

Planning Report & Statement of Consistency

**Carmanhall Road SHD 2022
Strategic Housing Development for Build to
Rent apartment development for 334 units
at the former Avid Technology Site**

August 2022

Prepared on behalf of

Atlas GP Limited



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Part A – Planning Report

1 Introduction

On behalf of the applicant, Atlas GP Limited, this document, has been prepared to accompany an SHD application to An Bord Pleanála under the Planning and Development (Housing) and Residential Tenancies Act, 2016, as amended in relation to a proposed Strategic Housing Development (SHD) on a site of c 0.9 ha, at the former Avid Technology Site, Ravens Rock Road/ Carmanhall Road, Sandyford, Dublin 18.

This SHD application is made pursuant to An Bord Pleanála’s Pre-Application Consultation Opinion of 19/5/22 under Ref. ABP-312265-21.

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

Reference is made to the adjoining ‘Tack’ site throughout this planning package, which is currently the subject of an SHD Pre-Application with An Bord Pleanála under reference ABP-313338-22. The two planning applications were conceived as co-ordinated and complementary SHD planning applications in association with Sandyford Environmental Ltd. for the adjoining Tack Site, prepared by the same design team.

For clarity, the planning strategy is to pursue two separate planning applications that address the site specific challenges and opportunities of the block in a co-ordinated manner. The planning permissions at the sites are capable of being delivered independently or jointly.

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

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

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

The document is structured as follows:

- Part A Planning Report
- Part B Statement of Consistency

Part A

Part A of this report provides further details of the proposed development in relation to the location and context of the application site. In summary, the proposed development consists of 334 build to rent residential units, a creche, shared amenity facilities landscaping, undercroft and underground parking and all site development works above and below ground in four blocks ranging from 5 to 16 storeys, above basement.

Part B

The statement has been prepared in accordance with the requirements of Strategic Housing Development Section 4 Applications to An Bord Pleanála Guidance for Applicants (2017) issued by An Bord Pleanála.

A Statement of Consistency must demonstrate the following:

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

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

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

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

Statements on Material Contravention

Section 9(6)(a) of the Planning and Development (Housing) and Residential Tenancies Act 2016 states that the Board may decide to grant a permission for a proposed strategic housing development in respect of an application where the development materially contravenes the development plan relating to the area concerned. The application site lands are subject to the Sandyford Urban Framework Plan and in particular the height and density provisions. Notwithstanding the National Planning Framework and relevant Section 28 Guidelines¹, it is considered that the height and density of the proposed development may be considered inconsistent with and materially contravene objectives of the SUFP. Accordingly, the considerations for the Board take in relation to a material contravention and a justification of the proposed development in that context is included in a separate Material Contravention Statement.

¹ Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and Urban Development and Building Heights: Guidelines for Planning Authorities (2018)

2 General Site Location and Description

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



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

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



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



Figure 3 View of Carmanhall Road facing west



Figure 4 View of Blackthorn Road facing south

2.1 Transport and Services

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

Light Rail LUAS Green Line

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

Bus Routes

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

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

Cycle Infrastructure

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

Dún Laoghaire-Rathdown County Council '*Cycling Policy Smarter Travel, Better Living*', was (June 2010, provides local guidelines on the delivery of the aims and objectives of the National Cycle Policy Framework 2009-2020. Developments in the Sandyford Business District will be required to adhere to the Council Cycling Policy as part of their Travel Plan.

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

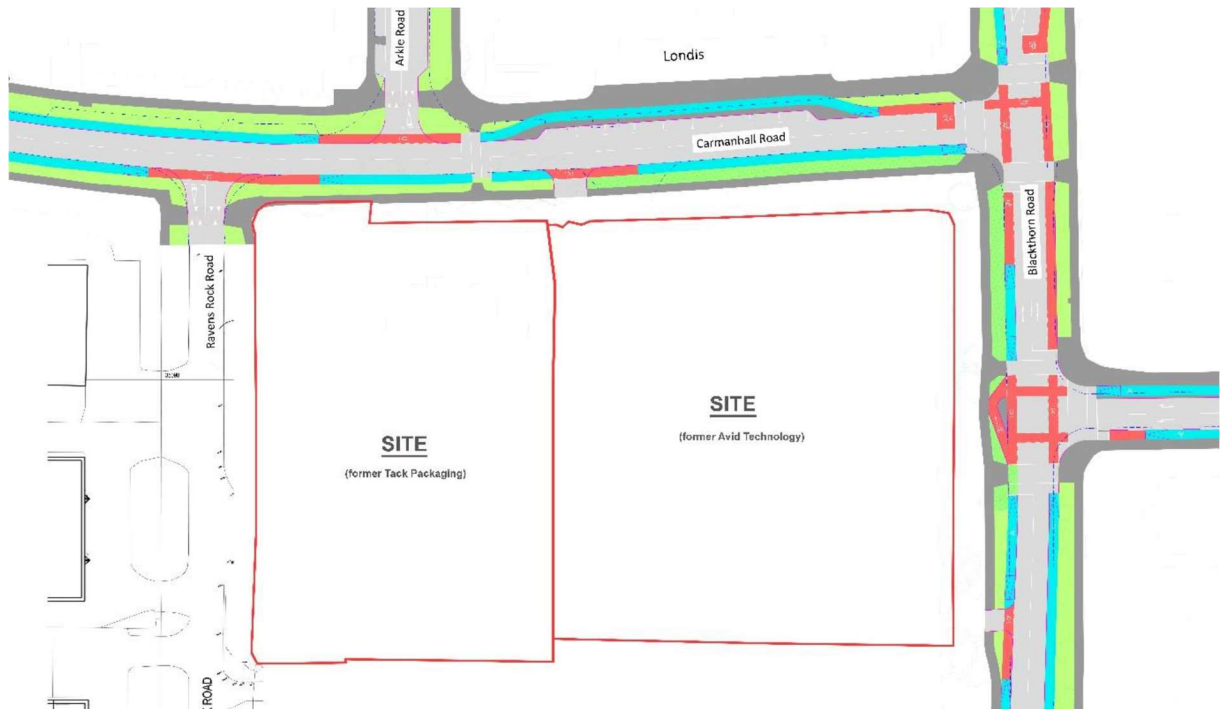


Figure 5 Sandyford Business District Pedestrian and Cycle Improvement Scheme

2.2 Amenities

The communal open space is provided as a secure area as courtyard gardens over podium. A communal courtyard of 1349.47 sqm is proposed at the centre of the 4 blocks and roof terraces of 405 sq.m. are to be planted in accordance with the comprehensive design proposals provided by NMP Landscape Architects. This in combination with the roof gardens meets the communal open space requirements with less than 30% of the communal open space provision allocated to the roof top.

2.3 Open Space, Sports and Leisure

The site is located in close proximity to a range of existing open space, sports and leisure facilities that are within a convenient distance of the subject site. There are a wide variety of playing fields and leisure facilities established in the Sandyford area. Several specific clubs and organisations were identified operating in the Sandyford area, providing a range of clubs to cater for a wide range of interests. A comprehensive Social Infrastructure Report accompanies this SHD planning application providing detail on facilities in the locality.

Section 2.3.7 of the SUFP (Appendix 16 of the County Development Plan 2022-28) notes

Open space is to provide for the recreational needs of residents and employees and to contribute to a sense of place unique to Sandyford Business District. The lands zoned Open Space are identified in Map 1.

The SUFP 2022-2028 sets a series of Open Space Objectives in section 2.3.7 as follows:

- F1 It is an objective of the Council to continue to improve and retain Páirc Uí Bhriain, Blackthorn local park and sports facilities by entering into dialogue with the relevant stakeholders in relation to public usage of the adjoining sport facilities on the southern site of St. Benildus Avenue.
- F2 It is an objective of the Council to actively pursue the use of the evolving reservoir site as active public open space.
- F3 It is an objective of the Council to develop a Sandyford Business District Civic Park (circa 0.8ha of public open space) through a combination of development contributions and other funding streams. A balance will be struck in the design and the layout of this park between the smart, civic quality of an urban square, and the casual, spontaneous nature of a residential area. This will include significant water features, a high degree of sculptural influence, play opportunities, including those for children’s play, hard & soft landscape features and extensive tree planting (Map 1, SLO 57).
- F4 It is an objective of the Council to provide public open space for active and recreational uses as identified on Drawing No. 7. The Local Authority will actively pursue the provision of this public open space. This public open space will be funded in accordance with the Development Contribution Scheme adopted for the Plan area.
- F5 It is an objective of the Council to facilitate the provision of a series of pocket parks/urban plazas to be used for small scale localised recreation. These public open spaces may be themed so as to provide a variety of experiences (e.g. landscaped or small active recreational facility). These parks provide break out areas along the Green Routes. (Map 1, SLO 59).
- F6 It is an objective of the Council to protect the stands of trees within South County Business Park by including them and the lands within which they stand, within the Open Space zoning.

Map 1 of the SUFP also includes Specific Local Objective 85 - To secure the use of lands at Stillorgan Reservoir for Public Amenity Purposes

Figure 6 below shows the ‘Amenity Open Space’ Plan of the Sandyford Urban Framework Plan 2022-2028.



Figure 6 Drawing No. 7 Amenity Open Space Plan of the Sandyford Urban Framework Plan 2022-2028

3 Proposed development

The proposed development consists of 334 no. residential units, a creche, resident facilities, new entrances, landscaping, undercroft and underground parking and site development works. The proposed development is fully described below. It is noted that the overall area of the red line site area is 0.99ha (including junction, access and servicing arrangements). The net site area with the applicant’s ownership is 0.73 ha.

Table 1 Summary of proposed development

Development Parameter	Summary												
Site Area	Application Site 0.99 ha (net area 0.73)												
No. of residential units	334												
No. of houses:	None												
Breakdown apartment units	<table border="1"> <thead> <tr> <th>No.</th> <th>Type</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>79</td> <td>studio</td> <td>24%</td> </tr> <tr> <td>175</td> <td>1 bed</td> <td>52%</td> </tr> <tr> <td>80</td> <td>2 bed</td> <td>24%</td> </tr> </tbody> </table>	No.	Type	%	79	studio	24%	175	1 bed	52%	80	2 bed	24%
No.	Type	%											
79	studio	24%											
175	1 bed	52%											
80	2 bed	24%											
Residential related uses	Residential amenity spaces at ground level (c. 893 sq.m.) including unit (146.5 sqm) open to public on Blackthorn Road												
Non-residential use	Crèche 272 sqm												
Demolition	None												
Overall Floor area	33,630 sq.m. (Gross Internal Area)												
Plot Ratio	4.6 (for net site area of 0.73) 3.4 if verges are included in site area												
Building Footprint area	0.35 ha												
Dual Aspect	124 units (37%)												
Car Parking	125 No. Car Parking, 6 No. Motorcycle Parking at ground and basement levels.												
Cycle parking	447												
Height	5 to 16 storeys												
Public Open Space	0												
Communal open space	1754.57 sq.m. (24% of site) 1349.57 sqm at podium and roof terraces 405 sq.m.												
Density	477 units per ha (for net site area of 0.7)												
Part V	34 units (10% of floor area)												



Figure 7 View of proposed development elevation onto Blackthorn Road at the corner with Carmanhall Road (Source: MDO Architects)



Figure 8 Illustration of Blackthorn Road frontage (Source: NMP Landscape Architects)

3.1 Design rationale of proposed development

The design rationale for the proposed development is illustrated in the design statement prepared by MDO Architects and the iterative process has evolved having regard to the *Urban*

Design Manual- A best Practice Guide (2009), the accompanying document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), the *Urban Development and Building Height Guidelines for Planning Authorities (2018)* and consultation with Dun Laoghaire Rathdown County Council and An Bord Pleanála.

The proposed development has been specifically composed to address the previous Reasons for Refusal under Ref. ABP-310104-21 on 12/8/21 which cited;

- a substandard quality of communal open space and an inadequate range and extent of resident support facilities and amenities serving the entire development.
- substandard bicycle parking facilities have been provided, in particular with regard to accessibility for all residents and the quantum provided for visitors,
- and the residential amenity of some individual apartments is deficient in relation to private amenity space and daylight availability.
- a substandard level of residential amenity

Also, in relation to the previous application (Reg. Ref. ABP-310104-21) and regarding the material contravention relative to the height and density provisions of the Dun Laoghaire-Rathdown County Development Plan 2016-2022, including the Sandyford Urban Framework Plan, the Board considered that the proposed development did not meet the development management criteria set out in Section 3.2 and Specific Planning Policy Requirement 3 of the Urban Development and Building Height Guidelines for Planning Authorities. These criteria are addressed comprehensively in the Material Contravention Statement and justification

The masterplan approach to the development of the adjoining Tack and Avid sites is a key part of the resolution of design issues in this revised development proposals. It allows the consideration of communal amenity at a more strategic level, which in turn allows significant improvements in daylight and sunlight provision in the courtyard and for residences (private amenity and living spaces) in the scheme. Cycle parking has been significantly improved. Overall, a high level of residential amenity is now provided on the subject site (including resident amenity spaces and creche).

Having regard to the substantive evidence provided in this SHD Planning Application Package, including EIAR, Visual Assessment, micro-climate assessment and Design Statement it is our professional opinion that this scheme now meets the development management criteria set out in Section 3.2 and Specific Planning Policy Requirement 3 of the Urban Development and Building Height Guidelines for Planning Authorities (as well as Appendix 5 of the Dun Laoghaire – Rathdown County Development Plan 2022-2028).

In summary, the site layout and building form has been influenced by:

- The pattern of development in the area and the identity of the site as a residential quarter with Sandyford;
- A permeable perimeter block development that creates active street frontage with the external environment and comfortable, protected spaces within;
- The policy objective of the SUFC 2022-28 for this residential neighbourhood to “be contained by tall buildings at either end of Carmanhall Road”;
- A co-ordinated approach to the development of the Tack and Avid sites that enables and integrated architectural solution that is sensitive to amenity and daylight of the location;
- A flexible approach to the development of the perimeter block where the Avid and Tack sites can if necessary be developed independently;

- A central street that is a public spine through the development sites that supports both an integrated and coordinated design approach with flexible implementation options;
- A desire to provide attractive open spaces for future residents and the provision of well-designed attractive communal open space for the residents of the apartments;
- A desire to create an attractive architectural ensemble that would appeal to the current housing market and contribute to the aesthetic qualities of Sandyford;
- The creation of a good BTR residential mix of apartments of different sizes that cater for a cross section of sizes appropriate to this central urban location;
- The provision of a resident facilities, creche and services on the site;
- The objective to enhance public space boundaries around the site and to encourage biodiversity;
- The precedent of decisions from the Board on SHD applications in the area (particularly former Aldi and Siemens site) highlights the new design for this site is appropriate under SPPR 3 criteria.

3.2 Creche

A creche 272 sqm is provided at lower ground and ground level. This will be accessible to both residents of the scheme and the wider area. An outdoor play area for the creche is provided in the communal open space area at ground level (podium). A drop-off car space is provided on the internal street to facilitate parents at busy drop-off and pick-up times.

3.3 Resident facilities

It is proposed to provide 893 sqm of high quality shared residential amenities in Blocks D and E, 2.6 sqm/residential unit. One unit (146.5 sqm), located along Blackthorn Road will be open to the public. These areas have a direct street access of Blackthorn Road, Carmanhall Road and inner lane to the west. These will activate the street frontage onto all three streets and provide generous spaces for the residents of all blocks to meet, relax and exercise together, reinforcing a sense of community. The proposed shared residential amenities include a resident's lounge, co-working spaces, business centre, multipurpose room, staff facilities, resident's gym, and entertaining spaces.

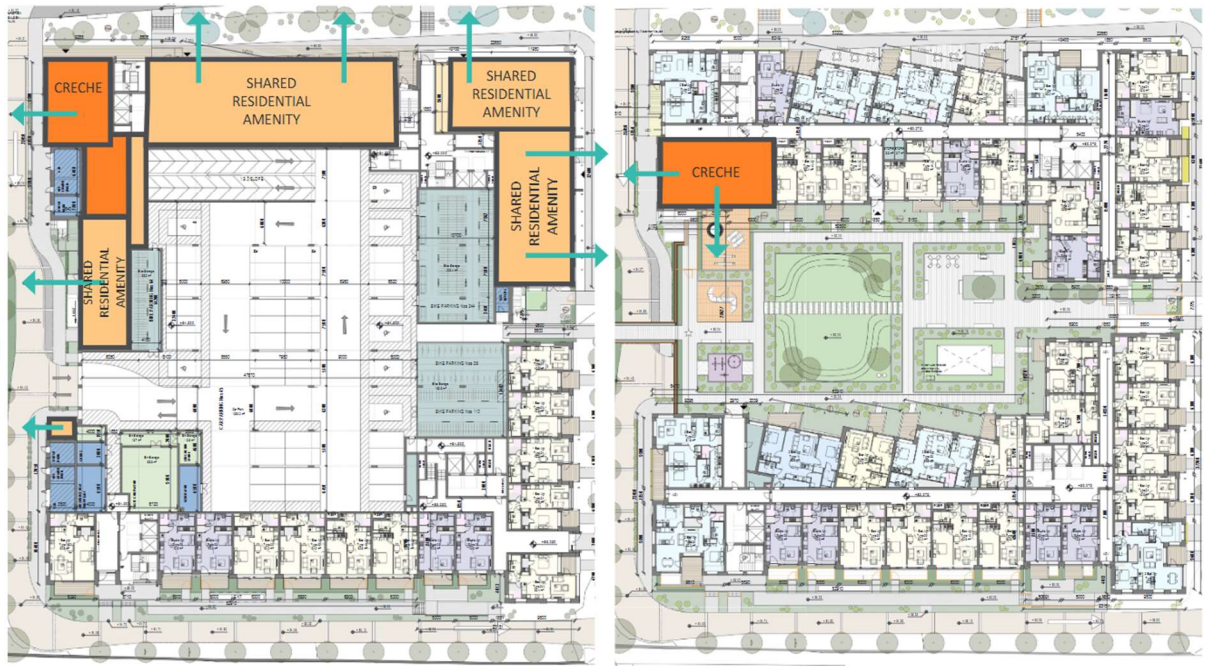


Figure 9 Extract from site plan illustrating location of Shared Amenity spaces

3.4 Access and Parking

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

It is highlighted that the vehicular with access from Carmanhall Road and egress to Blackthorn Road which is proposed in the current application, will be complemented by vehicular access arrangements for the adjoining Tack site, which enters via Ravens Rock Road and exit via Carmanhall Road.

This ensures that both parts of the perimeter block can be developed independently, yet when both are constructed are wholly complementary in terms of access arrangements and the formation of streets, which is sought by the SUFP (Section 3.5.4 - Sustainable Residential Neighbourhoods and Drawing 8 – Design Principles & Character Areas). This is the most efficient and effective arrangement for the two sites taken in conjunction, that can work in a complementary or independent manner between the two applications.

Vehicular parking is provided at approx.. 0.3 spaces per unit (125 overall) at ground and basement levels. A set-down space is also provided on the internal street for servicing and creche. 447 cycle parking spaces are proposed.

3.5 Phasing

The proposed development will be developed in one phase.

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

However, it is noted that the two sites are in separate ownership, as such in the interest of providing resilient permissions, both sites are designed to be capable of being developed and serviced independently. It is respectfully submitted that the Board can provide for temporary boundary works. The landscape plan by INM Landscape Architects includes fencing along the common property boundary in the short term if required.

