

# **Planning Report and Statement of Consistency with Planning Policy**

*In respect of*

**A Proposed Strategic Housing Development**

*at*

**Omni Plaza, Omni Park, Santry, Dublin 9**

*Prepared for*

**Serendale Ltd.**

*Prepared by*

**John Spain Associates**

**August 2022**

**JSA** John Spain Associates

Planning & Development Consultants  
Chartered Town Planners & Chartered Surveyors

39 Fitzwilliam Place  
Dublin 2, D02 ND61  
Telephone: (01) 662 5803  
E-mail [info@johnspainassociates.com](mailto:info@johnspainassociates.com)

**DOCUMENT CONTROL SHEET**

<b>Client:</b>	<b>Serendale Ltd</b>
<b>Project Title:</b>	<b>Omni Plaza SHD</b>
<b>Document Title:</b>	<b>Planning Report and Statement of Consistency with Planning Policy</b>
<b>Document No:</b>	<b>Final</b>

<b>Rev.</b>	<b>Status</b>	<b>Author(s)</b>	<b>Reviewed By</b>	<b>Approved By</b>	<b>Issue Date</b>
<b>Final</b>	<b>Final</b>	<b>DF</b>	<b>BC</b>	<b>JS</b>	<b>25.08.2022</b>

## **EXECUTIVE SUMMARY**

### **Proposal**

The proposed development consists of the demolition of the existing warehouse and ancillary buildings on site and construction of a mixed-use scheme on lands to the north west of the Omni Park Shopping Centre, on the former Molloy and Sherry Transport Depot, Santry and at Santry Hall, Swords Road, Santry, Dublin 9. The site is currently standalone, on District Centre (Z4) zoned lands, and it is proposed to integrate the site into the District Centre.

The proposed development comprises 457 no. residential units and will range in height from 4 no. storeys on the western boundary to 12 no. storeys to the south over basement.

The proposed development will also include the provision of creche, community facility, 2 no. retail/restaurant/cafe units at ground floor level, ancillary resident facilities such as communal open space, roof terraces, resident lounges, meeting rooms etc., 213 no. car parking spaces (including 11 no. accessible spaces and 22 no. EV charging points), 768 no. bicycle parking spaces (504 at basement and 264 at surface), 7 no. motorcycle parking spaces, landscaping and boundary treatments, upgrading of the existing public realm, development of an urban plaza, reconfiguration of existing Omni Park Shopping Centre car parking. Provision of 5 no. ESB Substations including the relocation of existing substation and all ancillary works necessary to facilitate the proposed development.

The proposed development provides for a mix of 1 No. studio, 221 no. 1-bed units, 211 no. 2-bed units and 24 no. 3-bed units. The proposed apartments have been designed to fully accord with the Sustainable Urban Housing: Design Standards for New Apartments 2020. A Housing Quality Assessment is submitted which provides details on compliance with all relevant standards including private open space, room sizes, storage and residential amenity areas for apartment developments.

All of the proposed residential units will contain private open space areas in the form of balconies and terraces. The proposed development will also include the provision of a high standard of communal space including residential amenity space of 604.9 sq.m and community space of 195.3 sq.m. in a combination of internal and external areas including a landscaped courtyard, play areas, and internal amenity spaces and facilities and meeting rooms.

### **Introduction**

The subject site includes an existing warehouse/distribution depot and a portion of Omni Park, which is in the control of the applicant. Omni Park Shopping Centre is a district centre with a land bank of 11 ha. which is primarily in retail and other commercial use. The subject proposal seeks to provide for the integration of the subject lands into Omni District Centre and the delivery of a significant quantum of residential units to provide for an improved balance of uses, complementing the primary commercial nature of the lands. An appropriate balance of uses and housing typologies has been lacking in the immediate district centre, which currently has no residential component, and wider vicinity, with the Z4 district centre zoned lands comprising 100% commercial use and the surrounding residential context has been historically dominated by 3 bed semi-detached houses. This application seeks to redress this imbalance and provide a truly mixed use district centre. The proposed community facility, retail uses and creche, in conjunction with the proposed residential uses will provide for greater

activity throughout the day and night, ensuring vibrancy and vitality of the District Centre, strengthening its function.

The proposed development proposes to create a vibrant mixed use neighbourhood and deliver homes to add to the existing retail, workspace and leisure uses currently existing in Omni Park Shopping Centre. The proposed new public plaza and public realm improvements will complete the pedestrian facilities in the complex and help to further integrate Omni Park into the surrounding community.



### Location

There are over 80 no. retail units in Omni Shopping Centre (c. 38,000 sq.m total), ranging from 3 no. large supermarkets/department stores (Lidl, Tesco and M&S at the 1,000 to 4,000 sq.m range) to a wide range of smaller units.

There is an increasing number of restaurants and coffee shops reflecting a national trend toward combining retail with leisure and dining activity.

## AMENITIES &amp; TRANSPORT



A Community and Local Needs Audit is submitted with the application, setting out the range of existing services and community, education, amenity and leisure facilities in the Omni centre and wider area. This Audit clearly demonstrates the extensive services existing both within the existing district centre and in the vicinity of the site which will support the future residents of the subject development.

The proposed development is located adjoining and partly within a district centre which is along one of the main routes into the City Centre and is well served by public transport. The existing site is underutilised and presents a key opportunity site as identified in the NPF for redevelopment of a mixed use scheme. The proposed building height ranges from 4 no. storeys to 12 no. storeys. The proposed density (295 units per hectare) and height of the development is considered appropriate for the location of the site and the availability of public transport facilities. The proposed development is therefore in accordance with the objectives of the NPF in this regard.

The proposed development will also complement and provide additional housing to support the ongoing expansion of Dublin Airport, DCU and Beaumont Hospital, all of which are within 3 km of the proposed development.

### Subject Site

The subject site, adjacent to and is proposed to be integrated into the existing district centre, which accommodates a transport depot/warehouse and a number of ancillary buildings. The site is located in the north west corner of the wider Omni landholding.

In order to deliver the zoning objective (as per the Dublin City Development Plan 2016-2022) of “a diversity of uses” which “should be promoted to maintain their vitality throughout the day and evening” including “residential use with appropriate social facilities”, the application proposes to deliver a significant quantum of residential units in conjunction with other



commercial, public plaza, creche and community facility, which will improve the overall mix of uses in the District Centre and ensure its long term viability. The Omni Centre provides a significant number of services to support the additional population (as set out in the submitted Community Audit), and the additional population in turn will ensure vibrancy throughout the day as sought under the zoning objective.

Currently the district centre is situated as an island site of commercial uses which do not integrate to the wider surrounds. This application seeks to ensure the district centre is at the heart of and directly linked / integrated into the evolving local context which see an increase in residential accommodation as well as a commensurate provision of community facilities which will provide for a truly sustainable mixed use and vibrant urban quarter.



## 1.0 INTRODUCTION

- 1.1. On behalf of the applicant, Serendale Ltd., we hereby submit this Statement of Consistency with Planning Policy to accompany this Strategic Housing Development application to An Bord Pleanála under Section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016 in relation to a Proposed Mixed Use Development on lands at Omni Park, Swords Road, Dublin 9.
- 1.2. The proposed development comprises 457 no. residential units, 2 No. retail units, community facility, creche, public plaza, residential amenity area, communal open space, car parking and bike parking, on an overall site of c. 2.5 hectares with a net development area of 1.5 ha.
- 1.3. This Statement of Consistency with Planning Policy has been prepared to specifically address the requirements of the Regulations and the Guidelines issued by An Bord Pleanála. The proposed residential development has been prepared in accordance with the Ministerial Guidelines, and the requirements of the Dublin City Development Plan 2016-2022.
- 1.4. A Statement of Consistency with the Draft Dublin City Development Plan 2022-2028 is submitted under separate cover. At the time of submission, the proposed material alterations to the draft Development Plan have been published for public consultation. Therefore the final content of the 2022-2028 Development Plan, which is due to come into effect in December 2022 is not yet known.
- 1.5. This Statement of Consistency also includes details in respect of the proposed development in relation to the site location and context, the development description and the relevant planning history.
- 1.6. The development has been the subject to a Section 247 pre-application consultation with the Planning Authority in compliance with Section 5 (2) of the Planning and Development (Housing) and Residential Tenancies Act 2016. Details of the pre-application meeting and details of the Part V proposal are summarised in this report.
- 1.7. The proposed development is designed in accordance with the National Policy Guidelines such as the National Planning Framework 2040, Design Standards for New Apartments 2020 and the Urban Development and Building Height Guidelines 2018 in addition to the Dublin City Development Plan 2016-2022.
- 1.8. This standalone planning policy consistency statement, prepared by John Spain Associates, demonstrates that the proposed development is consistent with the relevant national planning policy, guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended), and with local planning policy. It should be read in conjunction with the accompanying detailed documentation
- 1.9. For details of compliance with the quantitative standards for residential units as set down in the Apartment Guidelines 2020, the Quality Housing for Sustainable Communities please refer to the Schedules Document brochure prepared by John Flemming Architects.
- 1.10. The purpose of this report is to provide an assessment of the subject site having regard to current development trends and taking cognisance of the current planning policy framework. In particular, this report reviews the subject lands in the context of relevant

national, regional and local policy and the planning history of the area. The report evaluates the potential of the lands in planning terms.



## 2.0 SITE LOCATION & DESCRIPTION

- 2.1. The subject site comprises a brownfield field site to the north west of Omni Park Shopping Centre. The lands are bounded by the Shanliss Avenue residential areas to west, Santry Hall Industrial Estate to the north, commercial and retail development to the south and east. The lands are currently predominantly physically separated from the district centre. This application represents an opportunity to incorporate this industrial and lands into the existing district centre thereby ensuring the efficient use of this finite land resource.
- 2.2. The lands are easily accessible via the R132 Swords Road which connects the subject lands both to other parts of north Dublin and Dublin Airport to the north and the city centre to the south. The lands are also located in close proximity to the M50 which provides access to the Port Tunnel and M1 motorway.
- 2.3. The site is well served by existing bus services with Dublin Bus routes No.'s 1, 16, 16c, 16d, 33, 33e, 41, 41b, 41c and 41d within easy walking distance of the site which connect the site to Dublin Airport, Ballbriggan and Swords to the north and the city centre and Ballinteer to the south. The site is also located along the proposed BusConnects Corridor.



**Figure 1: Subject site outlined in red; (Source: Google Earth, 2022).**

- 2.4. The existing building on site comprises of a 2 / 3 storey warehouse building which has been in use as a transport depot/warehouse for a number of years, hardstanding and ancillary buildings. The current use of the facility on the subject site is a transport / HGV depot.

- 2.5. Omni Park is in the control of the applicant and associated entities and forms a District Centre land bank which is primarily in commercial use. The subject proposal seeks to provide for the delivery of a significant quantum of residential units to provide for a balance of uses, without detracting from the primary commercial nature of the lands. The proposed residential uses will provide for greater activity throughout the day and night, ensuring vibrancy and vitality of the District Centre, strengthening its function.
- 2.6. The proposed development proposes to create a vibrant mixed use neighbourhood to deliver homes to add to the existing retail, workspace and leisure uses currently existing in Omni Park Shopping and Leisure centre. The proposed new public plaza will create a pleasant urban space extending the public realm in the Omni Centre and connecting the Swords Road with the wider centre via the permitted Omni Living Scheme to the east.
- 2.7. The proposed development will result in the provision of an appropriate balance of uses which has been lacking in the district centre and the wider vicinity. The Z4 district centre zoned lands currently comprise 100% commercial use and the surrounding residential context has been historically dominated by 3/4 bed detached and semi-detached houses. This application seeks to redress this imbalance and provide a truly mixed-use district centre. Further, this application seeks to ensure the district centre is directly linked / integrated into the evolving local context which will see an increase in residential accommodation as well as a commensurate provision of community facilities which will provide for the sustainable development of an urban quarter.
- 2.8. The overall Z4 land bank comprises 77% commercial and 23% industrial. The subject proposal in combination with the permitted Omni Living Scheme would alter the ratio to remove the industrial use with a resulting 77% commercial and 23% residential land use, in keeping with the Z4 zoning objective and delivering housing whilst not prejudicing the predominant land use as retail and associated uses.

### **3.0 DESCRIPTION OF THE PROPOSED DEVELOPMENT**

- 3.1. The proposed development consists of the demolition of the existing 2 / 3 storey building on site and construction of a mixed use scheme on lands at the former Molloy and Sherry transport depot, Omni Park, Swords Road, Santry, Dublin 9. The proposed development comprises 457 no. residential units and will range in height from 4 no. storeys on the western boundary to 12 no. storeys to the east.
- 3.2. The proposed development will also include the provision of a creche, 2 no. retail units and community facility at ground floor level fronting to the Omni Shopping Centre, ancillary resident facilities such as communal open space, roof terraces, resident lounges, concierge, meeting rooms etc., 213 no. car parking spaces, 768 no. bicycle parking spaces, revised landscaping and boundary treatments, upgrading of the existing public realm, development of an urban plaza and all ancillary works necessary to facilitate the proposed development.

#### **Residential Accommodation**

- 3.3. The proposed development provides for a mix of 221 no. 1 bed units, 211 no. 2 bed units and 24 no. 3 bed units. The proposed apartments have been designed to fully accord with the Sustainable Urban Housing: Design Standards for New Apartments 2020. A full Housing Quality Assessment is submitted which provides details on compliance with all relevant standards including private open space, room sizes, storage and residential amenity areas for built to rent developments.
- 3.4. All of the proposed residential units will contain private open space areas in the form of balconies and terraces. The proposed development will also include the provision of a high standard of communal space in a combination of internal and external areas including a landscaped courtyard, and internal amenity spaces, concierge and meeting rooms.
- 3.5. The orientation of the proposed development has been designed to ensure that all of the proposed units achieve adequate levels of daylight/sunlight throughout the year. 46% of the proposed units are dual aspect which is above the requirement set out in the Apartment Guidelines.
- 3.6. The proposed height of the development ranges in height from 4 no. storeys to the west of the site increasing to 12 no. storeys to the southern boundary of the site.

#### **Retail / Creche / Community Facility**

- 3.7. The proposed development also includes provision of 2 No. retail units, a creche and community facility at ground floor. The provision of such uses provides for increased activity at ground level and increases the level of animation along the plaza frontage which is currently a blank facade. The provision of the retail / creche uses at ground level provide for additional amenity to the future and existing residents in the area and will create a link between existing retail uses to the east and west within the district centre.

#### **Material Finishes**

- 3.8. Materiality has been selected to reflect the character of the area, while the dynamic forms ensure a distinctive character to the proposed development. As set out in the Architectural Design Statement prepared by John Fleming Architects (JFA):

*The proposed scheme will comprise a primary high quality buff brick with simple brick detailing at lower levels, and a cement board cladding. To soften the massing of the blocks, elements like steel balconies and spandrel cladding features have been included throughout the scheme."*

- 3.9. The consistent use of materials throughout the scheme, and the repetition of simple brick detailing at the lower levels will tie the overall scheme together, while each block is unique and identifiable. Awnings incorporating signage over entrance cores will make navigation through the scheme easy and create a real sense of threshold for residents.



#### **Proposed materials and finish (Source: JFA, 2022).**

- 3.10. The colour palette was informed by the evolving façade of the Omni Shopping Centre which follows a lighter coloured stone panel system to adjoining M+S and Lidl.
- 3.11. Full details of the proposed material and finishes are set out in the Architectural Design Statement prepared by John Fleming Architects.

#### **Car/ Motorcycle/ Bicycle Parking**

- 3.12. The development provides a total of 213 no. car parking spaces at basement (including; 22 EV Charging Points, 11 accessible spaces, 7 no. motorcycle spaces at basement level and 768 no. bicycle parking spaces at surface and basement level. The proposal also includes 7 no. creche drop off spaces and 6 no. car parking spaces for car club / Go Car spaces at ground floor.
- 3.13. The car parking provision and access arrangements are further detailed in the Traffic and Transport Report prepared by NRB.
- 3.14. The landscape design has been developed to provide an appropriate transition between the existing car park and the new public plaza, which includes work to a portion of the existing car park including the removal of some car parking spaces.



### Changes to Commercial Car Parking

- 3.15. As part of this application there is a slight reduction of 104 car parking spaces at surface level to provide for the new plaza set down with 7 spaces for the creche, 6 'car-club' spaces plus landscaping and pedestrian / cyclist linkages. These improved linkages, include 2 no. new high quality shared pedestrian & cyclist routes through the Omni Park Shopping Centre with the Omni Living Scheme, are included to integrate the proposed development with the rest of the Omni Park Shopping Centre and link to Swords Road. Page 76 of the Architectural Design Statement provides a diagrammatic outline of the revisions.
- 3.16. The Omni Park Shopping Centre has ~1400 spaces. This figure is far in excess of the current maximum standards required for the centre and current elements of the car parking provision are unoccupied on a regular basis. The proposed development will entail the removal of ~6% of these spaces, the NRB TAR confirms that this will have an unnoticeable impact on the existing car parking provision in the overall site and is in line with sustainable transportation objectives to reduce car travel & encourage modal shift. The management strategy for car parking has also been set out.

### Landscaping and Open Space

- 3.17. The intention of the landscape strategy is set out in the Murray and Associates Landscape Design Statement which states:

*The external spaces are connected and permeable, although an implied hierarchy of open space is present over the site. This is delineated by scale, materials, planting typology and soft division of spaces with planting. Hard landscape elements also help to define spaces such as the raised planting/seating elements in the plaza and changes in materials to define certain uses and thresholds.*

*The Plaza has an open character to allow space for potential events or gatherings at various times of year, while still allowing for safe and accessible pedestrian movement through the site. The pathways through the open spaces are also open in character facilitating legible pedestrian movement, yet have intimate seating areas and spaces addressing the uses of the building frontages.*

*The internal courtyards and residential open spaces allow for a more passive recreational use, while still integrating with pedestrian movement through the development.*

- 3.18. A significant quantum of open space is proposed as part of the application comprising both public open space and communal open space. As set out in the JFA Design Statement, open spaces can be described as:

*"Courtyard 1 is envisaged as an active area around Blocks A & B, with an older childrens play space to the north of Block A and a young childrens play area within the sheltered courtyard, enjoying secure, sheltered space.*

*Courtyard 2 is envisaged as a bright and peaceful planted space. The area has been design with a single spine path on the western side which can tie into future pedestrian & cycle connections to the north. Green spaces have been maximised to the east of the courtyard. An 210 sqm enclosed play area for the creche adjoins this space.*

*Courtyard 3 also has a single spine route, maximising green space on the eastern side of the courtyard. Raised berms will allow for a more dynamic landscape in this area.*

*We expect this space to be a more active and sociable area as it leads to the Public Plaza to the south. Planting creates a sense of separation between the Plaza and communal space.*

*The Public Plaza meets Public Open Space requirement and is seen as being a destination attracting pedestrians into the District Centre from Swords Rd. The space will be activated by restaurant / retail and community spaces and will be flexible to enable active use as, for example, a farmers market or similar.”*



**CGI of communal open space to the west. (Source: 3DDB, 2022).**





**CGI of public open space (Source: 3DDB, 2022).**

- 3.19. The proposal exceeds the required public and communal open space standards.

#### **Site Services**

- 3.20. All services are available in proximity of the site and a confirmation of feasibility has been received from Irish Water.
- 3.21. It is proposed to connect the surface water outfall to an existing 750mm public surface water sewer located in the loading area to the west of OMNI Shopping Centre. This 750mm public surface water sewer in turn discharges to a culverted section of the River Wad approximately 550m south of the proposed development. Details of the new outfall route are included on EirEng drawing 201121-C002.
- 3.22. The foul water outfall will connect into a private foul water sewer located within the site and then will discharge to a public foul sewer on Swords Road as shown on EirEng drawing 201121-C003.
- 3.23. It is proposed to connect into the existing cast iron public watermain located in Swords Road as shown on Irish Water record utility mapping included in Appendix D of the Engineering Planning Report. It is proposed to provide a new 225mm spur off the public watermain to serve the new development as shown on EirEng drawing 201121-C005.
- 3.24. Please see Engineering Assessment Report prepared by EirEng for further details. An Irish Water Confirmation of Feasibility and Statement of Design Acceptance has been enclosed with the proposed application.

