City. This proposed development would contribute 345 new homes to the Dublin 8 area, a location that is highly sought after for both renting and purchase. The planned approach to development of the proposed development site is achieved through adhering to the design principles for SDRA 12 established in the City Development Plan.
<p>Policy QH6: To encourage and foster the creation of attractive mixed-use sustainable neighbourhoods which contain a variety of housing types and tenures</p>

Chapter 5: Quality Housing

Compliance of the Proposed Development with relevant Section / Policy

with supporting community facilities, public realm and residential amenities, and which are socially mixed in order to achieve a socially inclusive city.

Response:

- ✓ The proposed development incorporates a variety of tenures, rental, homeowner and social and affordable units.
- ✓ The scheme is predominantly apartments, and this complements the traditional housing stock in the wider Dublin 8 area.
- ✓ The proposed mix facilitates single occupancy through to family units.
- ✓ Tenant amenities and facilities are integrated into the Build to Rent blocks and include a diversity of uses such as a gym, coworking space, and communal lounge and kitchen areas.
- ✓ A creche is proposed that will cater for the need generated by the scheme and the wider needs in the local community. See **Childcare Demand Report**.

Policy QH7: To promote residential development at sustainable urban densities throughout the city in accordance with the core strategy, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area.

Response:

The proposed nett density is 225 units per hectare (uph). Table E of the Development Plan's Vision and Core Strategy chapter, establishes that the estimated housing capacity for SDRA 12 is 800-1,000 units. The nett developable area of SDRA 12 is 10.096 ha (total area 12.62ha – 20% POS). Therefore, it is reasonable to conclude that the max envisaged nett density is 99 uph and the proposed density exceeds this. This is deemed a contravention of the Development Plan and is dealt with in the **Material Contravention Statement**.

Policy QH8: To promote the sustainable development of vacant or under-utilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and the character of the area.

Response:

- ✓ Notwithstanding the response to QH7, it is noted that Para. 5.6 of the 2009 Sustainable Residential Development in Urban Areas Guidelines states; *In order to maximise inner city population growth, there should, in principle, be no upper limit on the number of dwellings that may be provided within any city centre site, subject to defined safeguards.* This application demonstrates that the performance-based criteria for safeguarding the existing built environment and permitted development locally is achieved and in this context the density as proposed on this inner-city vacant infill site is a sustainable response and accords with the overarching principle of proper planning and sustainable development.

Policy QH9: To require that larger schemes which will be developed over a considerable period of time are developed in accordance with an agreed phasing programme to ensure that suitable physical, social and community infrastructure is provided in tandem with the residential development and that substantial infrastructure is available to initial occupiers

<p>Chapter 5: Quality Housing</p>
<p>Compliance of the Proposed Development with relevant Section / Policy</p>
<p>Response:</p> <ul style="list-style-type: none"> ✓ The proposed development will be delivered over 1 phase so that homes, social and community infrastructure will be released in parallel.
<p>Policy QH10: To support the creation of a permeable, connected and well-linked city and discourage gated residential developments as they exclude, and divide established communities.</p>
<p>Response:</p> <ul style="list-style-type: none"> ✓ It is not proposed to gate the development. ✓ Numerous pedestrian and cycle access points are provided to the surrounding street network, see Landscape Design Statement for illustrations of the proposed access routes.
<p>Policy QH11: To ensure new developments and refurbishments are designed to promote safety and security and avoid anti-social behaviour in accordance with the Safety and Security Design Guidelines contained in Appendix 14.</p>
<p>Response:</p> <ul style="list-style-type: none"> ✓ Appendix 14 includes 13 design recommendations and these have been integrated in the layout where practical. They generally relate to maximising passive surveillance, avoiding blank facades, secluded areas and enclosed public areas, ensuring adequate lighting, creating a clear distinction between public and communal open space, limiting access to buildings, encouraging appropriate traffic speeds etc. using hard wearing materials. These issues have been considered in the design and a number of the supporting reports address these matters - the Architectural Design Statement, the Landscape Design Statement, the Lighting Report and DMURs compliance statement of consistency.
<p>Ch. 5 - Section 5.5.3 Sustainable Building Design</p>
<p>Policy QH12: To promote more sustainable development through energy end-use efficiency, increasing the use of renewable energy, and improved energy performance of all new development throughout the city by requiring planning applications to be supported by information indicating how the proposal has been designed in accordance with the development standards set out in the development plan.</p>
<p>Response:</p> <ul style="list-style-type: none"> ✓ This Statement of Consistency satisfies the supporting information part of this policy. ✓ With regard to energy efficiency and conservation as stated earlier the proposed design meets Part L/NZEB and the design aims to achieve an A2/A3 Building Energy Rating. The Energy & Sustainability Report provides the full detail.

Chapter 5: Quality Housing

Compliance of the Proposed Development with relevant Section / Policy

Ch. 5 - Section 5.5.4 Quality Housing for All

Policy QH13: To ensure that all new housing is designed in a way that is adaptable and flexible to the changing needs of the homeowner as set out in The Residential Quality Standards and with regard to the Lifetime Homes guidance contained in Section 5.2 of the Department of Environment, Heritage and Local Government 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007).

Response:

- ✓ The **Urban and Architectural Design Statement** should be referenced for detail on this matter. Briefly, flexibility is built into the design as proposed to allow the retrofitting of the units to meet future demands that may arise. Specifically, unit type adjacencies have been carefully considered to allow for future adaptability if required. 2 x 2-bed studios can be converted to a 2-bedroom unit and 2 x 1-bed units can be converted to a 3-bedroom unit.

Ch. 5 – Section 5.5.6 Apartment Living

Policy QH18: To promote the provision of high-quality apartments within sustainable neighbourhoods by achieving suitable levels of amenity within individual apartments, and within each apartment development, and ensuring that suitable social infrastructure and other support facilities are available in the neighbourhood, in accordance with the standards for residential accommodation.

Response:

- ✓ The amount of sunlight reaching an apartment is a key parameter for high levels of amenity. Dual-aspect apartments, maximise the availability of sunlight, and provide cross ventilation. The scheme achieves 42% dual aspect units, this is over 20% more than the required 33% for central/accessible sites.
- ✓ The daylight and sunlight availability assessment identifies that 100% of the proposed amenity spaces exceed the BR 209 (2022) recommendation for direct sunlight. 73% of the units meet the minimum recommendation for Exposure to Sunlight.
- ✓ The **Social Infrastructure Audit** and **Childcare Demand Report** prepared in support of this application identified a need for neighbourhood scale floor space to accommodate daily living needs together with floor space to accommodate childcare. The proposed development is cognisant of these findings and address both issues in the floor space provision.
- ✓ The public open space in this application is significant in quantity (over 2 hectares) and provides significant variety for play, passive and active recreation.

Policy QH19: To promote the optimum quality and supply of apartments for a range of needs and aspirations, including households with children, in attractive, sustainable mixed income, mixed-use neighbourhoods supported by appropriate social and other infrastructure.

Chapter 5: Quality Housing

Compliance of the Proposed Development with relevant Section / Policy

Response:

- ✓ The Unit Mix Justification Report included as Appendix 1 of the Planning Statement under separate cover demonstrates that the proposed apartment typologies is appropriate to the needs of the City. As outlined earlier, the development includes homes for renters, owners and social and affordable occupants. The mix of units accommodates single occupancy through to dwellings that suit a variety of household sizes including families. Flexibility is built into the design to allow for convergence in the future if demand requires this.
- ✓ The existing social infrastructure available in the area has been analysed and the scheme contributes to and enhances the existing provision.

Ch. 5 – Section 5.5.7 Houses

Policy QH21: To ensure that new houses provide for the needs of family accommodation with a satisfactory level of residential amenity, in accordance with the standards for residential accommodation.

Response:

- ✓ The proposed scheme includes 4 no. 4-bedroom townhouses in BG5 and they are designed in compliance with the standards established in the Development Plan and applicable standards for houses set out in the 2007 Quality Housing for Sustainable Communities. Compliance is demonstrated in the Housing Quality Audit.
- ✓ The daylight and sunlight availability assessment demonstrates that 73% of the units meet the minimum recommendation for Exposure to Sunlight.

Policy QH22: To ensure that new housing development close to existing houses has regard to the character and scale of the existing houses unless there are strong design reasons for doing otherwise.

Response:

- ✓ The Architectural Design Statement presents the detail on this matter. Briefly, the perimeter blocks are 2-3 storey where the Bailey Gibson site interfaces with adjoining 2 storey neighbourhood streets, these smaller scaled blocks enable the development to knit into its surrounding neighbourhood context.

Ch. 5 – Section 5.5.9 Regeneration

QH26: To promote the transformation of the key regeneration areas into successful socially integrated neighbourhoods including those on the Main Inner City Regeneration Areas Map and promote area regeneration in parts of the city which require physical improvement and enhancement in terms of quality of life, housing and employment opportunities, including the Docklands. It is recognised that the nature of some housing regeneration initiatives may warrant the demolition of existing dwellings before proposals for new or replacement dwellings are agreed.

Chapter 5: Quality Housing

Compliance of the Proposed Development with relevant Section / Policy

Response:

- ✓ The proposed development is part of SDRA 12 and the layout is grounded in the guiding design principles established in the City Development Plan. Regenerating these lands will strengthen the urban fabric locally, enhance the mixed use services available locally and would allow people to live where employment opportunities exist.

3.5 Chapter 6 City Economy & Enterprise

Chapter 6: City Economy & Enterprise

Compliance of the Proposed Development with relevant Section / Policy

Ch. 6 - Section 6.5.4 Regeneration/vacant land/active land management

Policy CEE16: (i) To engage in the ‘active land management’ of vacant sites and properties including those owned by Dublin City Council, as set out in the Government’s Planning Policy Statement 2015; to engage proactively with land-owners, potential developers and investors with the objective of encouraging the early and high quality re-development of such vacant sites.

Response:

- ✓ The proposed development site includes lands that are owned by Dublin City Council, namely the ‘Boys Brigade’ pitch site and part of St. Teresa’s Gardens. Within these lands it is proposed to develop a public park, Players Park, and a sports pitch. This represents active land management where the local authority and developer work together to achieve a significant planning gain for the community.

3.6 Chapter 7 Retailing

Chapter 7: Retailing

Compliance of the Proposed Development with relevant Section / Policy

Ch. 7 - Section 7.6.5 Convenience Shopping

Policy RD20: To promote and facilitate the provision of accessible good quality convenience shopping with strong choice and competition within the inner city area and to develop areas to ensure that adequate provision is made for the increased population now living in the city; to reduce the numbers travelling to outer suburbs to meet their convenience needs and to attract and retain families with children in the city, as set out in the retail strategy for the Greater Dublin Area.

Response:

Chapter 7: Retailing

Compliance of the Proposed Development with relevant Section / Policy

- ✓ The Social Infrastructure Audit prepared to support this application identifies that there is good retail provision locally, specifically on Cork Street. The audit did however identify a possible gap in neighbourhood scale local shops and in response the proposed design includes floorspace to accommodate this.

3.7 Chapter 8 Movement & Transport

Chapter 8: Movement & Transport

Compliance of the Proposed Development with relevant Section / Policy

Ch. 8 - Section 8.5.2 Promoting Modal Change and Active Travel

Policy MT2: Whilst having regard to the necessity for private car usage and the economic benefit to the city centre retail core as well as the city and national economy, to continue to promote modal shift from private car use towards increased use of more sustainable forms of transport such as cycling, walking and public transport, and to co-operate with the NTA, Transport Infrastructure Ireland (TII) and other transport agencies in progressing an integrated set of transport objectives. Initiatives contained in the government's 'Smarter Travel' document and in the NTA's draft transport strategy are key elements of this approach.