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

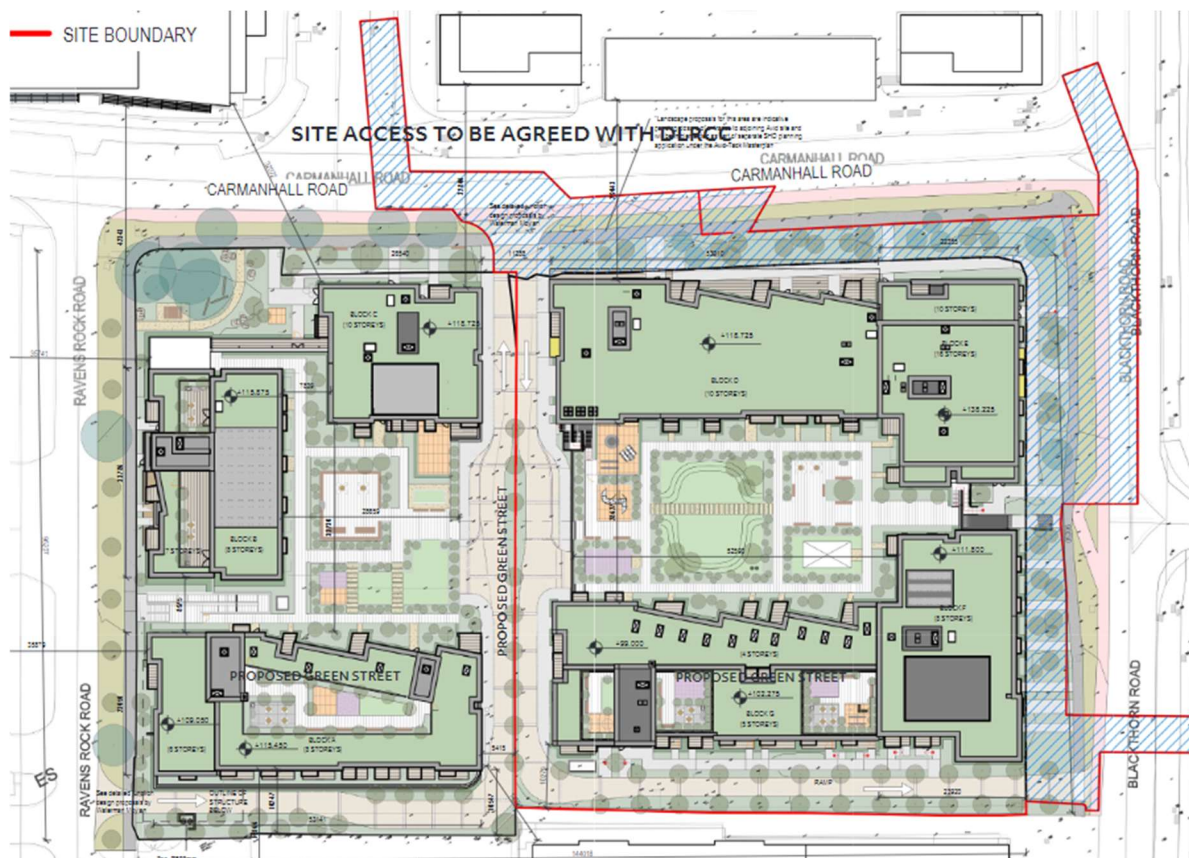


Figure 10: Proposed site plan with red line boundary showing overall masterplan with adjoining 'Tack' Site. Source: McCauley Day O'Connell Architects



Figure 11 Landscape Masterplan for the subject site and adjoining Avid site by NMP Landscape architects



Figure 12 Illustration of internal street with pedestrian bridge at podium level (source: NMP Landscape Architects).

The SHD Permission could include the following wording for example;

“Prior to commencement of development the developer shall submit a phasing plan for the agreement of the planning authority, for the construction of the pedestrian bridge between the ‘Tack’ and ‘Avid’ sites. This plan shall have regard to the timing of commencement notices for the two sites and any agreement between the two parties for the delivery of this structure”.

4 Planning History

4.1 Introduction

The proposed development has been designed to address previous feedback from An Bord Pleanála and Dun Laoghaire Rathdown under decision ABP-310104-21 (former Avid site) and PAC Reference ABP-308186-20 (former Tack Packaging site).

Previous relevant permissions at the sites included:

- ABP-310104-21 Permission Refused for 428 no. Build to Rent apartments & childcare facility
- ABP Ref. 303467-19: SHD Permission granted for 817-bedspace Student Accommodation
- D05A/0566 – Permission granted for 182 apartments with retail unit and gym, in three blocks ranging in height from 10-14 storeys
- P.A. Ref. D16A/0158: Mixed Use Development of a 5 - 8 storey including 147 no. apartments

4.2 Relevant Planning History to Application Site (Avid)

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

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

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

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

1. Having regard to the proposed quantum and resulting form of development, in particular the enclosed nature of the scheme layout and height on this restricted site, it is considered that the proposed development would result in a substandard quality of communal open space and an inadequate range and extent of resident support facilities and amenities serving the entire development.

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

In the absence of suitable alternative proposals to compensate for design deficiencies in the proposed units and the scheme as a whole, the Board considered that the proposed development would result in a substandard level of residential amenity for the future

occupants of the proposed development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

This current planning application has been composed to specifically address the above items of An Bord Pleanála's decision.

4.2.2 *Sandyford Student SHD ABP Ref 303467*

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

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

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

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

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

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

Road which will serve as an entrance for bin collection and emergency services only; and creation of a new cycle path along the Carmanhall Road and Blackthorn Road frontages; (iv) All ancillary works, including landscaped areas, comprising an internal courtyard and public open space along the Carmanhall Road and Blackthorn Road frontages; boundary treatments, all ancillary drainage works, including sustainable drainage system, lighting; public footpath works; and all other associated site services, site infrastructure and site development works.



Figure 13 Elevations of previously approved student development at subject site

4.2.3 D16A/0158 1st September 2016

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

4.2.4 Pre-Application Consultation Opinion for the Avid site ABP Ref. 312265-21

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

Following a Pre-Application Consultation meeting on 27th April 2022, An Bord Pleanála’s Pre-Application Consultation Opinion of 19/5/22 under Ref. ABP-312265-21.

The Response to Opinion Report Addresses the issues raised by the Board in detail in a separate report prepared by MacCabe Durney Barnes.

4.3 Tack Sandyford SHD ABP Ref. 313338-22

Under reference ABP Ref. 313338-22 Sandyford Environmental Construction Ltd has lodged an SHD application on 14th April 2022 for a Proposed Development of 207 no. Build to Rent Apartments and associated site works at the former Tack Packaging Site at junction of Ravens Rock Road and Carmanhall Road, Sandyford, Dublin 18. The Tack site shares a common masterplan with this SHD application.



Figure 14 Photomontage of proposed ‘Tack’ site at corner of Carmanhall Road and Ravensrock Road

The principal elements of the current proposed residential development include:

- 207 No. studios, 1, 2 & 3 – bed apartments within 3 No. apartment blocks
- 79 No. car parking spaces at lower ground floor, under landscaped podium and in basement.
- 288 No. bike parking spaces,
- 4 No. ground floor Residents’ Amenity Spaces - 414 sqm
- Creche – 306 sqm
- Landscaping to include public pocket park, central courtyard, communal and creche playground

The primary design concept for the site is to replace the existing Tack Packaging warehouse buildings, with three residential buildings that will create new active frontages to Ravens Rock Road and Carmanhall Road. It is proposed to create a south-east facing communal courtyard between the three residential blocks that will act as a nucleus for the development, providing strong visual and physical connections between the apartment buildings. A podium at first floor

level will conceal the residential car park below and contain an elevated, sunny courtyard connecting all three buildings. The courtyard will provide a lively outdoor amenity space for residents to meet, play, relax, and congregate.

Block A, positioned at the highest points of the site, steps from 6-storeys at Ravens Rock Road to 8-storeys to the south-west at the perimeter of the site. Block B steps from 7-storeys facing Ravens Rock Road to 8-storeys at the courtyard side, with a mezzanine (provided to deal with a significant level drop at this location). Blocks C and D, facing Carmanhall Road, are 10-storeys high (Block C contains a mezzanine floor) with the upper two floors being more discrete, metal clad to create a roof scape and to set a shoulder height at 8-storey. Carmanhall Road is the longest of the proposed street frontages. To prevent a monolithic slab block at this location, three volumes are being proposed with altering heights and facade treatment.

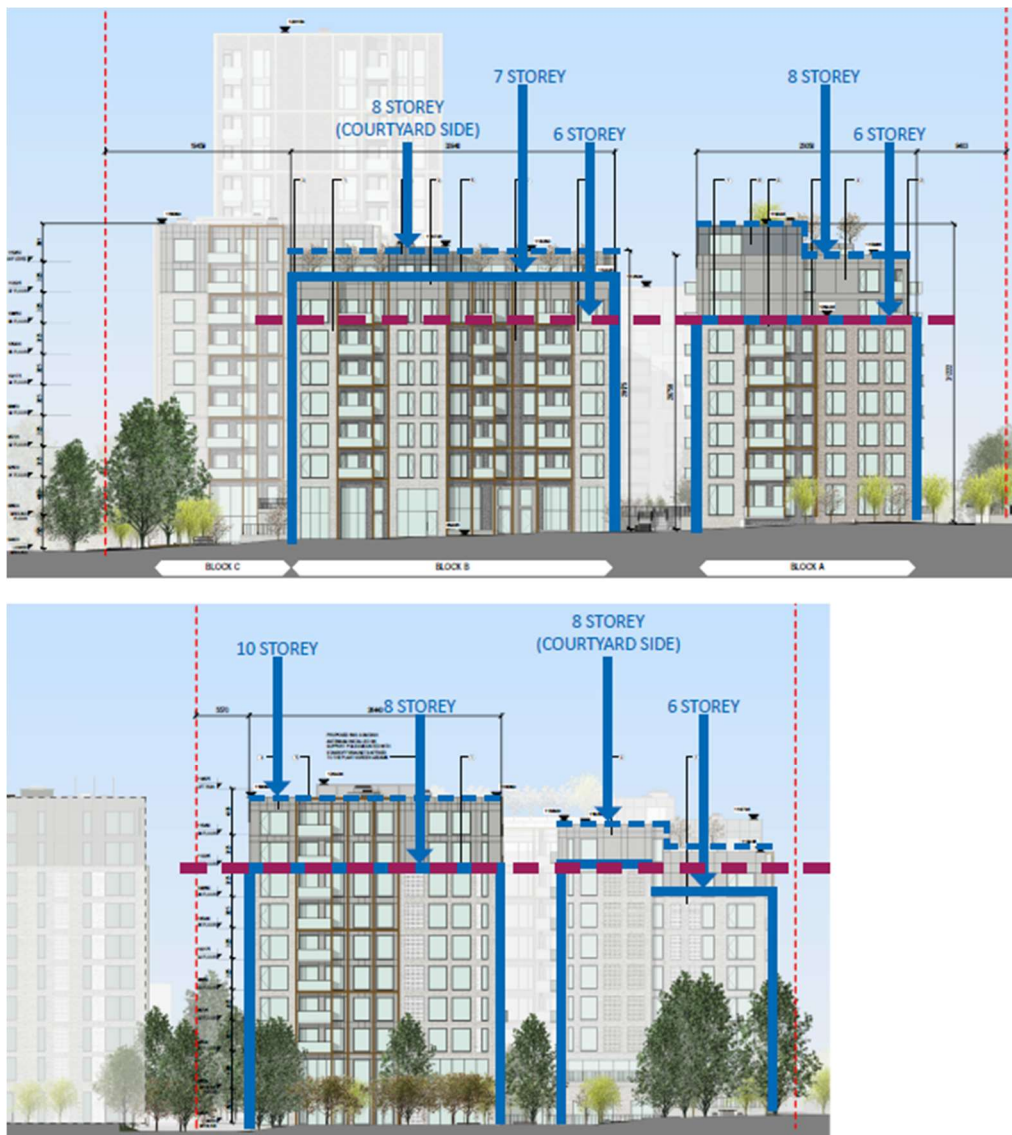


Figure 15 Elevations of proposed 'Tack' development to Carmanhall Road and Ravensrock Road (Source: MDO Architects)

The Tack planning application was prepared based on a common masterplan with the Avid site. The application package (currently under consideration by the Board) addressed the issues raised in Pre-Application Opinion of 22/12/20, namely 1) Development Strategy and 2) Residential Amenity. This included the following:

The scale, height, and design of the proposed development and the potential impact on the adjoining sites and surrounding environs of Sandyford the proposed design and the justification for any material contravention of the density and height strategy in the development plan and compliance with Section 3.2 of the Urban Development and Building Heights: Guidelines for Planning Authorities (2018).

2. Further consideration Permeability of the block for pedestrians and movement strategy; the quantum and quality of communal open space including the availability of sunlight and daylight to the courtyard, roof gardens, and the functionality of the spaces, including the 'pocket park' and Sunlight and daylight within the apartments.

The issues addressed in this Opinion were comprehensively addressed in the planning application (including EIAR) prepared by the same design team as this 'Avid' application.

4.4 Ravens Rock Road SHD -

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

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

- 101 no. build to rent apartments within a part 5, part 6 to part 11 no. storey building over partial basement comprising 65 no. 1 bedroom apartments and 36 no. 2 bedroom apartments (balconies on all elevations); 734sqm of external communal amenity space provided in the form of a podium courtyard at first floor level and a series of rooftop terraces at fifth, sixth and tenth floor levels, c. 514sqm of public open space provided fronting Carmanhall Road;
- 511 sqm of resident support facilities/ services and amenities space provided at ground and first floor levels;
- Vehicular access to the development will be from the upgraded existing access from Ravens Rock Road;
- Provision of 10 no. car parking spaces [1 no. accessible], 2 no. motorcycle spaces; in an undercroft carpark and 234 no. cycle parking spaces;
- Provision of 4 no. Ø0.3m Microwave link dishes to be mounted on 2 No. steel support pole affixed to lift shaft overrun, all enclosed in radio friendly GRP shrouds, together with associated equipment at roof level;
- Provision of an ESB substation, switch room and plant room at ground floor level, hard and soft landscaped areas, public lighting, attenuation, service connections [on Carmanhall Road, Ravens Rock Road and Arkle Road] and all ancillary site development works (including public realm upgrades on Carmanhall Road and Ravens Rock Road).

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

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



Figure 16 Photomontage of current proposed SHD development by Ravensbrook Limited (Source: Henry J Lyons Architects)

4.5 Tack Site Permission

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

“The construction of 16,766 sq.m gross floor area; comprising of 609 sq.m retail/commercial floor area at ground floor in 3 units, a 210 sq.m gym/private health club and 15,947 sq.m of residential development comprising 182 apartments with private balconies in three blocks. Block A faces on to Carmanhall Road and is 9 storeys over ground floor with a total height of 33.250 meters, Block B is set into the site and faces Ravens Rock Road across a landscaped courtyard at ground level and is 10 storeys from ground level with a total height of 31.800 meters, Block C is on the corner of Carmanhall Road and Ravens Rock Road and set back from

the existing trees and is 12 storeys over ground floor with a total height of 47.871 meters; with 214 car parking spaces and 182 bicycle parking spaces, bin storage across two basement levels with vehicular access from Ravens Rock Road through entry court; emergency vehicle access to garden level is from Carmanhall Road, and ancillary site developments, boundary treatments, all on a site of 0.5783 hectares at Tack Packaging, Carmanhall Road.”

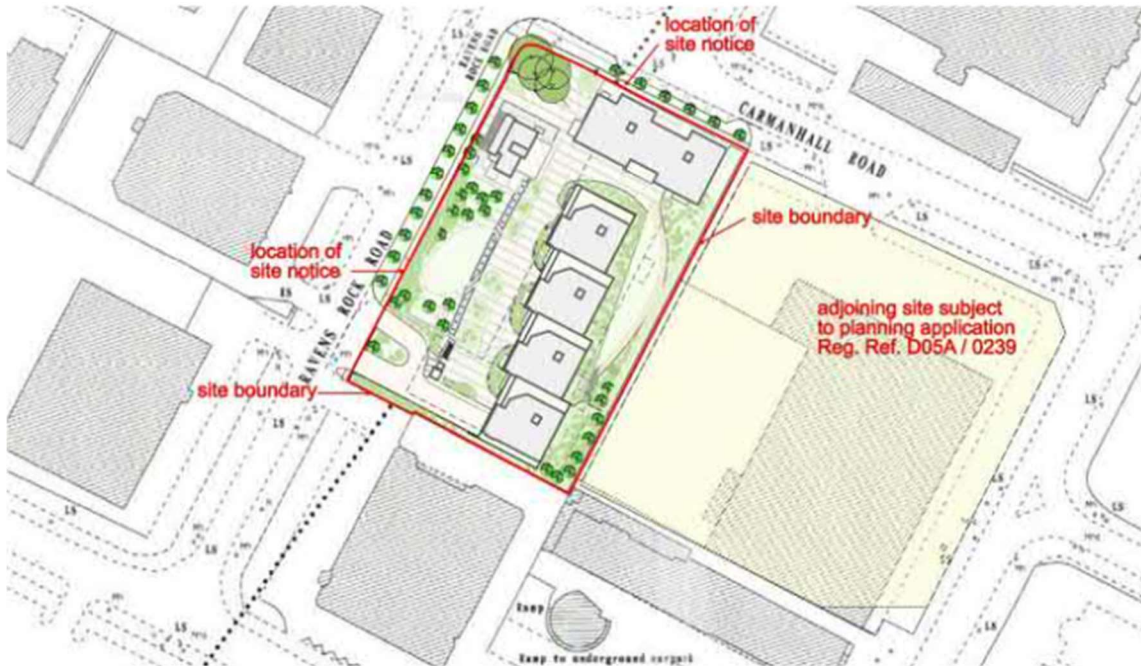


Figure 17 Site Plan for development permitted under PA Reg Ref. D05A/0566



Figure 18 Elevation to Ravens Rock Road of development permitted under PA Reg Ref. D05A/0566

Site Area: 0.5783 Ha
No of Units Proposed: 182 units
Proposed density: 319 units / ha
Retail Area: 609sq.m

Gym Area: 210sq.m

Residential Area: 15,947sq.m

3 Blocks

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

B - 10 Storey (31.8m) internal to site

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

Car Parking: 214 Spaces

Bike Parking: 182 spaces

Due to the recession, this development did not proceed.

Table 2 Summary of site planning history

Ref. No.	Description	Decision	Date	Note
RA 588	Factory and Offices Holfeld Hydraulics	Grant	31/7/78	
YA 654	Escape stairs and alterations (extension)	Grant	14/6/83	
88A/568	Single storey industrial building to rear of existing factory	Grant	10/3/89	
95A/0027	New access onto Carmanhall	Grant	15/3/19	
99A/0003	3 Blocks Telemarketing/ Sales/IT 11580 sqm	Refuse	9/11/99	
PL06D.118488 D99A/0977	3 Blocks telemarketing etc 10,175 sqm	Refuse on appeal	27/9/00	
D00A/1243	9254 sqm office base industry, 3 blocks	Grant	27/2/01	Not commenced
D02A/0687	Change of use from Industrial Storage to recreational skateboard park, external signage and minor alterations.	Withdrawn	20/8/02	Withdrawn
D05A/0566	Retail/commercial and 182 apartments in three blocks up to 10 storeys	Grant	5/9/2005	Lapsed owing to recession

4.6 Planning precedents

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

Sandyford Central

Former Aldi site, Carmanhall Road, Sandyford Business District, Dublin 18 Case Reference: ABP-305940-19 (Blackthorn Drive (North) /Carmanhall Road) permission was granted for 564 no. build to rent apartments, creche and associated site works on 12/03/2020 on a site of 1.54 ha.

The development is in 6 No. blocks as follows: Block A (144 No. apartments) is part 10 to part 11 No. storeys over basement; Block B (68 No. apartments) is 8 No. storeys over basement; Block C (33 No. apartments) is 5 No. storeys over lower ground; Block D (103 No. apartments) is part 16 to part 17 No. storeys over lower ground; Block E (48 No. apartments) is 10 No. storeys over semi-basement; and Block F (168No. apartments) is 14 No. storeys over semi basement.