**Duration of Permission**

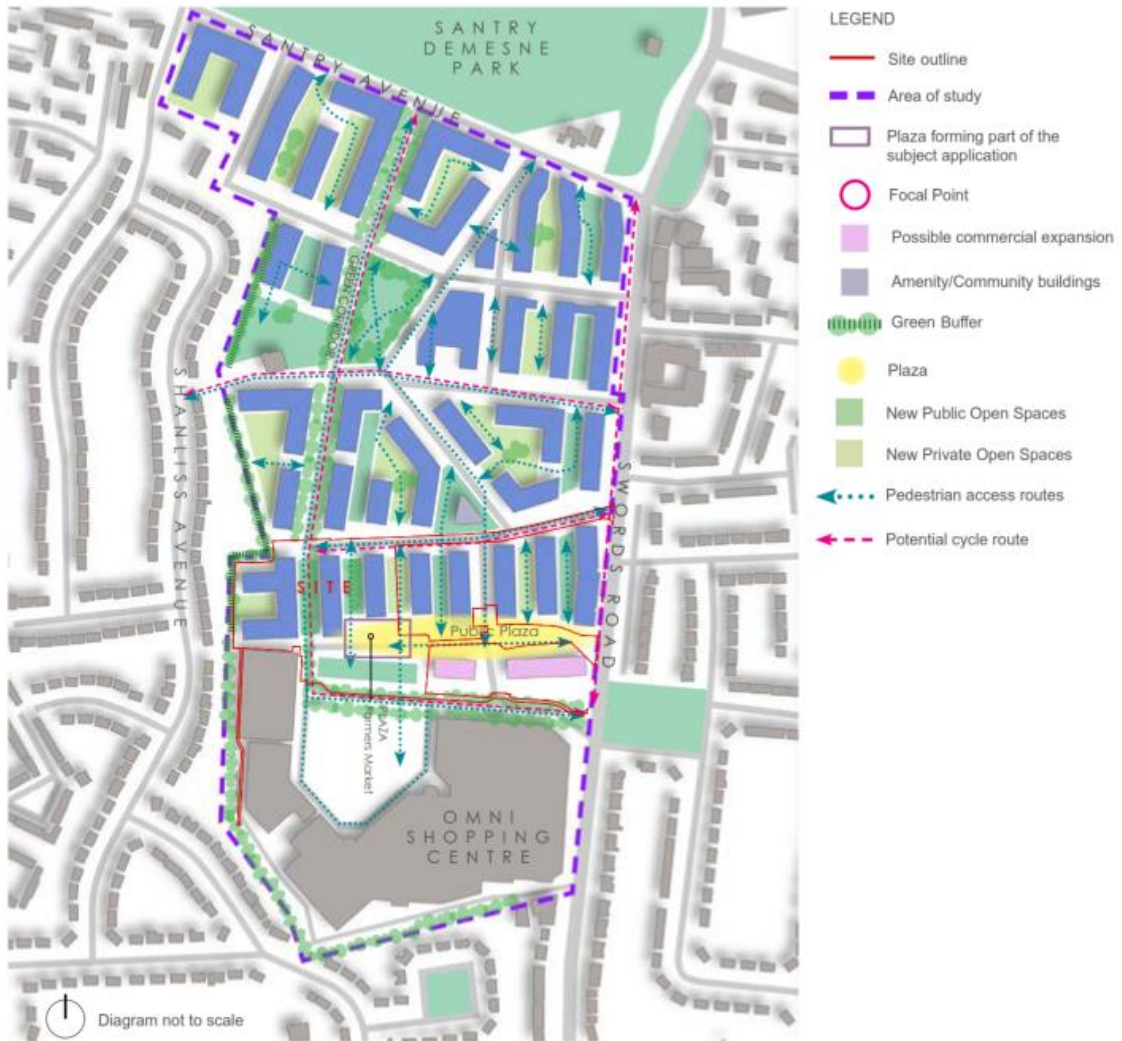
- 3.25. It is intended to apply for a permission of 7 years in duration. A draft programme for development accompanies this application which clearly illustrates the envisaged timeline to completion and how this accords with services upgrades.

**Pedestrian and Vehicular Access**

- 3.26. The principal pedestrian and vehicular entrance to the proposed development will be via Omni Park. Basement access is provided to the south, in Omni Park. The Transport Assessment prepared by NRB sets out the capacity for this junction and confirms that there is adequate provision to accommodate the proposed development. The existing site is readily accessible through the existing pedestrian footpaths and walkways and landscaping scheme however the proposed upgrades will further integrate the existing public realm and internal access routes within Omni Park. Ultimately this will result in a greatly improved pedestrian experience with safe and convenient linkages throughout the site and wider area.

**Framework Strategy**

- 3.27. The vision for the lands and the adjoining lands to the north are set out in the Framework Strategy, as further detailed in JFA's Architectural Design Statement. The framework strategy illustrates how the proposed development in conjunction with potential future development will provide a unique opportunity to provide new residential developments serviced by an existing fully operating district centre.
- 3.28. The Framework Strategy lands consist of mainly underutilised industrial buildings that are no longer fit for purpose and do not make a contribution to the character of the area. These lands present an opportunity to create a new mixed use neighbourhood with established services and excellent public transport connections along with easy access to DCU, significant employment areas and services such as Beaumont hospital and Dublin airport.
- 3.29. The Framework Strategy demonstrates how the lands can be developed in the future and how this application can integrate successfully and become an asset to the local community. The implementation of the Framework Strategy to create a new residential and commercial community on underutilised industrial lands between Omni Park District Centre and Santry Park has already commenced, with the recently completed Swiss Cottage and Santry Place developments. The proposed development compliments the permitted and constructed developments and will open up the Omni Park District Centre to the Framework Strategy lands to the north.



**Framework Strategy connections, open spaces and permeability with subject site outlined in red (Source: JFA, 2022).**

### Waste Management

- 3.30. A Resource & Waste Management Plan (RWMP) & Operational Waste Management Plan (OWMP) has been prepared by EirEng and accompanies this application. The document outlines the principles and measures by which the waste generated during the construction and operational phases of the proposed development will be managed and disposed of in compliance with the provisions of the applicable plans, guidance and legislation. It describes the measures by which optimum levels of waste reduction, re-use and recycling shall be achieved.

### Housing Quality

- 3.31. A Housing Quality Assessment has been prepared by John Flemming Architects to accompany this application. The proposed units comply with the relevant standards as set out in the Design Standards for New Apartments (2020).

### Daylight / Sunlight Access

A daylight/ sunlight assessment was prepared by 3D Design Bureau to accompany this application.

*“The assessment has been broken down into the following two main categories, of which there are sub categories summarised further below:*

- Impact assessment: Effect on the surrounding environment and properties, which includes Vertical Sky Component (VSC), Annual and Winter Probable Sunlight Hours (APSH/WPSH) and Sun On Ground (SOG) analysis. The effects were assessed in the baseline state versus the cumulative state, which is comprised of the proposed SHD and the previously permitted SHD to the east of the subject site (ABP-307011-20).*
- Scheme Performance: Daylight and sunlight assessment of the proposed development, which includes Sun On Ground (SOG) in the proposed amenity spaces, Sunlight Exposure (SE) and Spatial Daylight Autonomy (SDA) of the proposed habitable rooms. A supplementary study on Average Daylight Factor (ADF) was also undertaken to directly answer the request made in the ABP opinion (ABP-3122022-21) and allow for a comparative assessment between the scheme performance results at pre-application stage.”*

3.32. This assessment has studied the effect the proposed development would have on the level of daylight and sunlight received by the neighbouring residential properties that are in close proximity to the proposed development.

3.33. The assessment concludes:

*These studies have shown that whilst the proposed development, in conjunction with the granted SHD (ABP-307011-20), would cause a perceptible reduction to some of the assessed commercial premises, there would be a negligible level of effect to the daylight and sunlight received by all existing neighbouring properties.*

*The scheme performance assessment for this report has quantified the level of daylight and sunlight within the proposed development. Future residents will have access to external amenity areas capable of receiving sufficient levels of sunlight with a reasonable percentage of proposed units have achieved the minimum recommendation for Sunlight Exposure. The vast majority of proposed units have the recommended level of daylight as shown in the study of Spatial Daylight Autonomy.*

*The supplementary ADF assessment as per the ABP request and for comparative purposes shows the net positive impact of all implemented design amendments...*

*In this context, it is the opinion of 3D Design Bureau, that the proposed development serves as a great example of how proposed urban developments can achieve both high compliance rates for SDA whilst maintaining a high level of density in compliance with national and regional design policy.*

### **Sustainability / Energy**

3.34. A Building Life Cycle report has been prepared by John Flemming Architects with inputs from the other consultants.

3.35. An Energy and Sustainability Statement has been prepared by OCSC:

*“The proposed mixed-use development will comply with residential Part L 2021 (Dwellings), as well as targeting an A2/A3 BER, while the proposed non-residential*



*aspects of the development will comply with non-residential Part L 2021 (Buildings Other Than Dwellings), as well as targeting an A3 BER.*

*The optimised approach is based on the Energy Hierarchy Plan - Be Mean, Be Lean, Be Green."*

### **Appropriate Assessment**

- 3.36. An Appropriate Assessment Screening Report has been prepared by Altermar. The AA Screening report concludes:

*"Having taken into consideration foul and surface water drainage from the proposed development, the distance between the proposed development to designated conservation sites, lack of direct hydrological pathway or biodiversity corridor link to conservation sites, and the dilution effect with other effluent and surface runoff, it is concluded that the proposed development, alone or in combination with other plans or projects, would not give rise to significant effects to European sites. The construction and operation of the proposed development will not impact on the conservation objectives of qualifying interests of European sites."*

### **Environmental Impact Assessment Report (EIAR)**

- 3.37. This SHD application is accompanied by an Environmental Impact Assessment Report prepared by AWN, which contains the relevant information on potential and post mitigation residual environment impacts of the proposed development.

## 4.0 PLANNING HISTORY

- 4.1. A planning history search was conducted using the Dublin City Council online planning search system. We note a large number of applications which relate to the normal functioning of the Omni Park Shopping Centre, just 2 No. applications relate directly to the subject site. There are a number of previous applications which include the subject lands which are of relevance.

### **Subject Site**

#### Reg. Ref 2450/13 (implemented)

- 4.2. Dublin City Council granted planning permission for the following development on 17<sup>th</sup> July 2013.

*The development will consist of the increase in height of the existing Cold Store Building and construction of a new delivery Building at the side of the existing building.*

#### Reg. Ref 2151/12 (Not implemented)

- 4.3. Dublin City Council granted planning permission for the following development on 18<sup>th</sup> May 2012.

*Change of use from light industrial use to recreational use, new signage and all ancillary site works. The current building use is a cold storage facility and the intended use is an ice sports training centre.*

### **Applications which included the subject site/ part of in the application boundary**

#### ABP Reg. Ref. 307011 'Omni Living'

- 4.4. ABP granted planning permission for the demolition of existing structures at Lands to the northeast of Omni Park Shopping Centre including vacant warehouse, Swords Road, Santry, Dublin 9, construction of 324 no. apartments, creche and associated site works on 3rd of September 2020. The permitted development ranged between 5 no. storeys to 12 no. storeys in height. The development has not as yet commenced as the developer is awaiting receipt of a Fire Safety Certificate for the scheme which was applied for in early 2022.
- 4.5. This development site is also owned by the applicant (separate entity) and forms part of the same development strategy thus providing a coherent design response to the Omni Park Shopping Centre context.
- 4.6. The Inspector in their assessment considered the proposal to take account of the surrounding context with reduced massing along the eastern boundary at 5 to 6 storeys, ultimately providing an appropriate transition in massing. The Inspector considered: *the proposed development makes a positive contribution to place making, providing a strong urban edge to the Swords Road, new public spaces, using massing and height to achieve higher density with variety in scale and form which responds to the scale of adjoining developments. The scale, massing and height of the development are considered appropriate in this District Centre zoned site, regard being had to existing shopping centre, existing adjoining residential development and in particular to the permitted Swiss Cottage and Dwyer Nolan Schemes. (Santry Place).*



- 4.7. Further the Inspector agreed with the Applicants submission *“that the site offers a unique opportunity to accommodate height without undue detriment to neighbouring property. The increased building height has been strategically positioned to the northwest corner and north of the site, as no overshadowing of existing residents can occur in this area.”*
- 4.8. The proposed development takes a similar approach to massing and height. Existing residential areas are located to the west, the subject development steps down towards these areas to ensure an appropriate transition.
- 4.9. The proposed developments movement and permeability strategy has been carefully considered to integrate with the permitted and provide an easily accessible, legible and safe public realm. The subject development also includes a public plaza (substantially in the form permitted as part of Omni Living) enabling for improved linkages with the Swords Road and the Omni Shopping Centre. The inclusion of the plaza within the subject application delivers a connection to the Swords Road, improving permeability through the overall Omni Park, without being dependent on the delivery of Omni Living.
- 4.10. Landscape, planting, materials and palettes are complementary resulting in a pleasant public realm.
- 4.11. In terms of architectural design of the buildings, both developments use complementary materials, colours and finishes and the north south orientation of blocks in order to create a coherent streetscape and urban environment which responds to the existing context.



**CGI of the Permitted Omni Living Scheme eastern elevation.**

DCC Reg. Ref. 3811/20 (not implemented to date)

- 4.12. Dublin City Council granted planning permission for the following development on 21 June 2021:

*“The proposed new development will consist of a 3 storey multi-tenant commercial building c. 1992 sqm with full banking and financial service uses on ground level in unit*



\_\_\_\_\_

*“Permission for development at unit 224-226 incl (395 sqm) at first floor Omni Park Shopping Centre. The development will comprise a change of use from approved retail use of first floor units 224-226 incl permitted under Reg Ref 5662/04 for use as medical consulting rooms with associated signage together with all ancillary site works”.*

Reg. Ref. 3246/13

- 4.15. Dublin City Council issued a decision to grant planning permission for the following development on 12<sup>th</sup> November 2013. However, the decision was subsequently appealed to An Bord Pleanála who upheld the decision of DCC and granted planning permission on the 26<sup>th</sup> June 2014.

*“Permission for the development of convenience and comparison retail floorspace and associated works and development measuring approx. 3660 sqm gross floor space on a site of 1.2 hectares. The proposed development comprises: the demolition of an existing warehouse / office building measuring 3667 sqm and associated and ancillary structures and site development works; the construction of a phased development, Phase 1 comprising a single storey double height Licensed Discount Foodstore measuring 1831 sqm with a net sales area of 1287 sqm and a single storey electricity sub-station measuring 48 sqm; and, Phase 2 comprising three adjoining single storey double height retail units with a gross floor area of 1781 sqm and net sales areas measuring approximately 384, 492 and 600 sqm; the provision of a surface car park comprising 65 no. spaces and 18 no. cycle spaces in association with Phase 1 and the assignment of 47 no. existing parking spaces within the existing Omni Park car park dedicated to Phase 2; customer vehicular and pedestrian access to the proposed development is to be via new connections to the existing Omni Park car park and service / delivery access is to be via the existing Santry Hall Industrial Estate access road which will be upgraded; the proposed development also comprises car parking and access modifications / integration to the adjoining previously permitted mixed use scheme (Reg. Ref: 6584/07); and, the provision of signage, and totem signage on Swords Road, boundary treatments, hard and soft landscaping, lighting, connections to drainage and water services and all other ancillary and associated works including within the Omni Park car park and other enabling works to form connections to the Omni Park Shopping Centre.”*

Reg. Ref. 5303/05

- 4.16. Dublin City Council granted planning permission for the following development on 14<sup>th</sup> of October 2005.

*“Planning permission for amendments to previously approved development, Reg ref No 3268/05 consisting of the following: replacement of previously approved 24no car parking spaces at lower ground floor level with undercroft (200sqm) below unit No1 as access for services, 200sqm of financial service use at ground floor level, additional 665sqm of retail use at 1st floor level and entrance canopies to shop units, all to the west of the previously approved multi-storey car-park (Reg ref No 1508/04) and fronting onto the existing north/south main pedestrian walkway at Omni Park Shopping Centre, Swords Road, Santry, Dublin 9 .”*



## Development in the Vicinity



**Figure 4.1: Large scale residential planning history overview in the immediate vicinity of the subject site with subject site in black (Source: Google Earth, 2022).**

Dwyer Nolan Site – DCC Reg. Ref. 2713/17 and 2737/19– North of the Site (Part Constructed).

- 4.17. Dublin City Council issued a decision to grant permission for the following development on 12<sup>th</sup> March 2018:

*“The proposed development (c.25,083 sq m total gfa above basement car park, and excluding plant, bin stores and bike stores), generally comprises: the partial demolition (c.7,781 sq m gfa) of an existing 8-bay warehouse (c.9,539 sq m gfa), and the construction of: 1 no. 5-storey mixed use building fronting Swords Road (Block A: c.5,932 sq m gfa in total), including 3 no. retail/commercial units (c.502 sq m) at ground level and 48 no. residential units in levels above; 1 no. 5-storey residential building (Block B: c.5,233 sq m gfa, 47 no. residential units); 1 no. 5-storey mixed use building (Block C: c.5,383 sq m gfa in total), including 2 no. office units (c.373 sq m gfa) and 1 no. crèche (c.331 sq m gfa) at ground floor, and 42 no. residential units from ground to 4th floor levels; the refurbishment of the partially retained and reclad double height warehouse (2-bays, 1,758 sq m gfa) with new 4-storey extension, to accommodate commercial office use (Block D: c.6,733 sq m gfa in total); and a new 4-storey*

commercial office building (Block E: c.1,802 sq m gfa in total); The proposed development accommodates 137 no. residential units in total (25 no. 3-bed, 88 no. 2-bed and 24 no. 1-bed); And all ancillary and associated site development works, including: new vehicular and pedestrian access via Swords Road at the north east corner of the site, and environmental improvements along the Swords Road frontage; upgrading of existing vehicular and pedestrian access via Santry Avenue; new basement car park (c.3,988 sq m) accessed via ramp under Block A accommodating 122 no. car parking spaces (to include 6 no. disabled access), 100 no. bicycle parking spaces, plant, etc.; 151 no. surface car parking spaces (to include 7 no. disabled access); 100 no. surface bicycle spaces; bin storage at ground level in Blocks B and C; surface water attenuation tank; and, hard and soft landscaping, lighting and boundary treatment works; all on a site of c. 1.9Ha.”

- 4.18. Permission was granted on the 1<sup>st</sup> October 2019 to amend the residential element to provide for an additional 2 floors (7 total), with the following description of development:

“Permission for development, consisting of modifications to a permitted mixed use development under Ref. 2713/17, located at Santry Avenue and Swords Road, Santry, Dublin 9. Permission is sought to increase the height of Blocks A, B and C from permitted 5 storeys to proposed 7 storeys and for a change in unit type and increase in number of apartments i.e. 70 no. apartments, which will result in a change from 137 no. permitted apartments to 207 no. 1, 2 & 3 bed apartments in the aforementioned buildings, including provision of balconies and roof terraces (i.e. 240sq.m. each) to Blocks A, B & C. The ground floor of Block C will accommodate a unit (i.e. 210sq.m.) for community use in compliance with condition no. 3 attached to planning permission Ref. 2713/17. The proposed development also seeks to provide additional office floor space to both Blocks D & E, providing an increase of 2,931sq.m. of office accommodation to the overall previously permitted development. Block D will increase in height from permitted 2 & 4 storeys to proposed 3 & 5 storeys, while Block E will increase in height from permitted 4 storeys to proposed 5 storeys. Permission is also sought for an extension to the permitted basement car park, (i.e. 1,273sq.m.), to accommodate 52 no. additional car parking spaces, additional bicycle parking and a new emergency escape route to the surface. The proposed development also provides for conversion of 3 no. surface car parking spaces to 3 no. “GoCar” spaces to the north of Block B, and all associated site development works, on a site area of 1.55ha. The effect of the proposed development will be a modification to an extant permission under Ref. 2713/17.”

- 4.19. The Applicant recently submitted a further application on the above site (DCC Reg. Ref. 2543/21), this application was subsequently refused on 1st June 2021, for the following development:

Permission for development, consisting of modifications to a permitted mixed use development under Refs. 2713/17 and 2737/19, known as “Santry Place” located at Santry Avenue and Swords Road, Santry, Dublin 9. Permission is sought to demolish the remainder of an existing warehouse (1,758m<sup>2</sup>) **and the construction of 3 no. 7-10 storey buildings (Blocks D, E, & F) accommodating residential, commercial and office uses.** The proposed Block D (7 storeys) accommodates 48 no. apartments (i.e. 30 no. 1 beds & 18 no.2 beds) on first to sixth floor, over ground floor commercial use (247.9m<sup>2</sup>), residential amenity space (174.9m<sup>2</sup>), and bike & bin stores. Block E & F are 7 and 10 storeys respectively, accommodating ground floor commercial use (1,175.4m<sup>2</sup>) with office space overhead (11,206.5m<sup>2</sup>). The proposed development also provides for communal open space (1,026.3m<sup>2</sup>) at first floor podium level, internal and external bicycle parking (212 no. bicycle spaces), bin stores, and all associated site development works, on a site area of 0.65 ha. Car parking is provided in the form

*of surface and undercroft parking, with 67 no. surface spaces & 41 no. undercroft spaces. The effect of the proposed development will be a modification to the extant permissions under Refs. 2713/17 & 2737/19.*

**Santry Place Phase 2: Pending Application DCC Reg. Ref. 4549/22**

- 4.20. We also note a recently lodged amendment (DCC Reg. Ref. 4549/22) which is yet to be decided, described in the public notices as follows:

*The proposed development will consist of modifications to the development permitted on site under DCC Reg. Ref.: 2713/17 and 2737/19. The proposal will include construction of an urban block comprising 3 no. 7 storey blocks (Blocks D, E, and F). - Block D, and the ground floors of Blocks E and F will provide c. 13,921 sqm office space (an increase of 2,454.7sqm). - Residential apartments are proposed on the upper floors of Blocks E and F providing 48 no. apartments (16 no. 1 beds, 24 no. 2 beds, and 8 no. 3 beds) to provide a new total of 253 no. residential units (an increase from 205 units). All residential units will have north/south/east/west facing private open spaces. The development will also include communal open space at podium level, 95 no. car parking spaces and 269 no. cycle parking spaces at surface and undercroft level (an increase of 15 no. car parking space and 164 no. cycle parking spaces), and all other site services and works to enable the development including bins, substations/plant areas, boundary treatments and landscaping.*





**Extract from Santry Place Design Statement Phase 2 DCC Reg. Ref. 4549/22 (Source: DCC, 2022).**

Swiss Cottage Site - ABP-303358-18 & ABP 303358-19 (Constructed)

- 4.21. Permission was granted for a Strategic Housing Development on the 2<sup>nd</sup> of April 2019 for the following description of development:

*“Demolition of existing single storey licenced premises on site, construction of 112 no. Build to Rent units, café/retail/restaurant and associated site works.”*

Santy Avenue and Swords Road – ABP - 310910 -21

- 4.22. We note permission was submitted for a Strategic Housing Development on the 22<sup>nd</sup> of July 2021 and was subsequently refused permission by ABP 4<sup>th</sup> November 2021 on a technical matter.
- 4.23. The strategic housing development was located at the junction of Santry Avenue & Swords Road. The site is bounded to the north by Santry Avenue, to the east by

Swords Road, and to the west by Santry Avenue Industrial Estate. To the south, the site abuts the permitted Santry Place development (granted under Dublin City Council Ref's. 2713/17 & 2737/19).

- 4.24. The development included for the demolition of the existing industrial type building on the site (i.e. the Chadwicks Builders Merchants) and, in its place, will see the construction of 4 no. buildings, sub-divided into 7 no. blocks (Blocks A-G), ranging from 7 no. storeys to 14 no. storeys in height, over a basement level car park. The residential element of the development consists of 350 no. apartments.