Response:

- ✓ The development site has a well-established walking and cycling network with good quality footways / cycleways, footpath provision, tactile paving and dedicated pedestrian and cycle crossing facilities. The proposed layout is well designed to link to these existing facilities.
- ✓ The site is directly served by a number of Dublin Bus services and is within walking distance of the Fatima Luas stop. The sites are also within walking distance to a number of employment centre and leisure facilities. The City Centre, Heuston station, St. Stephen's Green, St. James' Hospital and the Coombe Maternity Hospital are all within a 30-minute walk or 10-minute cycle of both sites. It can be concluded that the proposed development has a very high level of accessibility by sustainable transport modes.
- ✓ High quality cycling and pedestrian facilities are proposed together with provision for Car Club to enhance sustainable travel choices for residents and limit the need for car ownership amongst residents.
- ✓ A Mobility Management Plan accompanies this submission.

Ch. 8 - Section 8.5.4 Promoting Active Travel: Cycling & Walking

Policy MT11: To continue to promote improved permeability for both cyclists and pedestrians in existing urban areas in line with the National Transport Authority's document 'Permeability – a best practice guide'. Also, to carry out a permeability and accessibility study of appropriate areas in the vicinity of all Luas, rail and BRT routes and stations, in co-operation with Transport Infrastructure Ireland and the National Transport Authority.

Chapter 8: Movement & Transport

Compliance of the Proposed Development with relevant Section / Policy

Response:

- ✓ The layout facilitates east-west and north-south movement across the SDRA lands where currently this does not exist. This permeability provides connectivity to the wider existing street network of South Circular Road, Dolphin Street and Donore Avenue.

Ch. 8 - Section 8.5.4.2 Walking

Policy MT12: To improve the pedestrian environment and promote the development of a network of pedestrian routes which link residential areas with recreational, educational and employment destinations to create a pedestrian environment that is safe and accessible to all.

Response:

- ✓ Refer to response above. Additionally, it is noted that the inclusion of the sports pitch and players park in this proposed development facilitates the full integration of recreational opportunities with the delivery of homes. With reference to local education and employment destinations, convenient and safe access routes within the proposed development site would link to the Coombe Hospital, St. Catherine's NS and Griffith College.

Ch. 8 - Section 8.5.5 Mobility Management & Travel Planning

Policy MT13: To promote best practice mobility management and travel planning to balance car use to capacity and provide for necessary mobility via sustainable transport modes.

Response:

- ✓ The Traffic & Transport Report includes a section, Transport Accessibility, Infrastructure and Capacity. It confirms that the development site would be considered to have a high accessibility by public transport.
- ✓ The site is located within a 5-minute walk of a numerous high frequency Dublin Bus & Go-Ahead services along Dolphin's Barn Street/Cork Street, a dedicated Quality Bus Corridor, and the South Circular Road. It is also a 9-minute walk to the Fatima Red line Luas stop.
- ✓ The assessment demonstrates that there is enough capacity to accommodate future public transport trips generated by the development as there is currently 200 spaces free on peak hour services along Cork Street. Similarly, the capacity along the South Circular Road, eastbound services are confirmed as capable of accommodating the future trips generated by the development.

Ch. 8 - Section 8.5.6 Car Parking

Policy MT17: To provide for sustainable levels of car parking and car storage in residential schemes in accordance with development plan car parking standards (section 16.38) so as to promote city centre living and reduce the requirement for car parking.

Response:

Chapter 8: Movement & Transport

Compliance of the Proposed Development with relevant Section / Policy

- ✓ Based on the site location, availability of alternative modes, proposed on-site mobility services, baseline levels of existing car ownership, and national and international guidance, a parking ratio of 0.26 car spaces per unit is proposed for the development. This figure aligns with the current commuting car mode share in the local area, which is 25.9%. This ratio will encourage a modal shift to active modes walking, cycling and public transport, whilst also providing for a sustainable level of car storage.

Policy MT18: To encourage new ways of addressing the parking needs of residents (such as car clubs) to reduce the requirement for car parking.

Response:

- ✓ The proposed development includes 14 car share spaces. A letter of Intent from 'Go Car' is appended to the Traffic and Transport Report. It details that each space has the potential to replace the journeys of up to 15 private cars.

Policy MT19: To safeguard the residential parking component in mixed-use developments.

Response:

- ✓ Residents parking is predominantly provided in the basement apart from the proposed houses where 1 space per house is provided on the curtilage. Access to the basement will be managed and in this way it will be safeguarded.
- ✓ Recognising that the sports pitch will generate a parking demand, 33 on-street parking for visitors is proposed together set down areas.

3.8 Chapter 9 Sustainable Environmental Infrastructure

Chapter 9: Sustainable Environmental Infrastructure

Compliance of the Proposed Development with relevant Section / Policy

Ch. 9 - Section 9.5.1 Water Supply & Wastewater

Policy SI3: To ensure that development is permitted in tandem with available water supply and wastewater treatment and to manage development, so that new schemes are permitted only where adequate capacity or resources exists or will become available within the life of a planning permission.

Response:

- ✓ A Confirmation of Feasibility and Statement of Design Acceptance for the proposed development has been received from Irish Water for both water supply and wastewater discharge and they are appended to the Infrastructure Report.

Ch. 9 - Section 9.5.3 Flood Management

Chapter 9: Sustainable Environmental Infrastructure

Compliance of the Proposed Development with relevant Section / Policy

Policy SI10: To have regard to the Guidelines for Planning Authorities on the Planning System and Flood Risk Management, and Technical Appendices, November 2009, published by the Department of the Environment, Community, and Local Government as may be revised/updated when assessing planning applications and in the preparation of plans both statutory and non-statutory.

Response:

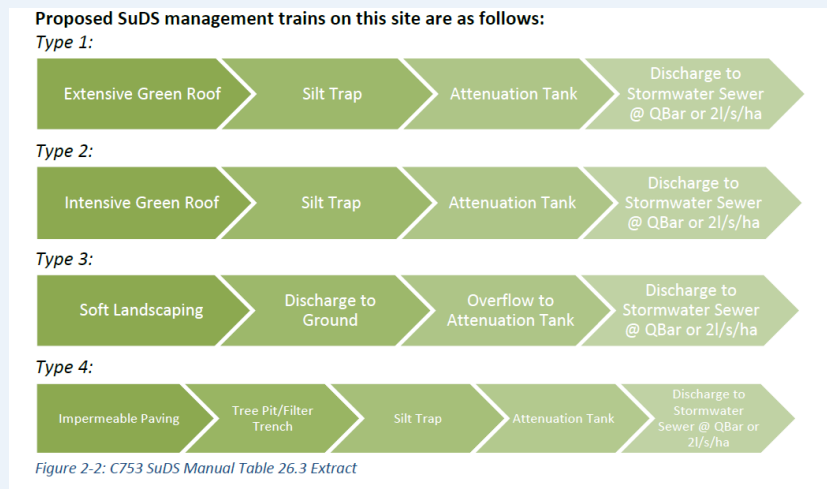
- ✓ A Flood Risk Assessment has been completed by the project engineers and is included with this application. It follows the methodology in the 2009 Guidelines and concludes that the proposed development is appropriate. The entire residential portion of the development is within Flood Zone C and not subject to flooding in events up to the 1000 Year event and, therefore, it is deemed 'Appropriate'. The multi-sport playing pitch and St. Teresa's Playground are located within Flood Zone A, it is deemed 'Appropriate' based on its classification as a Water Compatible Development.

Ch. 9 - Section 9.5.4 Surface Water Drainage and Sustainable Urban Drainage Systems (SUDS)

Policy SI18: To require the use of Sustainable Urban Drainage Systems in all new developments, where appropriate, as set out in the Greater Dublin Regional Code of Practice for Drainage Works. The following measures will apply: • The infiltration into the ground through the development of porous pavement such as permeable paving, swales, and detention basins • The holding of water in storage areas through the construction of green roofs, rainwater harvesting, detention basins, ponds, and wetlands • The slow-down of the movement of water.

Response:

- ✓ A comprehensive SUDS design is proposed, and full details are presented in the Infrastructure Report. The image below is an extract from that report.



Ch. 9 - Section 9.5.5 Waste Management

Chapter 9: Sustainable Environmental Infrastructure

Compliance of the Proposed Development with relevant Section / Policy

Policy SI19: To support the principles of good waste management and the implementation of best international practice in relation to waste management in order for Dublin city and the region to become self-reliant in terms of waste management.

Policy SI20: To prevent and minimise waste and to encourage and support material sorting and recycling.

Policy SI21: To minimise the amount of waste which cannot be prevented and ensure it is managed and treated without causing environmental pollution.

Response:

- ✓ A **Construction & Demolition Waste Management Plan** is included with this application submitted under separate cover. Please refer to the application. As outlined in this document, asbestos and contaminated soil will be disposed of to a licenced facility. As outlined in this report: *A Pre-Refurbishment & Demolition Survey was carried out in all accessible areas of the development site on 22nd May 2019 and again on 19th January 2022 for materials suspected of containing asbestos. The report identifies confirmed and strongly presumed asbestos materials. Contaminated material will be taken to a suitably licensed or permitted facility before being exported abroad and disposed of through landfill. The transfrontier shipment of asbestos waste is subject to control procedures under EU and national legislation. All transfrontier shipments of waste originating in any local authority area must be notified to and through DCC at the National TFS Office. All asbestos removal works will be carried out by a competent contractor in accordance with Asbestos at Work Regulations 2006-2010 (amended) and associated Approved Codes of Practice.*
- ✓ An **Operational Waste Management Plan** is included with this application. Waste receptacles are provided within the design and waste storage areas are suitably sized to cater for 3-bin systems i.e. recycling, organics and residual waste. This will encourage source segregation of waste.

Ch. 9 - Section 9.5.8 Noise Pollution

Policy SI25: To seek to preserve and maintain air and noise quality in the city in accordance with good practice and relevant legislation.

Response:

- ✓ An EIAR has been prepared in support of this application. It includes chapters for noise and vibration and air quality and climate. The assessments consider the impact of the proposed development during both the construction and operational phases. Where likely significant effects are identified suitable mitigation measures are proposed. The conclusion for both assessments is that post application of the mitigation significant environmental effects are not anticipated.

Ch. 9 - Section 9.5.9 Light Pollution

Chapter 9: Sustainable Environmental Infrastructure

Compliance of the Proposed Development with relevant Section / Policy

Policy SI26: To ensure that the design of external lighting proposals minimises light spillage or pollution in the surrounding environment and has due regard to the residential amenity of the surrounding area.

Policy SI27: To require lighting design to be appropriate to the end use in relation to residential areas, footpaths, cycle paths, urban streets and highways, i.e. use of low-level bollard lighting along cycle paths

Response:

- ✓ The lighting design has been developed with the following principal considerations:
 - Provide adequate illumination to contribute towards the safe use of public open spaces, roads and adjoining footpaths without causing overspill effects.
 - Provide adequate illumination to junctions with the development.
 - Provide the required illumination with minimum energy use.
 - To control the lighting to prevent energy wastage.
- ✓ Please refer to the Lighting Report included with this application.