Rockbrook SHD

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

The Inspector concluded:

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

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

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

Siemens site

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

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

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

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

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

10.5.2. *Having regard to the above, I consider that the development materially contravenes the SUFP and development plan policy UD6 in terms of building height and I note that the applicant’s Material Contravention Statement addresses this matter. With regard to **national policy, NPO 35 of the NPF seeks to increase residential densities in settlements and NPO 13 states that building heights in urban areas will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth.** These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected. **The principle of increased height, such as that set out here, is therefore supported by the NPF, subject to compliance with the relevant performance criteria.***

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

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

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

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

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

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

5 Consultations with Planning Authority and An Bord Pleanála

5.1 Section 247 Consultation with Dun Laoghaire Rathdown County Council

By email correspondence dated 29/11/21, Dun Laoghaire Rathdown County Council Planning Department advised that a section 247 meeting would not be facilitated and the applicant could proceed to lodge a Pre-Application Consultation request with An Bord Pleanála (see Appendix). The planning authority's correspondence stated:

S247(1A)(b) of the Planning Act 2000 and Section 5(3) of the 2016 'SHD' Act obliges the planning authority to engage in S247 consultations in respect of SHDs within 4 weeks of the receipt of the request, with subsection (1) requiring that agreement to enter into such consultations shall not be reasonably withheld. It is our position that our inability to enter into this consultation at this time is not unreasonable, on account of the reasons outlined above.

We also note S5(4) of the 2016 Act which sets out that a failure by the planning authority to hold a S247 meeting does not preclude the applicant from seeking a 'Stage 2' tripartite pre-planning with An Bord Pleanála under Section 5 of the 2016 Act.

5.2 Tri partite meeting with An Bord Pleanála ABP-312265-21

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

Table 3 Tri-Partite Meeting 27/4/22

Attendees at Tri-Partite Meeting with An Bord Pleanála and Dún Laoghaire Rathdown County Council 27th April 2022		
Present: Design Team and applicant	Present: DRCC	An Bord Pleanála:
Shaun Thorpe, Head of Planning, Atlas GP Sylwia Allen, Architect, MDO Architects William O'Donnell, Associate Director, IN2 Jerry Barnes, Director MDB Richard Hamilton, Director MDB	Michelle Breslin, Senior Executive Planner Dermot Fennell, Executive Engineer Ciaran Daly, Assistant Planner Johanne Codd, Executive Engineer	Stephen O'Sullivan, Assistant Director of Planning Fiona Fair, Senior Planning Inspector David Behan, Executive Officer
Topics	Specific comment by DRCC	Response
Topics	<ul style="list-style-type: none"> - Scope of planning application and relation with adjoining Tack site - Masterplan 	Development proposals, residential uses, communal space and technical

	<ul style="list-style-type: none"> - planning permission (expired) - Density - Height - Civil engineering - SUFP policies - Creche - Residential amenity space - Access and parking 	<p>content of application reviewed and updated.</p>
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5.3 Conclusion of Consultations

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

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

6 Strategic policy context

6.1 Introduction

Compliance with policy is addressed in detail in the Planning Consistency statement in Part B of this report. This section briefly summarises relevant policy criteria.

6.2 Dun Laoghaire- Rathdown County Development Plan 2022-2028

6.2.1 Zoning

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

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

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

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

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

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

The proposed BTR residential development is permissible in principle and is consistent with the Zoning policy of the County Development Plan.

6.2.2 Residential

The Sandyford Urban Framework Plan 2022-28 (SUIFP) is included as Appendix 16 of the County Development Plan. It sets out the detailed planning policy for the Sandyford area consistent with the County Development Plan. It includes the following pertinent statement regarding the surroundings of the site.

Zone 5 Residential

(a) Carmanhall Road Neighbourhood

This residential neighbourhood is to be centrally located within Sandyford Business District adjacent to the Mixed Use Core Area, reducing the need to travel and enhancing the viability of retail facilities and services and the vitality of the area as a whole. It is suitably located close to existing residential developments at Beacon South Quarter, Rockbrook and at Corrig Road and Ballymoss Road and is within walking distance of proposed social, educational and recreational amenities and the proposed transport interchange and Luas along Blackthorn Drive/Avenue.

The outer edge of this residential area, fronting Blackthorn Road, provides for uses that will create active street frontage and provide a transition between the residential area and the opposing employment based areas along Blackthorn Road. It is anticipated that these own door business units will provide appropriate facilities for small businesses (Map 1, SLO 52).

3.5.4. Zone 5 – Sustainable Residential Neighbourhoods

Sites 1, 5 and 11: Carmanhall Road Residential Neighbourhood

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

6.2.3 Density and Scale

Policy SUFP 2 relating to density and scale states:

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

Map 2 provides for a density of 150 units per ha. for the subject site. The proposed development has a density of 457 units per hectare. As noted in Section 6.3 of this report, Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), there should, in principle, be no upper limit on the number of dwellings that may be provided within any town or city centre site.

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

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

6.2.4 Height Strategy in County Development Plan 2022-28

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

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

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

Carmanhall Road which forms the base line for this residential neighbourhood is considered essential in enhancing connectivity and linking the different retail, commercial and residential aspects of Sandyford Business District.

This residential neighbourhood shall be contained by tall buildings at either end of Carmanhall Road where the building line along the southern side of Carmanhall Road shall be set back to provide a linear greenway. This linear greenway will widen into a substantial Civic Park located at the junction of Corrig Road and the north west of Carmanhall Road. It is envisaged that the Park together with the greenway will provide high amenity open space for both the local residents and employees alike.

The urban form shall provide a strong, animated and active outer edge, with commercial uses at ground floor level, to the residential neighbourhood fronting onto Blackthorn Road. This outer edge whilst promoting routes and permeability will act as a buffer to the inner residential area and the green areas of this neighbourhood.

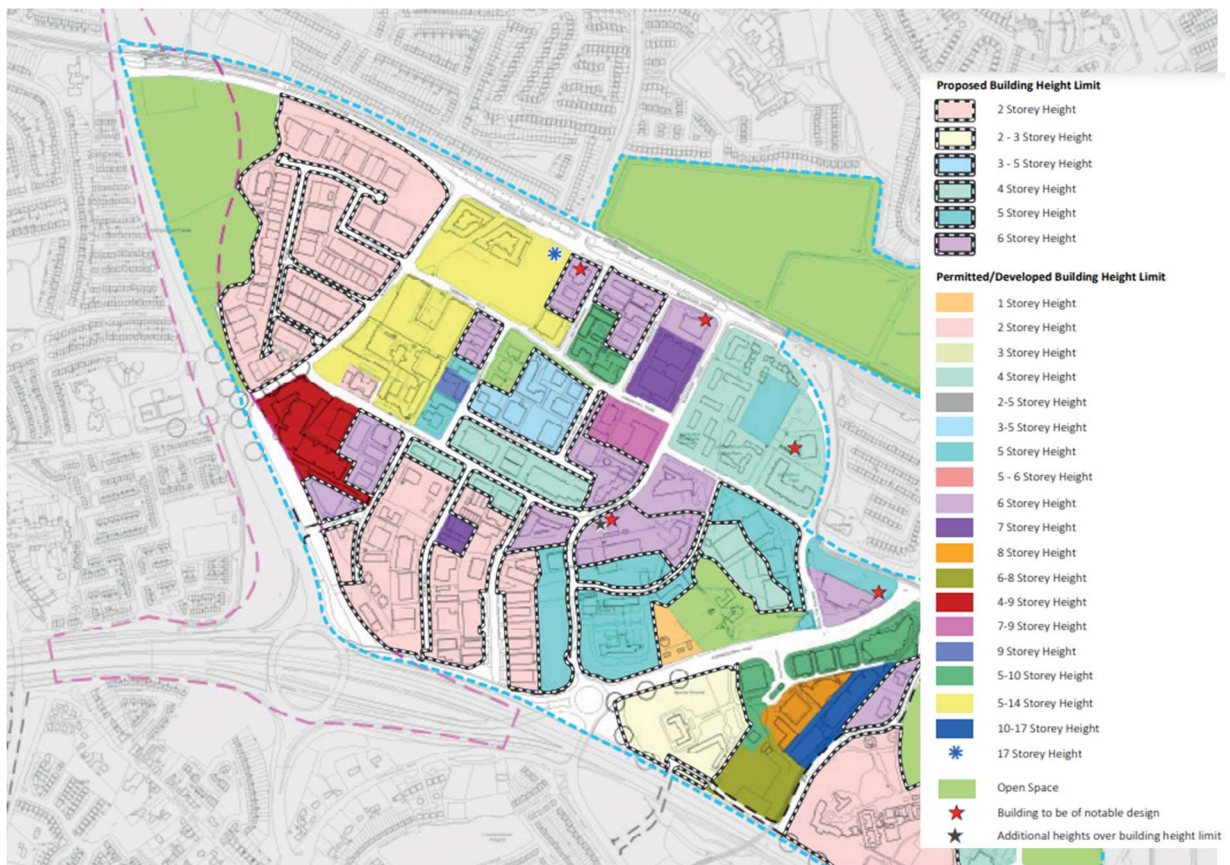


Figure 19: Map 3 – Building Heights of the Sandyford Urban Framework Plan 2022-2028

6.2.5 Character Areas



Figure 20 Drawing 8 Design Principles and Character Areas

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

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

6.2.6 Density/plot ratio

With regards to density and scale, the SUFP (2022-28) states under section 2.3.5 Objective A2 Residential Zone 5:

“It is an objective of the Council to ensure the residential neighbourhoods are developed at a density that is in accordance with the density provision set out in Map 2.”.

The subject site is indicated as the location for maximum density in the district. The SUFP envisaged a density of 175 units per ha. The proposed density is approx.. 454 units per ha. and has a plot ratio of 4.

6.2.7 Urban Development and Building Heights (2018)

Ireland 2040 - National Planning Framework, the Urban Development and Building Heights Guidelines for Planning Authorities 2018 and the Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities 2020 set out the national policy framework in respect of building height.

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

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

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

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

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

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

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

SPPR 1 of the Guidelines notes that blanket numerical limitations on building height shall not be provided through statutory plans therefore the imposition of the height restriction at the subject site would be contrary to SPPR 1. The subject site is suitably located to accommodate

additional height in line with National Policy due to its central and accessible location (as set out in the Apartment Guidelines, 2018) in close proximity to numerous substantial employers, located within easy walking distance and the Luas of high capacity urban public transport stops. The Board’s decision for the former Aldi and Siemens sites highlights that the new design for this site is appropriate under SPPR 3 criteria.

Detailed analysis of the compliance of the proposed development with the SPPR 3 Criteria is set out in the Design Statement and provides the rationale for the Material Contravention of Height and Density provisions of the SUFP as articulated in the Material Contravention Statement.

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

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

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

(a) City and town centres

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

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

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

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

The proposed development for 334 units is high density development in an appropriate location in a Build to Rent model. The proposed development is a material contravention of the SUFP in terms of height and density and a statement to that effect has been prepared accordingly.

7 Appropriate Assessment, Ecological Assessment and Environmental Impact Assessment

7.1 Appropriate Assessment

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

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

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

7.2 Environmental Impact Assessment

An EIAR report by Golder associates accompanies the application. With a total of 334 units the application falls beneath the mandatory threshold for EIAR infrastructure development under the Planning and Development Regulations (2001-21), Schedule 5, Part 2, Infrastructure Projects 10(b)(1).

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

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

8 Part V

As part of the s247 pre-application consultations with South Dublin County Council, Part V units were proposed in Block A at Ground and First Floor level. The letter from Dun Laoghaire Rathdown County Council, dated 8th August 2022, responded to this proposal for a 25 year long-

term lease of units on site. The current proposal reflects this original proposal and includes 34 dwellings representing 10% of all floor area and consists of:

- 24 no. 1 bed apartments
- 10 no. 2 bed apartments

9 Legal Covenant

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

10 Flood risk

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

A Flood Risk Assessment report accompanies the application prepared by Waterman Moylan.

11 Water Services and Drainage

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

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

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

12 Access and traffic

Please see Traffic and Transport Assessment, Travel Plan and DMURS statements from Waterman Moylan Engineers. Car parking with a total of 125 car spaces will be provided at Lower Ground Level and Basement. Cycle parking with 447 spaces will be provided at Lower Ground Level. Access for vehicular traffic is proposed from Carmanhall Road with Egress onto Blackthorn Road. Parking provision for motorcycles within the proposed development will be 6 spaces (above the 4 spaces required).

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

An entrance only access is proposed from Carmanhall Road for cars, service deliveries, refuse freighter and emergency vehicles. An exit only for all vehicles is proposed onto Blackthorn Road along the southern boundary of the site.

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

The internal road layout and possible future connection to the future internal road layout within the former Tack site to the west. The traffic assessment incorporates concurrent development proposals for the former Tack site provide for approx.. 207 Build-to-Rent residential units which is currently before the Board.

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

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

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

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

13 Construction and Demolition Management /Waste Plans

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

14 Conclusion

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

Part B – Statement of Consistency

15 Statement of Consistency

15.1 Key provisions

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

Table 4 Relevant national, regional and local planning policy documents

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

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

15.2 National

15.2.1 Project Ireland 2040 - National Planning Framework

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

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

Several policy objectives may be considered applicable to this development.

National Policy Objective 3a

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

The present application fully meets this objective.

National Policy Objective 11

‘In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within

existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.'

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

National Policy Objective 13:

"In urban area, planning and related standards, including particular building height and car parking will be based on performance criteria that seek to achieve well designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected".

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

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

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

National Policy Objective 32

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

The present application contributes to this objective.

National Policy Objective 33

'Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.'

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

Policy Objective 34

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

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

National Policy Objective 35

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

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

15.2.2 National Development Plan 2018-2027

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

“1.6 Housing Challenge

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

The proposed development provides 334 residential units at an appropriate density and mix along with the provision of ten percent integrated social housing. The proposed development accords with the National Development Plan.

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

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

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

The Plan sets targets to double the annual level of residential construction to 25,000 homes and deliver 47,000 units of social housing in the period to 2021, while at the same time making the

best use of the existing housing stock and laying the foundations for a more vibrant and responsive private rented sector.

It included:

Pillar 3 – Build More Homes

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

Pillar 4 – Improve the Rental Sector

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

Table 5 Relevant ‘Key Actions to be delivered under the action plan’ :

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

The proposed development provides 334 Build to Rent residential units at an appropriate density and mix along with the provision of ten percent integrated social housing in high density urban area. The proposed development accords with this Government Strategy *Rebuilding Ireland Action Plan for Housing and Homelessness*.

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

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

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

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

- Supporting Homeownership and Increasing Affordability;
- Eradicating Homelessness, Increasing Social Housing Delivery and Supporting Social Inclusion;
- Increasing New Housing Supply; and
- Addressing Vacancy and Efficient Use of Existing Stock

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

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

The proposed development provides 334 residential units at an appropriate density and mix along with the provision of ten percent integrated social housing in high density urban area. The proposed development accords with this Government Strategy ‘Housing for All’.

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

This strategy provides a framework for the planning and delivery of transport infrastructure and services in the Greater Dublin Area (GDA) over the next two decades. It also provides a transport planning policy around which other agencies involved in land use planning, environmental protection, and delivery of other infrastructure such as housing, water and power, can align their investment priorities. It is, therefore, an essential component, along with investment programmes in other sectors, for the orderly development of the GDA over the next 20 years.

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

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

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

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

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

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

The key issues include the provision of transport networks that promote real alternatives to car journeys and encouragement of lower vehicular speeds in urban areas with a view to making streets safer and more attractive places. The use of DMURS is mandatory on all urban roads and streets with a speed limit of 60 km/h or less. The application is accompanied by a report from Waterman Moylan who address the compliance with DMURS.

A number of core elements are included in DMURS including:

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

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

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

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

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

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

- i. to reduce overall travel demand,
- ii. to maximise the efficiency of the transport network,

- iii. to reduce reliance on fossil fuels,
- iv. to reduce transport emissions and
- v. to improve accessibility to transport.

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

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

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

Light Rail LUAS Green Line

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

Bus Routes

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

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

15.2.8 NTA's Permeability Best Practice Guide 2015

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

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

Sandyford Business District Pedestrian and Cycle Improvement Scheme.

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

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

15.2.9 Birds and Habitats Directive

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15.3 Regional

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

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

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

The vision for the RSES is to create a sustainable and competitive region that supports the health and wellbeing of our people and places, from urban to rural, with access to quality housing, travel and employment opportunities for all. The central need identified by the RSES is ‘to be people focused as quality of life encapsulates strong economic output and stability, good environmental performance and good standard of living for all.’

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

- For urban-generated development, the development of lands within or contiguous with existing urban areas should be prioritised over development in less accessible locations. Residential development should be carried out sequentially, whereby lands which are, or will be, most accessible by walking, cycling and public transport – including infill and brownfield sites – are prioritised.
- Planning at the local level should prioritise walking, cycling and public transport by maximising the number of people living within walking and cycling distance of their neighbourhood or district centres, public transport services, and other services at the local level such as schools.
- Support the ‘10 minute’ settlement concept, whereby a range of community facilities and services are accessible in short walking and cycling timeframes from homes or accessible by high quality public transport to these services in larger settlements.
- Cycle parking should be appropriately designed into the urban realm and new developments at an early stage to ensure that adequate cycle parking facilities are provided.
- Support investment in infrastructure and behavioural change interventions to encourage and support a shift to sustainable modes of transport and support the use of design solutions and innovative approaches to reduce car dependency.

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

“50% of all new homes 20 to be provided in the existing built up area of Dublin City and Suburbs in tandem with the delivery of key infrastructure to achieve a population of 1.4 million people by 2031.”

RPO 4.3 supports development of infill sites as follows:

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

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

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

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

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

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

Regional Policy Objective 5.4 states

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

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

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

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

15.4 Section 28 Guidelines

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

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

The Build-to-Rent typology is defined within the Guidelines as:

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

The Guidelines further note that Build-to-Rent developments:

‘can provide a viable long term housing solution to households where homeownership may not be a priority, such people starting out on their careers and who frequently move between countries in the pursuance of career and skills development in the modern knowledge-based economy.’

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

1) Central and/or Accessible Urban Locations

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

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

15.5.1 Specific Planning Policy Requirements

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

Table 6 : Summary of 2020 Apartment Guidelines in relation to Built to Rent

	Policy	Requirement	Proposal			SPPR Ref.
			No.	Type	%	
MIX	BTR No Restriction	None	No.	Type	%	1 + 8
			79	studio	24%	
			175	1 bed	52%	
			80	2 bed	24%	
FLOOR AREAS	Studio (1 person)	37 sq.m.	Applied 40.5 – 47.17 sq.m.			3
	1-bedroom (2 per) (type 1)	45 sq.m.	Applied 48.3 - 65.8 sq.m.			3
	2 -bed (4 person)	73 sq.m.	Applied 80.9 - 85.2			3
	3-bedroom (5 person)	90 sq.m.	N/A			3
DUAL ASPECT	Central and accessible	Min. 33%	Applied			4
	Suburban/ intermediate	Min. 50%	N/A			
	Preference 3 bed = dual aspect		N/A			
	North face single aspect limited		All single aspect have been designed not to be north facing within the 45 degree angle (due north)			
CORE	No limitation					
FLOOR TO CEILING	Ground Floor	2.7 m	Applied			5
	Upper Floor	2.4 m	Applied			

LEGAL	Must remain as rental	15-year period	Agreement to submit	7
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The MDO Architectural Design Statement (Section 6) demonstrates that all apartment types are compliant with the Specific Planning Policy Requirements (SPPRs) are summarised as follows as they relate to Build to Rent apartments in terms of Storage, Private amenity and room sizes.

In line with similar SHD developments in Dublin, parking is proposed at 0.3 spaces per unit. Parking is addressed in the Traffic and Transport report prepared by Waterman Moylan Engineers.

Shared residential amenities, facilities and associated spaces (c. 893 sq.m.). Of this, some 272 sq.m. is identified for a ground floor creche unit. The remaining 621 sq.m. are identified for use for communal facilities such as co-working spaces, library or lounge areas. The central courtyard area of the Avid block provides for Communal amenity space of approx. 1,349.37 sqm. Roof gardens of 405 sq.m. are also provided.