- 4.25. We note in relation to height and density the Inspector stated:

*"The proposal for 350 no. residential units on the site equates to a density of approx. 233 / ha. Having regard to the central / accessible urban location and brownfield nature of the site, proximity to services and amenities and public transport services, such densities are regarded as acceptable and in accordance with national, regional and local planning policy. I also note the objectives of recent Government Policy set out in Housing for All which identifies the need for construction of an average of 33,000 homes per annum nationally until 2030 to meet the targets outlined in the National Planning. The consolidation of existing built-up areas in the manner proposed will be an important contributor to the achievement of such targets in a more sustainable manner."*

- 4.26. Further the Inspector also noted:

*"I consider that the site has capacity to accommodate increased height. Recently completed development to the south and southeast rises to six and seven storeys, which is an increase from the traditional low-rise nature of development in the surrounding area. The proposed development continues these heights, rising to ten and fourteen storeys along the northern boundary. The development would materially contravene the building height provisions of the development plan and I have considered the development under the criteria set out in section 3.2 of the Building Height Guidelines in section 11.11 below. I conclude that these criteria are satisfied and that the proposed building heights can be satisfactorily accommodated on the site."*

- 4.27. There was one reason for refusal:

*"Section 16.10.1 of the Dublin City Development Plan 2016-2022 which refers to Mix of Residential Units, states that each apartment development shall contain a maximum of 25 to 30% one-bedroom units and a minimum of 15% three or more bedroom units. Having regard to the range of dwelling units proposed within the development, it is considered that the proposed development would materially contravene this provision of the plan."*

*"The statutory requirements relating to the submission of a material contravention statement have not been complied with by the applicant in respect of this matter. Accordingly, the Board is precluded from granting permission in circumstances where the application is in material contravention of the development plan and where statutory requirements referred to above have not been complied with."*

- 4.28. We do however note, aside from this technical matter, the form and density of the proposal was generally accepted and positively considered by the Inspector:

*"The proposed development is considered to be acceptable in principle on these Z3 lands having regard to the mix of uses proposed and the surrounding pattern of*

development. The design and layout is acceptable and will deliver a satisfactory standard of residential amenity for future residents will not result in undue impacts on the amenities of the surrounding area. The proposed building heights materially contravene the provisions of the city development plan but are not regarded as unacceptable for this location, having regard to national guidance and the surrounding context. Redevelopment of this brownfield site is considered to be in accordance with local, regional and national policy promoting the consolidation of urban areas. The site is well served by existing public transport services and it is not considered that the development will give rise to negative impacts on traffic and transportation. Significant impacts on cultural heritage or ecology are not anticipated.

The development is generally acceptable in principle and would, subject to conditions, generally accord with the proper planning and sustainable development of the area. I note, however, that the development would materially contravene the development plan provisions relating to the mix of housing units which is not addressed in the material contravention statement submitted. It is therefore recommended that, in accordance with Section 9(4) of the Act, a decision to refuse planning permission be issued in this case."



**Proposed Santry Avenue SHD on corner of Santry Avenue and Swords Road  
(Source: Davey + Smith Architects 2021).**





**Proposed Santry Avenue SHD on corner of Santry Avenue and Swords Road (Source: Davey + Smith Architects 2021).**

ABP-314019-22

- 4.29. We note a recently submitted SHD application on the above referenced 'Santry Avenue' Site at the junction of Santry Avenue and Swords Road, Santry, Dublin 9 (<http://www.santryavenueshd2.ie/>). The application appears similar to the previously referenced application. As set out in the development description:

*Dwyer Nolan Developments Ltd. intends to apply to An Bord Pleanála for permission for a strategic housing development, on a site of c. 1.5 hectares, located at the junction of Santry Avenue and Swords Road, Santry, Dublin 9. The development site is bounded to the north by Santry Avenue, to the east by Swords Road, to the west by Santry Avenue Industrial Estate, and to the south by the permitted Santry Place development (granted under Dublin City Council Ref's. 2713/17 & 2737/19). The proposed development provides for 350 no. apartments, comprised of 113 no. 1 bed, 218 no. 2 bed, & 19 no. 3 bed dwellings, in 4 no. seven to fourteen storey buildings, over basement level, with 4 no. retail / commercial units, a medical suite / GP Practice unit and a community use unit located at ground floor level facing onto Santry Avenue and Swords Road. A one storey residential amenity unit, facing onto Santry Avenue, is also provided for between Blocks A & D.*

*The development consists of the following:*

*(1) Demolition of the existing building on site i.e. the existing Chadwicks Builders Merchants (c. 4,196.8m<sup>2</sup>). (2) Construction of 350 no. 1, 2, & 3 bed apartments, retail / commercial, medical suite / GP Practice and community uses in 4 no. buildings that are subdivided into Blocks A-G as follows:*

▪ Block A is a 7 to 14 storey block consisting of 59 no. apartments comprised of 26 no. 1 bed, 27 no. 2 beds & 6 no. 3 bed dwellings, with 2 no. commercial/retail units located on the ground floor (c. 132.4m<sup>2</sup> & 173m<sup>2</sup> respectively).

Adjoining same is Block B, which is a 7 storey block consisting of 38 no. apartments comprised of 6 no. 1 bed, 26 no. 2 bed, & 6 no. 3 bed dwellings, with 1 no. commercial/retail unit and 1 no. medical suite / GP Practice unit located on the ground floor (c. 162.3m<sup>2</sup> & 130.4m<sup>2</sup> respectively). Refuse storage areas are also provided for at ground floor level.

▪ Block C is a 7 storey block consisting of 55 no. apartments comprised of 13 no. 1 bed & 42 no. 2 bed dwellings. Refuse storage areas are provided for at ground floor level. Adjoining same is Block D which is a 7 to 10 storey block consisting of 51 no. apartments comprised of 25 no. 1 bed, 19 no. 2 bed, & 7 no. 3 bed dwellings, with 1 no. commercial unit / café located on the ground floor (c. 163.3m<sup>2</sup>). A refuse storage area is also provided for at ground floor level.

Block E is a 7 to 10 storey block consisting of 58 no. apartments comprised of 10 no. 1 bed & 48 no. 2 bed dwellings, with 1 no. community use unit located on the ground floor (c. 188.1m<sup>2</sup>). A refuse storage area, substation, & switchroom are also provided for at ground floor level.

Adjoining same is Block F which is a 7 storey block consisting of 55 no. apartments comprised of 13 no. 1 bed & 42 no. 2 bed dwellings. A refuse storage area & bicycle storage area are also provided for at ground floor level.

▪ Block G is a 7 storey block consisting of 34 no. apartments comprised of 20 no. 1 bed & 14 no. 2 bed dwellings. A refuse storage area & bicycle storage area are also provided for at ground floor level.

(3) Construction of a 1 storey residential amenity unit (c. 187.9m<sup>2</sup>) located between Blocks A & D.

(4) Construction of basement level car parking (c.5,470.8m<sup>2</sup>) accommodating 173 no. car parking spaces & 719 no. bicycle parking spaces. Internal access to the basement level is provided from the cores of Blocks A, B, C, D, E, & F. External vehicular access to the basement level is from the south, between Blocks B & C. 36 no. car parking spaces & 58 no. bicycle parking spaces are also provided for within the site at surface level.

(5) Public open space of c. 1,915m<sup>2</sup> is provided for between Blocks C, D, E, & F. Communal open space of c. 3,122m<sup>2</sup> provided for between

(i) Blocks E, F, & G,

(ii) Blocks A, B, C, & D, and

(iii) in the form of roof gardens located on Blocks A, C, & F and the proposed residential amenity use unit. The development includes for hard and soft landscaping & boundary treatments. Private open spaces are provided as terraces at ground floor level of each block and balconies at all upper levels.

(6) Vehicular access to the development will be via 2 no. existing / permitted access points:

(i) on Santry Avenue in the north-west of the site

(ii) off Swords Road in the south-east of the site, as permitted under the adjoining Santry Place development (Ref. 2713/17).

(7) The development includes for all associated site development works above and below ground, bin & bicycle storage, plant (M&E), sub-stations, public lighting, servicing, signage, surface water attenuation facilities etc.

- 4.30. There is therefore clearly an emerging context in the vicinity of the application site, with which the subject proposal will be complementary.



## 5.0 NATIONAL AND REGIONAL PLANNING CONTEXT

5.1. The key provisions of national (including relevant Section 28 guidelines) and regional planning policy as it relates to the proposed development is set out in the following sections. The key policy and guidance documents of relevance to the proposed development are as follows:

- National Planning Framework 2040;
- Housing for All (2021)
- Sustainable Urban Housing: Design Standards for New Apartments; Guidelines for Planning Authorities 2020;
- Urban Development and Building Height Guidelines 2018;
- Regional Spatial and Economic Strategies – Eastern Midlands Regional Assembly (2019-2031);
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), and the accompanying Urban Design Manual;
- Delivering Homes, Sustaining Communities (2008) and the accompanying Best Practice Guidelines – Quality Housing for Sustainable Communities;
- Design Standards for New Apartments (2020);
- Design Manual for Urban Roads and Streets (2019);
- Transport Strategy for the Greater Dublin Area 2016 - 2035
- Draft Greater Dublin Area Transport Strategy 2022-2042
- Guidelines for Planning Authorities on Childcare Facilities (2001);
- Guidelines for Planning Authorities on Childcare Facilities 2001;
- BusConnects – Transforming City Bus Services (2018);
- The Planning System and Flood Risk Management (2009);

### National Planning Framework 2040

- 5.2. The National Planning Framework is the Government's plan to cater for the extra one million people that will be living in Ireland, the additional two thirds of a million people working in Ireland and the half a million extra homes needed in Ireland by 2040.
- 5.3. As a strategic development framework, Ireland 2040 sets the long-term context for our country's physical development and associated progress in economic, social and environmental terms and in an island, European and global context.
- 5.4. National investment planning, the sectoral investment and policy frameworks of departments, agencies and the local government process will be guided by these strategic outcomes in relation to the practical implementation of Ireland 2040. The NPF sets out the importance of development within existing urban areas by *"making better use of under-utilised land including 'infill' and 'brownfield' and publicly owned sites together with higher housing and job densities, better services by existing facilities and public transport"*.
- 5.5. Objective 3a of the NPF states that it is a national policy objective to *"deliver at least 40% of all new homes nationally within the built up envelope of existing urban settlements"*. The proposed development is a strategically located underutilised site as part of a District Centre landbank in an existing urban settlement adjacent to a quality bus corridor and in close proximity to the M50 and Dublin Airport. The proposed development is therefore compliant with the objective of the NPF.
- 5.6. Objective 4 states *"ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a*

*high quality of life and well being*". The proposed development will provide for a high quality of residential units in accordance with the Design Standards for New Apartments 2020. The proposed materials and finishes will also be of a high quality standard in order to create a unique quality urban place. The proposed development will also provide for retail, creche, and community facility uses at ground floor level which will integrate the existing and future residential communities and wider District Centre.

- 5.7. The application site has the potential to integrate into the existing District Centre, and therefore there is a significant amount of existing services within the Omni Park Shopping Centre, which the subject site forms a large part of. The additional population and density of the proposed development will further strengthen the viability of the District Centre in an appropriate location.
- 5.8. It is considered that the proposed development provides for the creation of an attractive, high quality, sustainable new mixed-use development within the existing urban area of the city. It will also integrate with the existing urban fabric and the district centre, which is solely commercial development of a low density nature. Therefore, the proposal will provide for a more efficient use of land at this location. The provision of the new sustainable development is therefore consistent with the NPF objective.
- 5.9. Objective 11 of the National Planning Framework states that *"there will be a presumption in favour of development that encourages more people, jobs and activity within existing urban areas, subject to development meeting appropriate planning standards and achieving targeted growth"*.
- 5.10. The influx of additional population will support the viability of existing businesses in the district centre. Therefore, the proposed development will support the achievement of all 3 facets of Objective 11 by providing high density residential development in an existing District Centre, strengthening its vitality and role for the area. The proposed development will utilise the existing high quality services and infrastructure already in place. The site is well served by existing high frequency and high capacity public transport with further proposed public transport infrastructure enhancements in the form of BusConnects located adjacent to the east. The proposed development will also provide for creche, community facility and 2 no. retail units which will encourage more people, jobs and activity within existing urban areas.
- 5.11. The NPF continues to state that:

*"Although sometimes necessary to safeguard against poor quality design, planning standards should be flexibly applied in response to well designed development proposals that can achieve urban infill and brownfield development objectives in settlements of all sizes.*

*This is in recognition of the fact that many current urban planning standards were devised for application to greenfield development sites and struggle to take account of evolved layers of complexity in existing built-up areas.*

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

- 5.12. The proposed development is located along one of the main routes into the city centre and is well served by public transport. The existing site is underutilised and presents a key opportunity site as identified in the NPF for redevelopment of a mixed use scheme. The proposed building height ranges from 4 no. storeys to 12 no. storeys. The proposed density (295 units per hectare) and height of the development is considered appropriate for the location of the site and the availability of public transport facilities. The proposed development is therefore in accordance with the objectives of the NPF in this regard.
- 5.13. The proposed development will also complement and provide additional housing to support the ongoing expansion of Dublin Airport, DCU and Beaumont Hospital, all of which are within 3 km of the proposed development.
- 5.14. Objective 13 of the National Planning Framework also states that:
- “In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria enabling alternative solutions that seek to achieve well-designed high quality and safe outcomes in order to achieved targeted growth and that protect the environment”.*
- 5.15. The NPF also states that that *“to avoid urban sprawl and the pressure that it puts on both the environment and infrastructure demands, increased residential densities are required in our urban areas”.*
- 5.16. Santry typically comprises of low rise suburban dwellings which are made up of 3 / 4 bed detached and semi-detached units. The proposed development in conjunction with recently completed, underway or in the planning process apartment developments will help balance the existing provision of housing by providing an alternative choice, thus catering for a broader cohort of the population at a suitable density for the area.
- 5.17. Objective 35 states that it is an objective to:
- “increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site based regeneration and increased building heights”.*
- 5.18. The proposed development entails a mixed use scheme on this brownfield site represents an opportunity to provide for increased densities and increased heights in accordance with the NPF policies and objectives. The NPF provides for a strong emphasis towards increased building heights in appropriate locations within existing urban centres and along public transport corridors. The proposed development ranging in height from 4 to 12 no. storeys is therefore considered appropriate in this location and in accordance with the NPF.

### **Housing for All**

- 5.19. Launched in September 2021, ‘Housing for All, A new Housing Plan for Ireland’ is the Government’s new plan (superseding ‘Rebuilding Ireland’) to boost the supply of housing to 2030; to increase availability and affordability of housing; and to create a sustainable housing system into the future.
- 5.20. The aim of the plan is that: everyone should have access to a home to purchase or rent at an affordable price, built to a high standard and in the right place, offering a high quality of life.

- 5.21. The plan contains a range of actions and measures to ensure over 300,000 new social, affordable, cost rental and private homes are built by 2030. The actions outlined in the Plan are backed by over €4 billion in annual guaranteed State investment in housing over the coming years, including through Exchequer funding, the Land Development Agency and Housing Finance Agency investment. The plan commits to over €20 billion in State investment in housing over the next five years. The plan is set out across four pathways to address the pressing housing challenges facing the State:
- *“Pathway to supporting homeownership and increasing affordability*
  - *Pathway to eradicating homelessness, increasing social housing delivery and supporting social inclusion*
  - *Pathway to increasing new housing supply*
  - *Pathway to addressing vacancy and efficient use of existing stock”*
- 5.22. These pathways are underpinned by long-term actions to address systemic challenges. It aims to create a housing system which has environmental, social and economic sustainability at its heart and which meets the needs of all.
- 5.23. The proposed development will support the achievement of this Plan by providing housing at an appropriate scale and location including social housing. While the detail of this plan has yet to be fully understood, this application is in accordance with the intention and ambition of the plan.

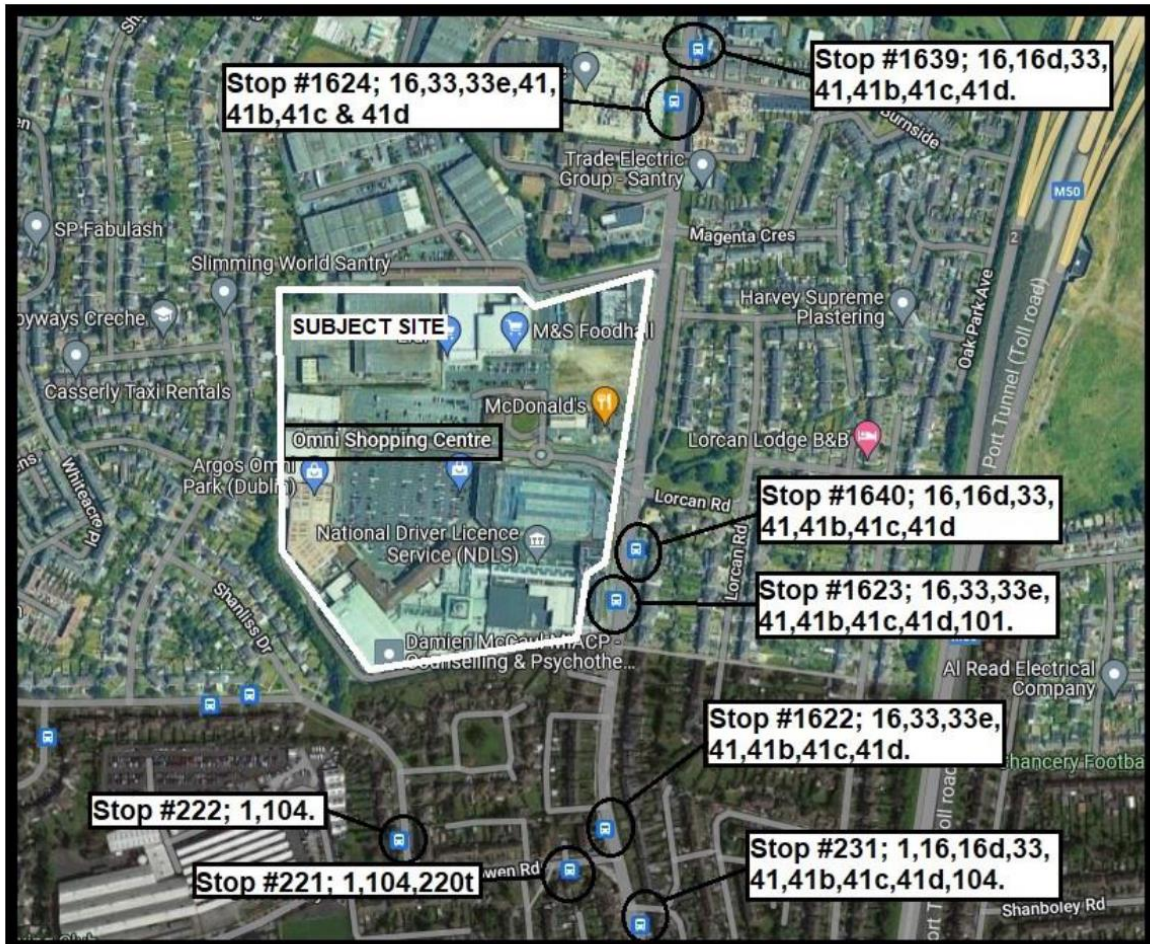
**Sustainable Urban Housing: Design Standards for New Apartments; Guidelines for Planning Authorities (2020);**

- 5.24. The Sustainable Urban Housing Design Standards for New Apartment were published in March and further updated in December 2020 to account for changing policy in relation to Co-Living developments. The guidelines provide for updated guidance on apartment developments in response to the National Planning Framework and Rebuilding Ireland.
- 5.25. A key inclusion in the guidelines is the acknowledgement of the importance of strategic sites in existing urban areas in close proximity to existing public transport facilities. The guidelines identify locations in cities and towns that may be suitable for apartment development as follows:
- Central and/or Accessible Urban Locations
  - Intermediate Urban Locations
  - Peripheral and/ or Less Accessible Urban Locations
- 5.26. The subject site is located within a central and/or accessible urban location. The Apartment Guidelines note that these locations are generally suitable for large scale apartment development and higher density developments. These locations are categorised as including the following:
- *Sites within walking distances (i.e. up to 15 minutes or 1,000-1500m), of principle city centres or significant employment locations, that may include hospitals and third-level institutions;*
  - *Sites within reasonable walking distance (i.e. up to 10 minutes or 800m) to/from high capacity urban public transport stops (such as DART or Luas); and*
  - *Sites within easy walking distance (i.e. up to 5 minutes or 400-500m) of reasonably frequent (i.e. min 10 minute peak hour frequency) urban bus services.*



- 5.27. The subject development is currently located in very close proximity to a Dublin Bus transport corridor with a frequent service c. 10 mins peak hour. The site also has a dedicated bus stop and layby in the existing centre.

All of the bus services referenced within this report are within a circa 200-250m walk distance of the subject site. In terms of the Existing Bus Service Provision and Service Frequency details of same are set out in Appendix A of NRB's TAR.