3.9 Chapter 10 Green Infrastructure, Open Space & Recreation

Chapter 10: Green Infrastructure, Open Space & Recreation
Compliance of the Proposed Development with relevant Section / Policy
Ch. 10 - Section 10.5.1 Green Infrastructure
<p>Policy GI2: That any plan/project, either individually or in combination with other plans or projects that has the potential to give rise to significant effect on the integrity of any European site(s), shall be subject to an appropriate assessment in accordance with Article 6(3) and 6(4) of the EU Habitats Directives.</p>
<p>Response:</p> <ul style="list-style-type: none"> ✓ An Appropriate Assessment Screening Report and a Hydrological and Hydrogeological Qualitative Risk Assessment is included with this application. The purpose of the reports is to assist the competent authority with carrying out their duties under the Habitats Directive. The AA Screening Report concludes that <i>"the proposed development at the Bailey Gibson site, individually or in combination with another plan or project, will not have a significant effect on any European sites."</i>
<p>Policy GI4: To co-ordinate open space, biodiversity and flood management requirements, in progressing a green infrastructure network.</p> <p>Policy GI9: To incorporate open space into the green infrastructure network for the city, providing a multi-functional role including urban drainage, flood management, biodiversity, outdoor recreation and carbon absorption.</p>
<p>Response:</p> <ul style="list-style-type: none"> ✓ An integrated multidisciplinary approach has been applied to the landscape design. The landscape consultant has worked with the project engineer and ecologist to integrate SUDS measures and to ensure that the planting proposals prioritise native species and enhance biodiversity. ✓ Please refer to Landscape Design Statement.
<p>Policy GI10: To continue to manage and protect and/ or enhance public open spaces to meet the social, recreational, conservation and ecological needs of the city and to consider the development of appropriate complementary facilities which do not detract from the amenities of spaces.</p> <p>Policy GI11: To seek the provision of additional spaces in areas deficient in public open spaces – by way of pocket parks or the development of institutional lands.</p>
<p>Response:</p> <ul style="list-style-type: none"> ✓ The Liberties Greening Strategy published in 2015 identified a deficit in green space in Dublin 8. This proposed development proposes over 2 hectares of public open space that support a variety of functions including social and recreational while positively influencing biodiversity loss.
<p>Policy GI13: To ensure that in new residential developments, public open space is provided which is sufficient in quantity and distribution to meet the requirements of the projected population, including play facilities for children.</p>

Chapter 10: Green Infrastructure, Open Space & Recreation

Compliance of the Proposed Development with relevant Section / Policy

Response:

- ✓ The City Development Plan sets the quantitative standard for public open space (POS) and for SDRA 12 it requires that 20% (2.524 hectares) be reserved.
- ✓ The proposed development site is 5.5 hectares i.e. 43% of overall SDRA 12 area which is 12.62 hectares.
- ✓ This proposed development includes approx. 2.2 hectares (21,746 sq.m) of public open space distributed as follows;
 - A multi-purpose play pitch within DCC lands to the northeast of the application area (12,344 sq.m);
 - A public boulevard, 'St. Teresa's Boulevard', to the south of the proposed pitch (2,645 sq.m);
 - A public park, 'St. Teresa's Playground' incorporating a playground to the north of the proposed pitch (2,155 sq.m);
 - A public park ('Players Park') to the east of the Bailey Gibson site (4,182 sq.m); and,
 - A public plaza ('Rehoboth Plaza') at the entrance to the Bailey Gibson site (420sq.m).
- ✓ As a standalone application and applying the percentage share of 20% POS that should be allocated to satisfy the City Development Plan requirement, this application requires 1.1 hectares of public open space and 2.2 ha is proposed significantly in excess of the requirement.
- ✓ The permitted Player Wills development also includes public open space that amounts to 0.63 ha 'Players Park' (3,960 sq.m) ii. 'St. Catherine's Park', a playground (1,350 sq.m) iii. PW 1 courtyard (690 sq.m) in block PW1 iv. Public plaza (320 sq.m) between proposed blocks PW and PW4.

As the Players Park element overlaps with this proposed development it is necessary to discount it to understand the overall provision of POS, permitted and proposed by the Applicant in SDRA 12.

Proposed 21,865 sq.m- permitted Players Park 3,960 sq.m = 17, 905 sq.m (1.7905 ha)

This exceeds the requirement of 1.1 hectares for the application area.

This application together with the extant POS (not inc. the park) in the Player Wills scheme would provide 20,265 sq.m, 2.265ha. See section 2.15.13 for further details.

Policy GI14: To promote the development of soft landscaping in public open spaces, where feasible, in accordance with the principles of Sustainable Urban Drainage Systems.

Response:

- ✓ The landscape design optimises soft landscaping and integrates it with the SUDS design. See **Landscape Design Statement**.

Chapter 10: Green Infrastructure, Open Space & Recreation

Compliance of the Proposed Development with relevant Section / Policy

Ch. 10 - Section 10.5.6 Biodiversity

Policy GI23: To protect flora, fauna and habitats, which have been identified by Articles 10 and 12 of Habitats Directive, Birds Directive, Wildlife Acts 1976–2012, the Flora (Protection) Order 2015 S.I No. 356 of 2015, European Communities (Birds and Natural Habitats) Regulations 2011 to 2015.

Response:

✓ **The EIAR includes a Biodiversity Chapter that provides the following overall evaluation of the proposed development site;**

“No rare habitats or habitats of any ecological value (i.e. International, National or County Importance, or Local Importance) are present, and there are no Key Ecological Receptors at the proposed development site.

Small numbers of bats have been recorded flying during the course of bat surveys undertaken, however, other than the lone record of a single bat entering ivy on a wall outside the proposed development site no evidence of roosting bats has been found on the site. There are no habitats of any importance for commuting/foraging bat species either on the site or in the immediate vicinity.

In addition no evidence of any protected species such as badger, otter, amphibians or reptiles, or rare or protected plants was recorded during the surveys carried out, and the habitats present are not suitable for such species.

Overall the site is entirely unsuited to use by any protected fauna, other than, potentially, small numbers of nesting birds in the former South Circular Road Garden. The bird fauna recorded on the site was very limited, and there is no habitat on the site suitable for use, even on a very occasional basis, by any overwintering birds, such as pale-bellied Brent goose, or any other protected bird species listed as a Special Conservation Interest (SCI) in any European site.

The proposed development site (including Bailey Gibson, the Dublin City Council-owned lands and the area located within the Player Wills site) is of no ecological importance, in accordance with the ecological resource valuations presented in the Guidelines for Assessment of Ecological Impacts of National Road Schemes.”

Policy GI27: To minimise the environmental impact of external lighting at sensitive locations to achieve a sustainable balance between the needs of an area, the safety of walking and cycling routes and the protection of light sensitive species such as bats.

Response:

The lighting design for the proposed development includes the following measures:

- All luminaires shall lack UV elements when manufactured and shall be LED;
- A warm white spectrum shall be adopted to reduce blue light component;
- Luminaires shall feature peak wavelengths higher than 550nm.

Chapter 10: Green Infrastructure, Open Space & Recreation

Compliance of the Proposed Development with relevant Section / Policy

Bats are sensitive to light at night and although there is no more than limited bat activity at the proposed development site, the lighting design will ensure that the proposed development will not result in impacts on bats that do commute/forage in or near the proposed development site.

Ch. 10 - Section 10.5.7 Trees

Policy GI28: To support the implementation of the Dublin City Tree Strategy, which provides the vision for the long-term planting, protection and maintenance of trees, hedgerows and woodlands within Dublin City.

Response:

- ✓ An **Arboricultural Assessment and Impact Report** is included with this application as required by the Dublin City Tree Strategy. It identifies that the proposed development will necessitate the removal of all the trees within the site and two trees from South Circular Road. 34% of the total trees present are classified categories C & U with limited long-term potential. The remaining trees to be removed are of moderate value (category B).
- ✓ The Landscape Design Statement includes a planting schedule and outlines the species and significant quantity (300 no.) of trees proposed.

Ch. 10 - 10.5.8 Sport, Recreation and Play

Policy GI31: To improve on existing sports/ recreational facilities in the city through the implementation of the Dublin City Sport and Active Recreation Strategy 2009–2016 and to ensure the availability of a range of recreational facilities to the general population of all ages and groups at locations throughout the city, including ice-skating. In areas where a deficiency exists, Dublin City Council will work with the providers of such facilities, including schools, institutions and private operators, to ensure access to the local population.

Response:

- ✓ The proposed development includes a multi sports playing pitch on DCC owned lands.
- ✓ A formal playground is proposed to the north of the pitch. An outdoor exercise area is sits next to the playground.
- ✓ Informal play areas and games tables are integrated into Players Park.

Policy GI33: To seek the provision of children’s play facilities in new residential developments. To provide playgrounds to an appropriate standard of amenity, safety, and accessibility and to create safe and accessible places for socialising and informal play.

Response:

- ✓ St. Teresa’s Playground is designed as an inclusive and interactive play space. It is designed to engage children of all ages and abilities and encourage them to interact with each other. The materials proposed for the playground are more natural in style. This will promote health and well-being, learning, and

Chapter 10: Green Infrastructure, Open Space & Recreation

Compliance of the Proposed Development with relevant Section / Policy

- social interactions. Equipment will be provided throughout the site and will respond to age, context and ability. See Landscape Design Statement.
- ✓ Communal courtyards associated with the residential blocks include play areas that benefit from a high level of surveillance.
- ✓ Players Park also integrates play based opportunities.

3.10 Chapter 11 Built Heritage & Culture

Chapter 11: Built Heritage & Culture

Compliance of the Proposed Development with relevant Section / Policy

Policy CHC4: To protect the special interest and character of all Dublin's Conservation Areas. Development within or affecting a conservation area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible. Enhancement opportunities may include: 1. Replacement or improvement of any building, feature or element which detracts from the character of the area or its setting 2. Re-instatement of missing architectural detail or other important features 3. Improvement of open spaces and the wider public realm, and re-instatement of historic routes and characteristic plot patterns 4. Contemporary architecture of exceptional design quality, which is in harmony with the Conservation Area 5. The repair and retention of shop- and pub-fronts of architectural interest.

Development will not: 1. Harm buildings, spaces, original street patterns or other features which contribute positively to the special interest of the Conservation Area 2. Involve the loss of traditional, historic or important building forms, features, and detailing including roof-scapes, shop-fronts, doors, windows and other decorative detail 3. Introduce design details and materials, such as uPVC, aluminium and inappropriately designed or dimensioned timber windows and doors 4. Harm the setting of a Conservation Area 5. Constitute a visually obtrusive or dominant form. Changes of use will be acceptable where, in compliance with the zoning objective, they make a positive contribution to the character, function and appearance of Conservation Areas and their settings. The Council will consider the contribution of existing uses to the special interest of an area when assessing change of use applications and will promote compatible uses which ensure future long-term viability.

Response:

- ✓ There are areas surrounding the proposed development site, Donore Avenue, St. Catherine's Avenue and South Circular Road (SCR) zoned Z2, Residential Neighbourhoods (Conservation Area).

The proposed development includes blocks ranging from 2-7 storeys with the increased scale concentrated toward the centre of the Bailey Gibson site and tapering down to the interface with South Circular Road. The scale of the development will contrast with the existing residential conservation area at South Circular Road, which is comprised of two-storey terraced red-brick houses. However, this must be considered in context i.e. having regard to the

<p>Chapter 11: Built Heritage & Culture</p>
<p>Compliance of the Proposed Development with relevant Section / Policy</p>
<p>increased scale that is occurring at other locations within proximity of the proposed development site and the permitted Player Wills development.</p> <p>Having regard to all of the above it can be concluded that the proposed development is in compliance with this policy.</p>
<p>Ch. 11 - Section 11.1.5.11 Trees in Architectural Conservation Areas</p>
<p>Policy CHC7: To protect and manage trees in Architectural Conservation Areas. All trees which contribute to the character and appearance of the Conservation Area will be safeguarded, except where the City Council is satisfied that: 1. The tree is a threat to public safety or prevents access to people with mobility problems 2. The tree is not in keeping with the character of the Conservation Area or is part of a programme to rationalise the layout of tree planting in the area, or 3. In rare circumstances, where this is necessary to protect other specimens from disease.</p>
<p>Response:</p> <ul style="list-style-type: none"> ✓ The proposed development site is not located within or adjacent to an Architectural Conservation Area.
<p>Policy CHC31: All large scale, mixed-use development (as defined by this development plan) of office or residential space will include cultural/ artistic/community uses.</p>
<p>Response:</p> <ul style="list-style-type: none"> ✓ The proposed development includes tenant amenity space as outlined previously including a gym, lounges and co-working facilities that while dedicated to the build to rent element, do represent community use for this tenure.
<p>Policy CHC46: To encourage active uses of public spaces for the enjoyment of individuals, families and visitors to Dublin city and contribute to a sense of place by encouraging and facilitating the provision of fit-for-purpose, multi-functional outdoor spaces for festivals, events, public art, markets etc. in accessible, traditional and non-traditional locations.</p>
<p>Response:</p> <ul style="list-style-type: none"> ✓ The programme for Players Park set out in the Landscape Design Statement satisfies the requirements of this policy.