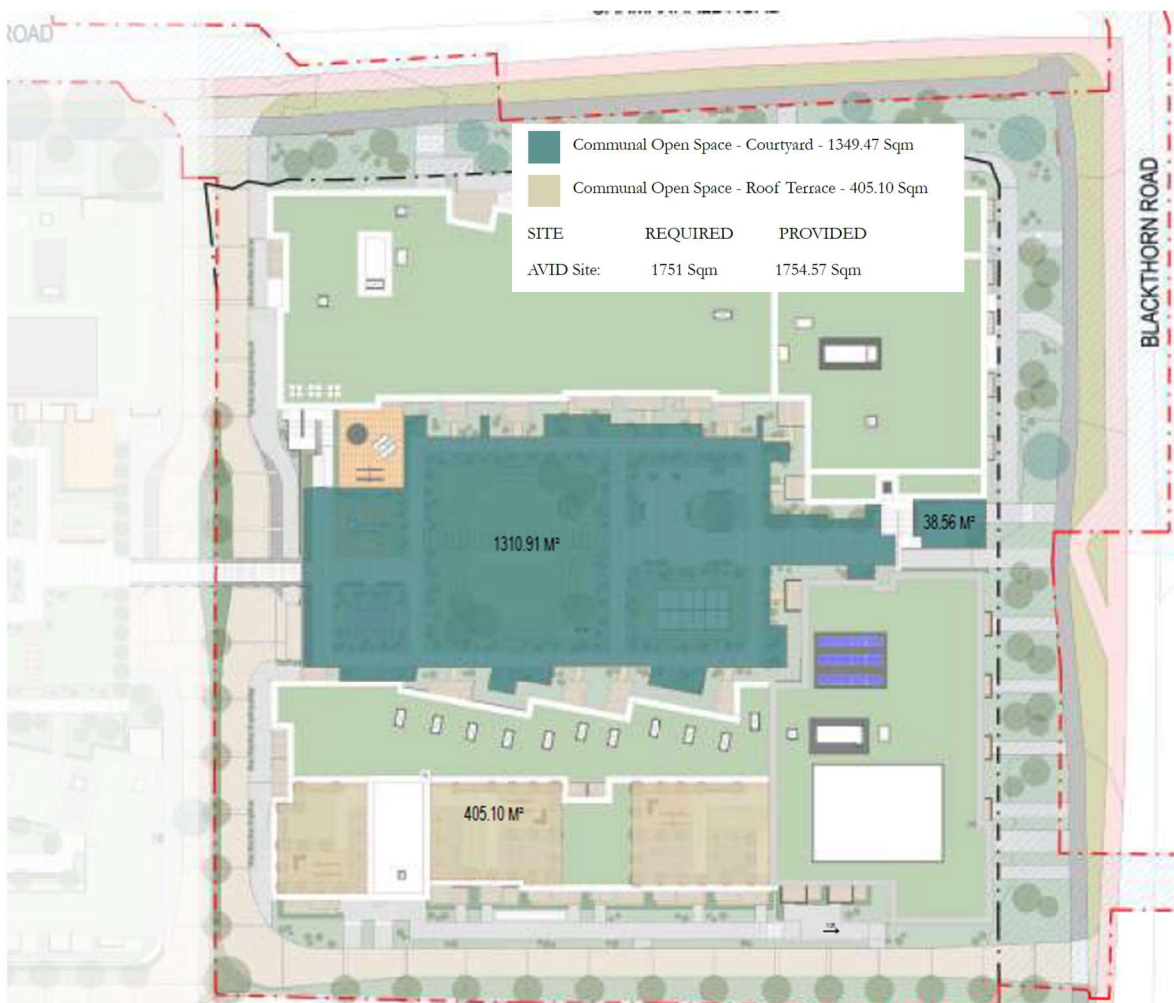


Figure 21 Proposed amenity areas (Source: NMP Landscape Architects)

15.5.2 *Non specific policy in Guidelines*

Size in excess of ten percent floor area

Does not apply to build to rent.

Play areas

The Guidelines indicate the following should be provided.

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

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

Dual aspect

It is a policy requirement that apartment schemes deliver at least 33% of the units as dual aspect in more central and accessible and some intermediate locations, i.e. on sites near to city or town centres, close to high quality public transport or in SDZ areas, or where it is necessary to ensure good street frontage and subject to high quality design. The Design Statement prepared by MDO Architects confirms that 37% of the proposed residential units have dual aspect, which exceeds the requirements as stated in section 3.19 of Design Standards for New Apartments.

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

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

Internal Daylight Analysis

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

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

Section 5.0 details the results of sun lighting and shading to external amenity spaces within proposed developments. 50% of proposed communal open space is predicted to receive at least 2 hours of direct sunlight on the 21st March. Therefore, amenity spaces were found to be compliant with the guidelines.

The impact of the proposed development on neighbouring buildings is assessed in Section 6.0. The proposed development is sited in the Sandyford Business District and therefore there are no dwellings within the impact zone of the scheme. Dwellings are defined under the BRE guide as having an expectation of sunlight and daylight. It was considered in our professional judgement that the analysis was not applicable as the offices to the north and south would not have an expectation of daylight or sunlight

The internal daylight analysis, as detailed in section 7.0 has been undertaken for all Kitchen/Living/Dining (KLD) and bedroom spaces for Spatial Daylight Autonomy (SDA) – a climate-based means of assessing natural light performance accounting for both direct (sunlit) and diffuse light. It is noted that the new BRE BR 209, 2022 edition prescribes analysis utilising Median Daylight Factor Spatial Daylight Autonomy. The analysis determined a very high compliance rate of 96 % of rooms achieved prescribed SDA targets. Section 7.0 of the report includes full results demonstrating how this overall compliance was determined.

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

Appendix standards

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

Cycle Provision

The Guidelines provide the following;

'Quantity – a general minimum standard of 1 cycle storage space per bedroom shall be applied. For studio units, at least 1 cycle storage space shall be provided. Visitor cycle parking shall also be provided at a standard of 1 space per 2 residential units. Any deviation from these standards shall be at the discretion of the planning authority and shall be justified with respect to factors such as location, quality of facilities proposed, flexibility for future enhancement/enlargement, etc.' (our emphasis)

The proposed overall cycle space provision is 447 spaces and complies.

15.6 Urban Development and Building Heights (2018)

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

Table 7 Summary of consistency with relevant Specific Planning Policy Requirements (SPPRs)

SPPR number	Summary	Application
SPPR 1	Planning Authorities are responsible for identifying appropriate locations for building heights in their statutory plans and that no blanket 'numerical' height shall be applied.	The County Development Plan has been reviewed since the publication of these Guidelines. However, a numerical height is prescribed under the SUFP.
SPPR 2	In driving general increases in building heights, planning authorities shall also ensure appropriate mixtures of uses, such as housing and commercial or employment development, are provided for in statutory plan policy.	The residential development is appropriately located with a mixed use urban district as set out in the DLRD Co. Co. Development Plan 2022-28 and SUFP 2022-28.
SPPR 3	Where; (A) 1. an applicant for planning permission sets out how a development proposal complies with the criteria above; and 2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines; then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise	The criteria referred to are addressed comprehensively in the Material Contravention Statement and justification.
SPPR 4	In planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure three criteria.	Not applicable as central urban location.

Compliance with Section 3.2 of the Urban Development and Building Heights: Guidelines for Planning Authorities (2018).

We refer an Bord Pleanála to Section 3.2 of the Design Statement and Masterplan prepared by MDO Architects and a Landscape Masterplan prepared by NMP. A summary of how the scheme addresses these criteria is set in Table 8 below

The Development Management Criteria of section 3.2 how the proposed development addresses building design and height under the headings:

- At the scale of the relevant city/town
- At the scale of district/ neighbourhood/ street
- At the scale of the site/building

The MDO Design Statement highlights that;

As the respective owners of Avid and Tack Site have devised together a masterplan for the urban block, the building height assessment reflects the masterplan of both sites. The design as proposed reinforces the existing street pattern creating legible well defined public and private spaces, responds to the existing and proposed development and creates a design with variety of form and scale by varying the height and form of the buildings. This design is composed of seven (five individual) blocks arranged around an open central landscaped courtyard, one of the blocks is 4/5 storeys to provide required sunlight into the communal courtyard, three of the buildings are 6/8 storeys, two are 8/10 storeys (some with mezzanine) and one of 8 stepping up to 16 storeys to create a taller building element at the street corner, similar to the previously granted permission on this site. The design celebrates the corner of Ravens Rock Road and Carmanhall Road, formed by the pocket park, punctuates this corner and creates an identity, interest and variation in the heights of the urban forms.

As a response and in accordance with the Urban Development and Building Height Planning Guidelines prepared by the DoHPLG, the implementation of the National Planning Framework requires increased density, scale and height of development in order to make optimal use of the capacity of sites in locations where transport, employment and services can achieve the requisite level of intensity for sustainability and compact urban growth.

In reference to chapter 3.2 of the Building Height Planning Guidelines, at the scale of the town, the subject site is an infill site located at Blackthorn Road / Carmanhall Road / Ravens Rock Road, close to main employment centres within Sandyford. There are numerous large companies based in the neighbourhood as well as small, locally run businesses within the area.

The site is well served by public transportation with high capacity. As detailed further in this document, the site is in close proximity to Stillorgan Luas stop c.400m. and the N50 c.1.3 km. amongst others. Local services are available within a walking distance. Radius of the site including pharmacies, GP's, primary, secondary, and further education facilities.

The form of the building has been designed and modulated to maximise the daylighting, views and amenity and permeability within the development, in the apartments, the courtyards and roof terraces. (See sunlight/daylight study prepared by IN2 Engineering)

The public spaces provided within the scheme enhance the urban design context of the neighbourhood. A small, useable public park is provided at the corner of Ravens Rock Road and Carmanhall Road. The existing mature trees are to be retained & protected in order to

create a green pocket along the street, that can be enjoyed by both the public and residents of the proposed development.

The new development promotes social integration and positively contributes to the mix of dwelling typologies available in the neighbourhood. It contains a mix of Studio, 1 Bed and 2 Bed apartment types and own-door units that differ in size and layout providing a variety of solutions to people of all ages and family size. The apartments are generously proportioned with 38% of corner/ dual aspect units with large planted balconies overlooking the pocket park and courtyard provided within the scheme. Facilities such as amenity space containing potentially a gym, cinema room, work space and meeting rooms are provided and further contribute to the mix of uses within the neighbourhood. Each of these is centrally located within the scheme and easily accessed from the proposed landscaped courtyards.

The massing and height of the apartment buildings has been carefully considered. By separating the buildings into individual, smaller blocks, the creation of long, monolithic slab blocks is prevented in the scheme. The proposed variation in building heights from 4-storeys to 16-storeys creates an interesting and attractive roofscape. The buildings are taller to the centre of the development, facing the central courtyard and step down to the perimeter to sensitively address the neighbouring properties. The buildings have been designed to have punched-hole facades with generous windows that aesthetically provide a domestic scale to the elevations of the buildings. The punched hole façades create less impact on neighbouring properties by minimizing overlooking and night-time light spill. It is important to note that the use of brick as a principal material within the scheme, is the most sustainable for PRS scheme and will aid the development in settling well within its surroundings. The use of brick will maintain a high-quality appearance throughout the lifespan of the proposed buildings due to being both durable and low maintenance. The generous balconies proposed within the development, alternate in elevation providing a playfulness and further interest to the architecture of the blocks, whilst also providing sunny, usable, outdoor spaces for the residents to enjoy. The apartments on the penthouse levels will enjoy large planted terraces setback from the edge of the blocks to the rear to minimize overlooking.

The heights of certain blocks within the current proposal are comparable to the previous planning application (ref. D05A/0566). In determining the heights of the blocks, careful consideration was taken of existing site features such as the north-south change in gradient and existing tall trees on the northern corner of the site.

Table 8 Compliance with Section 3.2 of the Urban Development and Building Heights: Guidelines for Planning Authorities (2018)

Development Management Criteria	Scheme Response
At the scale of the relevant city/town	
The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.	The proposed BTR development is located within 10 minutes walking distance of high frequency public transport routes at the Sandyford Luas stop the Stillorgan Road Luas stops.

<p>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.³ Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.</p>	<p>The Design Statement prepared by MDO Architects provides detailed urban design analysis and rationale for the placement of taller buildings in this location. A Visual Impact Assessment is included in Chapter 13 of the EIAR and Verified Photomontages by Digital Dimensions are also provided.</p> <p>It has regard to the situation of the site at the intersection of Carmanhall Road and Blackthorn Road.</p> <p>The 16-storey element, owing to its position at the corner of the site, will become a landmark building and signal the entrance to Carmanhall Road, the central spine of the Carmanhall Road Neighbourhood. This spine is centrally located within the Sandyford Business District.</p> <p>It is important to note that the CDP itself in the SUPP envisages that Carmanhall would be ‘contained by tall buildings at either ends’. In this regard, the proposed development would achieve this design objective. Furthermore, it would not in any way compromise what the council considers to be the ‘inner ‘soft centre’ of the residential neighbourhood’.</p>
<p>On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape.</p>	<p>The subject site may be considered large at 0.9 ha. It mark a transition in height, stepping from 16 storeys at the edge of the zone to 5 storeys at internal spaces.</p> <p>The scale, massing and density is consistent with previous planning permissions for the site and development in the core urban Sandyford area (see Section 4.0 Planning History)</p> <p>Sandyford Industrial Estate was opened in 1977 on 200 acres of land where the majority of the site was allocated for industrial purposes and the rest as roads. The Industrial estate vehicular layout has remained and sets the overall context of the current and proposed urban layout. The new developments are confined to the original industrial estate roads layout and the overall area was never re-master planned for a new urban area. Sandyford Business District consists of the wider area comprising four areas described as business parks – Central Park, Sandyford Business Park, South County Business Park and Stillorgan Business Park which has c.26,000</p>

	<p>employees in approximately 1,000 companies and c.5,000 residents.</p> <p>Sandyford Industrial Estate has emerged into an office park with various headquarters of international companies such as Microsoft and Vodafone with the addition of a private hospital and a Children’s science destination. The area also houses large scale retail and motoring sales spaces.</p> <p>While the site is not located on a larger urban redevelopment site as it is c 0.99 ha., the Planning Authority has previously permitted a high-density development on the adjacent site. The Board has also permitted development on the application site .</p> <p>The applicant has now developed a Masterplan with Sandyford Environmental Ltd in respect of the adjoining ‘Tack’ site to ensure that an integrated approach be adopted in respect of the two sites and ensure daylight and sunlight impacts are mitigated. The proposed design, which was an iterative process, has been developed with regard to the potential to integrate with the adjoining Tack site, the Board’s Opinion on that site and consultations with the planning authority in respect of both sites. The proposed development will make a positive contribution to the Sandyford area by incorporating a new street between the subject and adjacent site which will introduce a street break between the sites and open the blocks at a pedestrian scale.</p> <p>The height elements of the design have been varied, using massing and highly articulated elevational presence to achieve the required higher density keeping to 8 storeys along Blackthorn Road and 10 storeys on Carmanhall Road. The taller 16-storey element creates a focal point and landmark to the junction area of Carmanhall Road and Blackthorn Road, creating a strong corner, effectively bookending Carmanhall Road as envisaged in the SUFP. The proposed design with the variety in scale and form responds positively to the streetscape and creates a strong visual interest in the streetscape.</p> <p>The application site is an appropriate place for a higher building at the intersection of two roads designed as an industrial estate and acts as an urban marker from different directions, reinforcing and</p>
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	contributing to a new urban residential quarter at this end of Carmanhall Road.
At the scale of district/ neighbourhood/ street	
The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape	<p>The proposed building is designed to the urban character of the surrounding built environment and provide an urban edge to Blackthorn Road and Carmanhall, which directly engages with street level activity onto the public footpath.</p> <p>The scale of the district/ neighbourhood/ street is illustrated in the MDO Architects Design Statement and overlaps with the criteria above. On this section of district/ neighbourhood/ street, the major new developments which inform the streetscape are opposite the application site in the form of large office blocks located on Carmanhall Road. Opposite the application site is Arkle Road with two major office developments on either side. To the front of the Nova Aria buildings is a local shop with take away food and is a focus for office staff from the offices.</p> <p>To the east, on Blackthorn Road is a number of companies located in buildings ranging in heights of 2 to 6 storeys. All these are well removed from the public road. Many of these buildings are over 15 years old.</p> <p>To the west on Ravensrock Road is the Irish Village Market building HQ. The forecourt area served as a street food market serving take away food mostly to office staff in the vicinity. That market, pre-Covid 19, alternated between Ravensrock Road and the Luas stop and was a very popular and busy commercial operation.</p> <p>The proposed development fronting Carmanhall on this street will significantly improve the streetscape with the provision of an active ground floor design and linear greenway. Importantly, the site is currently hoarded since demolition of the Avid technology facilities took place. The site occupies a strategic corner in the neighbourhood, yet it is currently bounded on its most prominent sides by hoarding, which seriously undermines the visual quality of this important corner.</p>

	<p>Under ABP Ref. TA06D.313209 Ravensbrook Limited lodged an application on 4th April 2022 at IVM House, 31 Ravens Rock Road and 31a Ravens Rock Road for the Demolition of an existing building and construction of 101 no. Build to Rent apartments within a part 5, part 6 to part 11 no. storeys building over partial basement. c. 514sqm of public open space provided fronting Carmanhall Road and resident support facilities/ services and amenities space are provided at ground and first floor levels.</p> <p>The SUIFP prohibits any commercial ground floor activity such as cafes or local shops and the design has incorporated a community facility in accordance with SLO 52, resident activity uses and creche to animate the street. Further, own door units will be provided on Blackthorn Road, creating 24/7 natural surveillance. The development will provide residential uses in accordance with the Council residential zoning objective.</p> <p>The scheme will provide active surveillance of all open spaces throughout the development and include a creche, resident and community facilities at ground floor level to provide animated daytime uses. Own-door units located at ground floor will provide surveillance throughout the course of the day and the night, creating a sense of safety for pedestrians.</p>
<ul style="list-style-type: none"> • The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered. 	<p>The Design Statement prepared by MDO architect illustrates that the elevations have been carefully composed break-up massing, with an imaginative application of structure, colour and materials. It provides a variety in heights that respond to internal spaces, shoulder height along the main thoroughfares and landmark element that identifies the outer edge to the Sandyford Business District and Carmanhall Road Neighbourhood (as identified in the SUIFP)</p> <p>The proposed development has considered the layout and has been designed around three blocks of varying heights in order to avoid a monolithic block. The Design statement includes a section on the proposed materials which sets out the fabric and materials. It also sets out the proposed elevational treatment. The response to this criterion is interrelated with the criteria of making a positive</p>

	<p>contribution to the urban neighbourhood and streetscape.</p>
<ul style="list-style-type: none"> • 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 <i>“The Planning System and Flood Risk Management – Guidelines for Planning Authorities”</i> (2009). 	<p>The Landscape Masterplan prepared by NMP architects articulates how the proposed scheme seeks to complement and enhance the landscaped verges around the site, as well as providing comprehensive landscape architecture designs for communal areas (courtyard and roof terraces). The site is situated in close proximity to a number of areas identified for open space investment (see section 2.3. of this report).</p> <p>The application is accompanied by an Engineering Services Report by Waterman Moylan Consulting Engineers and a Storm Water Impact Audit by Punch Engineers.</p>
<ul style="list-style-type: none"> • 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. 	<p>The proposed development marks an important corner site, which in itself is a transitional point in the Sandyford Business District on the edge of the mixed use quarter and a rapidly evolving, dynamic urban area.</p> <p>The SUFP (s.3.5.4) proposes that ‘This residential neighbourhood shall be contained by tall buildings at either end of Carmanhall Road’</p> <p>Additionally, the site creates a new street to the along the Tack site. It is intended to develop the two sites subject to coherent and coordinated Masterplan (submitted as part of this SHD application).</p> <p>The site will add much needed permeability to the neighbourhood. This area of the Sandyford is qualified by large plots, making pedestrian permeability somewhat unachievable. Together with the development of the Tack site, the subject SHD will allow for the creation of new pedestrian links across plots significantly improving permeability. Effectively two new axes are created. A north-south one, which split Avid from Tack but consists of a unified green street and an east-west one linking Ravens Rock and Blackthorn Road.</p> <p>The proposal also incorporates the CDP requirement for the green route along the Carmanhall frontage.</p>

<ul style="list-style-type: none"> • The proposal positively contributes to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood. 	<p>The proposed development is for residential, creche, community space and resident facilities. This is a positive contribution in an area that has c 26,000 employees and is the main employment area of Dún Laoghaire Rathdown Council area. The Apartment Guidelines do not provide for any required mix of units in Build to Rent schemes.</p> <p>The main corner of the site, the north east corner along with its northern elevation will accommodate a mix of active uses and create animation on the street. In addition, it should be noted that all residential units at ground floor are all own-door, adding for natural surveillance at all times, particularly when the more public uses of the sites are closed for the night.</p>
<p>At the scale of the site/building</p>	
<p>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.</p>	<p>The proposed development application is accompanied by a daylight and sunlight assessment prepared by IN2 which confirms the design of scheme maximises access to natural daylight, ventilation and views and minimises overshadowing and loss of light.</p> <p>The form massing and height is modulated in several ways. The layout form is that of four blocks, essentially in a two L-shape around an internal courtyard. The blocks also have a staggered roof profile with various setbacks on each block providing an attractive designed roof scape visible from distances. At the pedestrian level, own door access is provided at ground floor level to residential apartments as well as the service units, to encourage street level activity and counter the potential for dead frontage.</p> <p>The proposed layout allows access to natural daylight and ventilation for all the proposed apartments. The internal courtyard faces south and under the current situation would enjoy excellent daylight.</p>
<ul style="list-style-type: none"> • 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’ (2nd edition) or BS 8206-2: 2008 – ‘Lighting for 	<p>The proposed development application is accompanied by a daylight and sunlight assessment prepared by IN2. The application pack also includes an Energy Analysis Report by IN2.</p>

<p><i>Buildings – Part 2: Code of Practice for Daylighting’.</i></p>	
<ul style="list-style-type: none"> • 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. 	<p>The daylight and sunlight report that accompanies the application by IN2 highlights provides considerable comfort regarding the positive performance of the proposed buildings.</p> <p>The extent of compliance was achieved through design development, with increased glazing/ reduced balcony depths / balcony locations etc. applied to ensure the residences can benefit from maximised daylight availability.</p>

Overall, elements of the proposed development are higher than provided for in the urban framework plan (SUFP) that applies to the site.