Extract from NRB Appendix J TAR showing locations of bus stops (Source: NRB, 2022)

- 5.28. The NRB report concludes:

*The assessment confirms that the completion and full occupation of the development will result in an increased demand for bus seats, with an additional 121 customers during the weekday AM Commuter Peak 7-9am (and less during the PM Commuter peak period). This represents a total of 2.2% to 2.8% of the number of bus seats or capacity available locally during the AM Period. We conclude that the additional demand for Buses as a result of the proposed development can be accommodated on the existing and future improved bus services in the area in the context of an estimated average current occupancy rate of 40-50% of existing capacity.*

**Table 2.1: Buses within Easy Walk Distance (as per Figure 2.1)**

Service #	Route	Operator	No. Buses 7-9am (Mon - Fri)	Total Person Capacity * (7-9am)	Thru City Core (Y/N)
1	Santry - Shaw St - Return	Dublin Bus	11	1001	Y
16/16d	Dublin Airport - Ballinteer - Return	Dublin Bus	12	1092	Y
33/33e	Lwr Abbey St - Balbriggan - Return	Dublin Bus	4	364	Y
41	Lwr Abbey St - Swords Mnr - Return	Dublin Bus	7	637	Y
41b	Lwr Abbey St - Rowelstown - Return	Dublin Bus	1	91	Y
41c	Lwr Abbey St - Swords - Return	Dublin Bus	7	637	Y
41d	Lwr Abbey St - Swords Bus Pk - Return	Dublin Bus	1	91	Y
101	Dublin - Drogheda - Dublin	Bus Eireann	5	455	Y
104	Clontarf - DCU - Return	Go Ahead Ire	10	910	N
220t	DCU - Ladyswell Rd - Return	Go Ahead Ire	2	182	N
<b>Total (7-9am) All Routes</b>			<b>60</b>	<b>5460</b>	
<b>Total (7-9am) Routes Via City Centre</b>			<b>48</b>	<b>4368</b>	

\*On the Industry-standard assumption of 91 seats per standard DD Bus

**Extract from NRB Appendix J TAR showing frequency of buses and capacity (Source: NRB, 2022)**

- 5.29. The site's accessibility to bus services will be further enhanced with a high frequency service to be provided by BusConnects (Main Spine Routes A2 & A4) which is to run along the R132 Swords Road (Swords-Airport-Santry-City).
- 5.30. The site also forms part of a well established and defined District Centre. The subject site therefore falls into the central and/or accessible urban locations category and is therefore suitable for high density apartment developments.
- 5.31. There are over 80 no. retail units in Omni Shopping Centre (c. 38,000 sq.m total), ranging from 3 no. large supermarkets/department stores (Lidl, Tesco and M&S at the 1000 to 2000 sq.m range) to a wide range of smaller units.
- 5.32. The Omni Shopping Centre has an important and ongoing role in ensuring the overall retail vitality of Santry. There are a growing number of restaurants and coffee shops reflecting a national trend toward combining retail with leisure and dining activity.
- 5.33. A Community and Local Needs Audit and an Omni District Centre Overview are submitted with the application, setting out the range of existing services and community, education, amenity and leisure facilities in the Omni Centre and wider area. This Audit clearly demonstrates the extensive services existing in Omni Park and generally in the vicinity of the site which will support the future residents of the subject development.
- 5.34. A schools demand assessment and has been prepared by KPMG Future Analytics this report states:

*"Combining this demand with the possible demand generated by developments currently in pipeline within the study area, it is likely that the existing school network is likely to be faced with an additional demand for c.628 no children. This includes 349 no. primary and 279 no. post primary children."*

5.35. Further, this report concludes: *the school demand generated by the proposed development, is likely to be accommodated within the existing school networks in the locality.*

5.36. The Guidelines also note that the scale and extent of the development should increase where the site is strategically located near quality public transport hubs, service and urban amenities.

*“The scale and extent of apartment development should increase in the relation to proximity to core urban centres and other relevant factors. Existing public transport nodes or locations where high frequency public transport can be provided, that are close to locations of employment and a range of urban amenities including parks/waterfronts, shopping and other services also particularly suited to apartments.”*

5.37. The proposed development is located adjoining a proposed BusConnects corridor, is integrated within the Omni Shopping Centre and is c. 10 minute walking distance of Santry Park, which provides for a significant public amenity space for future residents. It is therefore considered that the proposed development is suitable for increased heights and increased densities in accordance with the objectives of the apartment guidelines.

5.38. The Guidelines also note that in Central and/or Accessible Urban Locations planning authorities must consider a reduced overall car parking standard.

*“In more central locations that are well served by public transport, the default policy is for car parking to be minimised, substantially reduced or wholly eliminated in certain circumstances.”*

5.39. The proposed development in this regard will provide for 213 no. car parking spaces which results in a ratio of 0.48 spaces per unit which will encourage a modal shift to more sustainable forms of transport.

#### Housing Mix

5.40. In relation to Housing Mix, SPPR 1 states the following:

*“Apartment developments may include up to 50% one bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms”.*

5.41. The proposed development provides for 1 No. studio, 221 no. 1-bed units (48%), 211 (46%) no. 2-bed units and 24 (5%) no. 3-bed units.

#### Apartment Sizes

5.42. The apartment guidelines set out the minimum floor areas for apartment units as follows:

<b>Apartment Type</b>	<b>Minimum Size</b>
Studio	37 sq.m.
1 bedroom	45 sq.m.
2 bedroom (3 person)	63 sq.m.
2 bedroom	73 sq.m.

3 bedroom	90 sq.m.
-----------	----------

- 5.43. All of the proposed units meet or exceed the minimum apartment sizes. A HQA has been prepared by John Flemming Architects and accompanies this application to demonstrate compliance with the relevant standards.

Aspect Ratios

- 5.44. The apartment guidelines state that a minimum of 50% dual aspect apartments should be provided in any development and that a minimum of 33% dual aspect units should be provided in central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage.
- 5.45. The proposed development provides for an overall of 46% dual aspect units, well in excess of the 33% requirement of the apartment guidelines for such locations. A Housing Quality Assessment prepared by John Flemming Architects is submitted as part of this application which demonstrates compliance with the applicable standards. No single aspect north facing units are proposed.
- 5.46. As set out in the JFA Design Statement:

*“From the outset the design team placed a high importance on maximising the number of dual aspect apartments in the scheme.*

*Measures to improve the number of dual aspects such as increasing the number of cores have been incorporated into the design. Care has also been taken to ensure that there are no Single aspect North facing units.*

*Where possible, units that would ordinarily have been considered single aspect have been improved with a projecting bay window that will capture light and views from multiple aspects. We refer to this as an “Enhanced Single Aspect” apartment. Circulation”*





Typical Floor Plan showing the Orientation of standard units

## LEGEND

- Dual Aspect
- Single Aspect
- Enhanced Single Aspect

\* Enhanced Single Aspect Units are single aspect apartments with additional design features to improve Sunlight & Daylight

**Extract from JFA Design Statement illustrating orientation of proposed units aspect (Source: JFA, 2022).**

### Open Space

- 5.47. The apartment guidelines set out standards for private and communal open space. All residential units contain private open space in the form of terraces or balconies.



**CGI of Proposed Open Space Courtyard 2 (Source: JFA, 2022).**

- 5.48. Communal Amenity Space is calculated as 5 sq. m for a 1 bed unit, 7 sq.m. for a 2 bed unit 9 sqm for a 3 bed. The overall requirement would therefore equate to 2,798 sq.m.
- 5.49. The proposed development will provide for a mix of internal and external communal spaces. The outdoor amenity space is provided within the 3 no. central courtyards. The proposed development will also provide for internal amenity spaces for the residents. The proposed development provides for 4,118 sq.m. of internal and external amenity area which is in 44.48% in excess of the apartment guidelines standards.

#### *Density*

- 5.50. The Apartment Design Standards acknowledge the need to significantly increase housing supply in order to meet housing demand. For this reason, increased housing supply must include a dramatic increase in the provision of apartment development. The scale and extent of apartment development should increase in relation to proximity to core urban centres and other relevant factors. This consideration is reflected in the NPF, of relevance include objectives 27, 33 and 35 of the NPF which prioritise the

provision of new homes at locations that can support sustainable development encouraging increased densities in settlements where appropriate. Prime locations include existing public transport nodes or locations where high frequency public transport can be provided, that are close to locations of employment and a range of urban amenities.

- 5.51. The Apartment Design Standards align with National Policy Objective 35 which aims to:

*Increase residential density in settlements, through a range of measures including reductions in vacancy, reuse of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.*

In respect of Dublin city, Regional Policy Objective 4.3 is to ‘support the consolidation and re-intensification of infill/brownfield sites to provide high density and people intensive uses within the existing built up area of Dublin city and suburbs and ensure that the development of future development areas is co-ordinated with the delivery of key water infrastructure and public transport projects’.

- 5.52. Other Section 28 guidance, including the Building Heights Guidelines, the Sustainable Residential Development Guidelines and the Apartment Guidelines, assist in determining those locations most appropriate for increased densities. The Guidelines define the types of location in cities and towns that may be suitable for increased densities, with a focus of the accessibility of the site by public transport and proximity to city/town/local centres or employment locations
- 5.53. The proposed density on the subject site is 295 no. units per hectare. It is considered that the proposed density is appropriate given the National Policy objective to increase residential density in existing urban infill and underutilised brownfield sites. Comparable or higher densities have also been granted permission by An Bord Pleanála since the adoption of the National Planning Framework.
- 5.54. The intention of national and regional policy in this regard is clear and the proposal will increase residential density on a brownfield site within a district centre and adjacent to high quality public transport. As set out above the proposed development also meets the locational criteria set out in the Apartment Design Standards.
- 5.55. We note other comparable permitted developments have achieved similar densities, We also note a number developments located in similar district centre contexts, as set out below:

<b>Scheme</b>	<b>Proposed Density</b>
Omni Living 307011-20	250 u / ha.
Swiss Cottage 303358-19	233 u / ha
James Street 308871-20	343 u / ha
Beach Road 310299-21	291 u / ha
Former Eason's Warehouse 310112-21	228 u / ha
Former Heidelberg / Miller Building, S.C.R Garage sites,309627-21	330 u / ha

- 5.56. In relation to Swiss Cottage ABP found the density acceptable at approx. 233 units per hectare. The site is located along a quality bus corridor and in close proximity to existing employment centres such as industrial estates, the airport and other strategic



routes in Dublin Metropolitan Area and as such the density proposed is considered acceptable.

- 5.57. In regard to the adjacent Omni Living scheme, the Inspector stated: *“The proposed development is located in a Metropolitan area, with excellent accessibility to high frequency bus routes into the city centre and to Dublin Airport. Within the immediate area surrounding the site there are a range of largescale retail, business and other institutions that will also provide employment opportunities and services to future residents of the development. I consider that the site can sustainably support the scale and density level proposed. I consider that the proposal does not represent over-development of the site and is acceptable in principle on these lands.”*
- 5.58. Proposals for increased density should promote the highest quality of urban design and open space. The proposed development respects the existing character, context and urban form of the area and seeks to protect the existing and future residential amenity. As set out within the Architectural Design Statement prepared by JFA the proposed development is of a high-quality architectural design, its scale and massing has been varied to create a building which does not dominate the local context. These design considerations are discussed further in the proceeding sections.

### **Urban Development and Building Height Guidelines 2018**

- 5.59. The Urban Development and Building Height Guidelines ('Guidelines') set out national planning policy guidelines on building heights in urban areas in response to specific policy objectives set out in the National Planning Framework and Project Ireland 2040 and Regional Spatial and Economic Strategy.
- 5.60. The Guidelines in effect seek denser development at public transport nodes. The Guidelines state that it is Government policy to promote increased building height in locations with good public transport services.
- 5.61. The Guidelines emphasise the policies of the NPF to **greatly increase levels of residential development in urban centres** and significantly increase building heights and overall density and to ensure that the transition towards increased heights and densities are **not only facilitated but actively sought out** and brought forward by the planning process and particularly at Local Authority level and An Bord Pleanála level.
- 5.62. Under Section 28 (1C) of the Planning and Development Act 2000 (as amended), Planning Authorities and An Bord Pleanála will be required to have regard to the guidelines and apply any specific planning policy requirements (SPPR's) of the guidelines in carrying out their function.
- 5.63. Section 9(3) of the Planning and Development (Housing) and Residential Tenancies Act, 2016 provides as follows:

*“(3)(a) When making its decision in relation to an application under this section, the Board shall apply, where relevant, specific planning policy requirements of guidelines issued by the Minister under section 28 of the Act of 2000.*

*(b) Where specific planning policy requirements of guidelines referred to in paragraph (a) differ from the provisions of the development plan of a planning authority, then those requirements shall, to the extent that they so differ, apply instead of the provisions of the development plan.*



*(c) In this subsection “specific planning policy requirements” means such policy requirements identified in guidelines issued by the Minister to support the consistent application of Government or national policy and principles by planning authorities, including the Board, in securing overall proper planning and sustainable development.”*

5.59 SPPRs as stated in the Guidelines, take precedence over any conflicting, policies and objectives of development plans, local area plans. Where such conflicts arise, Section 9(3)(b) of the 2016 Act, as amended, provides that to the extent that they differ from the provisions of the Development Plan or Local Area Plans, the provisions of SPPRs must be applied instead.

5.64. The Guidelines also state that the implementation of the National Planning Framework requires increased density, scale and height of development in town and city cores with an appropriate mix of uses.

5.65. In relation to redevelopment and enhancement of the city core, the guidelines state that *“to meet the needs of a growing population without growing out urban areas outwards requires more focus in planning policy and implementation term on reusing previously developed “brownfield” land, building up urban infill sites (which may not have been built on before) and either reusing or redeveloping existing sites and buildings that may not be in the optimal usage or format taking into account contemporary and future requirements”.*

5.66. The Guidelines also place significant emphasis on promoting development within the existing urban footprint utilising the existing sustainable mobility corridors and networks.

*“In order to optimise the effectiveness of this investment in terms of improved and more sustainable mobility choices and enhanced opportunities and choices in access to housing, jobs, community and social infrastructure, development plans must actively plan for and bring about increased density and height of development within the footprint of our developing sustainable mobility corridors and networks”.*

5.67. The Guidelines further states that *“the preparation of development plans, local area plans, and Strategic Development Zone Planning Schemes and their implementation in the city, metropolitan and wider urban areas must therefore become more proactive and more flexible in securing compact urban growth through a combination of both facilitating increased densities and building heights”.*

5.68. The proposed development is located at a strategic location which will be integrated with an existing District Centre which is a significant employment location for the area, along an existing and proposed Public Transport Corridor and within c.10 minute walking distance of a large park. The proposed development is located within close proximity to the Swords Road. The proposed development therefore represents an opportunity to provide for increased building heights and densities at this location. Other significant employment locations are located in close proximity such as Dublin Airport, DCU, Furry Park Industrial Estate and Airways Industrial Estate.

5.69. In summary, the proposed development supports the achievement of the objectives within the Guidelines as follows:

- *Regeneration of an under-utilised brownfield site*
- *Removal of an existing industrial use in favour of residential use as part of a mixed use centre*

- *Development within the urban extent of Dublin City which supports the ambition within national and regional policies to achieve compact development*
- *Increased residential development at a sustainable density within the urban extent of Dublin city*
- *The optimal use of land within an existing district centre which currently has a low plot ratio primarily due to the retail formats*

5.70. Government policy requires higher density developments not only to be facilitated but to be actively sought in the development process. The proposed development makes a significant contribution in this regard through a large quantum of residential units as part of a high quality scheme.

5.71. SPPR3 of the Urban Development and Building Heights Guidelines 2018 states:

**SPPR 3**

*It is a specific planning policy requirement that where;*

- (A) *1. an applicant for planning permission sets out how a development proposal complies with the criteria above; and  
2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines;*

*then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise.*

- (B) *In the case of an adopted planning scheme the Development Agency in conjunction with the relevant planning authority ( where different) shall, upon the coming into force of these guidelines, undertake a review of the planning scheme, utilising the relevant mechanisms as set out in the Planning and Development Act 2000 (as amended) to ensure that the criteria above are fully reflected in the planning scheme. In particular the Government policy that building heights be generally increased in appropriate urban locations shall be articulated in any amendment(s) to the planning scheme*

- (C) *In respect of planning schemes approved after the coming into force of these guidelines these are not required to be reviewed.*

5.72. We note the following development management principles as set out in the guidelines Section 3.1:

*“In relation to the assessment of individual planning applications and appeals, it is Government policy that building heights must be generally increased in appropriate urban locations. There is therefore a presumption in favour of buildings of increased height in our town/city cores and in other urban locations with good public transport accessibility. Planning authorities must apply the following broad principles in considering development proposals for buildings taller than prevailing building heights in urban areas in pursuit of these guidelines:*

*Does the proposal positively assist in securing National Planning Framework objectives of focusing development in key urban centres and in particular, fulfilling*

*targets related to brownfield, infill development and in particular, effectively supporting the National Strategic Objective to deliver compact growth in our urban centres?*

- 5.73. Objective 3a of the NPF states that it is a national policy objective to “*deliver at least 40% of all new homes nationally within the built up envelope of existing urban settlements*”. The proposed development is a strategically located underutilised site as part of a District Centre landbank in an existing urban settlement adjacent to a quality bus corridor and a range of other existing routes, and in close proximity to the M50 / Dublin Airport.
- 5.74. The existing site is underutilised and presents a key opportunity site as identified in the NPF for redevelopment of a mixed use scheme. The proposed building height ranges from 4 no. storeys to 12 no. storeys. The proposed density (295 units per hectare) and height of the development is considered appropriate for the location of the site and the availability of public transport facilities.
- 5.75. The NPF also states that that “*to avoid urban sprawl and the pressure that it puts on both the environment and infrastructure demands, increased residential densities are required in our urban areas*”.
- 5.76. Santry typically comprises of low rise suburban dwellings which are made up of 3 / 4 bed detached and semi-detached units. The proposed development in conjunction with recently completed, underway or in the planning process apartment developments will help balance the existing provision of housing by providing an alternative choice, thus catering for a broader cohort of the population at a suitable density for the area.
- 5.77. Objective 35 states that it is an objective to: “*increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site based regeneration and increased building heights*”.
- 5.78. The proposed development entails a mixed use scheme on this brownfield site represents an opportunity to provide for increased densities and increased heights in accordance with the NPF policies and objectives. The NPF provides for a strong emphasis towards increased building heights in appropriate locations within existing urban centres and along public transport corridors. The proposed development ranging in height from 4 to 12 no. storeys is therefore considered appropriate in this location and in accordance with the NPF.

*Is the proposal in line with the requirements of the development plan in force and which plan has taken clear account of the requirements set out in Chapter 2 of these guidelines?*

- 5.79. As set out within this Planning Report and Statement of Consistency the proposed development is in compliance with the Dublin City Development Plan except where specifically identified. Where any Material Contraventions have occurred, these are identified and a justification and rational for same set out in the Statements of Material Contravention prepared by JSA.

*Where the relevant development plan or local area plan pre-dates these guidelines, can it be demonstrated that implementation of the pre-existing policies and objectives of the relevant plan or planning scheme does not align with and support the objectives and policies of the National Planning Framework?*

- 5.80. The Dublin City Development Plan pre-dates the Building Height Guidelines, which came into force in December 2018. The Development Plan continues to apply a numerical limit on height in the City. As highlighted generally within this Planning Report national and regional policy gives clear direction that height and residential density be increased while ‘a more performance criteria driven approach’ should be applied by planning authorities. The proposed height and density are entirely suitable for the subject site for the reasons set out below.

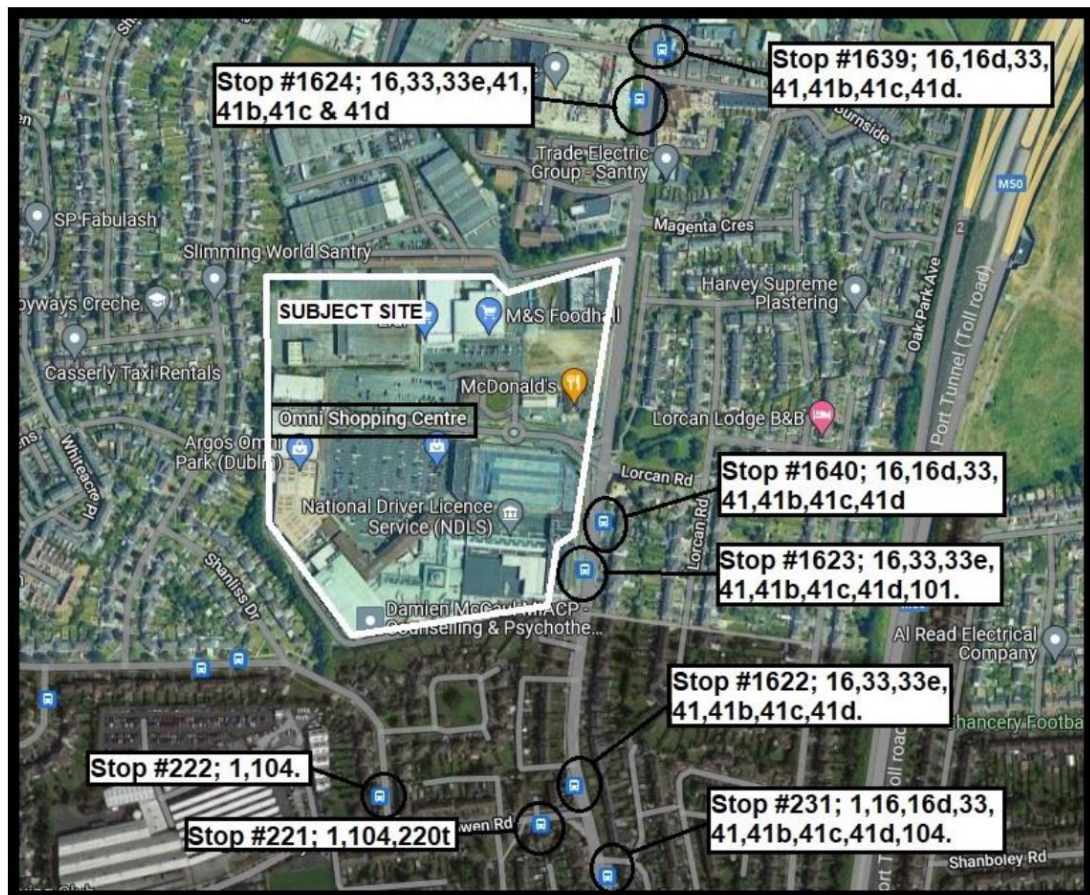
#### At the scale of the relevant city/town

- 5.81. The criteria for assessment of developments, as set out in Section 3.2, at the scale of the relevant city/ town are addressed below:

*“The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport;”*

- 5.82. The subject development is currently located in very close proximity to a Dublin Bus transport corridor with a frequent service c. 10 mins peak hour. The site also has a dedicated bus stop and layby in the existing centre. While the existing bus corridor is currently not in use, the increased activity at this location could potentially justify its reuse by Dublin Bus as a further enhancement to the already high quality and high frequency public transport offer.