3.11 Chapter 12 Sustainable Communities & Neighbourhood

<p>Chapter 12: Sustainable Communities and Neighbourhood</p> <p>Compliance of the Proposed Development with relevant Section / Policy</p>
<p>Ch. 12 - Section 12.5.3 Neighbourhoods and Supporting Infrastructure</p>
<p>Policy SN5: To ensure that applications for significant large new developments (over 50 units) are accompanied by a social audit and an implementation and phasing programme in relation to community infrastructure, so that facilities identified as needed are provided in a timely and co-ordinated fashion.</p>
<p>Response:</p> <ul style="list-style-type: none"> ✓ A Social Infrastructure Audit prepared by McCutcheon Halley Planning is submitted with this application. ✓ It is proposed to deliver this development in 1 phase and accordingly the proposed community infrastructure will be delivered at the same time as the wider development.
<p>Ch. 12 - Section 12.5.5 Sustainable Provision and Optimum Use of Social Infrastructure</p>
<p>Policy SN17: To facilitate the provision in suitable locations of sustainable, fit-for-purpose childcare facilities in residential, employment, and educational settings, taking into account the existing provision of childcare facilities and emerging demographic trends in an area.</p>
<p>Response:</p> <ul style="list-style-type: none"> ✓ The proposed development includes a creche in block BG1 with a gross floor area of 347 sq.m and associated external play area. The scale of the facility is informed by a childcare audit the results of which are presented in the Childcare Demand Report included with this application. The creche will serve the needs to the future new community together with local need.
<p>Policy SN19: To enhance and improve the provision of playgrounds, play spaces, playing pitches and recreational spaces in residential areas and in the city centre in accordance with the City Council's standards and guidelines.</p>
<p>Response:</p> <ul style="list-style-type: none"> ✓ This is achieved through the proposed development of a playground, sports pitch and public park together with further recreational spaces dedicated to the future occupants of the scheme.
<p>Ch. 12 - Section 12.5.6 Social Inclusion and Regeneration</p>
<p>Policy SN29: To promote built environments and outdoor shared spaces which are accessible to all. New developments must be in accordance with the principles of Universal Design, the City Development Plan's Access For All Standards, and the National Disability Authority's 'Building For Everyone'.</p>

Chapter 12: Sustainable Communities and Neighbourhood

Compliance of the Proposed Development with relevant Section / Policy

Response:

- ✓ The scheme is designed to comply with Part M of the Building Regulations which sets out standards to ensure that buildings are accessible and usable by everyone, including children, people with disabilities and older people. This accords with the principles of Universal Design and the Access for all Standards together with Buildings for Everyone.
- ✓ Streets and footpaths are DMURs compliant. Please refer to the **Traffic and Transport Assessment** prepared by SYSTRA submitted under separate cover for further information.

3.12 Chapter 13 Monitoring, Implementation & Development Management

Chapter 13: Monitoring, Implementation and Development Management

Compliance of the Proposed Development with relevant Section / Policy

Section 13.3.3 Interest in Property

'With regard to submitting a planning application, under the Planning and Development Regulations, 2001 (as amended), an applicant who is not the legal owner of the land or structure in question must submit a letter of consent from the owner in order to make the planning application.'

Response:

The proposed development site includes land owned by Dublin City Council, the Boys Brigade pitch site and St. Teresa's Garden site and land within the Council's control, the public streets. A **Letter of Consent** from Dublin City Council is included with this application.

3.13 Chapter 14 Land Use Zoning

Chapter 14: Land Use Zoning

Compliance of the Proposed Development with relevant Section / Policy

The subject site has a total of 4 no. land use zonings (Z1, Z2, Z4 and Z14). The majority of the proposed development site is zoned Z14. The plan below is an extract from Map E of the City Development Plan.

The Guiding Maps for SDRA 12 does not include the whole Bailey Gibson site, however the text that accompanies the text that accompanies the maps includes the Bailey Gibson site.

Chapter 15 of the City Development Plan identifies that Bailey Gibson is within SDRA 12;

Chapter 14: Land Use Zoning

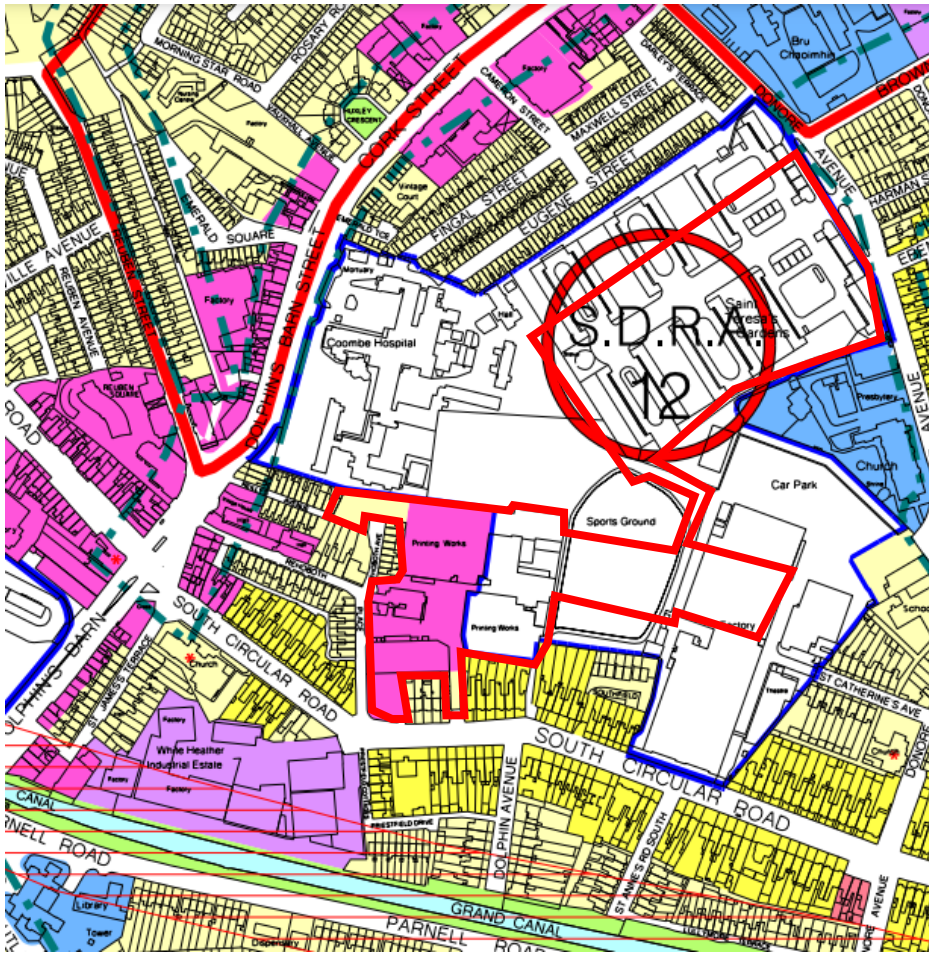
Compliance of the Proposed Development with relevant Section / Policy

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

and section 1.6 states;

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

It is therefore considered that the whole application site is located within SDRA 12.



The extract from Map E from the Dublin City Development Plan 2016-2022 above illustrates the distribution of the four zoning designations across the Bailey Gibson site.

Land Use Objective Z14 – Strategic Development and Regeneration (SDRA_12 St Teresa’s Gardens and Environs)

The aim of the Z14 Zoning 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.’

Chapter 14: Land Use Zoning

Compliance of the Proposed Development with relevant Section / Policy

Response:

The eastern portion of the Bailey Gibson site together with all of the DCC owned lands are zoned Z14.

Within the Bailey Gibson site, blocks BG 2 and BG3 will accommodate 141 units. Provision is made for commercial floorspace within BG2 at ground level and this is identified as a restaurant/café/bar (163 sq.m). Bailey Gibson also includes public open space, a portion of Players Park (380 sq.m).

Across the balance of the Z14 lands public open spaces is proposed with the key amenities being Players Park, the sports pitch, St. Teresa’s Boulevard and St. Teresa’s Playground.

- ✓ Residential, restaurant and open space uses are all listed as permissible use in the zoning matrix.

Z1 – Sustainable Residential Neighbourhoods.

The aim of the Z1 Zoning Objective is ‘to protect, provide and improve residential amenities.’ Residential uses are deemed permissible in principle under the land use zoning objective.

Response:

To the north west of the Bailey Gibson, a small section of the site is zoned Z1. With respect to this zoning the Development Plan states “The vision for residential development in the city is one where a wide range of accommodation is available within sustainable communities where residents are within easy reach of services, open space and facilities such as shops, education, leisure, community facilities and amenities, on foot and by public transport and where adequate public transport provides good access to employment, the city centre and the key district centres.”

- ✓ The proposed block BG5 is located here, and it incorporates 4 no. 4-bedroom townhouses. A small portion of Block BG 1 is also located within this zone. Residential is listed as a permissible use in the zoning matrix and the proposed building designs ensure that the residential amenity of surrounding houses is not compromised.

Z4 – District Centres (incorporating Key district centres).

The aim of the Z4 Zoning Objective is ‘To provide for and improve mixed-services facilities.’

Response:

The western part of the Bailey Gibson site is zoned Z4, and it represents approx. 54% of the total area (1.53ha) of this site. Blocks BG1 and BG4 are proposed within this part of the site and together they incorporate 200 units. BG1 includes non-residential uses, a childcare facility (347 sq.m) and 2 commercial units with a combined 322 sq.m.

- ✓ Residential, childcare facility, shop and open space are all listed as permissible uses in the zoning matrix.

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

Chapter 14: Land Use Zoning

Compliance of the Proposed Development with relevant Section / Policy

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..." The remaining text cited in this paragraph is not relevant to the Bailey Gibson site as the site is not a designated Key District Centre.

It is evident from the Plan below, 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 plan 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.

"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.

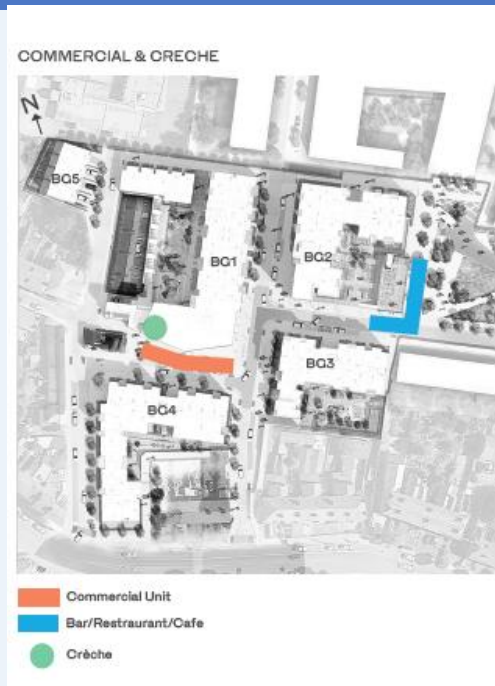
Positioned on the neighbourhood intersection, the commercial units have a significant presence both from within and outside the development lands. This will support additional footfall at this location thereby contributing toward the vitality as well as providing daily living services for residents of the Bailey Gibson site and wider community.