Chapter 12 of the EIAR accompanying this application provides a detailed analysis of the proposed development.

Section 12.6.2 concludes that Blocks E (16 Storeys) and D (9-10 storeys) are not causing any down draft effect on the adjacent Blocks and in particular the height of Block E is not causing a negative effect on the podium level.

Section 12.6 presents detailed analysis of Micro Climate with the scheme as proposed versus an Alternative Design (up to 9 storeys for Block D and Block E). It finds that the wind micro climate of the Alternative design is comparable with that obtained for the proposed design and the level of safety and comfort are very similar. This provides the Board with detailed information on the scheme if it was deemed appropriate to reduce the height by planning condition to 9 storeys as per the SUFP objective.

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

15.7 The Planning System and Flood Risk Management (2009)

The core objectives of the Guidelines are to:

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

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

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

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

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

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

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

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

(a) City and town centres

“5.5 The increase of population within city or town centres with their range of employment, recreation, educational, commercial, and retail uses can help to curtail travel

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

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

compliance with the policies and standards of public and private open space adopted by development plans;

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

good internal space standards of development;

conformity with any vision of the urban form of the town or city as expressed in development plans, particularly in relation to height or massing;

recognition of the desirability of preserving protected buildings and their settings and of preserving or enhancing the character or appearance of an Architectural Conservation Area;
and

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

The proposed development for 334 units is high density development in an appropriate location in a Build to Rent model. Should the Board consider that a material contravention of the SUIP arises, a detailed justification of the material contravention of the density is provided in the accompanying Statement of Material Contravention.

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

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

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

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

15.8.3 Guidelines for Planning Authorities on Childcare Facilities (2001)

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

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

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

It finds that the provision of a 273 sq.m childcare facility, which is capable of accommodating 67 children and 11 staff which is well in excess of the projected demand of 30 places generated by the development. It is also noted that the planning application for the adjoining Tack site, includes a creche facility which independently caters for that development, also, with spare capacity of approx.. 30 spaces. The proposed facility is considered appropriate having regard to the standards presented within the Guidelines for Planning Authorities on Childcare Facilities (2001).

15.8.4 Climate Action Plan 2019

The Action Plan includes the following objectives:

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

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

- The provision of solar panels within the development and the inclusion of green and roof on the apartment blocks will assist with decarbonisation and the reduction of greenhouse gas emissions.
- The provision of a high-density development, higher than previously developed in this area in accordance with the NPF providing for high density residential development in close proximity to existing community facilities, transport and amenities.
- The application site location is served by transport links, including the Sandyford Luas stop. The provision of more housing in this location will support the existing public transport serving the area and will make the provision of further public transport options (such as increased frequency of services) viable.



- The scheme prioritises pedestrians and cyclists which will help to encourage cycling and walking as a mode of transport especially those attending the nearby schools.
- Car parking spaces can be equipped with an electrical charge point to ensure that the transition to an electric car is a viable option for all residents.

This SHD planning application package includes a Climate Change Impact Assessment Report prepared by Enviroguide Consulting.

15.9 Dún Laoghaire Rathdown County Development 2022-2028.

15.9.1 Introduction

The Dún Laoghaire Rathdown County Development 2022-2028 was adopted by the Elected Members of the Council at a special Council meeting held on the 10th of March 2022. The Plan came into effect in 6 weeks from that date (i.e. 21st April 2022).

Draft Ministerial Direction

The adopted Development Plan is currently subject to a Ministerial Direction, which is publicly stated on the Council's web site.

It states that The Minister of State at the Department of the Housing, Local Government and Heritage, consequent to a recommendation made to him by the Office of the Planning Regulator under section 31AM(8) of the Planning and Development Act 2000 (as amended), has notified Dún Laoghaire-Rathdown County Council of his intention to issue a Direction to the Dún Laoghaire-Rathdown County Development Plan 2022-2028.

In accordance with Section 31(4) of the Planning and Development Act 2000, those parts of the Dún Laoghaire-Rathdown County Development Plan 2022 – 2028 referred to in the notice shall be taken to have **not come into effect**, namely:

The second paragraph of Section 12.3.3 'Quantitative Standards for All Residential Development' of Chapter 12 (pg. 236) of the Written Statement, which states: "That the requirement for certain percentages of 3-bed units in apartments shall apply to Build To Rent developments to accord with mix on page 237."

For the purposes of this SHD planning application it confirms the provisions of SPPR8 continue to apply.

15.9.2 Zoning

The zoning objective in the Dún Laoghaire- Rathdown County Development Plan 2022-2028 that is applicable to the site is Objective A2, 'To provide for the creation of sustainable residential neighbourhoods and preserve and protect residential amenity'.

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

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

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

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

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

The proposed BTR residential development is permissible in principle and is consistent with the Zoning policy of the County Development Plan.

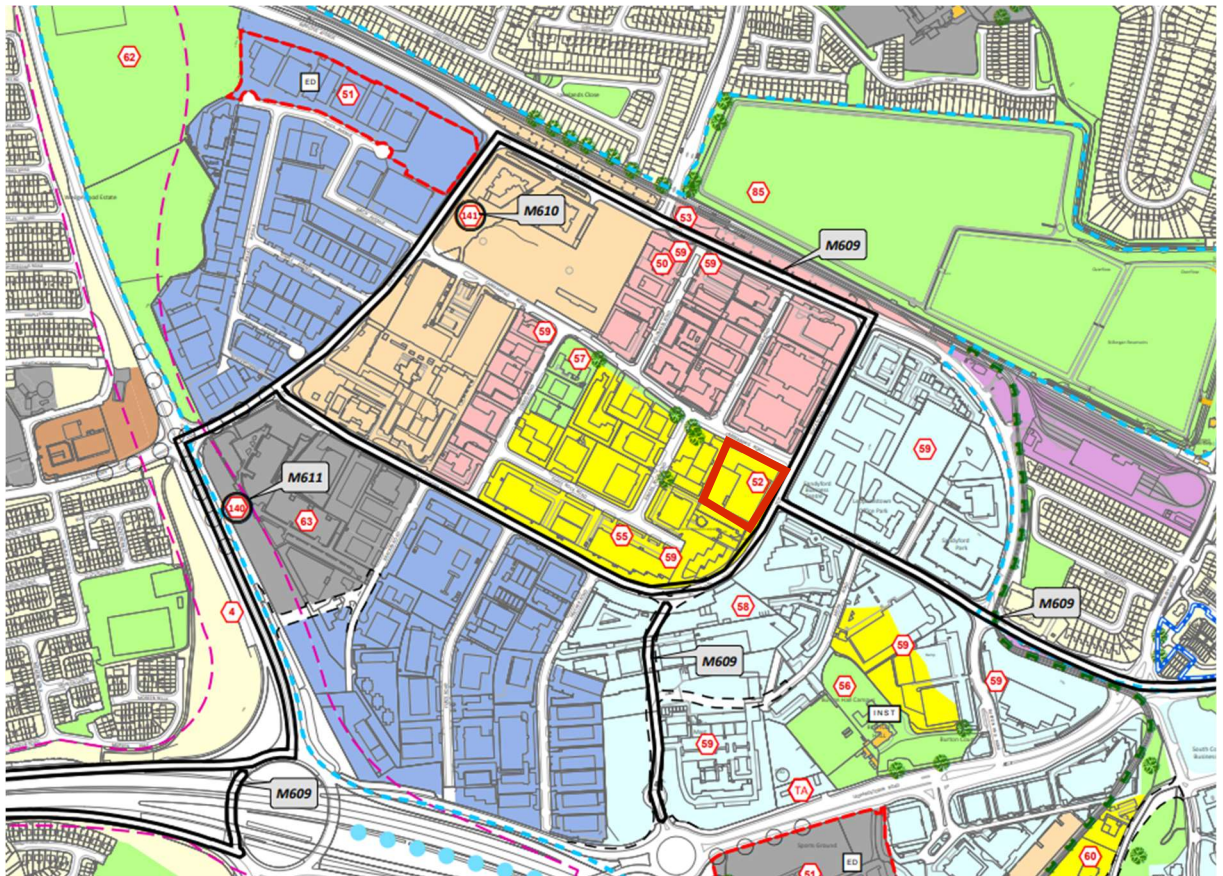


Figure 22 Dún Laoghaire- Rathdown County Development Plan 2022-28 (Map 6)

15.9.3 Core Strategy

Section 2.4.2 of the Plan sets out Settlement Strategy as illustrated in Figure 23 below.

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

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

Section 2.4.3 of the Core Strategy highlights:

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

Section 2.4.8.3 of the Plan notes:

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

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

The proposal is consistent with the Core Strategy. The provision of 334 residential units accords with the stated objective of meeting the County’s projected housing needs through the provision of new residential development on zoned, serviced land.

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

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

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

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

The proposal is consistent with the Core Strategy in respect of the above Core Strategy and policies.

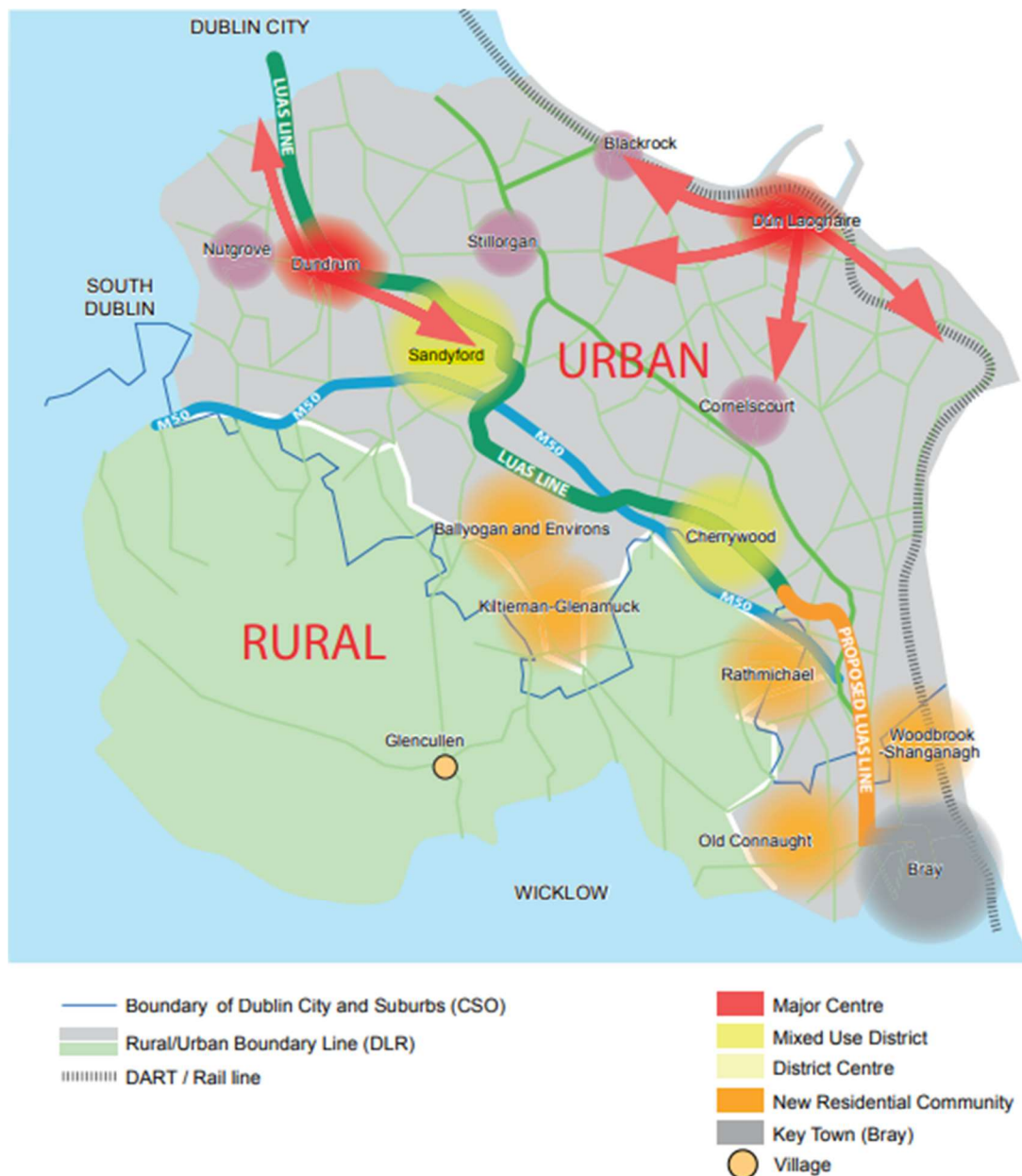


Figure 23 Core Strategy map (Figure 2.9) of Dun Laoghaire Rathdown County Development Plan 2022-28

15.9.4 Climate Action

Chapter 3, Climate Action of the DLR County Development Plan 2022-2028, highlights at Table 3.1 that Climate Change Adaption is integrated throughout plan policy. The following policy in respect of Urban Greening is noted:

Policy Objective CA18 It is a Policy Objective to promote **urban greening** - as an essential accompanying policy to compact growth - which supports the health and wellbeing of the living and working population, building resilience to climate change whilst ensuring healthy

placemaking. Significant developments shall include urban greening as a fundamental element of the site and building design incorporating measures such as high quality biodiverse landscaping (including tree planting), nature based solutions to SUDS and providing attractive routes and facilities for the pedestrian and cyclist (Consistent with RPO 7.6, 7.22, 7.23, 9.10 of the RSES)”.

It is also noted that the Development Management Thresholds Table under Appendix 3 of the County Plan 2022-2028 requires that a Climate Change Impact Assessment is prepared in respect of residential developments of 50 units or more.

This SHD planning application package includes a Climate Change Impact Assessment Report prepared by Enviroguide Consulting. The report comprehensively addresses Development Plan Climate Action Policy as well as local, regional and national Climate Change policy.

This planning application is consistent with the Climate Action objectives to incorporate Urban Greening measures in the proposed development. We refer to the landscape design statement by NMP and to the SUDS Measures and overland flood route drawing by Waterman Moylan.

It also addresses Climate Action comprehensively in a standalone CCIA prepared by Enviroguide addressing Chapter 3 Climate Action objectives and is therefore consistent and is consistent with Development Plan Climate Policy.

15.9.5 Neighbourhood, People and Places

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

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

“Overarching Policy Objective PHP1: That increased delivery of housing throughout the County will be subject to the Strategic Policy Objective to:

Align with the provisions of the National Planning Framework and the Eastern and Midlands Regional Spatial and Economic Strategy.

Accord with the Core Strategy set out in Chapter 2, the Housing Strategy and Interim Housing Needs Demand Assessment for the County in Appendix 2 and/or the provisions of the future Regional Housing Need Demand Assessment.

Embed the concept of neighbourhood into the spatial planning of the County by supporting and creating neighbourhoods and ensuring that residential development is delivered in tandem with the appropriate commensurate enabling infrastructure, including access to sustainable neighbourhood infrastructure, sustainable modes of transport, quality open space and recreation and employment opportunities

Policy Objective PHP6: Childcare Facilities *It is a Policy Objective to:*

Encourage the provision of appropriate childcare facilities as an integral part of proposals for new residential developments and to improve/expand existing childcare facilities across the

County. In general, at least one childcare facility should be provided for all new residential developments subject to demographic and geographic needs.

Policy Objective PHP18: Residential Density. It is a Policy Objective to: Increase housing (houses and apartments) supply and promote compact urban growth through the consolidation and re-intensification of infill/brownfield sites.

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

Policy Objective PHP27: Housing Mix: It is a Policy Objective to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided throughout the County in accordance with the provisions of the Housing Strategy and Interim Housing Need Demand Assessment (HNDA) and any future Regional HNDA.

Policy Objective PHP28: It is a Policy Objective to facilitate the provision of **Build-to-Rent** in suitable locations across the County and accord with the provisions of ‘Sustainable Urban Housing: Design Standards for New Apartments’, 2020 (and any amendment thereof). Proliferation of Built to rent should be avoided in any one area.

Policy Objective PHP31: Provision of Social Housing It is a Policy Objective to promote the provision of social housing in accordance with the Council’s Housing Strategy and Government policy as outlined in the DoHPLG ‘Social Housing Strategy 2020’.

Policy Objective PHP35: Healthy Placemaking It is a Policy Objective to:

Ensure that all development is of high quality design with a focus on healthy placemaking consistent with NPO 4, 26 and 27 of the NPF, and RPO 6.1, 6.12, 9.10 and 9.11 of the RSES.

Promote the guidance principles set out in the ‘Urban Design Manual – A Best Practice Guide’ (2009), and in the ‘Design Manual for Urban Roads and Streets’ (2013).

Ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design.

Policy Objective PHP35: Inclusive Design & Universal Access It is a Policy Objective to promote and support the principles of universal design ensuring that all environments are inclusive and can be used to the fullest extent possible by all users regardless of age, ability or disability consistent with RPO 9.12 and 9.13 of the RSES”

The proposal is consistent with these objectives. PHP28 Build to Rent is addressed in further detail below (under Residential Size and Mix)

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

The location of the site is therefore to be entirely suitable to cater for BTR development. Sandyford is a mixed use area with a large workforce, with a wide selection of services, amenities, employment and shops provided at the Beacon South Quarter and easily accessible at Dundrum Town Centre, via public transport. There is clearly not a proliferation of BTR

developments within the area, with just two other BTR schemes permitted in the local area (as noted in section 4.3 (planning history)). The proposed development is therefore consistent with this policy.