All of the bus services referenced within this report are within a circa 200-250m walk distance of the subject site. In terms of the Existing Bus Service Provision and Service Frequency details of same are set out in Appendix A of NRB’s TAR.





**Extract from NRB Appendix J TAR (Source: NRB, 2022)**

5.83. The NRB report concludes:

*The assessment confirms that the completion and full occupation of the development will result in an increased demand for bus seats, with an additional 121 customers during the weekday AM Commuter Peak 7-9am (and less during the PM Commuter peak period). This represents a total of 2.2% to 2.8% of the number of bus seats or capacity available locally during the AM Period. We conclude that the additional demand for Buses as a result of the proposed development can be accommodated on the existing and future improved bus services in the area in the context of an estimated average current occupancy rate of 40-50% of existing capacity.*

**Table 2.1: Buses within Easy Walk Distance (as per Figure 2.1)**

Service #	Route	Operator	No. Buses 7-9am (Mon - Fri)	Total Person Capacity * (7-9am)	Thru City Core (Y/N)
1	Santry - Shaw St - Return	Dublin Bus	11	1001	Y
16/16d	Dublin Airport - Ballinteer - Return	Dublin Bus	12	1092	Y
33/33e	Lwr Abbey St - Balbriggan - Return	Dublin Bus	4	364	Y
41	Lwr Abbey St - Swords Mnr - Return	Dublin Bus	7	637	Y
41b	Lwr Abbey St - Rowelstown - Return	Dublin Bus	1	91	Y
41c	Lwr Abbey St - Swords - Return	Dublin Bus	7	637	Y
41d	Lwr Abbey St - Swords Bus Pk - Return	Dublin Bus	1	91	Y
101	Dublin - Drogheda - Dublin	Bus Eireann	5	455	Y
104	Clontarf - DCU - Return	Go Ahead Ire	10	910	N
220t	DCU - Ladyswell Rd - Return	Go Ahead Ire	2	182	N
<b>Total (7-9am) All Routes</b>			<b>60</b>	<b>5460</b>	
<b>Total (7-9am) Routes Via City Centre</b>			<b>48</b>	<b>4368</b>	

\*On the Industry-standard assumption of 91 seats per standard DD Bus

**Extract from NRB Appendix J TAR (Source: NRB, 2022)**

5.84. The site's accessibility to bus services will be further enhanced with a high frequency service to be provided BusConnects (Main Spine Routes A2 & A4) which is to run along the R132 Swords Road.

*"Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views. Such development proposals shall undertake a landscape visual assessment, by suitably qualified practitioner such as a chartered landscape architect"*

5.85. The proposal has varied its massing, concentrating the taller element away from the existing low density residential dwellings to the west, yet providing for a strong urban edge and active frontage to Omni Park. The proposal, at ground level to the Omni Shopping Centre, incorporates activity to the public realm in the form of the amenities afforded to the residential development, retail units, creche and community facility. Residential open space is also incorporated, providing for footfall and passive surveillance. The private open space defensible area has been well considered and landscaped to provide for a balance of privacy and activity.

- 5.86. The Plaza provides for a considered and coherent integration of this new quadrant of the district centre within that current in existence and shall act as a destination for both retail and residential users alike. An area of existing surface car parking is removed to facilitate a generous plaza area with the landscape design intent to integrate the proposed new development with the existing centre.



**CGI of Proposed public plaza view of approach to public plaza from the east (Source: 3DDB, 2022).**

- 5.87. The proposal will make a positive contribution to the public realm in the area, particularly with the delivery of the public plaza space 2,028 sqm in size (to the south of the proposed development), improving the wider permeability and circulation for the District Centre and creating a vibrant space supported by the proposed commercial units and new population of occupants of the residential development. The proposed development will provide linkages with permitted Omni Living SHD to the east (ABP Reg. Ref. 307011) through a coherent pedestrian environment which will be safe and convenient to use.
- 5.88. The proposal further contributes to the existing scenario, through the replacement of an underutilised industrial facility with a high quality, residential led development, which will improve the visual attractiveness of the area.



- 5.89. Murray Associates have undertaken a Landscape and Visual Impact Assessment (contained in the EIAR and as a separate enclosure) for the proposed development.

*“During construction, there will be a change to the landscape and there will be negative visual effects for residents and visitors to the areas adjacent to the site associated with construction activity.*

*In the medium to long-term, the landscape effects due to the completed development would overall be moderate and positive, due to the conversion from industrial warehouses positioned in a closed space to a public and integrated space. In the longer term, the assessment concludes that the proposed development will continue to fit into the landscape and visual character of the area.*

*Landscape works are proposed to reduce and offset any effects generated due to the proposed development at ground level, where possible. The planting of substantial numbers of new trees and plantings will enhance the overall appearance of the new development. Further to this, there is a net gain of c. 150 new trees planted within the site and approximately 3,400 sqm of new planting at ground level.*

*While the effects on views persist, the tree and shrub planting will increase the visual quality within the site. Future visitors to the development will perceive the development in positive terms due to the context and the quality of the public realm and proposed buildings.*



**CGI of Proposed elevation to western boundary (Source: JFA, 2022).**

- 5.90. The proposed development has been designed to address adjacent sensitivities, in particular residential to the west but also to provide an appropriate design response to the shopping centre itself. The proposed development also provides for active ground floor retail, creche and community facility which provides for community services and facilities thereby creating a sense of place within the proposed development.
- 5.91. As set out above, the proposal provides for a variety in massing, concentrating the taller elements away from the existing low density residential dwellings, whilst achieving a higher density appropriate for such locations.
- 5.92. The criteria for assessment of developments at the scale of district/ neighbourhood / street context are addressed below:

*“The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape;”*

- 5.93. The proposed development ranges in height from 4 no. storeys to 12 no. storeys. The range in building heights takes account of the surrounding context of development, in particular the existing Omni Park Shopping Centre and permitted Omni Living SHD to the east. The reduced height along the western boundary at 4 no. storeys responds to the adjacent existing residential properties within the Shanliss estate and provides for an appropriate transition in heights from the existing 2 no. storey residential dwellings and the 4 no. storey proposal facing west.
- 5.94. The area to the north is primarily commercial and industrial in nature. However, the area has potential, and indeed having regard to the permitted Swiss Cottage and Santry Place (Dwyer Nolan) Schemes, will undergo a change to a mixed use area with industrial lands being redeveloped for residential and associated uses.



**Proposed southern elevation including Omni Living (Source: JFA, 2022).**

*“The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of perimeter blocks or slab blocks with materials / building fabric well considered;”*

- 5.95. The proposed development is set out in four blocks. Blocks C and D are linear in nature in a north south alignment while block A and B step down to the west. The materials and finishes of the proposed blocks will be designed to a high architectural standard and will be consistent with the surrounding developments. The proposed development ranges in building heights in response to the existing properties and permitted development surrounding the subject site. The variation in the building heights provides for visual interest to the development and avoids a monolithic visual appearance. Overall, the proposed development makes a positive contribution to the existing and permitted height in the area.



- 5.96. The materials and finishes have also been considered with regard to the surrounding existing pattern of development and material pallet in the locality. It is considered that the proposed development is in keeping with the character and building fabric of the area and in particular the existing centre.

*“The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway / marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of the “The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009);”*

- 5.97. The proposed development enhances the urban design context for public spaces by extending the public realm by creating a public plaza in the south eastern corner, and providing animation and activity to this corner. In addition, the public realm improvements will complete the public realm and improve connections between the shopping centre and the Swords Road via the link to the east included within the application in Response to the ABP Opinion, ensuring a pleasant and safe pedestrian environment.



**CGI of Proposed link to Swords Road (Source: 3DDB, 2022).**

- 5.98. Furthermore, the proposal contributes to enhancing the overall character and quality of the public realm at this location by removing the current inactive frontage of the site which consists of a blank wall and creating animation at ground floor.
- 5.99. The proposal has been subject to a Site Specific Flood Risk Assessment prepared by EirEng which concludes that there is a low risk of flooding on the subject site.

*“The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner.”*

- 5.100. The proposed development significantly enhances the public realm and active frontage at this location. The provision of ground floor active uses creates a new urban design character and vitality to a corner of the district centre which was unused and vacant.

5.101. The proposed development significantly improves the pedestrian quality of the development and creates a more appropriate use of the subject site by providing active retail, creche and community facility uses at ground level with high quality residential accommodation on the upper levels.

5.102. The proposed pedestrian connections and public spaces will be extremely beneficial to Santry which currently lacks a clear integration to the district centre or any public plaza. This space makes a positive contribution to the improvement of legibility through the site. The proposed pedestrian routes through the site creates new connections for the existing residents of the area which promote more sustainable modes of transport such as walking and cycling.

*“The proposal positively contributes to the mix of uses and / or building/ dwelling typologies available in the neighbourhood”*

5.103. The proposed development provides for a mix of uses which includes, 457 no. residential units, a creche, community facility and 2 No. retail/café/restaurant units. As stated above the proposal also provides for a public plaza to the south of the subject site.

5.104. The residential element of the proposal provides for following mix of typologies: The proposed development provides for a mix of 1 No. studio, 221 no. 1-bed units (48%), 211 (46%) no. 2-bed units and 24 (5%) no. 3-bed units.

5.105. In addition, paragraph 3.6 of the Guidelines state that *“development should include an effective mix of 2, 3 and 4 storey development which integrates well into existing and historical neighbourhoods and **4 storeys or more** can be accommodated alongside existing larger buildings, trees and parkland, river/ sea frontage and along wider streets”*.

5.106. The proposed development provides for a range of building heights between 4 no. and 12 no. storeys in close proximity to a QBC and within walking distance of a substantial parkland area, Santry Park. The proposed development in accordance with the guidelines can therefore achieve 4 no. storeys or more in this location in accordance with paragraph 3.6 above of the Guidelines.

5.107. Finally, the Guidelines set out the following criteria for developments at the scale of the site / building:

*“The form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light.”*

5.108. A daylight/ sunlight assessment has been prepared by 3DDB and is submitted with this application. The report addresses the availability and quality of internal lighting within the development, access to adequate sunlight within the proposed open spaces and any potential impact on the surrounding area.

*“The form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light”*

*Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like the Building Research*

*Establishment's Site Layout Planning for Daylight and Sunlight (2<sup>nd</sup> Edition) or BS 8206-2:2008 – 'Lighting for Buildings – Part 2: Code Practice for Daylighting'.*

*Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution"*

- 5.109. This Daylight and Sunlight Assessment Report has studied the effect the proposed development would have on the level of daylight and sunlight received by the neighbouring residential properties that are in close proximity to the proposed development and the quality of amenity for future occupants of the proposed development. The assessment has been prepared in reference to the above reference guidance.
- 5.110. The impact assessment that was carried out for the purpose of this report has studied the potential levels of effect the surrounding existing environment and/or properties would sustain, should the proposed development be built as proposed.
- 5.111. The assessment concludes:

*"These studies have shown that whilst the proposed development, in conjunction with the granted SHD (ABP-307011-20), would cause a perceptible reduction to some of the assessed commercial premises, there would be a negligible level of effect to the daylight and sunlight received by all existing neighbouring properties.*

*The scheme performance assessment for this report has quantified the level of daylight and sunlight within the proposed development. Future residents will have access to external amenity areas capable of receiving sufficient levels of sunlight with a reasonable percentage of proposed units have achieved the minimum recommendation for Sunlight Exposure. The vast majority of proposed units have the recommended level of daylight as shown in the study of Spatial Daylight Autonomy.*

*The supplementary ADF assessment as per the ABP request and for comparative purposes shows the net positive impact of all implemented design amendments...*

*In this context, it is the opinion of 3D Design Bureau, that the proposed development serves as a great example of how proposed urban developments can achieve both high compliance rates for SDA whilst maintaining a high level of density in compliance with national and regional design policy."*

- 5.112. In regard to compensatory measures 3DDB state:
- Where rooms are compliant with the criteria of BRE 209 and non-compliant with I.S. EN 17037, it could be considered that this is due to the exceptionally high standards required to achieve compliance with I.S. EN 17037 rather than an indication of insufficient daylight.*

*Based on the above statements, compensatory measures have been incorporated into the design of the proposed development where rooms do not achieve the daylight provision targets in accordance with the standards they were assessed against within the primary study (BRE 209).*



- 5.113. The 3DDB Report list indicates all units / rooms that do not achieve the recommended level of daylight with regards to BRE 209 and the compensatory design measure for each.
- 5.114. It is respectfully submitted that the proposed development has had regard to the planning policy framework as set out in the building height guidelines and National Planning Framework. The proposed development complies with such objectives therefore is considered to be in accordance with the provisions of national policy guidelines.

### **Specific Assessments**

**Specific impact assessment of the micro-climatic effects such as down-draft. Such assessments shall include measures to avoid/ mitigate such micro-climatic effects and, where appropriate, shall include an assessment of the cumulative micro-climatic effects where taller buildings are clustered.**

- 5.115. A Microclimate Effects On Wind And Pedestrian Comfort assessment has been carried out by B-fluid which concludes:

- *“The proposed development does not impact or give rise to negative or critical wind speed profiles at the nearby adjacent roads, or nearby buildings. Moreover, in terms of distress, no critical conditions were found for “Frail persons or cyclists” and for members of the” General Public” in the surroundings of the development.*
- *The development is designed to be a high-quality environment for the scope of use intended of each area/building (i.e., comfortable, and pleasant for potential pedestrians).*
- *The assessment of the proposed scenario has shown that no area is unsafe, and no conditions of distress are created by the proposed development..”*

**In development locations in proximity to sensitive bird and / or bat areas, proposed developments need to consider the potential interaction of the building location, building materials and artificial lighting to impact flight lines and / or collision.**

- 5.116. Environmental assessments including Appropriate Assessment Screening and the Biodiversity Chapter of the EIAR have been prepared by Altamar Environmental consultants.

- 5.117. In terms of potential for bird collision Altamar conclude:

*“The proposed development is within a built up environment and not proximate to large open grassland sites that could potentially attract wintering bird species. No significant impacts are foreseen in relation to bird strikes.”*

- 5.118. In terms of potential for bat impacts Altamar conclude:

*“There is no evidence of a current bat roost on site, therefore no negative impacts on roosts these animals are expected to result from the proposed development. The proposed development is within a built-up area with existing lighting and light spill and there is no foraging on site. The likelihood of bat collision is not significant as the materials proposed for the apartment blocks are generally solid and would have good acoustic properties to reflect echolocation signals. As a result, the buildings would be*

*clearly visible to bat species. The impact of the proposed development on bats will be negligible in the long term based on the successful implementation mitigation."*

**An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links.**

- 5.119. A Telecommunication Impact Assessment prepared by ISM has been prepared and is enclosed with this application, this report concludes:

*"It is therefore our findings that the Development, as of the date of this report, will not impact any telecommunication channels, and on foot of these findings, have not made any recommendations that the Applicant implement any mitigation infrastructure at this time."*

**An assessment that the proposal maintains safe air navigation.**

- 5.120. The applicant has consulted with the Irish Aviation Authority whom noted *"that the highest Above Mean Sea Level (AMSL) elevation for the completed buildings will be 98.025m AMSL. This value falls below the IFP safeguarding elevation we apply for this area of 106m and therefore is not a concern for the IAA ANSP. Equally, the Obstacle Limitation Surface (OLS) for which daa (copied), are responsible for safeguarding, should be unaffected, being below 112m AMSL."* A condition prior to construction is suggested with respect to cramage during construction. Please see IAA correspondence attached to the application form.

**An urban design statement including, as appropriate, impact on the historic built environment.**

- 5.121. An Architectural Design Statement prepared by John Fleming Architects is submitted in addition to the LVIA undertaken by Murray Associates. The LVIA notes the majority of receptors are not sensitive and there are no protected structures or Architectural Conservation Areas proximate.

**Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate.**

- 5.122. Appropriate Assessment Screening has been prepared by Altermar. An EIAR has also been included within this development proposal prepared by AWN Environmental Consulting and others including a Biodiversity Chapter.

**Regional Spatial Economic Strategy – Eastern and Midlands Regional Assembly (2019-2031)**

- 5.123. The Regional Spatial and Economic Strategy – Eastern and Midlands Regional Assembly is a strategic plan and investment framework to shape the future development of the eastern region to 2031 and beyond. The principle function of the assembly is the delivery of a Regional Spatial and Economic Strategy (RSES), a new concept in Irish planning where not only the spatial but also the economic factors that go into the future of the region are brought together into one all encompassing strategy.
- 5.124. In particular the following economic factors of relevance which include the loss of retail activity as a result of shift toward online shopping; and, the reimagining of shopping centres to as having increased mixed retail / leisure / residential. Additional residential uses will help support existing commercial uses and serve to attract substantial retail,

leisure and community uses. The mix of uses will encourage dwell time further enhancing the activity and vibrancy of the Centre.

5.125. The RSES notes that the Dublin Metropolitan Area is focused on the capital as its main gateway to the nation and the largest economic contributor. Growth enablers for the DMA include:

- *Achieving a 250,000 growth in population to 1.65 million by 2031;*
- *Build at least 50% of all new homes within the existing built up area;*
- *Deliver strategic development along high-quality public transport corridors in tandem with the delivery of infrastructure;*
- *Promote the development of underutilised, brownfield lands.*

5.126. The primary status of the RSES is to support the implementation of Project Ireland 2040 – the National Planning Framework (NPF) and National Development Plan (NDP) and the economic policies and objectives of the Government by providing a long term strategic planning and economic framework for the development of the region.

5.127. The RSES is required under the Planning and Development Act 2000 (as amended) to address employment, retail, housing, transport, water services, energy and communications, waste management, education, health, sports and community facilities, environment and heritage, landscape, sustainable development and climate change.

5.128. The RSES supports the consolidation and re-intensification of infill, brownfield sites to provide high density and people intensive uses within the existing built up area of Dublin city and suburbs and ensure that the development of future development areas is co-ordinated with the delivery of key water infrastructure and public transport projects.

5.129. Regional Strategic Outcome No. 12 is to build a ‘Strong Economy supported by Enterprise and Innovation’ through the creation of a resilient economic base and promote cluster development and sustained economic growth.

*In respect of Dublin city, Regional Policy Objective 4.3 is to ‘support the consolidation and re-intensification of infill/brownfield sites to provide high density and people intensive uses within the existing built up area of Dublin city and suburbs and ensure that the development of future development areas is co-ordinated with the delivery of key water infrastructure and public transport projects’.*

5.130. A Metropolitan Area Strategic Plan (MASP) for Dublin is incorporated into the RSES. The MASP identifies a number of large-scale strategic residential and economic development areas that will deliver significant development in an integrated and sustainable manner in the metropolitan area. The MASP provides a 12-year strategic planning and investment framework for the Dublin Metropolitan Area.

5.131. A guiding principle for the Metropolitan Area is ‘Integrated Transport and Land Use’ by focusing growth *‘along existing and proposed high quality public transport corridors and nodes on the expanding public transport network’.*



**Overall Omni Park extent (Source: JFA, 2022).**

5.132. The proposal seeks to provide for a mixed use scheme on a strategically located urban infill site to increase densities, heights and urban consolidation in this suburban location. The proposed development therefore is compliant with the overall policies and objectives of the RSES in this regard.

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

5.133. The role of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas is to ensure the sustainable delivery of new development throughout the country. The Guidelines focus on the provision of sustainable residential development, including the promotion of layouts that:

- Prioritise walking, cycling and public transport, and minimise the need to use cars;
- Are easy to access for all users and to find one's way around;
- Promote the efficient use of land and of energy, and minimise greenhouse gas emissions;
- Provide a mix of land uses to minimise transport demand.

5.134. The Guidelines also provide guidance on the core principles of urban design when creating places of high quality and distinct identity. The Guidelines recommend that planning authorities should promote high quality design in their policy documents and in their development management process. In this regard, the Guidelines are accompanied by a Design Manual discussed below which demonstrates how design principles can be applied in the design and layout of new residential developments, at a variety of scales of development and in various settings.



- 5.135. These Guidelines support a plan-led approach to development as provided for in the Planning and Development Act 2000. Section 2.1 of the Guidelines note that *'the scale, location and nature of major new residential development will be determined by the development plan, including both the settlement strategy and the housing strategy'*.
- 5.136. The Guidelines reinforce the need to adopt a sequential approach to the development of land and note in Section 2.3 and *'the sequential approach as set out in the Departments Development Plan Guidelines (DoEHLG, 2007) specifies that zoning shall extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference, encouraging infill opportunities...'*
- 5.137. Having regard to the above, the subject site is zoned Z4. The proposed development is therefore making the most efficient use of the subject land increasing residential development in an existing urban area and providing for high density residential development in a key location well served by existing public transport and local services. The proposed development is therefore compliant with the guidelines in terms of the sequential development approach. In addition, there are numerous local services, leisure, education and amenity provisions in the vicinity, as set out in the submitted Community Audit.
- 5.138. Sustainable neighbourhoods require a range of community facilities, and each district/neighbourhood will need to be considered within its own wider locality, as some facilities may be available in the wider area while others will need to be provided locally. The proposed development forms part of a large existing and established district centre which currently functions as the primary destination for all local, retail, entertainment and community resources for the Santry area.
- 5.139. The subject lands are located adjacent to 'Public Transport Corridors' in the context of the densities required under the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009).
- 5.140. Section 5.8 of the Guidelines recommends that *'in general, minimum net densities of 50 dwellings per hectare, subject to appropriate design and amenity standards, should be applied within public transport corridors, with the highest densities being located at rail stations / bus stops, and decreasing with distance away from such nodes'*. The proposed development provides for a density of 295 no. units per hectare. It is considered that given the location of the site in close proximity to a number of surrounding services, including public transport link, existing local facilities and education and employment centres that the proposed density on site is appropriate in this instance.
- 5.141. In addition to recommending appropriate densities, the Guidelines focus on the provision of sustainable residential development, including the promotion of layouts that:
- prioritise walking, cycling and public transport, and minimise car use;
  - are easy to access for all users and to find one's way around;
  - promote the efficient use of land and of energy, and minimise greenhouse gas emissions; and
  - provide a mix of land uses to minimise transport demand.
  - Reduce traffic speeds in housing developments

- 5.142. The layout is highly accessible for future occupants as well as the existing community with a permeable layout both internally and externally as new linkages are provided to surrounding land uses.