The Crèche is proposed at the Rehoboth Plaza. There is provision for drop off adjacent to the public plaza gathering space. Additionally, from this entry location, the crèche connects the development back to the local community.

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) and Class 11 (bingo hall) satisfying the requirement for a diversity of uses as envisaged by the zoning designation.

Chapter 14: Land Use Zoning

Compliance of the Proposed Development with relevant Section / Policy



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.

3.14 Chapter 15 Strategic Development & Regeneration Areas, Guiding Principles for Development

Chapter 15: Strategic Development and Regeneration Areas: Guiding Principles for Development

Compliance of the Proposed Development with relevant Section / Policy

Ch. 15 - Section 15.1.1.15 SDRA 12 St Teresa's Gardens and Environs:

Guiding Principles for Development

SDRA 12 Guiding Principle: 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.

Response:

- ✓ The proposed layout includes new streets that offer connections north/south and east/west within SDRA 12 and in turn connect into the existing street

Chapter 15: Strategic Development and Regeneration Areas: Guiding Principles for Development

Compliance of the Proposed Development with relevant Section / Policy

network surrounding the site i.e. Donore Avenue, South Circular Road, Rehoboth.

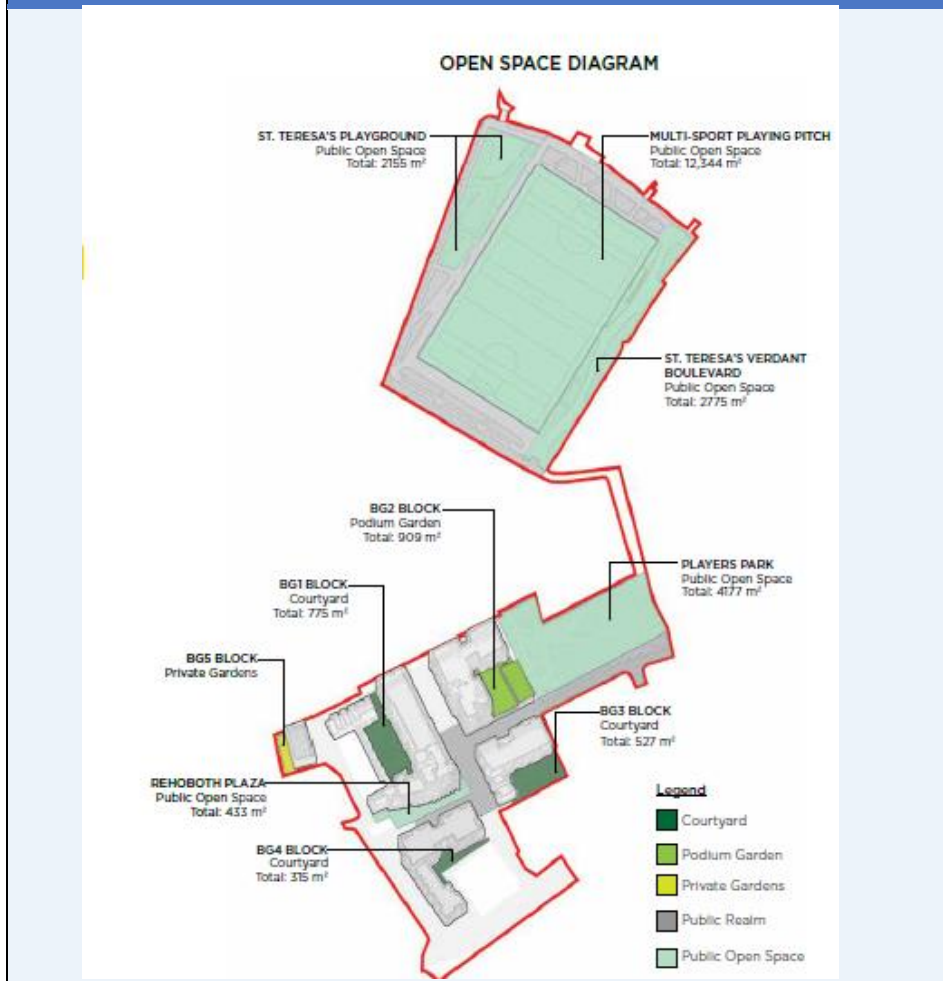
- ✓ Pedestrian and cyclist access to the external network is provided at multiple points across the development including two accesses onto Rehoboth Place and a further two onto the South Circular Road. The site itself is also permeable with footpaths provided through the site and a shared pedestrian/cycle path around the perimeter. A walking/cycling path is provided from Players Park to the south corner of the multi-purpose playing pitch to provide filtered permeability. The multi-purpose playing pitch is surrounded by paths and will be accessible from the north and east residential areas. The plan presented below illustrates the extent of the proposed pedestrian/cyclist connections and importantly the infrastructure (streets/footpaths) is designed to connect with the permitted Player Wills development and the future 'Donore Project' being progressed by the LDA on behalf of DCC. In this way an interconnected network of streets and footpaths will be delivered within SDRA 12.



- ✓ The proposed layout includes a necklace of public spaces - Rehoboth Plaza, Players Park, St. Teresa's Boulevard, Sports Pitch and St. Teresa's Playground as illustrated below.

Chapter 15: Strategic Development and Regeneration Areas: Guiding Principles for Development

Compliance of the Proposed Development with relevant Section / Policy



SDRA 12 Guiding Principle: 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 provide for an area zoned sufficient in size to accommodate a minimum 80 m by 130 m playing pitch.

Response:

- ✓ The proposed development includes the identified playing pitch on DCC lands to the northeast of the application area. This is consistent with the envisaged location in the indicative land use plan in the City Development Plan.
- ✓ This is a residential led development with some commercial uses that respond to the identified need in the area as outlined in the Social Infrastructure Audit. Additionally, the scheme includes tenant amenities as is required for Build to Rent tenure under SPPR7 of the 2020 Apartment Guidelines. Alongside this, the proposed development includes significant public open space and the programme of usage within these areas offers variety, see **Landscape Design Statement**.
- ✓ The design principles established in the City Development Plan which all proposed developments proposed within SDRA 12 must comply with are

Chapter 15: Strategic Development and Regeneration Areas: Guiding Principles for Development

Compliance of the Proposed Development with relevant Section / Policy

established to promote the realisation of a mixed use new urban area that will bring vibrancy and vitality into this new urban quarter. When examined in conjunction with the permitted Player Wills development and the emerging Donore Project, this residential led regeneration area is underpinned by a varied mix of community and commercial non-residential uses that together will achieve this guiding principle.

SDRA 12 Guiding Principle: 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 .

Response:

- ✓ The proposed development includes Players Park and the envisaged programming within the park is illustrated on the plan below. Please refer to the **Landscape Design Statement** for full details. The park will benefit from passive supervision from block BG 3 in the proposed development and the permitted Player Wills blocks to the east. The park will connect the Bailey Gibson and Player Wills sites and it is envisaged that there will be a high level of footfall here as people move around this new urban quarter thus ensuring a safe environment.

ILLUSTRATIVE PLAN



Chapter 15: Strategic Development and Regeneration Areas: Guiding Principles for Development

Compliance of the Proposed Development with relevant Section / Policy

SDRA 12 Guiding Principle: 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. 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.

Response:

- ✓ The height strategy for the proposed development site is low rise i.e. 7 storeys and not greater than 24m.
 - ✓ The City Development Plan sets the quantitative standard for public open space (POS) and for SDRA 12 it requires that 20% (2.33 hectares) be reserved.
 - ✓ The proposed development site is 5.5 hectares i.e. 47% of overall SDRA 12 area which is 11.65 hectares.
 - ✓ This proposed development includes 2.17 hectares (21,746 sq.m) of public open space distributed as follows;
 - A multi-purpose play pitch within DCC lands to the northeast of the application area (12,344 sq.m);
 - A public boulevard, ‘St. Teresa’s Boulevard’, to the south of the proposed pitch (2,645 sq.m);
 - A public park, ‘St. Teresa’s Playground’ incorporating a playground to the north of the proposed pitch (2,155 sq.m);
 - A public park (‘Players Park’) to the east of the Bailey Gibson site (4,182 sq.m); and,
 - A public plaza (‘Rehoboth Plaza’) at the entrance to the Bailey Gibson site (420sq.m).
 - ✓ As a standalone application and applying the percentage share of 20% POS that should be allocated to satisfy the City Development Plan requirement, this application requires 1.1 hectares of public open space, and 2.17 ha is proposed significantly in excess of the requirement.
 - ✓ The permitted Player Wills development also includes public open space that amounts to 0.63 ha ‘Players Park’ (3,960 sq.m) ii. ‘St. Catherine’s Park’, a playground (1,350 sq.m) iii. PW 1 courtyard (690 sq.m) in block PW1 iv. Public plaza (320 sq.m) between proposed blocks PW and PW4.
- As the Players Park element overlaps with this proposed development it is necessary to discount it to understand the overall provision of POS, permitted and proposed by the Applicant in SDRA 12.
- The proposed + permitted Player Wills – permitted Players Park = 2.4 hectares.

As stated at the outset the quantitative requirement for SDRA 12 is 2.33ha and this is exceeded.

SDRA 12 Guiding Principle: 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

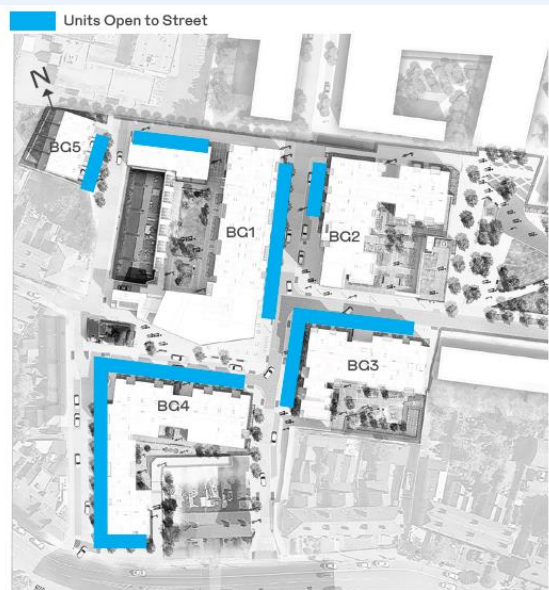
Chapter 15: Strategic Development and Regeneration Areas: Guiding Principles for Development

Compliance of the Proposed Development with relevant Section / Policy

(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.

Response:

- ✓ The approach to permeability is largely addressed in response to the first guiding principle for SDRA 12.
- ✓ With respect to street activation, this matter received considerable attention during the design development phase. Animation of the streets is achieved through carefully located commercial units, tenant amenity spaces and entry lobbies. Where possible additional animation of the streets and courtyards is provided through own door accessed units. Although most ground floor units have access from the main entry lobby, nearly all ground floor apartments have direct street/courtyard access through an outdoor terrace which will be slightly raised above street level to assist with privacy. These units supply activity and oversight at the streetscape level. In addition to the commercial uses, other areas of the ground floor are activated with communal amenities which create life on the street without the requirement for the footfall necessary for viable commercial uses. In this way the streets are made to feel active, vibrant and safe for all who use them. Further detail on activation is included in the Architectural Design Statement.



SDRA 12 Guiding Principle: 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.