15.9.6 Local Objectives

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

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

In accordance with SLO 52, Community Infrastructure (Creche) and residential amenity spaces are placed at ground level on the Carmanhall Road to create active street frontage and is consistent with the Local Objective. It is notable that the creche and adjoining unit on Carmanhall Road is open to non-residents.

15.9.7 Building Height:

Policy Objective PHP42: Building Design & Height It is a Policy Objective to:

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

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

Policy Objective BHS 1 - Increased Height

It is a policy objective to support the consideration of increased heights and also to consider taller buildings where appropriate in the major town centres of Dun Laoghaire and Dundrum, the district centres of Nutgrove, Stillorgan Blackrock and Cornelscourt, within the Sandyford UFP area, UCD and in suitable areas well served by public transport links (i.e. within 1000 metre/ 10 minute walk band of LUAS stop, DART stations or core /quality bus corridor, 500 metre / 5 minute walk band of bus priority route) provided that proposals ensure a balance between the reasonable protection of existing amenities and environmental sensitivities, protection of residential amenity and the established character of the area (NPO 35, SPPR 1 &3).

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

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

It is a policy objective to promote and support proposed heights as set out in any approved statutory Local Area Plan and as set out for certain areas in this draft county development plan

(Sandyford Urban Framework Plan, Dundrum Urban Framework Plan and Dun Laoghaire Framework Plan)

Having regard to the Building Height Guidelines and more specifically in order to apply SPPR3 there may be instances where an argument can be made for increased height and or taller buildings in the areas mentioned above on the basis of placemaking in those instances any such proposals must be assessed in accordance with the performance based criteria set out in table 5.1 which is contained in Section 5. The onus will be on the applicant to demonstrate compliance with the criteria.

Within the built up area of the County increased height can be defined as buildings taller than prevailing building height in the surrounding area. taller buildings are defined as those that are significantly taller (more than 2 storeys taller) than the prevailing height for the area.

Table 5.1 which is contained in Section 5 of Appendix 5 of the County Plan is addressed at section 15.10.3 below.

Height objectives under the SUFP are addressed in section 15.11. below. It is highlighted that elements of the proposed development (5 to 16 storeys) are higher than provided for in the urban framework plan that applies to the site (up to 9 storeys). However, An Bord Pleanála may still grant planning permission for the proposed development having regard to the policy framework set out under Policy Objective PHP42 (and SUFP 3). Should the Board consider that a material contravention of the County Development Plan arises, a detailed justification of the material contravention of the height is provided in the accompanying Statement of Material Contravention.

15.9.8 Residential Size and Mix

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

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

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

Section 12.3.6 of the Plan specifically addresses BTR stating:

Built-to-Rent (BTR) accommodation consists of purpose-built, long-term rental apartment accommodation that incorporates dedicated residential amenities and facilities.

BTR accommodation will only be permitted in suitable locations in accordance with Policy Objective PHP28.

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

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

The quantum and scale of the proposed residential support facilities, services and amenities must have regard to and adequately support the number of future residents within the BTR scheme. BTR accommodation must comply with all apartment standards set out in Section 12.3.5.

A derogation with regard to in-unit storage may be considered where alternative, secure storage area can be provided on-site. All proposed units must provide for private open space in the form of a balcony, terrace, winter garden or roof garden. A reduction in the area of private open space serving each unit will only be considered in instances where at least an additional 10% high quality, useable, communal and/or additional compensatory communal support facilities are provided. On-site car parking must comply with the requirements set out in Section 12.4.5.

In all instances, the applicant shall clearly demonstrate that the BTR development is located within a 10 minute walking time from high frequency public transport routes.

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

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

15.9.9 Other Documentation Required under Chapter 12

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

Table 9 Compliance with Policy areas under Dún Laoghaire Rathdown CDP 2022-2028

CDP Standards	Development Response
12.1.1.2 Design statement	We refer the Board to the Design Statement prepared by MDO.
12.1.1.3 Landscape plans	We refer the Board to the Landscape Report by NMP Landscape Architects.
12.1.2.1 EIAR	We refer the Board to the EIAR by Golder and Associates

CDP Standards	Development Response
12.1.2.2 AA	We refer the Board to the AA screening report by Golder and Associates
12.1.2.3 Ecological Impact Assessment	We refer the Board to the EIAR by Golder and Associates which addresses biodiversity.
12.2.1 Built Environment	We refer the Board to the Preliminary Fire Safety and Access and & Use Strategy which addresses Universal Access. We also refer to the Energy Statement by IN2.
12.2.6 Urban Greening	We refer to the landscape design statement by NMP and to the SUDS Measures and overland flood route drawing by Waterman Moylan.

15.9.10 Apartment Design

In general, the development plan applies the standards of the Design Standards for New Apartments with the exception of a few items discussed below. There is a degree of repetition between the Guidelines and Development Plan. However, there is a disparity in respect of Dual Aspect in Apartments.

Under s. 12.3.5.1 the plan states:

*‘the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’ (2018), provides guidance with respect to the minimum number of dual aspect apartments that may be provided in any single apartment schemes. In accordance with this guidance, **DLR as a County is classified as a suburban or intermediate location and therefore:***

‘There shall generally be a minimum of 50% dual aspect apartments in a single scheme.’ (our emphasis)

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

The applicants have set out in different sections of this report why the site should be considered a ‘more central and accessible location’ under the. However, the Council appears to hold a different view and apply a blanket category. Should the Board consider that a material contravention of the County Development Plan arises, a detailed justification of the material contravention of the Dual Aspect policy is provided in the accompanying Statement of Material Contravention.

15.9.11 Open Space

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

Public Open Space

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

Communal Open Space

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

Private Open Space

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

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

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

It is acknowledged that in certain instances it may not be possible to provide the above standards of public open space. High density urban schemes and/or smaller urban infill schemes for example may provide adequate communal open space but no actual public open space. In these instances where the required percentage of public open space is not provided the Council will seek a development contribution under Section 48 of the Planning and Development Act 2000, as amended

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

Section 12.8.5.4 ‘Roof Gardens’ states:

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

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

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

The proposed development does not provide public open space on restricted urban site. While policy allows for this, the provision of open space is addressed in the Material Contravention Statement.

The communal open space requirement amounts to some 1,349.47 sq. m. in the courtyard and 405 sq.m. at roof level. (less than 30% of Communal Space). The NMP Landscape Design Statement illustrates that the total requirement is 1751 sq.m. and total provided is 1754.57 sq.m.

Private Amenity

In accordance with BTR policy 12.3.6, all proposed units provide for private open space in the form of a balcony, terrace, winter garden or roof garden. 3 units provide 'Juliet' balconies

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

15.9.12 Design Statements

Section 12.1.1.2 requires that a Design Statement should be submitted for all applications of 1000+sq.m. commercial development or applications of 30+ residential units (refer also to Policy Objective PHP42 below).

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

15.9.13 External Storage

The Plan also notes that apartment schemes should provide external storage for bulky items outside individual units, in addition to minimum apartment storage requirements. The Development Plan does not provide a specific space requirement. The proposed development includes 341 sqm of external storage at basement level.

We refer the Board to SPPR8 (i) of the Apartment Design Guidelines clearly state in respect of Build to Rent developments: *'No restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise;'* and (ii) *Flexibility shall apply in relation to the provision of a proportion of the storage and private amenity space associated with individual units as set out in Appendix 1 and in relation to the provision of all of the communal*

amenity space as set out in Appendix 1, on the basis of the provision of alternative, compensatory communal support facilities and amenities within the development.

15.9.14 Parking

Table 12.7 of the Sandyford Urban Framework Plan Area - Parking Maximums For All Future Residential Developments sets out Residential parking thresholds in SUFP as follows:

Table 10 Parking Thresholds under Table 2 of the SUFP 2022-28

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

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

Vehicular parking is provided at approx.. 0.3 spaces per unit (125 overall) at ground and basement levels. A set-down space is also provided on the internal street for servicing and creche. 447 cycle parking spaces are proposed. The proposed development is therefore consistent with the provisions of the adopted plan on parking.

15.10 Sandyford Urban Framework Plan 2022-2028 (SUFP)

Appendix 16 of the County Plan contains the SUFP.

15.10.1 Zoning

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

Permitted in Principle

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

Open For Consideration

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



Figure 24: Map I – Land Use Zoning of the Sandyford Urban Framework Plan 2022-28

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

Zone 5 Residential

(b) Carmanhall Road Neighbourhood

This residential neighbourhood is to be centrally located within Sandyford Business District adjacent to the Mixed Use Core Area, reducing the need to travel and enhancing the

viability of retail facilities and services and the vitality of the area as a whole. It is suitably located close to existing residential developments at Beacon South Quarter, Rockbrook and at Corrig Road and Ballymoss Road and is within walking distance of proposed social, educational and recreational amenities and the proposed transport interchange and Luas along Blackthorn Drive/Avenue.

The outer edge of this residential area, fronting Blackthorn Road, provides for uses that will create active street frontage and provide a transition between the residential area and the opposing employment based areas along Blackthorn Road. It is anticipated that these own door business units will provide appropriate facilities for small businesses (Map 1, SLO 52).

3.5.4. Zone 5 – Sustainable Residential Neighbourhoods

Sites 1, 5 and 11: Carmanhall Road Residential Neighbourhood

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

The subject site is located within the Carmanhall Road Neighbourhood as identified 'A' on Map 1 (see above Figure 19). SLO 52 refers to the corner of Carmanhall Road and Blackthorn Road and SLO 55 refers to sites fronting Blackthorn Road.

It is proposed to provide 893 sqm of high quality shared residential amenities in Blocks D and E, 2.6 sqm/residential unit. These areas have a direct street access of Blackthorn Road, Carmanhall Road and inner lane to the west.

These will activate the street frontage onto all three streets and provide generous spaces for the residents of all blocks to meet, relax and exercise together, reinforcing a sense of community. The proposed shared residential amenities include a resident's lounge, co-working spaces, business centre, multipurpose room, staff facilities, resident's gym, and entertaining spaces.

15.10.2 Density and Scale

Policy SUFP 2 relating to density and scale states:

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

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

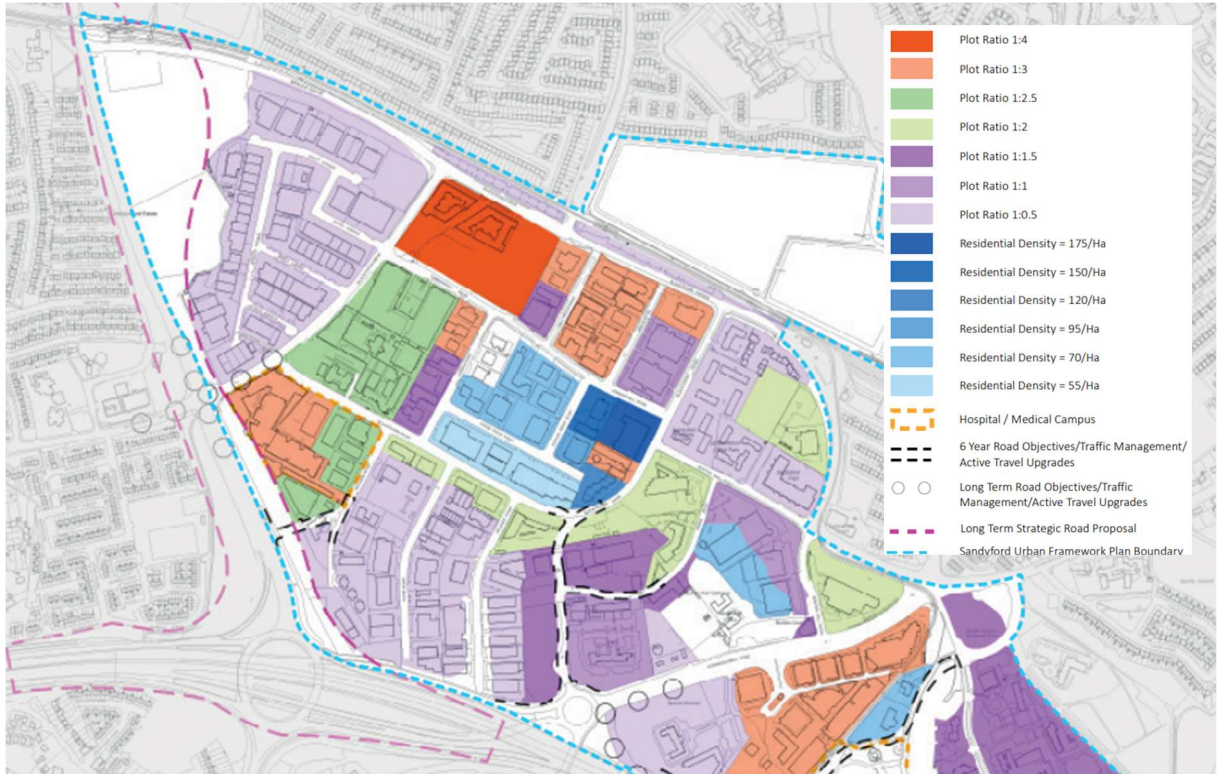


Figure 25 Map 2 - Plot Ratios & Residential Densities of the Sandyford Urban Framework Plan 2022-2028

The proposed development has a density of 457 units per hectare. As noted in Section 6.3 of this report, Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), there should, in principle, be no upper limit on the number of dwellings that may be provided within any town or city centre site.

Objective DS3 states:

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

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

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

15.10.3 Height

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

3.2.1 Policy SUFP 3 Building Height in Sandyford Business District

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

This is qualified by the following statements

BH1 SUFP

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

BH5 SUFP

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

Map 3 of the Sandyford Urban Framework Plan 2022 sets out heights for individual parcels of land within the Sandyford Business District including the subject site which has been designated as having a permitted/developed height limit of 9 storeys (Figure 26).

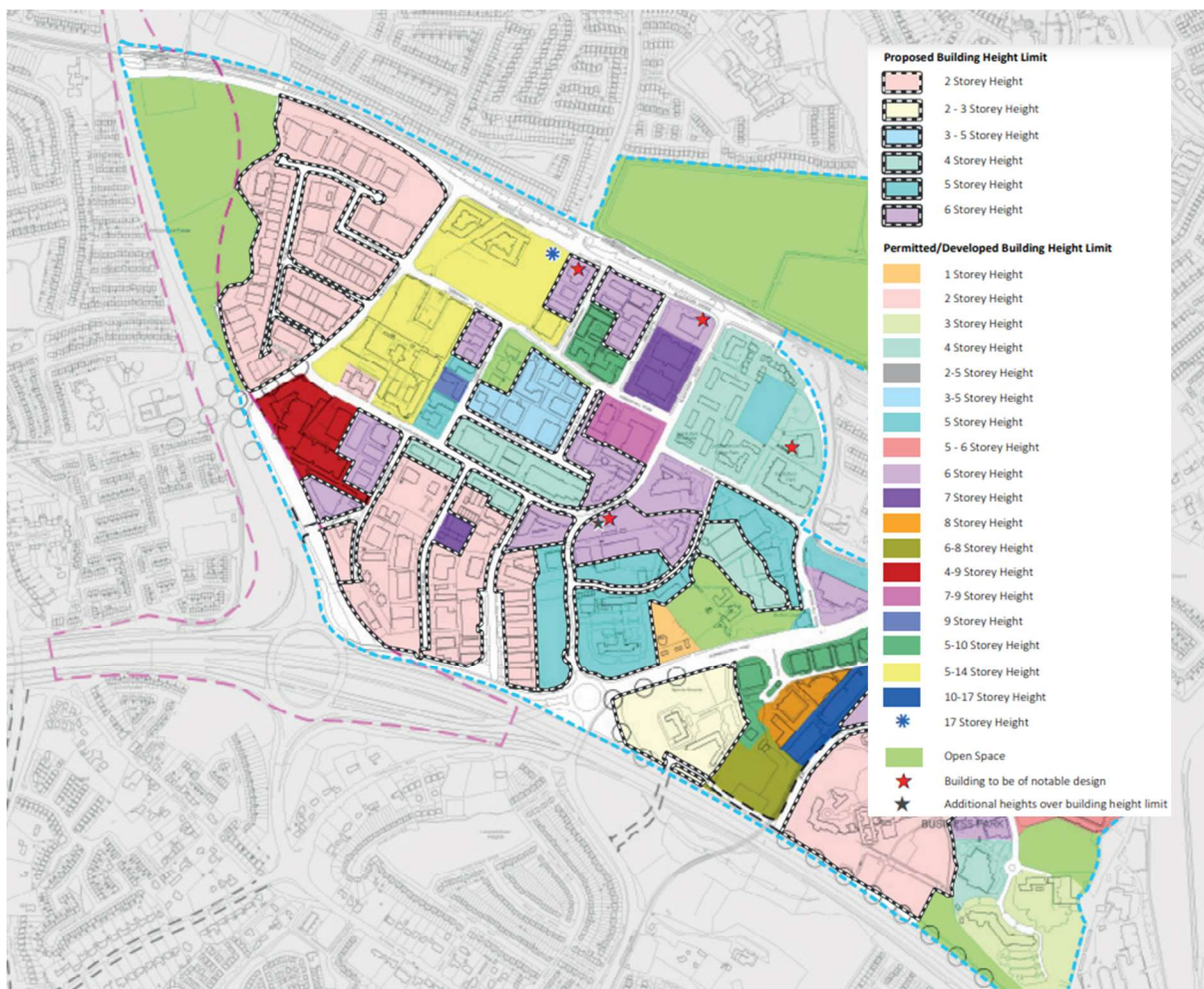


Figure 26 Map 3 – Building Heights of the Sandyford Urban Framework Plan 2022-2028

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

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

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

Table 10 below summarises the response of the development proposal to the criteria set out in Table 5.1 of Appendix 5.

Figure 23 below is from the Design Statement prepared by MDO Architects. It illustrates that the architectural elevations have been designed to a ‘shoulder height’ of 8 storeys to Carmanhall Road.

Height rationale

The Design Statement by MDO architects highlights that the massing of the scheme in 4 perimeter blocks around a central courtyard has been designed with regard to the urban design characteristics of the location, as well as specific environmental analysis of micro-climate.

Careful consideration was taken of the existing neighbouring context, site topography, density, and appropriate distances between buildings, in the development and location of each block. The proposed massing of blocks are broken into smaller volumes via vertical splits, and material alteration.

Block D and E make one massing block, while Block F and G make the second massing block. Block D has an overall height of 10 storeys. Block E steps from 10 storeys facing Carmanhall Road to 16 storeys and down to 8 storeys facing Blackthorn Road. Block F has an overall height of 8 storeys, and Block G steps from 5 storeys facing adjoining site, down to 4 storeys facing the central courtyard.

The setbacks address the urban context on Carmanhall Road and Blackthorn Road as advised in the SUFP. The steps in height are designed to minimise the visual impact of the Blocks in the urban context whilst creating generous, outdoor terraces for communal use. The use of carefully chosen lightweight materials on the upper two floors, light grey-beige metal cladding, aid in breaking down the scale and massing of the blocks. The elevations of the lower floors of all blocks, are vertically divided to further reduce the scale. This is achieved by alternating the use of two-tone brick and metal frame where the recesses and darker brick occurs. The separations between materials are created either through shadow gaps or deeper recesses in the facade, in order to create a dynamic street frontage and allow for elevation tilting and deal with the unit’s orientation.