**CGI of Proposed link to Swords Road (Source: 3DDB, 2022).**

- 5.143. The existing Omni Centre, which the proposed development will form part of, currently provides a very large range of retail, restaurant, leisure and service uses (see submitted Community Audit) which will essentially eliminate the need for residents to leave the development to provide for their daily needs and therefore fully complies with the Sustainable Residential Development Guidelines 2009.

- 5.144. The Guidelines also provide advice on the core principles of urban design when creating places of high quality and distinct identity. The Guidelines are accompanied by a Design Manual which demonstrates how design principles can be applied in the design and layout of new residential developments, at a variety of scales of development and in various settings.
- 5.145. The proposed development also has regard to the advice set down in the 'In Practice' section of the Urban Design Manual (2009), which recommends the following approach:

*Development Brief:* An analysis of the site has been carried out which includes reviewing the existing surrounding developments to the north and east of the subject site and an analysis of the surrounding land uses and site context. The proposed development has been designed as to ensure that the proposed scheme is in keeping with the design of the surrounding development. The proposed development has also had regard to the existing site conditions such as access and egress and the provision of services and utilities.

*Site Analysis:* The characteristics of the subject lands and surrounding context has been established and potential linkages and vistas to adjoining lands has been analysed.

*Concept Proposals:* This application is accompanied by a Design Statement which outlines the concept design proposal. The Design Statement outlines the progression of the scheme design in terms of land use and density range, boundary conditions and connections which is discussed in greater detail below.

*Pre-planning:* Pre – Planning discussions were held with Dublin City Council and An Bord Pleanála. Details of meetings with DCC are detailed in Appendix 1 of this Statement of Consistency.

- 5.146. The Design Manual sets out a series of 12 criteria which it recommends should be used in the assessment of planning applications and appeals. The 12 criteria are discussed in detail below.
- 5.147. This planning application is accompanied by a Design Statement, prepared by John Flemming Architects, which demonstrates how the proposed development has regard to and has been developed in accordance with best practice in respect to urban design. The Design Statement should be read in conjunction with this Statement of Consistency and with the plans and particulars accompanying this submission.

#### **Urban Design Manual – A Best Practice Guide (2009)**

- 5.148. The Design Manual sets out a series of 12 criteria which it recommends should be used in the assessment of planning applications and appeals. The 12 no. criteria are assessed as follows:

#### ***Context: How does the development respond to its surroundings?***

- 5.149. **Response:** The height, scale and massing of the proposed development has been informed by the strategic location of the site within the district centre, and in close proximity to a public transport corridor while taking cognisance of the surrounding residential properties to the west of the subject site and the scale of the permitted Omni Living Scheme and Omni Park. The proposed development ranges in height from 4 no. storeys on the western boundary to 12 no. storeys on the southern boundary of the

site as to ensure the existing land uses are not impacted in terms of visual amenity. The blocks are set back from western boundary, existing uses to the north comprise commercial.

- 5.150. The proposed scale, height and layout of the proposed development adequately addressed both the existing residential properties in the area and provides for an appropriate scale and use of the development fronting the Omni Park Shopping Centre. The subject site is bounded by commercial/retail uses to the south and east, with industrial development to the north, therefore, the subject proposal has limited potential to impact these uses.

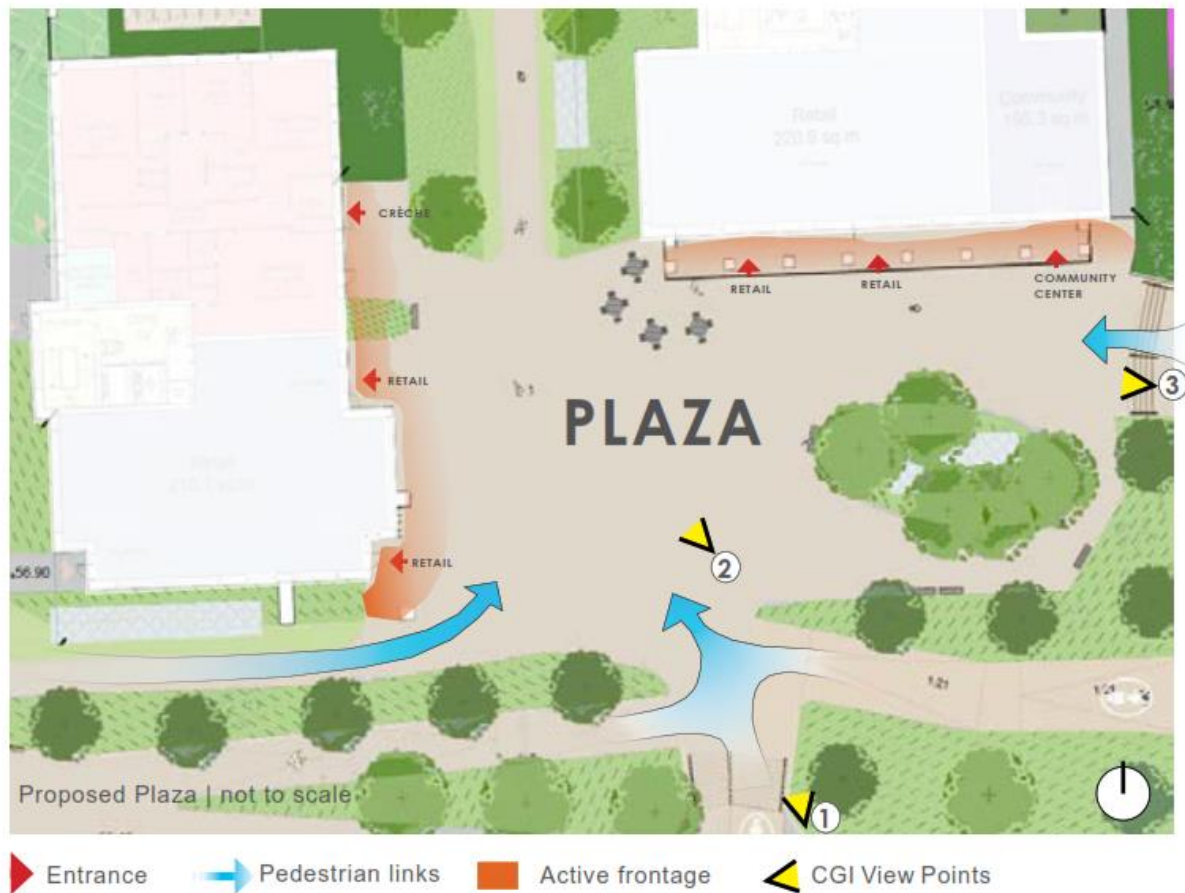
***Connections: How well is the new neighbourhood / site connected?***

- 5.151. **Response:** The proposed development will be accessed via the Omni Park Shopping Centre. Pedestrian movements will be through the Omni Shopping Centre via its main entrance from the Swords Road. Bicycle and vehicles will access the site in the same way which will provide access to the basement level of the development. The proposed development also includes upgrade works to the pedestrian and cycle routes as well as public realm area to the south of the site including a public plaza.
- 5.152. The proposed development will improve the overall accessibility of the site by completing the high quality public realm area within the district centre and contributing a public plaza.

***Inclusivity: How easily can people use and access the development?***

- 5.153. **Response:** The proposed development will provide for 2 No. retail/café/restaurant units, creche and community facility at ground floor level that will be accessible by both the future residents and the existing community. The proposed development will also provide for a new pedestrian routes from Omni and the Swords Road and incorporates ramped/sloped levels as required for universal access to all areas. In addition, communal amenity space will be provided to serve the future residents. These communal areas will surround the courtyard area and will be easily accessible to the future residents.
- 5.154. The development will provide for disabled car parking spaces and all communal areas and apartment types are designed to be accessible to all.





**Plan of Proposed public plaza and linkages to public realm (Source: JFA, 2022).**

***Variety: How does the development promote a good mix of activities?***

- 5.155. **Response:** The overall use of the site is predominantly residential. However, the proposed development will also include communal space which will provide for high quality amenity to future residents as well as providing 2 no. retail/café/restaurant units and creche facility at ground floor level.
- 5.156. The proposed development also includes external and internal communal open space for the use of the future residents. The internal space will include meeting rooms, gym area and a resident's lounge area. The proposed development also effectively completes the public realm between the Swords Road, the Omni Living Scheme and the Shopping Centre.



**CGI of Proposed public plaza view of approach to public plaza from the east (Source: JFA, 2022).**

***Efficiency: How does the development make appropriate use of resources, including land?***

- 5.157. **Response:** The proposed development is located on a brownfield site in an existing urban area. The proposed density makes efficient use of these valuable mixed use district centre lands zoned lands on which residential use is permissible. It is also in close proximity to a quality Dublin bus route and future Bus Connects Core Corridor.
- 5.158. The layout and orientation of the scheme has been designed to have regard to the aspect and views and ensure dwellings and areas of open space achieve light throughout the day.

***Distinctiveness: How do the proposals create a sense of place?***

- 5.159. **Response:** The proposed development has been designed to address both the established urban context of the district centre and a transition with the low density housing to the west. The proposed development also provides for active ground floor

retail, (with external seating), green spaces, playground, courtyards and a creche facility which provides for community services and facilities thereby creating a sense of place within the proposed development.

- 5.160. The public plaza will contribute to this sense of place through and will form a destination in its own right.

***Layout: How does the proposal create people-friendly streets and spaces?***

- 5.161. **Response:** The proposed development provides for significant improvements to the public realm and pedestrian accessibility to the site, therefore creating a people friendly environment of streets and spaces. The former uses of the Molloy and Sherry site has ceased creating space that is void of activity. The proposed development will also provide for high quality ground floor active uses which will invite and attract people to the development thereby creating attractive and friendly spaces.

- 5.162. At present, the site creates an impermeable edge with a vacant warehouse on site, surrounding by high walls. On completion, the public plaza with associated active uses in the form of retail units, community unit, creche and indeed the residential units which will provide activity throughout the day, provide a new active pedestrian route into the District Centre lands linking with the permitted Omni Living SHD scheme.

***Public Realm: How safe, secure and enjoyable are the public areas?***

- 5.163. **Response:** The proposed development has been designed to ensure appropriate level of passive surveillance is provided for within the development. The ground floor uses fronting the Omni Park Shopping Centre will ensure an appropriate level of activity is provided at street level as to create safe, secure and enjoyable public areas.

- 5.164. The current district centre was previously dominated by daytime uses however now benefits from all day active uses which will be supplemented by the residential units which provide a good level of passive surveillance.

- 5.165. The provision of communal areas surrounding the courtyard areas will ensure a safe and secure environment is maintained within the outdoor space. In addition, the communal areas will be separated from the public open space area. This will ensure a safe and enjoyable environment for the future residents.

- 5.166. It is therefore considered that the proposed design and layout of the overall development provides for a high quality safe and enjoyable area to reside.

***Adaptability: How will the buildings cope with change?***

- 5.167. **Response:** The proposed residential units meet or exceed the minimum standards for residential unit size. The development provides a mix of studio, 1, 2 and 3 no. bed units that can be easily reconfigured to adapt to the changing life cycles and personal needs of each resident.

- 5.168. A life cycle report is submitted with the application which demonstrates how the proposed development will adopt to changes in life cycles and tenures.

***Privacy / Amenity: How do the buildings provide a high quality amenity?***

- 5.169. **Response:** All units are provided with an area of useable private open space in the form of a terrace balconies or winter garden which meets or exceeds the relevant

apartment guidelines standards. All of the dwellings meet the Section 28 Guidelines unit size requirements. The design of dwellings has also had due regard to the siting and orientation of the development in order to maximise the solar gain and natural light aspect of each dwelling.

- 5.170. The development provides for adequate separation distances (generally 20m) between proposed apartment units. This maintains a high level of privacy and amenity obtained by residents, and reduces the level of overlooking and overshadowing. Amenity space is above standards as required by the Design Standards for New Apartments.
- 5.171. In addition, the proposed development will also provide for high quality amenity space in terms of landscaped open space. The provision of the high quality communal open space increases the level of residential amenity obtained for the future residents. Residents can also avail of internal amenity spaces by way of a wellness centre and break out area. As such it is considered that the proposed development provides for a high quality amenity value throughout the scheme.

***Parking: How will the parking be secure and attractive?***

- 5.172. **Response:** A total of 213 no. basement car parking spaces and 6 no. car share spaces at surface will be provided to serve the proposed development. The proposed car parking will be secure as to ensure a safe and accessible basement car park is achieved. 22 EV charging points spaces are also provided within the developments basement car parking provision.
- 5.173. 768 no. bicycle parking spaces will also be provided to cater for the development, (504 at basement and 264 at surface ). The bike storage spaces will be sheltered and secure with Sheffield Stands for the future residents.

***Detailed Design: How well thought through is the building and landscape design?***

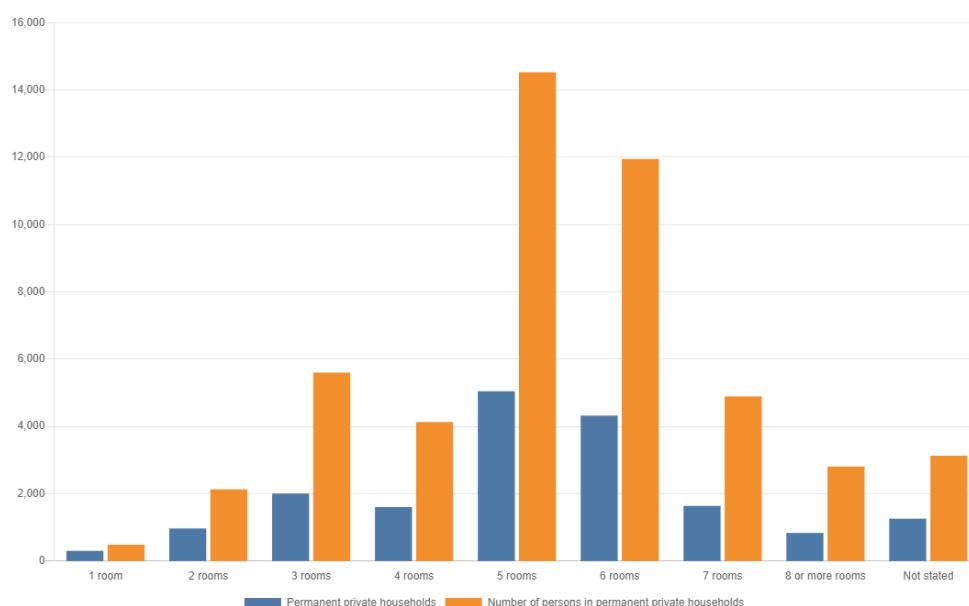
- 5.174. **Response:** The design of the development has been subject to a pre-application consultation between the design team and the Planning Authority, details of which are attached as Appendix 1 of this report.
- 5.175. The Architectural Design Statement sets out a comprehensive design rationale for the proposed development. A landscape design statement is also submitted with this application. The proposed landscape strategy will ensure appropriate boundary treatment are provided as well as a well designed landscape strategy for communal courtyard to ensure the use of these spaces is maintained throughout the year. There is a clear delineation between existing surface car park and the proposed plaza with a sufficient buffer while maintaining permeability.

**Delivering Homes, Sustaining Communities (2008)**

- 5.176. The Department's policy statement Delivering Homes, Sustaining Communities, Guidance provides the overarching policy framework for an integrated approach to housing and planning. The statement notes that demographic factors will continue to underpin strong demand for housing, which in turn will present considerable challenges for the physical planning of new housing and the provision of associated services. The quality of the housing environment is stated as being central to creating a sustainable community.



- 5.177. Sustainable neighbourhoods are areas where an efficient use of land, high quality design, and effective integration in the provision of physical and social infrastructure combine to create places people want to live in.
- 5.178. The Delivering Homes, Sustaining Communities policy statement is accompanied by Best Practice Guidelines entitled '*Quality Housing for Sustainable Communities*'. The purpose of these Guidelines is to promote high standards in the design and construction and in the provision of residential and services in new housing schemes. The guidelines encourage best use of building land and optimal utilisation of services and infrastructure in the provision of new housing; point the way to cost effective options for housing design that go beyond minimum codes and standards; promote higher standards of environmental performance and durability in housing construction; seek to ensure that residents of new housing scheme enjoy the benefits of first-rate living conditions in a healthy, accessible and visually attractive environment; and provide homes and communities that may be easily managed and maintained.
- 5.179. The Artane - Whitehall Local Electoral Area (CSO, 2016) consists primarily of houses / bungalows. This has resulted in a lack of choice of housing in the area. The proposed development provides a unit mix which complements this existing provision and will develop a range of choice allowing for mobility within the community. This creates a flexibility in the local market enabling downsizing or first time buyers to access a home better suited to their needs. CSO (2016) statistics displayed in the Tables below indicate that 82.1% of the housing stock comprises houses/bungalows with a large number of people housed in households with 3 rooms or greater. The need for smaller units has been set out both in national policy and is clearly evident in the immediate area.



### Permanent private households by number of rooms

Type of accommodation	Households	%
House/Bungalow	14,826	82.1%
Flat/Apartment	2,791	15.5%
Bed-sit	35	0.2%
Caravan/Mobile Home	60	0.3%

Not stated	342	1.9%
Total	18,054	100.0%

- 5.180. This application is accompanied by a Housing Quality Assessment document prepared by John Flemming Architecture which demonstrates the consistency of the proposed development with the relevant standards in the Quality Housing for Sustainable Communities document and the County Development Plan where relevant.

### **Design Manual for Urban Roads and Streets (DMURS) (2019)**

- 5.181. The Design Manual for Urban Roads and Streets (DMURS), 2019, sets out design guidance and standards for constructing new and reconfiguring existing urban roads and streets in Ireland. It also outlines practical design measures to encourage more sustainable travel patterns in urban areas. The Transport Assessment, prepared by NRB provides further detail in respect of the compliance of the proposed development with DMURS, which is discussed below also.
- 5.182. DMURS aims to end the practice of designing streets as traffic corridors, and instead focus on the needs of pedestrians, cyclists, and public transport users. The Manual sets out design guidance and standards for constructing new and reconfiguring existing urban roads and streets in Ireland. Incorporating good planning and design practice and focus on the public realm, it also outlines practical design measures to encourage more sustainable travel patterns in urban areas. The principle design guidance of DMURS has been considered in the design of this development. As demonstrated in the Design Statement accompanying this planning application, the proposed development seeks to prioritise pedestrian and cyclists throughout and around the site in accordance with the policies set out in DMURS.
- 5.183. The proposed layout seeks to successfully creates an appropriate balance between the functional requirements of different network users whilst enhancing the 'sense of place'.

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

- 5.184. This strategy has been prepared by the National Transport Authority. The Vision of this strategy is for Dublin to be a competitive, sustainable city-region with a good quality of life for all by 2030.
- 5.185. The Strategy includes five overarching objectives to achieve the vision which are as follows:
- Build and strengthen communities
  - Improve economic competitiveness
  - Improve the built environment
  - Respect and sustain the natural environment
  - Reduce personal stress
- 5.186. The Strategy sets out measures to achieve the vision and objectives for the GDA. These include better integration of land use planning and transportation, consolidating growth in identified centres, providing more intensive development in designated town and district centres and control parking supply.

- 5.187. The Strategy builds on previous strategies and investment programmes, and for this reason several major infrastructure schemes that are included in the government's Transport 21 investment framework are included in all of the strategy options.
- 5.188. The proposed residential development, which provides for a density of 295 units per hectare, adjacent to existing good quality public transport, in particular the Dublin Bus is considered to be consistent with the vision and objectives of the Transport Strategy for the GDA. In summary the proposed development does not promote an over reliance on car based travel.

### **Draft Greater Dublin Area Transport Strategy 2022-2042**

- 5.189. This strategy has been prepared by the National Transport Authority. The overall aim for the Strategy is to provide sustainable, accessible and effective transport for the Greater Dublin Area (GDA) in response to the region's climate change requirements, need to serve urban and rural communities and support economic growth.
- 5.190. The Strategy includes five overarching strategic objectives to achieve the vision which are as follows:
- An Enhanced Natural and Built Environment
  - Connected Communities and Better Quality of Life
  - A Strong Sustainable Economy
  - An Inclusive Transport System
- 5.191. The Strategy sets out key challenges which have informed the Draft Strategy which include climate change, the Covid-19 pandemic, rebalancing road spaces to favour sustainable modes of transport, ensuring access for all and serving more rural communities.
- 5.192. The proposed development close to existing high quality public transport is considered to be consistent with the vision and objectives of the Draft Transport Strategy for the GDA.

### **Guidelines for Planning Authorities on Childcare Facilities (2001)**

- 5.193. Guidelines for Planning Authorities on Childcare Facilities (2001) indicate that Development Plans should facilitate the provision of childcare facilities in appropriate locations. These include larger new housing estates where planning authorities should require the provision of a minimum of one childcare facility with 20 places for each 75 dwellings. The threshold for provision should be established having regard to existing location of facilities and the emerging demography of the area where new housing is proposed. The Guidelines advise that sites should be identified for such facilities as an integral part of the pre-planning discussions.