Response:

The permitted Player Wills scheme includes a community hub within the Player Wills factory building. It will provide 852 sqm of floor space dedicated to

Chapter 15: Strategic Development and Regeneration Areas: Guiding Principles for Development

Compliance of the Proposed Development with relevant Section / Policy

community, arts and cultural and exhibition space together with artist and photography studios, 503 sq.m of retail floor space, 994 sq.m of café/bar/restaurant floor space, 217 sq.m of co-working office floor space and an outdoor courtyard area of 735 sqm that will be capable of supporting events/markets etc.

This is considered to satisfy this guiding principle and it is not necessary to include a community hub in this proposed development. Indeed, to do so would potentially undermine the viability and vitality of the permitted hub.

SDRA 12 Guiding Principle: 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.

Response:

✓ This is provided for as part of the extant permission for the Player Wills site.

3.15 Chapter 16 Development Standards

3.15.1 Making Sustainable Neighbourhoods

Proposals for new development greater than 100 dwellings or 10,000 sq.m and for public transport infrastructure, in addition to making a contribution to social infrastructure, shall include an Urban Design Statement.

A report entitled Urban Design & Architectural Design Statement has been prepared by the project architect, HJL and is submitted under separate cover.

The scheme includes a wealth of social infrastructure most notable a creche with a capacity (60 spaces) that will service the proposed development and also the wider needs in the local area. A multi-sport play pitch and playground is proposed together with a public park. Additionally, tenant amenities for BtR occupants includes a gym and coworking space.

3.15.2 Plot Ratio & Site Coverage

The indicative plot ratio for Z14 lands is between 1.0-3.0, for Z1 lands is 0.5-2.0, for Z2 lands is 0.5-2.0 and for Z4 lands is 2.0.

As with plot ratio standards, the Development Plan allows for higher site coverage in certain circumstances such as:

- Adjoining major public transport termini and corridors, where an appropriate mix of residential and commercial uses is proposed; and
- To facilitate comprehensive redevelopment in areas in need of urban renewal.

The plot ratios on the application site does not exceed the indicative standards as outlined above and are as follows:

- Z1 – 0.76
- Z2 – 0
- Z4 – 1.76
- Z14 – 0.15

For Z14 zoned lands, the indicative site coverage is 50%, for Z1 lands it is between 45% and 60%, for Z2 lands is 45% and for Z4 lands it is 80%.

The site coverage on the application site do not exceed the indicative standards as outlined above and are as follows:

- Z1 – 32.27%
- Z2 – 0
- Z4 – 37.14%
- Z14 – 14.67%

3.15.3 Density Standards

“Dublin City Council will promote sustainable residential densities in accordance with the standards and guidance set out in the DEHLG Guidelines on Sustainable Residential Development in Urban Areas and having regard to the policies and targets in the Regional Planning Guidelines 2010–2022 or any Regional Spatial and Economic Strategy that replaces the regional planning guidelines. Sustainable densities promoting the highest quality of urban design and open space will be sought by the City Council in all new developments. The density of a proposal should respect the existing character, context and urban form of an area and seek to protect existing and future residential amenity. Public transport capacity will also be used to determine the appropriate density allowable.”

The City Development Plan does not explicitly apply a density standard to SDRA 12.

Table E of the DCDP establishes that the estimated housing capacity for SDRA 12 is 800-1,000 units. Chapter 15 identifies that SDRA 12 includes St. Teresa’s Gardens (including the housing complex and the local authority owned playing fields to the south-west), the former Player Wills and Bailey Gibson sites and the Coombe Hospital site. Together it encompasses an area of 12.62 hectares. There is a requirement to reserve 20% of the overall area as public open space (POS).

The net developable area of SDRA 12 is 10.1ha i.e., the total area of 12.62ha–2.524ha (20% POS). Therefore, the net density might be reasonably considered to be 99 units per hectare (uph) i.e., 1,000/10.1.

Therefore, considering the nett density for SDRA 12, it may be implied that a reasonable interpretation of the nett density for SDRA 12 is approx. 99 units per hectare.

The nett density of this proposed development is 225 uph and having regard to the above this could be determined to be a material contravention of the City Development Plan as it represents an increase of 127 percent when compared with the envisaged nett density set out above. This issue is dealt with further in the **Material Contravention Statement**.

Para 5.6 and 5.7 of the Guidelines on Sustainable Residential Development in Urban Areas is relevant:

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;*

Response: Private open space requirements are met and exceeded in this scheme. Notwithstanding the flexibility afforded to Build to Rent developments with respect to private open space, all units are designed with balconies and at ground level, terraces. The Development Plan requires that 20% of SDRA 12 be reserved for POS and this proposal achieves almost the full requirement notwithstanding that it represents approx. half the overall area.

- *avoidance of undue adverse impact on the amenities of existing or future adjoining neighbours;*

Response: The suite of supporting reports included with this application demonstrate that there will no undue adverse permanent impacts associated with the redevelopment of this site. The primary mitigating measure that safeguards adjacent land uses is the approach to height which tapers down at the site's boundaries cognisant of existing scales.

- *good internal space standards of development;*

Response: The Housing Quality Audit confirms that the scheme is fully compliant with internal space requirements of the Apartment Guidelines, 2020.

- *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;*

Response: The Development Framework for St. Teresa's Gardens includes indicative plans of the envisaged urban form across SDRA 12. The proposed development's height is compliant with the City Development Plan i.e. low rise, 24m and below.

- *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 (ACA); and*

Response: There are no protected structures within the application area and it is no within a ACA. The Player Wills building is within SDRA 12 and is a recent addition to the Record of Protected Structures. The proposed development is respectful of the existing built environment and the Built Heritage chapter of the EIAR confirms that the proposed development would not detract from the existing local built environment which includes protected structures and a residential conservation area.

- *compliance with plot ratio and site coverage standards adopted in development plans.*

This is confirmed in the preceding section.

Response: The Traffic and Transport Assessment includes a public transport capacity assessment, and the following is an extract from that report.

“The assessment has been done along the main routes used by the local residents to access the City Centre, being the services along Cork Street (northbound) and along South Circular Road (eastbound). The data compared is the AM peak hour bus capacity versus the passenger load. The data has been extracted from the Eastern Regional Models.

Error! Reference source not found. *shows there is enough capacity to accommodate future PT trips generated by the development as there is currently 200 spaces free on peak hour along the Cork Street Services.*

Error! Reference source not found. *shows similar, the capacity along the South Circular Road, eastbound services are capable of accommodating the future PT trips generated by the development.”*

Having regard to the above together with the wider information included in the supporting reports that accompany this application, the net residential density proposed in this application aligns with the Development Plan’s objective to achieve sustainable residential density.

3.15.4 Unit Mix

Each apartment development shall contain:

- Maximum of 25-30% one-bedroom units
- Minimum of 15% three- or more bedroom units

The above mix of unit types will not apply to managed ‘build-to-let’ apartment schemes for mobile workers where up to 42-50% of the total units may be in the form of one bed or studio units. This only applies to long-term purpose-built managed schemes of over 50 units, developed under the ‘build-to-let’ model and located within 500m (walking distance) of centres of employment or adjoining major employment sites. These areas are shown on Figure W, Appendix 1A. On examination it is confirmed that the proposed development site does not sit within these identified zones.

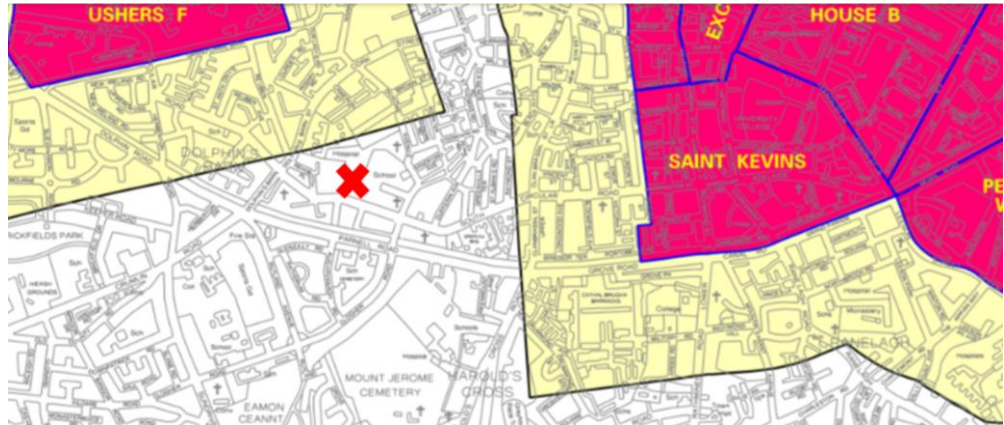


Figure 2 Proposed Development Site relative to Centres of Employment & Walking Distance

(MAP W Extract DCDP 2016)

Excluding the houses in BG5, the total number of apartments proposed is 341 and the unit mix is;

- Studios – 10%
- 1 Bed Apartments – 58%
- 2 Bed Apartments – 31%
- 3 Bed Apartments – 1%

A Unit Mix Justification Report is included with this application. The analysis identifies the following key points that support the proposed unit mix.

- 64.5% of the population in the study area are within the adult age cohort (25-64 years), and this would indicate that the local population are predominantly of working age and likely wish to live close to where they work.
- 69% of households within the Merchants Quay F ED are comprised of 1-2 person households.
- There is a prevalence of adult children residing in the family home, consistent with national trends. Within the Merchants Quay F ED this is 14% rising to 26% in the 1km study area.
- Decreases in vacancy rates reflecting the increased demand for available accommodation to meet housing need.
- 53% of the existing housing stock are houses / bungalows and can be assumed to contain at least 2 bedrooms and likely more.
- CSO mapping of 'Workplace Zones' and commuter flows indicates that there is a significant concentration of jobs in the immediate locality, with more people travelling into the area for work and study purposes than travel out.

It is noted that the majority (182/197) of the 1-bedroom units are contained within Blocks BG1-BG3 which are Build to Rent tenure. The section 28 guidelines on Sustainable Urban Housing: Design Standards for New Apartments (2020) includes a Specific Planning Policy Requirement (SPPR) 8(i) stating that there is no restriction on dwelling mix for BtR development.

Notwithstanding, having regard to the percentage 1 and 3 bedroom units proposed, there is a potential material contravention of the City Development Plan's unit mix requirements and this matter is dealt with in the **Material Contravention Statement**.

3.15.5 Building Height

The DCCDP states that: *Height Limits and Areas for Low-Rise, Mid Rise and Taller Development: Planning applications will be assessed against the building heights and development principles established in a relevant LAP/SDZ/SDRA. Proposals for high buildings should be in accordance with the provisions of the relevant LAP/SDZ/SDRA.*

Section 15.1.1.15 of the Plan, SDRA 12 – St Teresa's Gardens and Environs, provides for one or two mid-rise buildings (up to 50 metres).

The proposed development's is low rise, the building heights range from 2-7 storeys and do not exceed 24m. This is compliant with the design principles for SDRA 12.

3.15.6 Floor to Ceiling Height

The DCCDP States that: *It is a specific planning policy requirement in the Department of Environment, Community and Local Government (DECLG) 2015 Guidelines that a minimum floor to ceiling height of 2.7 m shall be required for ground floor level units and 2.4 m for all other levels, measured from finished floor level to finished ceiling height.*

The Housing Quality Audit confirms that ground floor, floor to ceiling heights are 2.7m which is also compliant with SPPR 5 in the Apartment Guidelines. On upper floors the floor to ceiling height is at a minimum 2.4m.

3.15.7 Floor Areas

The Development Plan states that the minimum floor areas permissible are as per the Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities. The referenced Guidelines are superseded by the 2020 Apartment Guidelines. However, this has not been remedied in the Development Plan as the review is only now taking place.