Block D on Carmanhall Road, has been designed to complement the existing architecture and carefully consider the heights allowed in the Development Plan. There is a clear shoulder height set out to follow the development objectives for the area at 8 storey. It is proposed to use predominantly brick for the 8 storeys defining the shoulder height. Vertical recesses in the facade add visual interest and break down the massing of the block further. Many of the neighbouring buildings have white finish. The introduction of light-coloured brick in combination with the use of darker brick within recessed areas break vertically down the scale of the building and provide a visually interesting street facade.

Economic Rationale

There is a strong economic rationale for the promotion of high density mixed use development in this location.

Sandyford Industrial Estate was opened in 1977 on 200 acres of land where the majority of the site was allocated for industrial purposes and the rest to roads. The Industrial estate vehicular layout has remained and sets the overall context of the current and proposed urban layout. The new developments are confined to the original industrial estate roads layout and the overall

area was never re-master planned for a new urban area. Sandyford Business District consists of the wider area comprising four areas described as business parks – Central Park, Sandyford Business Park, South County Business Park and Stillorgan Business Park which has c 26,000 employees in approximately 1,000 companies and c 5,000 residents.



Figure 27 Extract from Sandyford Business District Review 2019.

Sandyford Industrial Estate has emerged into an office park with various headquarters of international companies such as Microsoft and Vodafone with the addition of a private hospital and a Children’s science destination. The area also houses large scale retail and motoring sales spaces. The Jim Power Economics’ Assessment of the Sandyford Business District (2021)² identifies significant additional employment growth potential in the area by 2028.

² Jim Power Economics, 2021, Assessment of the Sandyford Business District, an examination of role and achievements of Sandyford BID CLG Trading as Sandyford Business District and its future role, published August 2021

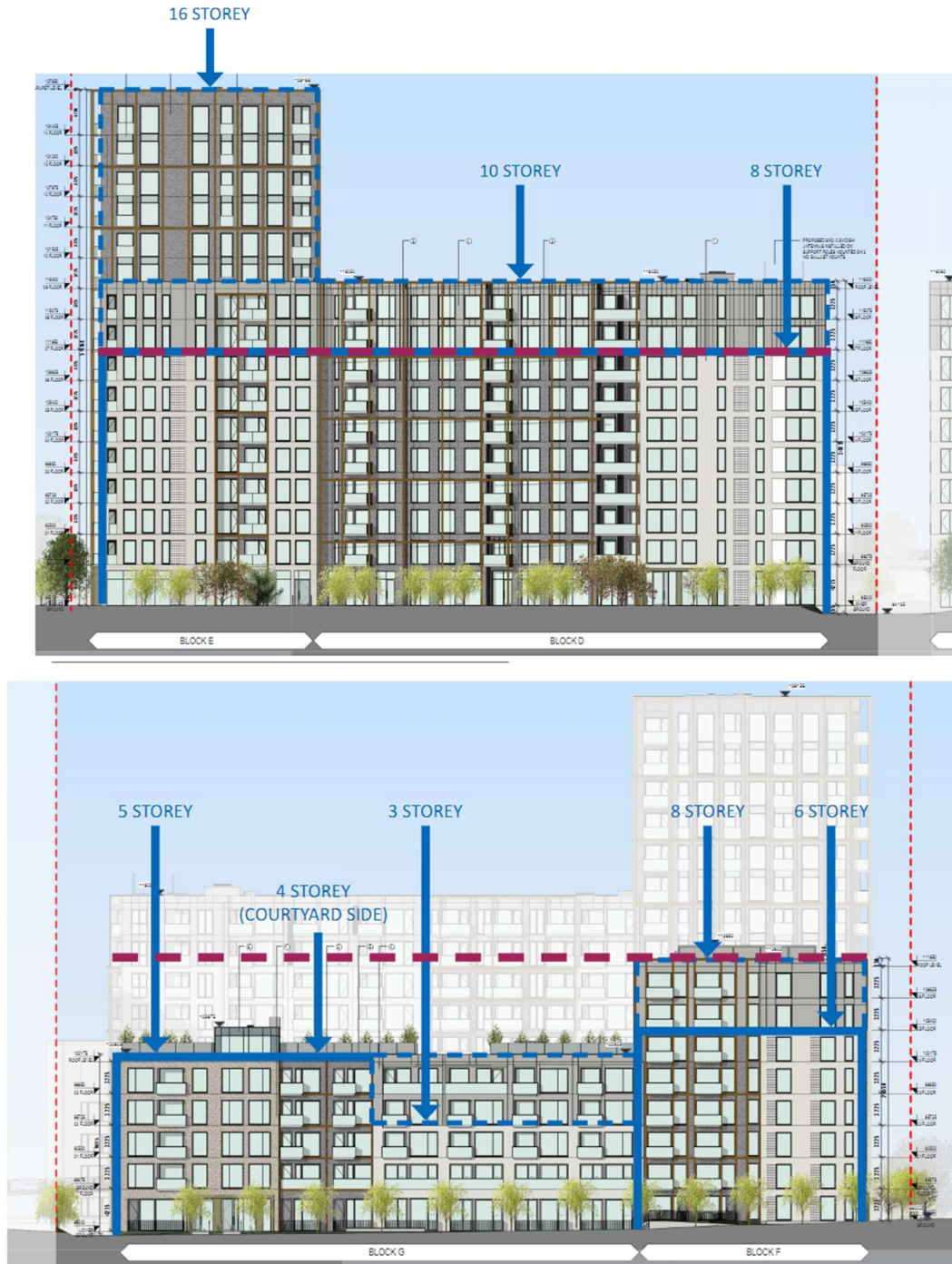


Figure 28 Analysis of proposed building height above ‘shoulder height’ street frontage (Source: MDO Architects Design Statement)

Table 11 Response to Criteria of Table 5.1, Appendix 5 Dun Laoghaire Rathdown County Council Development Plan 2022-28

Criteria for All Such Proposals	DM Requirement	Proposal Response
At County Level		
Proposal assists in securing objectives of the NPF, in terms of focusing development in key urban centres, fulfilling targets in relation to brownfield, infill development and delivering compact growth.		Section 15.2 of this report confirms the proposed development addresses the key objectives of the NPF and National Policy for residential development
Site must be well served by public transport – i.e. within 1000 metre/10 minute walk band of LUAS stop, DART Stations or Core/Quality Bus Corridor, 500 metre/5 minute walk band of Bus Priority Route - with high capacity, frequent service and good links to other modes of public transport.*		The Transport and Traffic Assessment prepared by Waterman Moylan Engineers confirms the site is within 10 minutes walk of a Luas Stop
Proposal must successfully integrate into/enhance the character and public realm of the area, having regard to topography, cultural context, setting of key landmarks.. In relation to character and public realm the proposal may enclose a street or cross roads or public transport interchange to the benefit of the legibility, appearance or character of the area.	Landscape and visual assessment by suitably qualified practitioner. Urban Design Statement. Street Design Audit (DMURS 2019).	This application accompanied by: A Design Statement and Masterplan prepared by MDO Architects and a Landscape Masterplan prepared by NMP.
Protected Views and Prospects: Proposals should not adversely affect the skyline, or detract from key elements within the view whether in foreground, middle ground or background. A proposal may frame an important view.		A Visual Impact Assessment is included in Chapter 13 of the EIAR and Verified Photomontages by Digital Dimensions are also provided.
Infrastructural carrying capacity of area as set out in Core Strategy of CDP, relevant Urban Framework Plan or Local Area Plan.		Services and Transport Infrastructure Reports prepared by Waterman Moylan confirm that there is sufficient Infrastructural carrying capacity in the SUPP

Criteria for All Such Proposals	DM Requirement	Proposal Response
At District/Neighbourhood/Street Level		
Proposal must respond to its overall natural and built environment and make a positive contribution to the urban neighbourhood and streetscape.	Proposal should demonstrate compliance with the 12 criteria as set out in “Sustainable Residential Development in Urban areas, Guidelines for Planning Authorities” 2009. Street Design Audit (DMURS 2019).	The Design Statement and Masterplan prepared by MDO Architects sets out in detail how the proposed development complies with the 12 criteria as set out in “Sustainable Residential Development in Urban areas, Guidelines for Planning Authorities” 2009. The application package includes a DMURS report prepared by Waterman Moylan Engineers
Proposal should not be monolithic and should avoid long, uninterrupted walls of building in the form of slab blocks.	Design Statement.	The Design Statement and Masterplan prepared by MDO Architects articulates the design approach to massing, scale and materials
Proposal must show use of high quality, well considered materials.	Design Statement. Building Life Cycle Report.	A detailed Building Life Cycle Report by Aramark is submitted with the application
Proposal where relevant must enhance urban design context for public spaces and key thoroughfares and marine or river/stream frontage.	Must also meet the requirements of “The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009”.	The planning application is accompanied by an SFRA report and Storm Water Audit.
Proposal must make a positive contribution to the improvement of legibility through the site or wider urban area. Where the building meets the street, public realm should be improved.		Details of Public Realm at street level area addressed in the Statement and Drawings prepared by NMP Landscape Architects.
Proposal must positively contribute to the mix of uses and /or building/dwelling typologies available in the area.	Design Statement.	Addressed in MDO Design Statement
Proposal should provide an appropriate level of enclosure of streets or spaces.	Design Statement.	Addressed in MDO Design Statement
Proposal should be of an urban grain that allows meaningful human contact between all levels of buildings and the street or spaces.		Addressed in MDO Design Statement

Criteria for All Such Proposals	DM Requirement	Proposal Response
Proposal must make a positive contribution to the character and identity of the neighbourhood.		Confirmed in Design Statement and Masterplan prepared by MDO Architects and a Landscape Masterplan prepared by NMP.
Proposal must respect the form of buildings and landscape around the site's edges and the amenity enjoyed by neighbouring properties.		Confirmed in Design Statement and Masterplan prepared by MDO Architects and a Landscape Masterplan prepared by NMP.
At site/building scale		Confirmed in Design Statement and Masterplan prepared by MDO Architects
Proposed design should maximise access to natural daylight, ventilation and views and minimise overshadowing.	Must address impact on adjoining properties/spaces/	Addressed in detailed Daylight and Sunlight Analysis Report by IN2 Consultants
Proposal should demonstrate how it complies with quantitative performance standards on daylight and sunlight as set out in BRE guidance "Site Layout Planning for Daylight and Sunlight" (2nd Edition). Where a proposal does not meet all the requirements, this must be clearly identified and the rationale for any alternative, compensatory design solutions must be set out. On relatively unconstrained sites requirements should be met.		Addressed in detailed Daylight and Sunlight Analysis Report by IN2 Consultants
Proposal should ensure no significant adverse impact on adjoining properties by way of overlooking overbearing and/or overshadowing.		This is addressed in detailed Daylight and Sunlight Analysis Report by IN2 Consultants
Proposal should not negatively impact on an Architectural Conservation Area (ACA) or the setting of a protected structure.		Not applicable
Proposals must demonstrate regard to the relative energy cost of and expected embodied and operational carbon emissions over the lifetime of the development. Proposals must demonstrate maximum energy efficiency to align with climate policy. Building height must have regard to the relative energy cost of and expected embodied carbon emissions over the lifetime of the development		This addressed in the Energy Efficiency Report by IN2 A Climate Assessment Report prepared by Enviroguide is included in the SHD application package

Criteria for All Such Proposals	DM Requirement	Proposal Response
County Specific Criteria		
Having regard to the County’s outstanding architectural heritage which is located along the coast , where increased height and/or taller buildings are proposed within the Coastal area from Booterstown to Dalkey the proposal should protect the particular character of the coastline. Any such proposals should relate to the existing coastal towns and villages as opposed to the coastal corridor.	An urban design study and visual impact assessment study should be submitted and should address where appropriate views from the sea and/or piers.	Not applicable to SUFP area
Having regard to the high quality mountain foothill landscape that characterises parts of the County any proposals for increased heights and/or taller building in this area should ensure appropriate scale, height and massing so as to avoid being obtrusive.	An urban design study and visual impact assessment study should be submitted.	Not applicable to SUFP area
Additional specific requirements (Applications are advised that requirement for same should be teased out at pre planning’s stage).		The Response to Opinion report by MDB addressed raised at pre-application stage
Specific assessments such as assessment of microclimatic impacts such as down draft.		A comprehensive Micro Climate analysis is included in the EIAR
Potential interaction of building, materials and lighting on flight lines in locations in proximity to sensitive bird/bat areas.		Not applicable in this location
Assessment that the proposals allows for the retention of telecommunications channels, such as microwave links.		The potential impact Telecommunications channels, such as microwave links are addressed in the EIAR. Mitigation measures are provided for at roof level.
An assessment that the proposal maintains safe air navigation.		Not applicable in this location
Relevant environmental assessment requirements, including SEA, EIA (schedule 7 information if required), AA and Ecological Impact Assessment, as appropriate.		This application is accompanied by a comprehensive EIAR and AA Screening Report prepared by Golder.
Additional criteria for larger redevelopment sites with taller buildings		The application includes a comprehensive assessment
Proposal should make a positive contribution to place making, incorporating new streets where appropriate, using massing and height to achieve densities but with variety and scale and form to respond to scale of adjoining development.		The Design Statement and Masterplan prepared by MDO Architects and Landscape Masterplan prepared by NMP confirm positive contribution to place making of the proposed development.
For larger unconstrained redevelopment sties BRE standard for daylight and sunlight/any forthcoming EU standards on daylight sunlight should be met.		Addressed in detailed Daylight and Sunlight Analysis Report by IN2 Consultants

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

15.10.4 Transport

The SUFP sets out the following relevant Transport Objectives:

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

“TAM6 It is an objective of the Council to require future developments within the Sandyford Business District that impact on the road network to submit a Quality Audit to be carried out in accordance with DMURS and best UK practice. Note: Potential applicants for planning permission should engage in pre-planning discussions with the Council’s Transportation Section to ascertain which audits, if any, should be submitted with the application. Further details on the guidance on the audit thresholds can be found within the ‘Development Management Thresholds’.

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

Waterman Moylan Engineers have prepared a Traffic and Transportation Statement and a Residential Travel Plan, both of which accompany this application in accordance with TAM1, TAM6 and TAM9.

TAM14 It is an objective of the Council to require applicants to explore the potential to share access points with adjoining properties so as to limit the number of entrances and exits.

The Masterplan prepared for the Tack and Avid sites in support of the two separate applications provides a single access/egress junction onto Carmanhall Road as well in addition to the access-only vehicular entrance from Ravens Rock Road. This is consistent with objective TAM 14.

15.10.5 Parking

The SUFP includes the following parking objective:

TAM15

It is an objective of the Council that development shall adhere to the parking standards as set out in section 12.4.5 of the Written Statement , save as set out below for new parking maximums for all future residential developments in SUFP. and the cycle standards as set out

in – ‘Standards for Cycle Parking and Associated Cycling Facilities for New Developments’ (2018) or any subsequent review of these standards.

Table 2 of the SUFP ‘Sandyford Urban Framework Plan Area - Parking Maximums For All Future Residential Developments New Residential’ sets out Maximum car parking provision parking thresholds in SUFP (Table 10 is shown above).

The minimum number of car sharing spaces is stipulated in the SUFP is 0.02 per unit. The scheme provision is 7 and therefore is consistent with the SUFP. The maximum car parking provision allowable for the scheme under Table 2 of the SUFP is 216.

The compliance of the car parking provision at the proposed development is demonstrated in section 11.3.9 of the EIAR and 3.8 of the TTA.

It notes that under Section 12.4.5 of the DLR County Development Plan 2022 – 2028 (Car Parking Standards of the DLR County Development Plan), the maximum allowable parking provision under the County Development Plan is 274 spaces. The proposed provision of car parking is 125 spaces. This total includes 7 car sharing spaces each of which is equivalent to 20 standard spaces. (Source: www.gocar.ie). On this basis, the effective provision of car parking at the proposed development would be the equivalent of 258 spaces comprising 118 standard spaces and 140 car sharing spaces compared to a maximum allowable provision of 274 spaces under the current Development Plan (216 spaces under Table 2 of the SUFP)

With regard to cycle spaces section 3.8 of the TTA and section 11.3.10 of the EIAR confirm that the cycle parking requirement³ for the development is 67 spaces (64 provided) and 334 long stay spaces (383 provided). Overall, the scheme provides 46 spaces above requirements.

Overall, in terms of car parking and cycle parking the proposed development is considered to be consistent with the SUFP.

15.10.6 Trees

Policy PR5 of the County Development Plan notes the following:

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

The subject site does not include any trees within the net development area (0.73ha) in the ownership of Atlas GP Limited. There are no site specific objectives applicable to the site to *protect and preserve Trees and Woodlands*.

There are a number of street trees located in the verge around the site. In accordance with Policy PR5 it is proposed to retain conserve all street trees

The proposed development supports the retention and enhancement (where appropriate of the verges and street trees along the public roads bounding the site. We refer the Board to the Tree

³ Standards for Cycle Parking and associated Cycling Facilities for New Developments, Dun Laoghaire Rathdown County Council, January 2018.

Survey Report & Arboricultural Impact Assessment by Northern Tree Services and Landscape Design proposals by NMP Landscape Architects.

15.10.7 Public Realm

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

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

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

WF3 It is an objective of the Council to provide Green Routes that will link the open space network (in particular the pocket parks and urban plazas), along streets within the Sandyford Business District. These routes will cater for pedestrians and cyclists. The routes shall provide the connectivity identified in Drawing 7.”

The landscape and engineering proposals support the green routes along the edge of the site. Overall the proposed development is consistent with the public realm provisions of the SUFP.