The following definition of Childcare is included in the Guidelines:

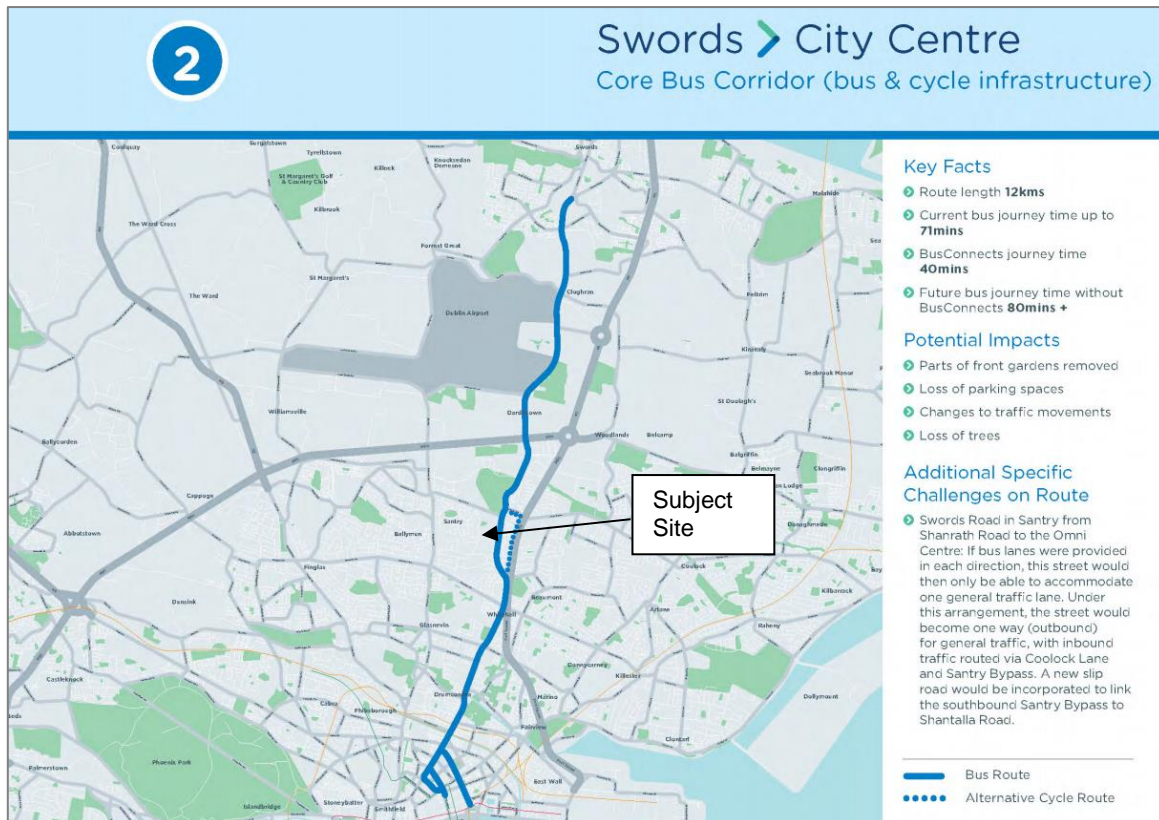
- 5.194. *"In these Guidelines, "childcare" is taken to mean full day-care and sessional facilities and services for pre-school children and school-going children out of school hours. It includes services involving care, education and socialisation opportunities for children. Thus services such as pre-schools, naíonraí (Irish language playgroups), day-care services, crèches, playgroups, and after-school groups are encompassed by these Guidelines. Conversely childminding, schools, (primary, secondary and special) and residential centres for children are not covered by these Guidelines."*

- 5.195. The Section 28 Sustainable Urban Housing; Design Standards for New Apartments; Guidelines for Planning Authorities 2020 states that:
- 5.196. *“Notwithstanding the Department’s Planning Guidelines for Childcare Facilities, which are currently subject to review and recommend the provision of one childcare facility (equivalent to a minimum of 20 child places) for every 75 dwelling units, the threshold for provision in apartment scheme should be established having regard to the scale and unit mix of the proposed development and the existing geographical distribution of childcare facilities and the emerging demographic profile for the area”.*
- 5.197. The Sustainable Urban Housing; Design Standards for New Apartments; Guidelines for Planning Authorities 2020 states that *“One bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms”.*
- 5.198. Discounting the number of one bed units (221 No.), the proposed development comprises of 235 no. two and three beds which is above the threshold to provide for a creche facility. The proposed development would therefore generate the requirement for 62.7 no. childcare spaces ( $235 / 75 \times 20$ ).
- 5.199. The proposed development will provide for a creche facility of 225.7m. (plus playground of 210m.) located to the south of Block C at ground floor level. It is considered that this facility will be able to cater for between 45-75 children based on a 3 sqm and 5qm of floor space per child. We note a new creche recently opened at Santry Place and a further creche is permitted but not yet built as part of Omni Living Scheme.

#### **BusConnects: Transforming City Bus Services 2018**

- 5.200. BusConnects Dublin project was published in 2018 which proposes a core bus corridor network. This will consist of sixteen radial core bus corridors, which will allow for quicker and more efficient journeys to and from the City Centre.
- 5.201. The BusConnects programme will deliver a bus system that will enable more people to travel by bus, allow bus commuting to become a much more viable and attractive option.
- 5.202. The site is located along one of the core radial corridors that BusConnects is proposing (Core Bus Corridor 2, Swords-City Centre). The provision of this new public transport corridor will greatly boost the accessibility of the subject site which is already well served by many Dublin Bus routes.
- 5.203. The proposed development will not impact on the feasibility of future Bus Connects infrastructure as no land take is proposed as part of the Bus Connects Scheme on the subject site.





**Extract of Core Bus Corridor from Swords to City Centre - BusConnect 2018.**

### **Guidelines for Planning Authorities on ‘The Planning System and Flood Risk Management (November 2009)’**

- 5.204. *The Planning System and Flood Risk Management* Guidelines were published by the Minister for the Environment, Heritage & Local Government in November 2009 under Section 28 of the Planning & Development Act 2000 (as amended). The Planning system and flood risk management guidelines require the planning system at all levels to avoid development in areas at risk of flooding, particularly floodplains, unless there are proven wider sustainability grounds that justify appropriate development and where the flood risk can be reduced or managed to an acceptable level without increasing flood risk elsewhere; adopt a sequential approach to flood risk management when assessing the location for new development based on avoidance, reduction and mitigation of flood risk; and incorporate flood risk assessment into the process of making decisions on planning applications and planning appeals.
- 5.205. The SSFRA was prepared by EirEng to comply with current planning legislation, in particular the recommendations of “The Planning System & Flood Risk Management - Guidelines for Planning Authorities”.
- 5.206. This report concludes:

*“Having reviewed the available information the site is considered to be at low risk of coastal and fluvial flooding and therefore in accordance with the Department of Environment, Heritage and Local Government and the Office of Public Work’s jointly published Guidance Document for Planning Authorities - The Planning System and Flood Risk Management.*

*The majority of the proposed development is classed as Highly Vulnerable with a portion of the scheme considered to be Less Vulnerable (residential comprises only a portion of the ground floor) in accordance with Table 3.1 of the PSFRM Guidelines. The information presented within the following chapters indicate that the proposed site is located within 'Flood Zone C' and is therefore considered Appropriate, for a residential development.*

*The site is also considered to be at low risk of ground water and public sewer flooding.*

*The site is considered to be at risk of pluvial flooding based on the FloodResilienCity mapping. Several mitigation measures including localised ramping at ground floor entrance doorways to provide a threshold, overland flow routes directed away from the buildings and a surface water drainage network including attenuation storage designed to best practice guidelines is considered to be sufficient mitigation measures to provide protection to the development from the potential pluvial flooding risk.*

*As the site will be positively drained, with the proposed SUDS measures reducing the outflow from the site to 2 l/s/ha, and as the existing overland flow routes are within the Omni Park Shopping Centre development falling away from the site, the proposed development will have no measurable increase on the flood risk to neighbouring lands.*

*Groundwater flood risk from the proposed basement construction have been assessed under a Basement Impact Assessment (BIA) undertaken by Awn Consulting submitted as part of this application. The BIA concluded that there will be no long-term impact on water levels in the shallow or bedrock aquifer, no impact on the current water body status and no impact on groundwater flow patterns in the local area. The BIA also concluded that the bedrock water table will not be affected by the excavation works.*

*As a result of the analysis, design and mitigation measures the proposed development is considered to be in line with the core principles of the Planning Guidelines and Objective outlined in the Dublin City Development Plan 2016-2022.*

*Under the Planning Guidelines the site is therefore considered suitable for development of commercial and residential land uses.."*

- 5.207. In line with the Planning Guidelines the detailed SSFRA sets out the site is at low risk of flooding and therefore no Justification Test is required.

## 6.0 LOCAL PLANNING POLICY

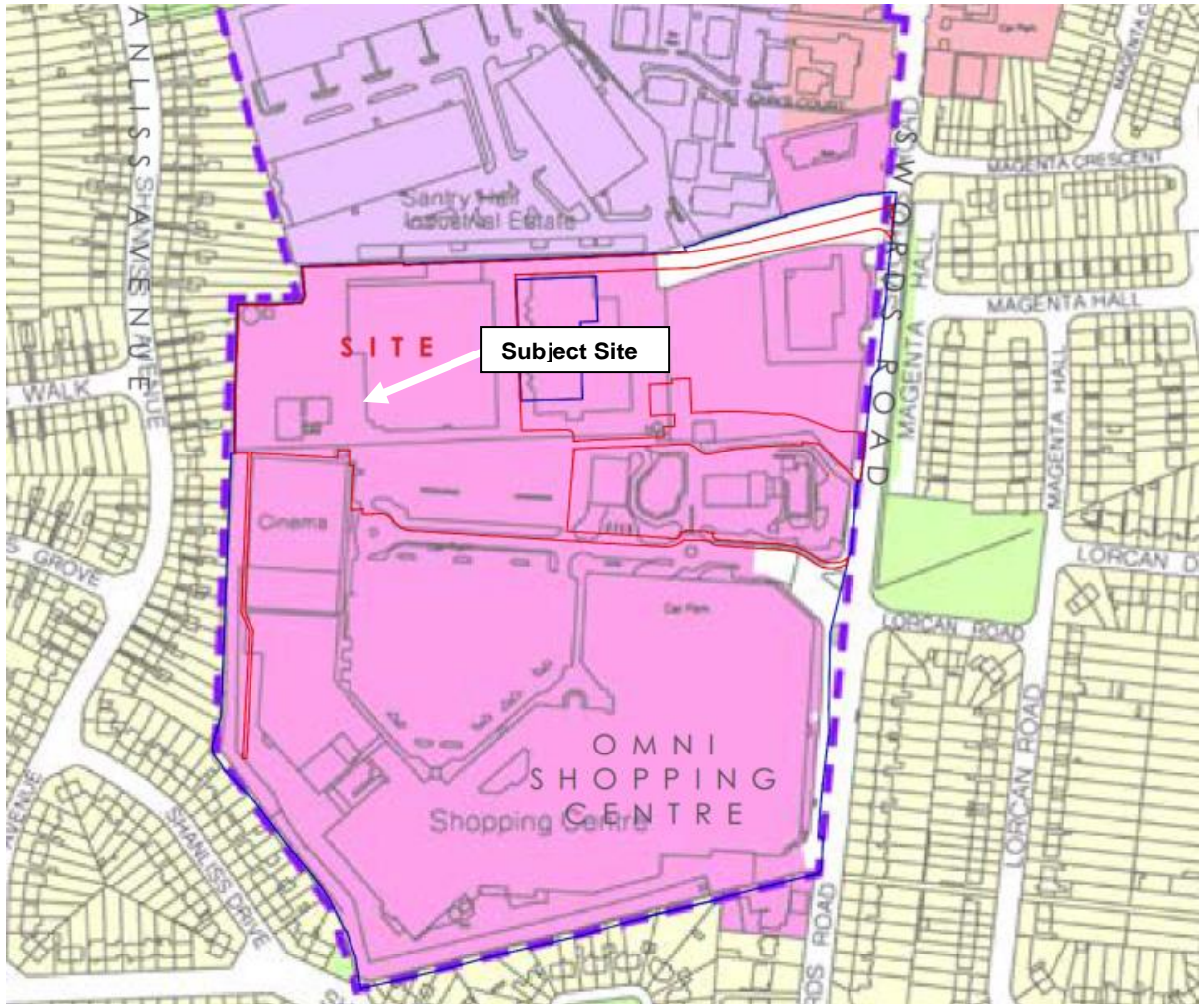
- 6.1. The subject site is located within the administrative boundary of Dublin City Council and is therefore subject to the policies and objectives of the Dublin City Development Plan 2016-2022.

### Dublin City Council Development Plan 2016-2022

#### Zoning

##### Introduction

- 6.2. This section of the report sets out the rationale for the compliance with the land use provisions and objectives for the Z4 lands, which is summarised below and addressed in further detail in the following pages:
- The existing land use is a non conforming use and the proposed uses are all listed as permissible in principle uses;
  - In assessing the overall land use in the Z4 land bank; commercial (primarily retail) and service uses remain the predominant land use;
  - The provision of additional population will strengthen the long term viability and functioning of the District Centre and the existing uses on site
  - The proposal will provide a diversity of uses in the District Centre, as sought under the zoning objective
  - The additional population will ensure vibrancy throughout the day in the District Centre, beyond retail trading hours
  - Currently there is over 2,300 sq.m. of vacancy in the District Centre retail floorspace indicating there is sufficient space existing for the retail needs of the catchment. There is considerable land remaining in the form of surface car parking to allow for future additional retail and service floorspace should a need be identified.
- 6.3. The subject property is within the Z4 zoning objective (District Centres) which aims “*to provide for and improve mixed-service facilities*”. The land bank is predominantly in the control of the applicant and related entities, with a small portion of lands to the north east of the Z4 lands on the Santry Road, in separate ownership (AIB). Lands to the south east containing the Maxol service station is also Zoned Z4.
- 6.4. It is noted a small portion of the application site is on ‘white land’. This includes the existing access route along the north, which would be utilised for secondary servicing and fire tender access.



**Extract of Zoning Map B – Dublin City Development Plan 2016-2022.**

6.5. The Dublin City Development Plan 2016 further elaborates on the Z4 Zoning Objective:

*“District centres, which include urban villages, provide a far higher level of services than neighbourhood centres. They have outlets of greater size selling goods or providing services of a higher order, and their catchment area extends spatially to a far greater area than that of neighbourhood centres (see Chapter 7 and Appendix 3 for details of policies, standards and the retail strategy). As the top tier of the urban centres outside the city centre, key district centres have been identified which will provide a comprehensive range of commercial and community services. These centres often attract large volumes of traffic and should, therefore, be well served by public transport.*

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



- *An increased density of development*
- *A viable retail and commercial core*
- *A comprehensive range of high-quality community and social services*
- *A distinctive spatial identity with a high quality physical environment*". [Our emphasis]

### Land Use

- 6.6. The Development Plan sets out uses which may be permissible and open for consideration within the Z4 objectives:

*"Permissible Uses* - Amusement/leisure complex, bed and breakfast, betting office, buildings for the health, safety and welfare of the public; car park, car trading, **childcare facility**, civic offices, **community facility**, cultural/ recreational building and uses, delicatessen, education, embassy office, enterprise centre, garden centre, guest house, halting site, home-based economic activity, hostel, hotel, industry (light), live work units, media-associated uses, medical and related consultants, motor sales showroom, office (max. 600 sq m.), off-licence, open space, park and ride facility, part off-licence, petrol station, place of public worship, public house, **residential**, restaurant, science and technology-based industry, **shop (district)**, **shop (neighbourhood)**, take-away, training centre" (our emphasis).

*"Open for Consideration Uses* - Advertisement and advertising structures, civic and amenity/recycling centre, conference centre, embassy residential, factory shop, financial institution, funeral home, garage (motor repair/ service), household fuel depot, internet café, nightclub, office (max. 1200 sq m) outdoor poster advertising, shop (major comparison), warehousing (retail/non-food)/retail park".

- 6.7. Uses not listed under the categories of 'permissible' or 'open for consideration' uses for either zoning objective are dealt with on their merits and assessed against the wider objectives of Z4 zoning objectives and the other policies of the Development Plan.
- 6.8. The existing facility comprises a transport depot/warehouse.
- 6.9. Such uses are not listed under the 'permissible' or 'open for consideration' uses for Z4 lands. 'Transport Depot' and 'warehousing' are listed as uses under other zoning objectives, Z7 (Employment-Heavy) for example.
- 6.10. The proposed development for a mixed use scheme, comprising of residential development with retail units, a childcare facility and a community use building and is fully compliant with the land uses specified as 'permissible uses' under the Z4 zoning objective.
- 6.11. Therefore, it is respectfully submitted, that the existing land use is a non conforming use with the Z4 land bank and does not contribute to the overall zoning objectives. The proposed uses however, are all 'permissible uses', and therefore more appropriate.

### Quantification of Uses

#### *Existing*

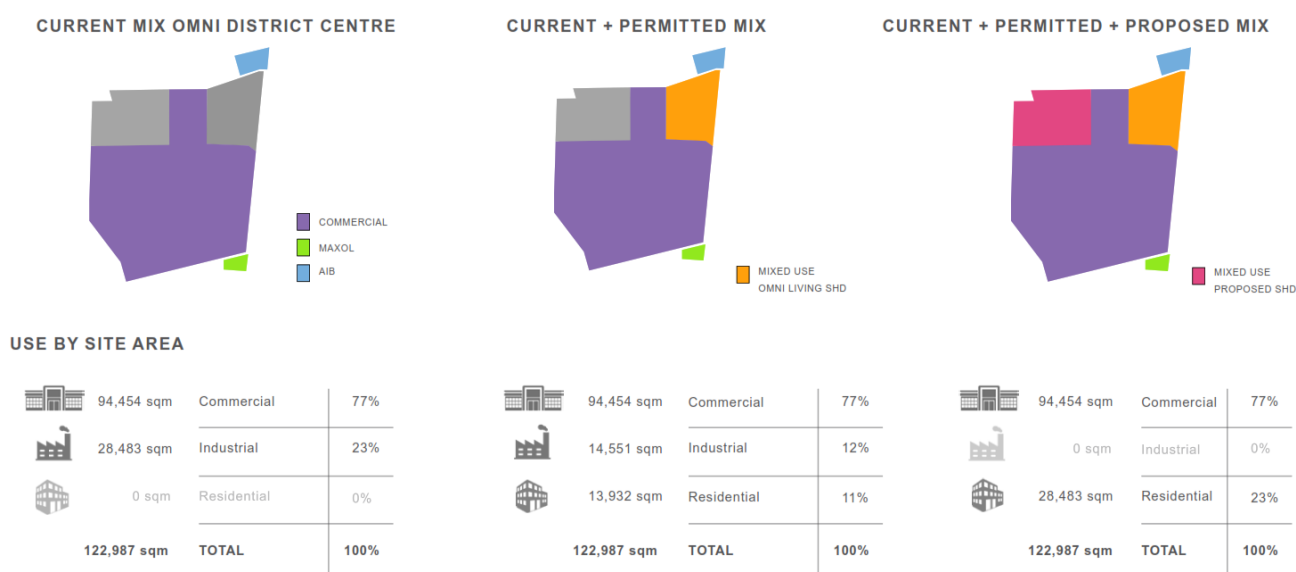
- 6.12. In examining the current land uses (in terms of land usage/site coverage) within the Z4 land bank, 77% are commercial uses (primarily retail with related uses including services and leisure), 23% industrial and 0% residential,

### Existing and Permitted

- 6.13. In completing a similar exercise accounting for permitted development (i.e. Omni Living) 77% of the lands are commercial uses, 12% industrial and 11% residential with the residential element comprising the permitted Omni Living development. The permitted Omni Living scheme includes an aparthotel and small commercial units. For the purposes of land usage, the Omni Living site is taken as wholly residential to present a worst case scenario, as the uses vary by floor, which does not allow a straightforward division of the lands uses. The floor areas do take account of the separate uses.

### Existing, Permitted and Proposed

- 6.14. Taking into account the existing, permitted and proposed development, 77% of the lands are commercial uses and 23% residential.
- 6.15. In effect, the subject proposal taken in combination with the permitted Omni Living scheme take the land use mix from 77% Commercial uses (primarily retail with related uses including services and leisure) and 23% industrial to 77% commercial and 23% residential. The permitted and proposed residential development remove non conforming uses in favour of uses complementary to the district centre function.



- 6.16. Further in response to Item 2 of the Opinion of An Bord Pleanála Mason Own & Lyons have been instructed by the applicant to prepare a report on 'The Impact of the Proposed Development of: Omni Plaza SHD on the Existing Retail and Services Provision at Omni Park Shopping and District Centre'.
- 6.17. In conclusion this report states: "Our assessment and conclusion from the above analysis is that the proposed development in conjunction with the already permitted development within the District Centre lands will serve to directly support and encourage the retention and future growth of the existing retail and service offerings within the district centre at a time when demand for retail floorspace has been in continual decline for 15-20 years. This loss of demand for floorspace is a consequence of the onset of online retailing in conjunction with the general decline of the historic shopping centre model whereby car-borne destination retail was the predominant

*attraction. District centres such as that at Omni Park are required to be substantially repositioned to become truly mixed-use destinations which provide the residential, employment, retail, leisure, and services provision for the population of their catchment.*

- 6.18. Please also see response to Item 2 of the Response to An Board Pleanala's Opinion prepared by JSA for further detail.

#### Potential Future Development

- 6.19. Notwithstanding the predominance of commercial uses remaining should the subject development be permitted, there is considerable potential for further commercial development on the Z4 land bank if such a need arises. There is expansive surface level car parking which may be developed, in addition to development over the existing centre.
- 6.20. It is not currently envisaged that there is such a requirement for additional retail floorspace, as presently there is 2,339 sq.m. of vacant units (6.12%) within the Omni Park Shopping Centre. Nonetheless, the proposed development would not prejudice the future significant expansion of the District Centre floor space if a need for such floorspace arose, nor impact its present function as the proposal removes an industrial/warehouse unit which does not currently contribute to the District Centre function. There is ample scope to intensify the district centre in the future if required through future redevelopment of the existing low scale buildings and existing surface car park. Additionally, retailers have capacity to increase trade without a commensurate increase in floor area.