The difference is that the floor area for studios in 2020 Guidelines is 37 sq.m and the stated standard in the Development Plan is 40 sq.m.

The proposed development is designed to meet the requirements of the 2020 Guidelines. There are some minor variations in the proposed design, the scheme includes 3 apartment types; Type 0A - 40.6 sq.m, Type 0B – 39.5 sq.m and Type 0C – 39.6 sq.m. Each of the 3 types meet the stated 40 sq.m.

3.15.8 Block Configuration

The Development Plan stipulates a max of 8 apartments per core and this is inconsistent with the general standard of 12 apartments per core in the Apartment Guidelines which may be increased for BtR schemes as per SPPR 8 (v).

All 4 of the apartment blocks exceed the Development Plan standard as they have been designed to include 12 apartment units per core, as per the 2020 Apartment Guidelines. In our professional planning opinion this would represent a contravention that is not material. Notwithstanding, taking a precautionary approach, it is carried through to the **Material Contravention Statement**.

3.15.9 Aspect, Natural Lighting, Ventilation and Sunlight Penetration

Page 324 of the DCCDP states that: *Development shall be guided by the principles of Site Layout Planning for Daylight and Sunlight, A guide to good practice (Building Research Establishment Report, 2011). A sunlight/daylight analysis of the different units may be required and modifications to the scheme put in place where appropriate.*

The Building Research Establishment (BRE) released new guidelines known as BR 209 (2022) which now supersedes BR 209 (2011). As a result, the accompanying Daylight and Sunlight Availability Assessment has been undertaken in accordance with the updated guidelines.

A Daylight and Sunlight Availability Assessment has been undertaken for the proposal and in summary, it was established that the proposed development would have a negligible impact on the surrounding buildings and a minor adverse impact would be experienced for the nine identified properties on Rehoboth Avenue. The report also concluded that the five properties located at 330-338 South Circular Road will experience between a negligible and minor adverse impact. In terms of the performance of the development, 100% of the proposed amenity spaces meet the BR 209 (2022) recommendation for direct sunlight. 73% of the units meet the minimum recommendation for Exposure to Sunlight. Further details in regard to the impacts are contained within the accompanying report.

The inner city is defined in the Glossary section of Vol. I of DCCDP 2016-2022 as follows;

Inner city (see also city centre): The inner city is bounded on the northside by the North Circular Road, Phibsborough Road, the Royal Canal, North Strand Road and East Wall Road, and on the southside by the South Circular Road, Suir Road, the Grand Canal from Dolphin Road to Grand Canal Street Upper, Bath Avenue, Londonbridge Road, Church Avenue and Beach Road (See Map K).

An extract from Map K is reproduced below and it confirms that SDRA 12 is within the inner city. To achieve the design principles attached to SDRA 12 it is necessary to balance design criteria. The proposed is a high-quality design response to the Bailey Gibson site and will reinforce the urban grain and contribute positively to the streetscape and will provide street frontage onto Rehoboth and South Circular Road together with the proposed new internal street network. Having regard to the site's location and the quality of the design, the dual aspect ratio is 42% and having regard to the flexibility para. 3.11 set out above this is compliant with the City Development Plan.

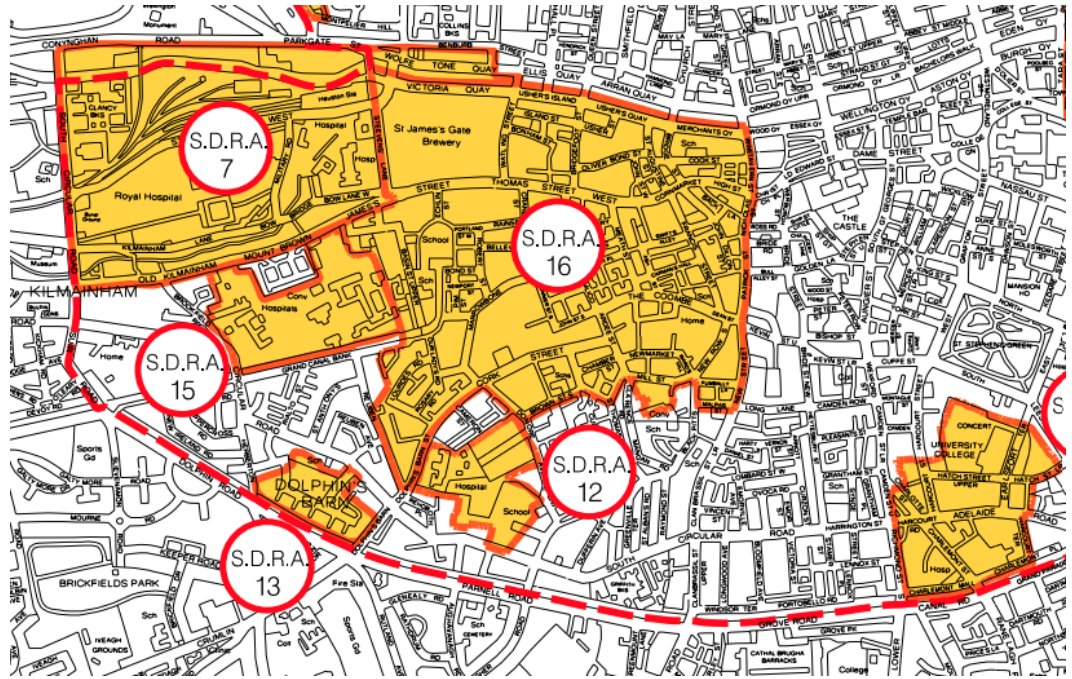


Figure 3 Map K of City Development Plan

3.15.10 Car Parking

The subject site is identified in Map J of the Dublin City Development Plan 2016-2022 to be within Parking Zone 2. Table 16.1 sets out the maximum car parking standards for various land uses. Those applicable to this proposed development are;

- 1 per dwelling
- 1 per 275 sq.m other retail
- 1 per 150 sq.m restaurant/café
- Leisure – dependent on nature and location

345 units are proposed with 92 dedicated residents parking spaces. Four of these are allocated to BG5, townhouses, being 1 space per house. The balance, 88 spaces are proposed in a basement, and they will be available for residents of BG1-BG4. This equates to a car parking ratio of 0.26 for the apartments. The ratio is below the Development Plan standard of 1 space, however this is a maximum standard and the plan identifies that deviations would be acceptable in a range of circumstances and where the proposal is informed by a Traffic and Transport Assessment. The **Traffic and Transport Assessment** prepared by Sytra includes detailed analysis of relevant data sources to inform this proposed parking ratio. The assessment confirms that there the reduced parking provision is acceptable and will not give rise to issues of overspill locally.

2 commercial units are proposed with a combined floor area of 322 sq.m the applicable standard is 1 parking space. A restaurant/café is proposed in BG2 and it has a floor area of 163 sq.m and the standard is 1 space. Combined these non-residential units would generate a maximum parking requirement of 2 spaces. The retail/food and beverage element of the development,

consisting of are expected to predominantly be used by residents and by those within the walking catchment of the site. This combined with the proposed on-street parking and inclusion of drop-off and loading bays justifies the omission of permanent parking, an allowable deviation.

The on-street visitor car parking located to the north along Margaret Kennedy Road and west of the proposed sports pitch will serve players, officials, managers, coaches and supporters of the teams on match days. It is estimated that the total number of people attending a match will be 52 approximately, i.e. 20 players x 2, 6no. officials and 6no. of managers/coaches. With a car occupancy of 1.7, it is estimated that the maximum number of car parking spaces required is 31 and 33 are proposed therefore complying with the standards as set out in the DCCDP.

3.15.11 Cycle Parking

Table 16.2 sets out the quantitative standards and the following are applicable to the proposed development;

- Residential - 1 per unit (Additional requirements for larger units and visitor parking will be decided on a case by case basis). For the proposed development this means 341 spaces are required.
- Non-residential – the applicable standard is 1 space per 150 sq.m of floor space and based on this, 3 spaces are required.
- The Plan does not stipulate standards for sports pitches, public parks etc.

There are 341 apartments and 468 long-stay bike parking spaces, this significantly exceeds the requirement being. 172 spaces are proposed for visitor parking at the Bailey Gibson site and this includes space for 8 cargo bicycles. 144 spaces are allocated to service the public space areas i.e. the sports pitch, playground and players park.

The approach to cycle parking provision is supportive of the overall intent for this site to contribute significantly to encouraging a modal shift both for occupants and visitors.

3.15.12 Private Open Space

Private open space shall be provided in the form of gardens or patios/terraces for ground floor apartments and balconies at upper levels. Where provided at ground floor level, private amenity space shall incorporate boundary treatments appropriate to ensure privacy and security.

Minimum area for Private Open Space: Studio unit: 4 sq. m. 1-bedroom unit: 5 sq.m 2-bedroom unit: 7 sq.m. 3-bedroom unit: 9 sq.m.

Notwithstanding the flexibility afforded to BtR development in SPPR 8 (ii) of the 2020 Apartment Guidelines, all 341 apartments benefit from private amenity space that meet these standards, predominantly in the form of balconies and at ground level as defended terraces.

3.15.13 Public Open Space

The overall guiding principles for SDRA 12 requires that at least 20% of the SDRA 12 be retained for public open space, recreation and sporting facilities including an area to facilitate organised games.

Chapter 15 identifies that SDRA 12 includes St. Teresa's Gardens (including the housing complex and the local authority owned playing fields to the south-west), the former Player Wills and Bailey Gibson sites and the Coombe Hospital site. Together it encompasses an area of 12.62 hectares. There is a requirement to reserve 20% of the overall area as public open space (POS) i.e. 2.524ha.

Other guiding principles for SDRA 12 that are relevant to this proposed development and the open space allocation are;

"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;

The public spaces are well distributed across the site and together with the street network act as steppingstones between the individual landholdings that make-up SDRA 12.

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.

While public open space is less abundant on the Bailey Gibson site, its primary form, a public plaza is appropriate, having regard to the nature of land uses on the site and the opportunity that exists at the Boys Brigade field to develop a high quality, multi-functional public park.

To provide for an area zoned sufficient in size to accommodate a minimum 80 m by 130 m playing pitch.

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."

Players Park is proposed primarily on DCC land. Proposed block BG2 overlooks the park and new street to the south connecting the Bailey Gibson and Player Wills sites will ensure the park benefits from passive surveillance that promotes safety. The plan below demonstrates the diverse uses incorporated into the design and a significant planting schedule is proposed. See **Landscape Design Statement** prepared by NMP for full details.



Approximately 2.2ha (21,746 sq.m) of the application area is allocated as POS;

- A multi-purpose play pitch within DCC lands to the northeast of the application area (12,344 sq.m);
- A public boulevard, 'St. Teresa's Boulevard', to the south of the proposed pitch (2,645 sq.m);
- A public park, 'St. Teresa's Playground' incorporating a playground to the north of the proposed pitch (2,155 sq.m);
- A public park ('Players Park') to the east of the Bailey Gibson site (4,182 sq.m); and,
- A public plaza ('Rehoboth Plaza') at the entrance to the Bailey Gibson site (420sq.m).

The indicative position and scale of the POS in the Dublin City Development Plan envisages that the 20% open space (shaded green) would be provided on lands owned by Dublin City Council. The proposed layout generally follows this with the proposed sports pitch within the St. Teresa's Gardens area and the public park in the Boys Brigade pitch site.