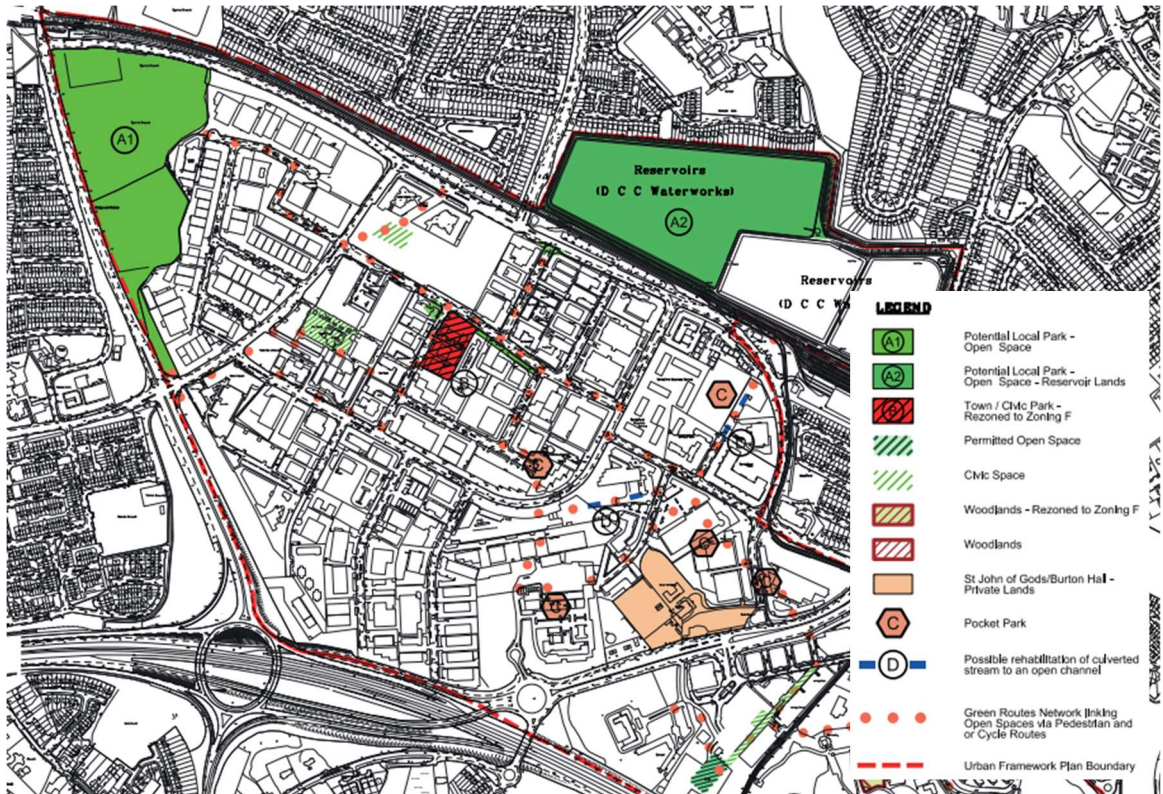


Figure 29 Drawing No. 7 Amenity Open Space plan of the SUFP 2022-2028

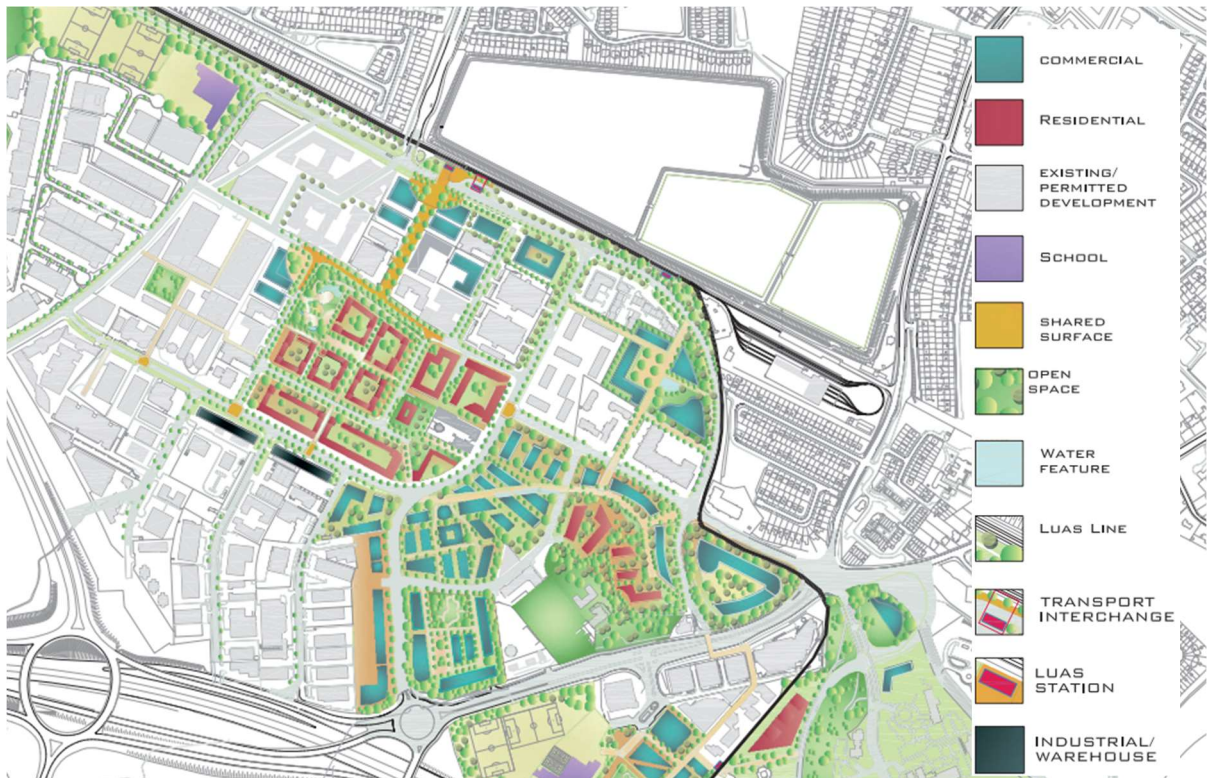


Figure 30 Drawing No. 8 Design Principles and Character Areas of the SUFP 2022-2028

15.10.8 Public / Communal Open Space

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

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

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

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

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

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

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

15.10.9 Water and Drainage

Policy Objective SWD1 of the SUFP states:

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

Policy SWD2 states:

It is an objective of the Council to ensure that Sustainable Drainage (SuDs) measures shall be fully implemented on all sites to Greenfield runoff rates. In this regard solutions other than tanking systems shall be required for all developments. For larger applications green roofs shall be used in accordance with the Dún Laoghaire-Rathdown County Council’s Green Roofs Guidance Document. The design and acceptance of these solutions shall form part of pre-planning discussions with the Planning Authority.

This SHD planning application includes an Engineering Assessment Report (EAR) with Surface Water Drainage proposals and a SUDs assessment prepared by Waterman Moylan Consulting Engineers. They also prepared a Flood Risk Assessment. A Stormwater Audit has been carried out in respect of the EAR Report by Punch Consulting Engineers. Drainage proposals are in accordance with the criteria set out under SWD2 and are consistent with SUFP policy.

16 Conclusion

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

The proposal which comprises the construction of a ‘Build-to-Rent’ housing development comprising 334 no. residential apartments with associated communal and community infrastructure facilities at the Former Avid site, Carmanhall Road, Sandyford Industrial Estate, Dublin 18, is considered to be acceptable and compliant with the policies and objectives as set out in the applicable national, regional and local planning policy context.

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

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

Consistency is also demonstrated with the objectives, policies and provisions of the Dún Laoghaire-Rathdown Development Plan 2022-2028 and the Sandyford Urban Framework Plan 2022-2028.

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

It is considered that the proposed development comprising 334 no. residential units at this application site within Sandyford Industrial Estate and within proximate distance of Dublin City Centre presents an appropriately scaled residential development on appropriately zoned land. It is considered that the subject site, being located within close proximity to an employment centre of significant scale and served by multiple public transport links to Dublin city centre, has the capacity to accommodate additional residential accommodation and respond to the current housing shortage.

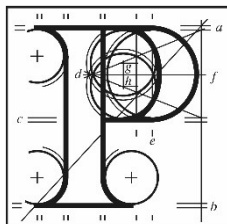
Elements of the scheme which may be considered inconsistent with Development Plan Policy have been addressed fully in the Material Contravention Statement, namely; Height and Density.

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



Appendix A

ABP Ref. 312265-21 Record of Pre-Application Consultation Opinion



An
Bord
Pleanála

Record of Meeting ABP-312265-21

Case Reference / Description	336 no. Build to Rent apartments and associated site works. Former Avid Technology Internation Site, Carmanhall Road, Sandyford Industrial Estate, Dublin 18.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	27 th April, 2022	Start Time	10:00am
Location	Remotely via Microsoft teams.	End Time	12.00am
Chairperson	Stephen O’Sullivan	Executive Officer	David Behan

Representing An Bord Pleanála:

Stephen O’Sullivan, Assistant Director of Planning
Fiona Fair, Senior Planning Inspector
David Behan, Executive Officer

Representing Prospective Applicant:

Shaun Thorpe, Head of Planning
Patrick Crean, Director
Robert Macauley, Architect
Sylwia Allen, Architect
William O’Donnell, Associate Director
Jerry Barnes, Director
Richard Hamilton, Director

Representing Planning Authority

Michelle Breslin, Senior Executive Planner
--

Dermot Fennell, Executive Engineer
Ciaran Daly, Assistant Planner
Johanne Codd, Executive Engineer

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, Planning Authority (PA) and introductions were made. The procedural matters relating to the meeting were as follows:

- The written record will be placed on the pre-application consultation file and will be made public once the Opinion has issued,
- ABP received a submission from the PA on, 25th January 2022, providing the records of consultations held pursuant to section 247 of the Planning and Development Act, 2000, as amended and its written opinion of considerations related to proper planning and sustainable development that may have a bearing on ABP's decision,
- The consultation meeting will not involve a merits-based assessment of the proposed development,
- The meeting will focus on key site-specific issues at strategic overview level, and whether the documents submitted require further consideration and/or amendment in order to constitute a reasonable basis for an application.
- Key considerations will be examined in the context of the statutory development plan for the area and section 28 Ministerial Guidelines where relevant,
- A reminder that neither the holding of a consultation or the forming of an opinion shall prejudice ABP or the PA concerned in relation to any other of their respective functions under the Planning Acts or any other enactments and cannot be relied upon in the formal planning process or in legal proceedings.

The ABP representatives acknowledged the letter dated, 17th December 2021, formally requesting pre-application consultations with ABP. The prospective applicant advised of the need to comply with the definition of SHD as set out in the (Housing) and Residential Tenancies Act of 2016, as amended, in relation to thresholds of development. The representatives of ABP advised that the Inspector dealing with the pre-application consultation request would be different to the Inspector who would deal with the application when it was submitted. Recording of the meeting is prohibited.

Agenda

- 1. Inconsistency in Site Area.**
- 2. Previous Reasons for Refusal - SHD 310104-21 refused in Aug 2021**
 - **Communal open space**
 - **Resident support facilities, communal services**
 - **Residential amenity (sunlight and daylight)**
 - **Relationship with Adjoining Lands**
- 3. Compliance with provision of the Dun Laoghaire-Rathdown County Development Plan 2016-2022, including the Sandyford Urban Framework Plan.**
 - Specific Local Objective 113**
 - Quantum of development**
 - Height and density (Material Contravention)**
 - Public Open Space**
- 4. Supporting Infrastructure (Transportation, access, parking and Water Services)**
- 5. AOB**
 - 1. Inconsistency in Site Area**

ABP Comments:

- Further elaboration and clarity in any application submitted regarding the red line boundary of the site and that the Avid site and the Tack Packaging site represent two separate standalone proposals, which while taking cognisance to one another, can be carried out and executed independently of one another.
- Further clarity that the subject proposal, solely, relates to the Avid site.
- Further clarity that the design statement relates to the Avid site and that the Masterplan for the wider area is a separate standalone document.

Prospective Applicant’s Comments:

- Avid site and adjoining Tack Packaging site are in different ownership, however, both applications mutually complement each other.
- An integrated Masterplan for the site and an integrated approach to design strategy has been taken on both sites.
- Clear urban design is coherent with adjoining site
- Necessary for both sites to stand alone, and together
- Engineering report clearly states separation of both sites
- Have further developed plans since December 2021 submission

Planning Authority’s Comments:

- PA have received an application in respect of the Tack packaging site.
- Advised to reconsider design of Tack Packaging site at stage 3
- Inconsistency in documents need to be ironed out and all information clear and to a high quality. No room for inconsistencies.

2. Previous Reasons for Refusal - SHD 310104-21 refused in Aug 2021

- **Communal open space**
- **Resident support facilities, communal services**
- **Residential amenity (sunlight and daylight)**
- **Relationship with Adjoining Lands**

ABP Comments:

Further justification of how the subject proposal overcomes the previous reasons for refusal.

- Enclosed nature of the site
- Substandard level of residential amenity
- Material contravention for height and massing

Further consideration and/or justification of the documents as they relate to future residential amenity, having particular regard to the following:

impacts on adjoining structures
overlooking,
relationship of open space and public realm
views and vistas
daylight and sunlight incl. shadow assessment
placemaking and wayfinding
creation of neighbourhoods

Further justification with respect to permeability of the block for pedestrians and movement strategy within and around the blocks, including consideration of interface with and passive surveillance of paths along the eastern and southern boundary, and legibility of the pedestrian entrances to the development.

Further consideration and justification of the quantum and quality of communal open space including the availability of sunlight and daylight to the courtyard, roof gardens, and the functionality of the spaces.

The further consideration of dual aspect units having regard to the requirements of the Sustainable Urban Housing Design Standards for New Apartments (2020), SPPR 4.

Further justification required in terms of residential amenity, consideration of outlook, and access to daylight/sunlight within the apartments, in light of the PA CE report. An up dated Sunlight / Daylight Analysis and overshadowing analysis is required to be submitted with any application.

An updated Wind and Microclimate Analysis (including details of any proposed mitigation measures); and an Inward Noise Assessment.

Prospective Applicant's Comments:

- Proposed development is on a vacant site zoned residential
- Has suitable access to all amenities
- Attention has been given to previous refusal reasons and addressed
- The current team were not responsible for the previous application.
- Propose to combine the two sites and provide one scheme which is better quality of development.
- Proposed development has been opened up to west to provide greater sunlight
- Good quality communal open space proposed elevated to 1st floor. Eliminate overshadowing of open space.
- A creche will be provided on the Tack Packaging site not on Avid portion of the overall scheme.
- Better quality of units
- L shaped design for increased sun and daylight
- Improved roof spaces design
- Setback of units from buildings on Tack Packaging site
- No north facing apartments
- Units are now orientated east to west
- Previous ADF was at 86%, now at 94%
- Courtyard has been opened up and dough nut nature of the courtyard revised. Height reduced allowing significant improvement for daylight and sunlight.
- Key driver has been the impact of proposed development on Tack Packaging site. Bringing both developments together, responding to the issues raised with respect to impact of development on Avid site and Tack Packaging site. Creation of streets around and through the site.

Planning Authority's Comments:

- Cognisance to be had to concerns outlined in PA Opinion.
- Prospective applicant advised to be consistent with new County Development Plan
- Prospective applicant advised to take onboard SLO 153

- Further attention to indoor amenity space required
- Consider further the permeability of the blocks, pedestrian movement strategy between blocks, interface and access to podium level open space, clarity in relation to level changes, interface with proposed new streets, and potential conflict between pedestrians and vehicles using the basement access ramp/street.
- Concern with regard to proposed layout, drop to parking below, useability of communal open space proposed, must ensure it is fully functional, justify useability.
- Regard to be had to reports from parks and transportation departments. That verges are compliant with DLR works and that depth of soil at podium will work.
- Demonstrate how areas are practical for play.
- Detailed quantum and design of open space proposals at all levels including consideration of issues related to wind micro-climate, design, and usability of spaces, in particular at the upper levels, and any implications of the blue roof design.
- There is limited public open space in the area, development contribution in lieu will be required for the wider area.

3. Compliance with provision of the Dun Laoghaire-Rathdown County Development Plan 2016-2022, including the Sandyford Urban Framework Plan.

Specific Local Objective 113

Quantum of development

Height and density (Material Contravention)

Public Open Space

ABP Comments:

- Further justification and consideration that specific objective SLO 113 has been addressed. In particular, to address provision of community infrastructure at ground floor along the eastern outer edge of the Carmanhall residential neighbourhood along Blackthorn Road, to create active street frontage and to ensure the appropriate provision of social and community infrastructure to serve the needs of the resident and employee population. Noted that a creche is not included on plans.
- Further consideration that the visual impact assessment has regard to the site context, in particular, having regard to concerns expressed in respect of scale and massing.
- Further justification of the quantum of development in light of specific policies set out in the SUFP.
- Further detail and consideration of access to community and social infrastructure, open space and amenities, in the wider area.
- Further consideration/ justification should address the proposed design and massing, inter alia the visual impact, and relate specifically to the justification for any material contravention of the density and height strategy in the development plan, issue of legibility, visual impact, and compliance with Section 3.2 of the Urban Development and Building Heights: Guidelines for Planning Authorities (2018)

Prospective Applicant's Comments:

- Creche will be provided on the Tack Packaging site and more detailed design will be provided with that application.
- Tack Packaging site creche is 300m² and will cater for both sites

- Tack site and Avid site are being considered jointly however two separate applications are proposed.
- Increased open spaces for activities
- Improved street frontages to open up space Density has been lowered
- Proposed density 400 number is now 330 number
- Will submit statement of material cointervention at application stage

Planning Authority's Comments:

- Prospective applicant advised to tie in with previously granted developments in area
- Have regard to Daylight Sunlight and Overshadowing – BRE Guidelines 2009
- Regard to be had to building Height Guidelines and ADF

4. Supporting Infrastructure (Transportation, access, parking and Water Services)

ABP Comments:

Further detail and consideration of works required to the public realm.

Clarification that all items raised by drainage department in their report submitted to the Board are addressed, further meetings should be sought to resolve outstanding issues.

Further consideration of the proposal in respect to level of detail provided, particularly in relation to surface water drainage proposals and relating to site specific flood risk assessment and movement of overland flow rates.

Clarity that issues raised by the IW report are addressed, in particular with regard to infrastructure on the site, sets backs or diversions and that a flow rate to meet fire flow requirements can be guaranteed.

Consideration that each application stands on its own merits and that should issues or disagreements arise with respect to infrastructure deficits the Board precedent is to uphold the opinion of the planning authority, given their responsibility and authority on such matters.

Clarification that all items raised by the PA in their report submitted to the Board are addressed, further meetings should be sought to resolve outstanding issues.

Legal clarity on red line boundary is important. Councils plans for roads takes precedence.

Prospective Applicant's Comments:

- Will continue discussions with PA on transport and drainage issues.
- Have discussed the outflow rate with DLRCC, both sites to be jointly assessed with respect to storm water.
- IW have confirmed capacity and the applicant will further engage with IW.
- PA will have access to public waterworks
- Green roof area up from 60% to 70%
- Will discuss park and amenity areas further with PA
- Acknowledged need for letters of consent, and noted that delay of some months in getting letters almost prevented pre-app being lodged. It's a significant issue, practicality of getting a letter of consent, have waited 5 / 6 months for a letter of consent from DLR.
- Note issues with respect to cycle way project team and future works required within red line boundary.
- Will meet with PA to discuss access points, bicycle infrastructure, ESB and road upgrades
- Attenuation and drain design documents will be submitted at application stage

- Access has been clearly thought out on Blackthorn Road.
- Both development's on Avid site and Tack Packaging site need to be developed separately, creating streets around perimeter blocks.

Planning Authority's Comments:

- Concerns with public transport flagged in report
- Quality audit required
- Progressing design for cycle activities – there is an overlap, careful that works do not undermine any application. Further liaison with the project team.
- Access to public water network will be required
- Applicant has option of payment in lieu of public open space
- Applicant to demonstrate use of open space by residents
- Safety buffer required at play areas
- Traffic must exit at Carmanhall Road to avoid excess exit points at Tack Packaging site.
- Prospective applicant to liaise with traffic department to alleviate concerns
- Green roof policy has changed.
- Masterplan which includes the Tack Packaging site indicates both schemes relying upon one another. Access, drainage, engineering technical matters to be clear.
- Alternative arrangements need to be in place, however, to demonstrate that both applications can be delivered independently and are compatible.

5. AOB

ABP Comments:

- Applicant advised to include all items of material contravention in their statement of material contravention and to advertise same accordingly.
- Further consideration of the proposal in terms of:
 - Inconsistencies in the information
 - Construction Management Plan,
 - Quality Audit
- Further consideration that the SHD process does not allow for further information, only in exceptional circumstances, therefore all information submitted needs to be clear and of a high quality and accurate to ensure that the Board can make an informed decision.

Prospective Applicant's Comments:

- Will include an EIAR at application stage will address height, wind, etc
- Will address height issues as set out in appendix 5 of new Development Plan.
- Height is a material contravention issue and it is argued that there is a platform which allows for height.
- Note BTR policy and direction from the Minister in respect of unit mix and BTR schemes on the DLRDCC CDP 2022 – 2028.
- There is policy to support higher buildings on Carmanhall Road.
- Argue that the proposal addresses the criteria in Appendix 5
- Precedent set by recent ABP decisions.

Planning Authority's Comments:

- Applicant advised to examine Appendix 5 of new Development Plan.
- The criteria section from Section 3.2 of the Guidelines has been subsumed into the new CDP. Height will be addressed in an assessment of a future application; it really hasn't changed.
- 40% requirement for 3 bed mix noted. Aware of OPR feedback, however there is no direction yet.



- All material contravention issues to be addressed and justified.

Conclusion

The representatives of ABP emphasised the following:

- There should be no delay in making the planning application once the public notice has been published.
- A Schedule of Documents and Drawings should be submitted with the Application.
- Sample notices, application form and procedures are available on the ABP website.
- Irish Water would like prospective applicants to contact Irish Water at cdsdesignqa@water.ie **between the Pre-Application Consultation and Application stages**, to confirm details of their proposed development and their proposed design.
- The email address to which applicants should send their **applications** to Irish Water as a prescribed body is spatialplanning@water.ie.

Stephen O'Sullivan,
Assistant Director of Planning
May 2022