#### Diversity of Uses

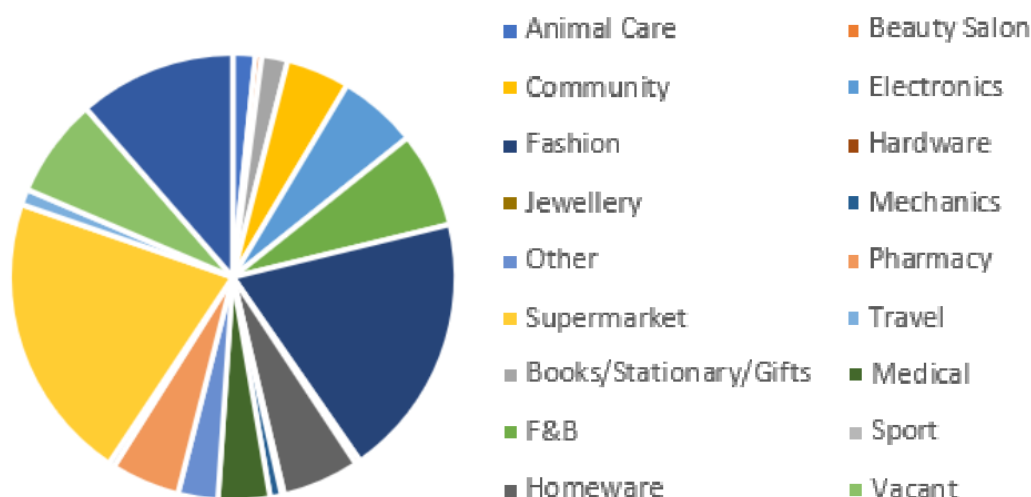
- 6.21. The Z4 land bank, with the majority in the control of the applicant and consenting entities, is primarily in commercial use. In order to deliver the zoning objective of "a diversity of uses" which "should be promoted to maintain their vitality throughout the day and evening" including "residential use with appropriate social facilities", the application proposes to deliver a significant quantum of residential units in conjunction with other commercial uses such as the retail units, childcare facility and community use, which will improve the overall mix of uses in the District Centre and ensure its long term viability through the delivery of additional population. The additional population will also contribute positively to ensuring activity at the District throughout the day, beyond retail trading hours.

- 6.22. The Omni Centre provides a range of services including:

- |                           |                                   |
|---------------------------|-----------------------------------|
| • Hair Salon              | • Clothes Shops                   |
| • Books Shop Bakery/ Deli | • Pet Store                       |
| • Coffee Shop             | • Jewellers                       |
| • Ticketmaster            | • National Driving License Centre |
| • Phone Shop              | • Hardware Store                  |
| • Barbers                 | • Supermarkets                    |
| • Coffee Shop             | • Games Shop                      |
| • Pharmacies              | • Home Department Store           |
| • Bank                    | • Post Office                     |
| • Dry Cleaners            | • Bookmakers                      |
| • Opticians               | • Car and tyre services           |
| • Flower Shop             |                                   |

- Drive Thru Restaurant
- Petrol Station
- Car Wash
- Healthcare / Out patient centre

## DETAILED TENANT MIX PROFILE



**Extract from Land Use Analysis Report indicating tenant profile in Omni Park (Source: JFA, 2022).**

- 6.23. The proposal provides for a public plaza off the Swords Road which will improve permeability for the Overall District Centre and ensures the residential element of the proposal is well connected with the existing services available.

### Review of Z4 Lands

- 6.24. There are a number of District Centres within Dublin City, where residential development as the primary use in applications has been permitted, as set out below. In a wider context, there have also been a number of permissions granted for residential development in suburban district centres in other Planning Authority areas including DLRCC.

### *Phibsborough District Centre*

- 6.25. Permission was granted under DCC Reg. Ref. 2628/17 for the demolition of warehouses and part of the shopping centre to construct a student accommodation scheme with two retail/café/restaurant units and new civic plaza. In considering the principle of the development, the Planner's Report noted:

*"The application site represents an under-utilised infill site in a Key District Centre (KDC). KDCs represent the top-tier of urban centres outside of the city centre, underpinning a wider area and acting as a strong spatial hub providing a range of commercial and community services to the surrounding populations. While some KDCs have an established urban form, these centres should also be capable of achieving a distinctive spatial identity with a high quality physical environment."*



*It is considered that the application site at present does not represent an efficient use of scarce urban land. Policies of the 2016 – 2022 City Development Plan set out the need for sustainable urban densities and the promotion of under-utilised sites.*

*A key challenge for the city is to develop the suburbs as building blocks to strengthen the urban structure of the site and include the developing areas such as Grangegorman, Stoneybatter and Phibsborough.*

*Thus, on the basis of the above, the current proposal for intensification of development on this site is acceptable in principle, subject to compliance with standards, design details and the need to integrate with the character of the surrounding area.*

*The uses, office, retail/ restaurant, gym and residential (student accommodation) on this site are generally considered acceptable”*

- 6.26. Revisions to the scheme (changing student accommodation to shared accommodation) have since been approved by An Bord Pleanala as a Strategic Housing Development under ABP-308875-20, which in assessing the principle of development, the Inspector stated:

- 6.27. *“I am satisfied that the proposed development is consistent with the zoning objective. The CE Report states that the use is acceptable.”*

*James Street, Dublin 8 (Former Steelworks Site)*

- 6.28. A Strategic Housing Development (ABP-308871-20) of 189 BTR apartments was permitted by An Bord Pleanala with the development involving the demolition of a number of vacant houses, warehousing and the use of a short term car park. In assessing the principle of development, the Inspector stated:

*Having regard to the nature and scale of development proposed, namely an application for 189 residential units located on lands for which residential development is permitted use under the zoning objective, I am of the opinion that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016. I am also of the opinion that the proposal is generally consistent with the City Development Plan’s Z4 zoning objective. The planning authority have not raised concern in this regard.*

*Kielys Donnybrook Road, Dublin 4*

- 6.29. A notification of decision to grant permission (currently subject of third party appeal) was granted by Dublin City Council under DCC Reg. Ref. 3301/20 on primarily Z4 lands for 100 shared accommodation units. In considering the principle of development, the Planning Officer stated:

*The site is zoned Z4 and Z1 and as such the residential use and café/restaurant use proposed in principle are acceptable subject to compliance with the provisions of the City Development Plan.*

*Circle K, Donnybrook Road, Dublin 4*

- 6.30. A grant by An Bord Pleanala was issued in relation to ABP-310204-21 in August 2022 for a residential development on Z4 lands. The Inspector’s Report stated:

*“The subject site is zoned for residential development and is located in a prime location with regards to public transport, social and community facilities. The subject site is currently under-used; the existing buildings fail to maximise the opportunities presented by the site in terms of visual amenity and use of zoned and serviced residential land. The proposed residential development is an appropriate and efficient use of zoned and serviced lands. Subject to all other planning considerations, the proposed development is considered acceptable in principle.”*

### Transitional Areas

- 6.31. The subject development site is located entirely within the Z4 zoning objective. There are Z1 lands to the immediate west and Z6 lands to the north. The development site, or indeed it's perimeter, forms an edge of the District Centre and therefore may be considered a transitional area. Section 14.7 of the Dublin City Development Plan states the following in relation to 'transitional areas':

*“The land-use zoning objectives and control standards show the boundaries between zones. While the zoning objectives and development management standards indicate the different uses permitted in each zone, it is important to avoid abrupt transitions in scale and use zones. In dealing with development proposals in these contiguous transitional zone areas, it is necessary to avoid developments that would be detrimental to the amenities of the more environmentally sensitive zones. For instance, in zones abutting residential areas or abutting residential development within predominately mixed-use zones, particular attention must be paid to the use, scale, density and design of development proposals and to landscaping and screening proposals in order to protect the amenities of residential properties.”*

- 6.32. The proposed residential use is considered to provide an appropriate transitional land use from the predominantly commercial uses on the remainder of the District Centre lands adjoining the Z1 land use objective to the west. The development also responds to this transition, with a reduced height (four storeys) to the western boundary which is considered appropriate given the significant separation distances to the rear of the adjoining dwellings, avoiding an abrupt transition and protecting adjoining amenities. The interface with adjoining residential properties is addressed further in the Architectural Design Statement.

### **Building Height**

- 6.33. The Dublin City Development Plan 2016-2022 height strategy sets out the maximum building height within the city. The subject site is in an 'Outer City' location suitable for low rise buildings of a height not greater than 16m. Dublin City Council Development Plan 2016-2022 states that for both residential and commercial development, up to a height of 16m is permitted.
- 6.34. The proposed development ranges in height from 4 no. storeys (13.8m) to 12 no. storeys (41.1m at Block C Southern Elevation). The proposed development is above the maximum height stipulated in the Development Plan. However, it is considered that given the context of the development adjacent to an existing high quality public transport route including the proposed BusConnects Corridor, and the permitted Omni Living SHD (maximum 12 No. Storey) to the Swords Road, additional height is appropriate at this location having regard to the National Planning Framework Plan 2040 and the Urban Development and Building Height Guidelines 2018. For comparison we note the refused Santy Avenue and Swords Road (ABP - 310910 -21) entailed 14 No. stories. As set out above the height of this proposals was considered acceptable to the Inspector whom stated: *“I consider that the recommended reduction*

*in the height of Block A [14 No. storeys] would provide an unsatisfactory design solution, resulting in a block which will neither function as a landmark nor integrate with its surroundings satisfactorily.”*

- 6.35. It is considered that given the national planning policy objective to increase heights and densities in appropriate urban locations well served by public transport supports the increased height at this location. In addition, Section 28(1)(c) of the Planning and Development Act 2018 notes that where national planning policy, specifically SPPR's, are at variance to the development plan, the SPPR objectives will take precedence. Should the Board consider having regard to the 16m height limit in the Development Plan that the proposal represents a material contravention, a material contravention statement has been prepared and is submitted with this planning application.
- 6.36. In addition, a number of CGI images and verified views have been prepared by 3DDB which demonstrate that the proposed development sits comfortably within the overall urban context of the development. The proposed development does not create any significant visual impacts on the surrounding areas as set out in the Landscape and Visual Impact Assessment undertaken by Murray Associates.



### **Plot Ratio and Site Coverage**

- 6.37. The Dublin City Council Development Plan 2016-2022 identifies indicative site coverage and plot ratio for Z4 lands as 80% and 2.0 respectively.
- 6.38. The proposed development provides for a site coverage of 28% and a plot ratio of 2.6. While the site coverage is below the indicative figure set out in the Development Plan, due to the high level of public open space that is being provided on the site, the plot ratio is above the stipulated figure in the Development Plan. However, these figures parameters are indicative only; higher plot ratios and site coverage may be acceptable under the following circumstances:

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

6.39. It is considered that the subject site is capable of achieving a higher plot ratio due to an appropriate mix of uses which is being proposed as part of the proposed development and it is in close proximity to a QBC, which provides access to the city centre via bus. The plot ratio for the subject proposal is comparable with the permitted Omni Living (2.5) and Swiss Cottage (2.4) schemes, proximate to the site. In addition, we note that even with the benefit of the subject development if permitted that the overall plot ratio for the district centre lands is low and represents an underutilisation of scarce land resource.

### **Density**

6.40. In relation to density, the City Development Plan's objective through Policy SC13 is to:

*"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."*

6.41. Generally, densities of 50+ no. units per hectare were encouraged on brownfield sites along public transport corridors such as the subject site. It is however considered that having regard to the recent government guidance including the National Planning Framework and the Design Standards for New Apartments 2020 in addition to the location of the site in an existing urban area, it may be feasible to pursue higher levels of density.

6.42. The proposed development provides for a residential density of 295 no units per hectare which is considered appropriate given the location of the subject site within an existing urban area, within a district centre and adjacent to a quality public transport corridor. The proposal meets and generally exceeds all relevant criteria with respect to open space provision.

### **Car Parking Standards**

6.43. The subject site is included in Category Zone 2 in relation to car parking which requires the following spaces for the land uses listed below (Source Table 16.1 Dublin City Development Plan 2016-2022; See table for full list of land uses and maximum parking provision):



Use	Car Parking Requirement (Maximum)	maximum spaces
Other Retail and Main Street, Financial Offices (excl. retail warehouse)	1 per 275 sq.m GFA (431 sqm of other retail)	1.6
Childcare	1 per 100 sqm	2.3
Residential	1 space per dwelling	457
	Total required	461

**Table 3.1: Car Parking Requirements .**

- 6.44. If these standards were applied to the proposed development, it would result in a maximum of 461 no. car parking spaces being provided for the entire development.
- 6.45. In terms of bicycle parking, Table 16.2 of the Dublin City Development Plan 2016-2022 sets out the following cycle parking standards in accordance with the different land uses (See Table 16.2 for full list of land uses and cycle parking requirements):

Use	Cycle Spaces
Shops and Main Street Financial Offices	1 per 200 sq.m
Residential	1 per dwelling

**Table 3.2: Cycle Parking Requirements**

- 6.46. This equates to a requirement for 468 bicycle spaces for dwellings and 4 No. for retail / creche uses, and it is noted 768 bicycle parking spaces are to be provided, with visitor spaces also being provided at grade.
- 6.47. The Design Standards for New Apartments 2020 also set out specific requirements for car and cycle parking. For developments within Central and/or Accessible Urban Locations, it is stated that:

*“In larger scale and higher density developments, comprising wholly of apartments in more central locations that are well served public transport, **the default policy is for car parking provision to be minimised, substantially reduced or wholly eliminated** in certain circumstances. The policies above would be particularly applicable in highly accessible areas such as in or adjoining city cores or at a confluence of public transport systems such rail and bus stations located in close proximity.*

*These locations are mostly to be in cities, especially in or adjacent to (i.e. within 15 minutes walking distance of) city centres or centrally located employment locations. This includes 10 minutes walking distance of DART, commuter rail or Luas stops or within 5 minutes walking distance of high frequency (min 10 minute peak hour frequency) bus services”.*

- 6.48. As such the car parking standards, as set out in the Design Standards for New Apartments, significantly reduced the car parking requirements compared with the Dublin City Development Plan 2016-2022. The proposed development provides for 213 no. car parking spaces, 7 no. motorcycle spaces and 768 no. bicycle parking spaces. 6 no. Go Car / car club spaces are provided and 7 no. creche drop off spaces, to be located in a convenient location. It is noted there are c. 1,400 car parking spaces at present in the Omni Centre, of which the subject proposal will form a complementary element of.

- 6.49. Having regard to the Design Standards for New Apartments specifically for centrally/accessible locations, the proposed car parking rate (0.48) is considered appropriate in this regard. An assessment on car parking is contained in **Section 2** of the Transportation Assessment Report prepared by NRB Consulting Engineers and is submitted with this application. The permitted car parking provision for Omni Living was c.0.5 spaces per unit and Swiss Cottage (proximate the site) is c. 0.3 spaces per unit.

**Residential Quality Standards – Apartments and Houses**

- 6.50. *The plan sets out specific standards for all residential units both apartments and houses which include*
- *Public Open Space*
  - *Safety and Security*
  - *Acoustic Privacy*

**Public Open Space**

- 6.51. The Development Plan standards specify that in new residential developments, 10% of the site area shall be reserved as public open space. The Development Plan standards also include a number of detailed recommendations in terms of the design and layout of open spaces including a requirement that a landscaping plan will be required for all development identifying all public, communal (semi-private) and private open space.
- 6.52. The proposed development will provide for 2,028 sq. m of public open space (as detailed in the Architectural Design Statement) which is in excess of the required 10% (13% provided). It should be noted that the proposed development is also located within a short walking distance (c.10 m / 800m) to a major public park, Santry Park (89 acres).



**CGI of Public Plaza (Source: 3DDB, 2022).**

### Safety and Security

The Development Plan states that *“The design of all residential proposals should have regard to the safety and security measures outlined in the ‘Safety Design Guidelines’ Appendix and the ‘Design for Safety and Security’ guidance contained in the DEHLG ‘Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities’ (2007)”*. The proposed development has been designed in compliance with the Safety Design Guidance in accordance with the Development Plan standards. In addition, the proposed development has been laid out to ensure that passive surveillance is achieved and the appropriate boundary treatments and lighting throughout the site.

- 6.53. A safety strategy is contained within the Architectural Design Statement.

### Acoustic Privacy

- 6.54. Acoustic privacy is a measure of sound insulation between dwellings and between external and internal spaces. Development should have regard to the guidance on sound insulation and noise reduction for buildings contained in BS 8233:2014. The following principles are recommended for minimising disruption from noise in dwellings:
- Utilise the site and building layout to maximise acoustic privacy by providing good building separation within the development and from neighbouring buildings and noise sources.
  - Arrange units within the development and the internal layout to minimise noise transmission by locating busy, noisy areas next to each other and quieter areas next to quiet areas
  - Keep stairs, lifts, and service and circulation areas away from noise-sensitive rooms like bedrooms. Particular attention should be paid to the siting and acoustic isolation of the lift motor room. Proposals close to noisy places, such as busy streets may need a noise impact assessment and mitigation plan.”
- 6.55. The proposed development has been designed with regard to the stated guidance on sound insulation and noise reduction.
- 6.56. In addition, this application is accompanied by an EIAR, Chapter 10 relates to ‘Noise and Vibration’ which assesses the impact of traffic noise on the proposed residential development. This report concludes:

*“During the operational phase, provided that the appropriate glazing is incorporated into the design for facades exposed to noise from the outdoor crèche area and provided that the mitigation measures are employed, it is anticipated that effects will be long-term, neutral and imperceptible. When compared to the haulage depot use of the site currently it is expected that the noise effect of the proposed development will be positive to the surrounding area.”*

### **The Neighbourhood - Making Sustainable Neighbourhoods**

- 6.57. The final set of residential standards contained in Section 16.10.4 of the Development Plan relate to the making of sustainable neighbourhoods. In general, the standards specify that proposals should have regard to the DEHLG’s Guidelines on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual, 2009. The proposed development has been designed in accordance with this guidance, as previously set out in Section 5 of this Statement of Consistency.
- 6.58. In summary, it is submitted that the proposed development of the lands is fully compliant with all relevant residential development standards as specified by the Dublin City Development Plan 2016 – 2022.



## **7.0 COMPLIANCE WITH PART V OF THE PLANNING AND DEVELOPMENT ACT REGARDING SOCIAL HOUSING**

- 7.1. The applicant has engaged with the City Council with respect to Part V proposals and a validation letter is included with the Part V proposal. The applicant agrees to accept a condition on a grant of planning permission, if the Planning Authority is minded to approve the proposed development, which requires the applicant to enter into a Part V agreement with Dublin City Council as per their requirements prior to the commencement of development.
- 7.2. Recent changes to the Part V of the requirement for social and affordable housing under the Planning and Development Act 2000, as amended, introduce a number of transitional arrangements. Under Section 96(3)(j) of the Act *“where the permission is granted during the period beginning on the 3<sup>rd</sup> September 2021 and ending on 31<sup>st</sup> July 2026 and the land to which the permission relates was purchased by the applicant, or a person on whose behalf the application is made, during the period beginning on 1<sup>st</sup> September 2015 and ending on 31<sup>st</sup> July 2021, the reference to “20 per cent of the land” in paragraph (a) shall be read as “10 per cent of the land” ...”*. In this particular case, as Serendale Limited purchased the subject lands on the 7<sup>th</sup> August 2019 (as confirmed in the accompanying letter from RMC Solicitors), the requirement under Part V remains as 10%.
- 7.3. The proposal, as agreed with the Housing Dept. of DCC, for the purposes of this application is to provide 45 no. of the residential apartments i.e. 10% of the total 457 no. units proposed.

## 8.0 CONCLUSION

- 8.1. The statement set out herein demonstrates that the proposed development is consistent with the relevant national, regional and local planning policy context.
- 8.2. At a national and regional level, this statement has demonstrated consistency with the following:
  - National Planning Framework 2040;
  - Housing for All (2021)
  - Sustainable Urban Housing: Design Standards for New Apartments; Guidelines for Planning Authorities 2020;
  - Urban Development and Building Height Guidelines 2018;
  - Regional Spatial and Economic Strategies – Eastern Midlands Regional Assembly (2019-2031);
  - Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), and the accompanying Urban Design Manual;
  - Delivering Homes, Sustaining Communities (2008) and the accompanying Best Practice Guidelines – Quality Housing for Sustainable Communities;
  - Design Standards for New Apartments (2020);
  - Design Manual for Urban Roads and Streets (2019);
  - Transport Strategy for the Greater Dublin Area 2016 - 2035
  - Draft Greater Dublin Area Transport Strategy 2022-2042
  - Guidelines for Planning Authorities on Childcare Facilities (2001);
  - Guidelines for Planning Authorities on Childcare Facilities 2001;
  - BusConnects – Transforming City Bus Services (2018);
  - The Planning System and Flood Risk Management (2009);
- 8.3. Consistency is also demonstrated with the policies and provisions of the Dublin City Development Plan 2016-2022.
- 8.4. It is respectfully submitted that the proposed development will provide an appropriate form of high quality residential development for this site. This consistency statement accompanying this planning application demonstrates that the proposed development is consistent with the national, regional and local planning policy framework and that the proposal will provide for an effective and efficient use of this under-utilised site which is highly accessible and well served by public transport.
- 8.5. The proposed development and accompanying documentation and reports have been prepared following pre-planning consultation with Dublin City Council and An Bord Pleanála.
- 8.6. In conclusion, it is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area, and is consistent with all relevant national, regional and local planning policies and guidelines and that the proposal as presented constitutes a reasonable basis for this planning application.

## **APPENDIX 1 - PRE-PLANNING APPLICATION DISCUSSIONS**

16/03/2021 11:00 via MS Teams

Dublin City Council:

Mary Conway

Siobhan O'Connor

Applicant:

John McKeon

John Fleming – JFA

Lucy Riordan – JFA

John Spain – JSA

Blaine Cregan JSA

Primary Points Raised/Discussed:

- Concern in relation to height
- Relationship and set back from residential properties to the west
- Separation between blocks and sunlight and daylight access
- District Centre – Potential dilution of function arising from additional residential development on Z4 lands]
- Scale and integration of public plaza with the wider Centre and pedestrian access
- Concern with access via the rear service road