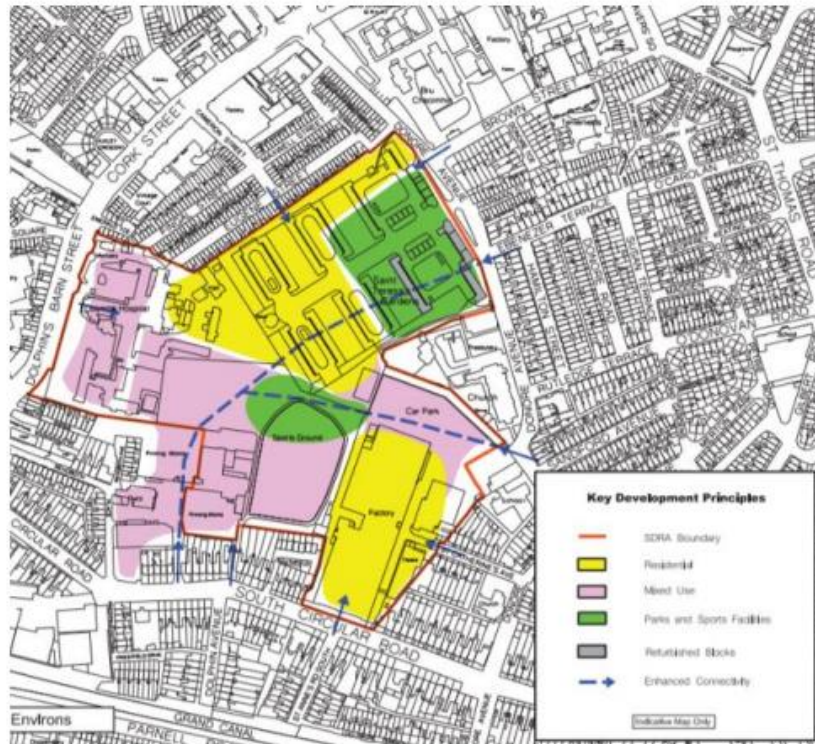


Figure 4 SDRA 12 Key Development Principles – Indicative Map
(Extract from DCDP2016-2022)

The proposed development site is 5.5ha, applying 20% to this area would generate a requirement for 1.1ha POS in this application. As set out above double this area is provided.

It is acknowledged that the extant permission for Player Wills includes Players Park and to avoid double counting it is necessary to discount the area of the permitted park from the overall POS in this application.

Proposed 21,746 sq.m– permitted Players Park 3,960 sq.m = 17,786 sq.m (1.77 ha)

This exceeds the requirement of 1.1 hectares for the application area.

This application together with the extant POS (not inc. the park) in the Player Wills scheme would provide 17,786 sq.m or 1.77ha.

As stated at the outset the quantitative requirement for SDRA 12 is 2.524ha and this is exceeded. Therefore, future development proposals within SDRA 12 will need to deliver 0.754ha to achieve the overall requirement for the SDRA 12 lands.

It is noted that section 16.3.4 of the Development Plan, Public Open Space – All Development, establishes a requirement for 10% public open space for residential schemes. It clearly establishes that this requirement also relates to other zonings and highlights that on Z12 zoned lands, the requirement will be 20% accessible open space, and for Z15 zoned lands the requirement will be 25% accessible open space and/or provision of community facilities. However, this section is silent regarding the requirement for Z14 lands. Given that the Dublin City Development Plan explicitly states that there is a 20%

requirement for SDRA12, it is our professional planning opinion that this 10% public open space requirement attaching to each new residential development can be used towards meeting the overall 20%.

This opinion is derived from the consequence that would arise if the 20% public open space stipulated for SDRA 12 together with the additional 10% was required i.e. 30% for each development plot. This scenario would result in;

- i. a failure to maximise the development potential of this strategically located inner city brownfield site to achieve compact growth principles; and,
- ii. an uncoordinated distribution of public open space across the SDRA 12 lands that would not accord with the indicative layouts presented in the Development Plan and Development Framework Plan.

Should An Bord Pleanála consider that the intention of the Dublin City Development Plan is for each site to provide 20% plus the 10% set out in 16.3.4, we set out below the compliance of this proposed development under this scenario.

The proposed development site incorporates 5.5 hectares and residential development is proposed only on the Bailey Gibson site of 1.53ha. The balance of the application area is included to provide public open space, an internal street networks and to facilitate infrastructure connections and improvements.

Accordingly, the requirement for 10% public open space is applied to the Bailey Gibson site only and 0.153 hectares would be required in this scenario. Rehoboth plaza public open space is within the Bailey Gibson plot and it measures 420 sq.m. The proposed Players Park extends into the Bailey Gibson site and covers an area of 380 sq.m. Combined this is 0.08ha. The shortfall is 730 sq.m.

The Development Plan identifies that in the event that a site is considered by the planning authority to be too small or inappropriate (because of site shape or general layout) to fulfil useful purpose for public open space, then a financial contribution towards the provision of a new park in the area, improvements to an existing park and/or enhancement of amenities shall be required. It is noted that the Bailey Gibson plot includes 2,525 sq.m of communal open space for residents use and to fulfil this requirement together with other requirements such as an integrated street network, the layout does not allow an increase in POS.

The Dublin City Council Development Contribution Scheme 2020 to 2023 includes at point 10, a section entitled Contribution in Lieu of Public Open Space. It states that;

“The Dublin City Development Plan provides the discretion to the Council to determine a financial contribution in lieu of all or part of the public open space requirement for a particular development. The Plan provides that in the event of the planning authority considering a site to be too small or inappropriate to fulfil Development Plan requirements for public open space provision a financial contribution of €4,000 per unit towards provision of or

improvements to a park and/or enhancement of amenities in the area in line with the City's Park Strategy shall be required."

As identified above, the proposed development includes a multi-purpose play pitch (12,344 sq.m), a public boulevard, 'St. Teresa's Boulevard' (2,645 sq.m), a public park, incorporating a playground 'St. Teresa's Playground' (2,155 sq.m), a public park ('Players Park') (4,182 sq.m) and a public plaza ('Rehoboth Plaza') (420 sq.m).

The cumulative public open space on the Bailey Gibson site is 0.236 hectares. The design maximises the amount of open space that can be provided on the Bailey Gibson site while ensuring that other guiding principles for SDRA 12 together with the national planning objective for compact growth are achieved.

To conclude, it is submitted that when assessed under all possible POS scenarios that might be inferred from the Development Plan, the proposed development is compliant.

The Development Plan requires a landscaping plan for all developments, identifying all public, communal (semi-private) and private open space. Please refer to the Landscape suite of drawings together with the Landscape Design Statement.

3.15.14 Communal Open Space

The minimum prescribed areas for communal amenity space reflect those outlined in the 2020 Apartment Guidelines which required the following; Studio: 4 sq. m One bedroom: 5 sq.m Two bedroom: 7 sq.m Three bedroom: 9 sq.m of communal open space to be provided per unit.

The proposed development satisfies these requirements and 2,526 sq.m is proposed to be distributed across the blocks to provide convenient access to this space for all residents.

In terms of qualitative, the Development Plan sets out the following standards that should be satisfied (page 327);

- ✓ will be soft and/or hard landscaped with appropriate plant species and landscaping materials such as those with good resistance to accidental damage and low maintenance characteristics - see Landscape Design Statement which confirms this is achieved.
- ✓ Is secure for residents and benefits from passive surveillance considers the needs of children in particular in terms of safety and supervision - communal amenity space is provided in courtyards of each of the blocks and benefits from 'eyes on the street' from the surrounding units.
- ✓ In schemes of 25 or more units small play spaces of 85-100 sq.m are considered suitable for toddlers and children up to the age of six, with suitable play equipment, seating for parents/ guardians, and within sight of the apartment building. For larger schemes of 100 or more apartments, play areas of 200-400 sq. m for older children and young teenagers should be provided - the layout achieves this with informal

play space proposed that would facilitate toddlers, young children and kick about for older children.

- ✓ is wheelchair accessible – the scheme is Part M compliant and accessible to all abilities.
- ✓ achieves good sunlight penetration - the daylight and sunlight report demonstrates that the scheme is compliant with the BRE guidelines that 50% of the area would receive sunlight on the 21st March for 2 hours.

3.15.15 Communal Facilities

The Development Plan encourages the inclusion of dedicated communal facilities in apartment schemes citing examples such as meeting rooms and laundry rooms.

Having regard to the requirement of SPPR7 (b) of the Apartment Guidelines, whereby Build to Rent developments are required to include communal amenities and facilities, the proposed development includes a concierge office in BG1, a gym, co-working space, communal living and dining areas in BG2 and a lounge in BG3.

3.15.16 Trees

On page 313 for the DCCDP it states that: *A tree survey must be submitted where there are trees within a proposed planning application site, or on land adjacent to an application site that could influence or be affected by the development. Information will be required on which trees are to be retained and on the means of protecting these trees during construction works.*

An Arboriculture Report and drawings are included with this application. The proposed development will necessitate the removal of all the trees on site, 22 in total, many of which are identified as Cat C and U trees i.e. with limited lifespan. The Landscape Design Statement identifies that the planting schedule includes planting 305 trees, a significant nett gain in canopy cover.

3.15.17 Roads and Services

Dublin City Council requires that roads and services must be designed and built to taking-in-charge standards. All services must be provided underground in the interests of amenity except where it is clearly shown by a statutory undertaker that underground location is of an impractical nature

The development proposal is for all roads and pavements to be constructed to DCC Taking in Charge Construction Standards and using approved materials. Likewise, all service shall be buried and constructed to the standards of the relevant statutory undertaker, unless deemed unavoidable once construction of the development has begun.

4. Conclusion

This Statement demonstrates that the proposed development is generally consistent with the Dublin City Development Plan 2016-2022, however, the proposed development Materially Contravenes the Development Plan on density, unit mix and units per core per floor.

The design of the proposed development has been informed by an understanding of the site context and the requirement to comply with planning and environmental legislation and policy.

The proposed development offers a unique opportunity to transform this under-utilised brownfield site and associated lands into a vibrant new urban quarter near the heart of Dublin City and contribute to the supply of much needed housing. Thus, redevelopment of the Bailey Gibson site will increase the available housing stock and add vitality to the local area, significantly improving the site's permeability and creating an attractive public realm.

Given the highly central and accessible nature of the site location, the most sustainable strategy for its redevelopment is to maximise density and height, minimise car parking and promote active modes of travel that prioritise pedestrians and cyclists.

The overarching objective is to create a vibrant new residential neighbourhood that can address the wider regeneration challenges presented at this site. The current proposal achieves this by providing opportunities to enhance legibility and connectivity to the site and surrounding street network, benefitting surrounding residents and future occupants. The proposed development will create a high-density residential development underpinned by a height strategy that responds with sensitivity to surrounding low-rise housing whilst delivering an appropriate scale of development for this urban site.

The proposed development responds to the housing demands of the local community and workforce by incorporating a mix of unit tenures and typologies that will address the shortfall in rental accommodation and meet the identified needs of Dublin City. The proposed scheme also incorporates additional supporting retail and community functions, to maximise resident amenity. This residential led development has been designed to meet and where possible exceed the requirements of the Design Standards for New Apartments Guidelines (2020).

The architectural drawings, considered in conjunction with the Architects Design Statement Housing Quality Assessment demonstrate the applicant's commitment to delivering a well-designed scheme that will create a vibrant and attractive urban neighbourhood.

The design and layout of the proposed development will ensure the highest standards of urban design and sustainability are achieved, in a manner that responds to the established residential character and the wider strategic regeneration objectives for this site.

In light of the above, it is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area in which it is located as expressed in national, regional and local planning policy and Guidelines issued under Section 28 of the Planning and Development, 2000 (as amended), and as such, it is considered that the proposed development represents a high-quality Strategic Housing Development proposal which is now being submitted for the consideration of An Bord Pleanála under Section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.