

# **Response to Opinion ABP. Ref. 312265-21**

**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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## 1 Introduction

This report provides a response to Item 12(f) of the Application Form. The Opinion issued by An Bord Pleanála in May 2022 in relation to ABP. Ref. 312265-21 which stated that the documents submitted with the request to enter into consultations `required further consideration and amendment.

This report accompanies a Strategic Housing Development (SHD) application to An Bord Pleanála under the Planning and Development (Housing) and Residential Tenancies Act, 2016 on lands c.0.99 ha at the former ‘Avid’ site, Blackthorn Road/ Carmanhall Road, Sandyford, Dublin 18.

On 19/05/22 The Board issued a Notice of Pre-Application Opinion highlighting the application required Further Consideration and Amendment concerning issues of 1) Development Strategy and 2) Policies under Appendix 5 of the Dun Laoghaire Rathdown Development Plan 2022 – 2028, Sandyford Urban Framework Plan and Section 3.2 of the Urban Development and Building Heights: Guidelines for Planning Authorities (2018). The Board in its Opinion also set out additional documentation which it was considered should be prepared in support of the application package.

This document sets out the applicant’s response to the various issues raised and identifies how the SHD application responds.

This response should be read in conjunction with the accompanying 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.

A statement of consistency, planning report and material contravention statement has also been prepared and may be read in conjunction with this response as they also address issues raised.

Reference is made to the adjoining ‘Tack’ site throughout this planning package, which is currently the subject of an SHD 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 and prepared by the same design team.

The structure of this report follows the order in which the points have been raised by the Board.

A copy of the Board’s Opinion is included in Appendix A.

Appendix B of this report provides commentary on Dun Laoghaire Rathdown County Council’s Chief Executive Report submission to An Bord Pleanála regarding the Tack site (reference ABP-313338-22). There are many common design objectives across the two sites and it is considered helpful to provide clarification in respect of the Council’s opinions.

## 2 Response to Opinion

Each of the issues set out in the Board's Opinion is set out below in italics with the applicant's response provided in turn.

### 2.1 Development Strategy

*Further consideration/justification of the documents to clearly set out how the Avid site can be developed independently of the Tack Packaging site, given the linked nature of the overpass pedestrian walkway, communal open space and access to undercroft car parking also the requirement for a creche. Clear justification that each scheme, which it is submitted are to comprise two separation planning applications can be deliver independently of one another, in particular, with respect of access, drainage and engineering technical matters, given the Masterplan for an overall scheme, the recent SHD pre application 308186-20 on the Tack Packaging site and land ownership*

Overall, it is respectfully submitted that there is no ambiguity regarding the capability of the Avid site to be developed independently.

#### ***Access, drainage and engineering technical matters***

An Bord Pleanála is referred to the Engineering Assessment Report, Services Report and Road and Services Drawings prepared by Waterman Moylan Consulting Engineers. It is clarified in the technical engineering details provided that the Avid and Tack sites can be serviced completely independently of each other. The Avid site is in no way reliant on the Tack site implementation for the purposes of development delivery.

However, it is important to emphasise that it is a positive planning strategy, that the applications are purposefully designed to be complementary under an integrated masterplan to address issues of common interest such as residential amenity, architectural design, urban form and communal open space. It is clearly desirable in terms of development feasibility and economics; and it is likely that both schemes would be developed concurrently in the event of achieving planning permission from An Bord Pleanála.

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.

We wish to highlight 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 Sandyford Urban Framework Plan (SUFP). 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.

#### ***Linked communal space***

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. This may include a wording such as;

*“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”.*

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.

Following discussions at the Tripartite meeting this development proposal now provides for direct linkage from the communal open space (via steps) to the undercroft car parking entrance and street below.

### **Creche**

Pursuant to the Board’s comments at the Tripartite meeting, the final scheme now includes a creche.

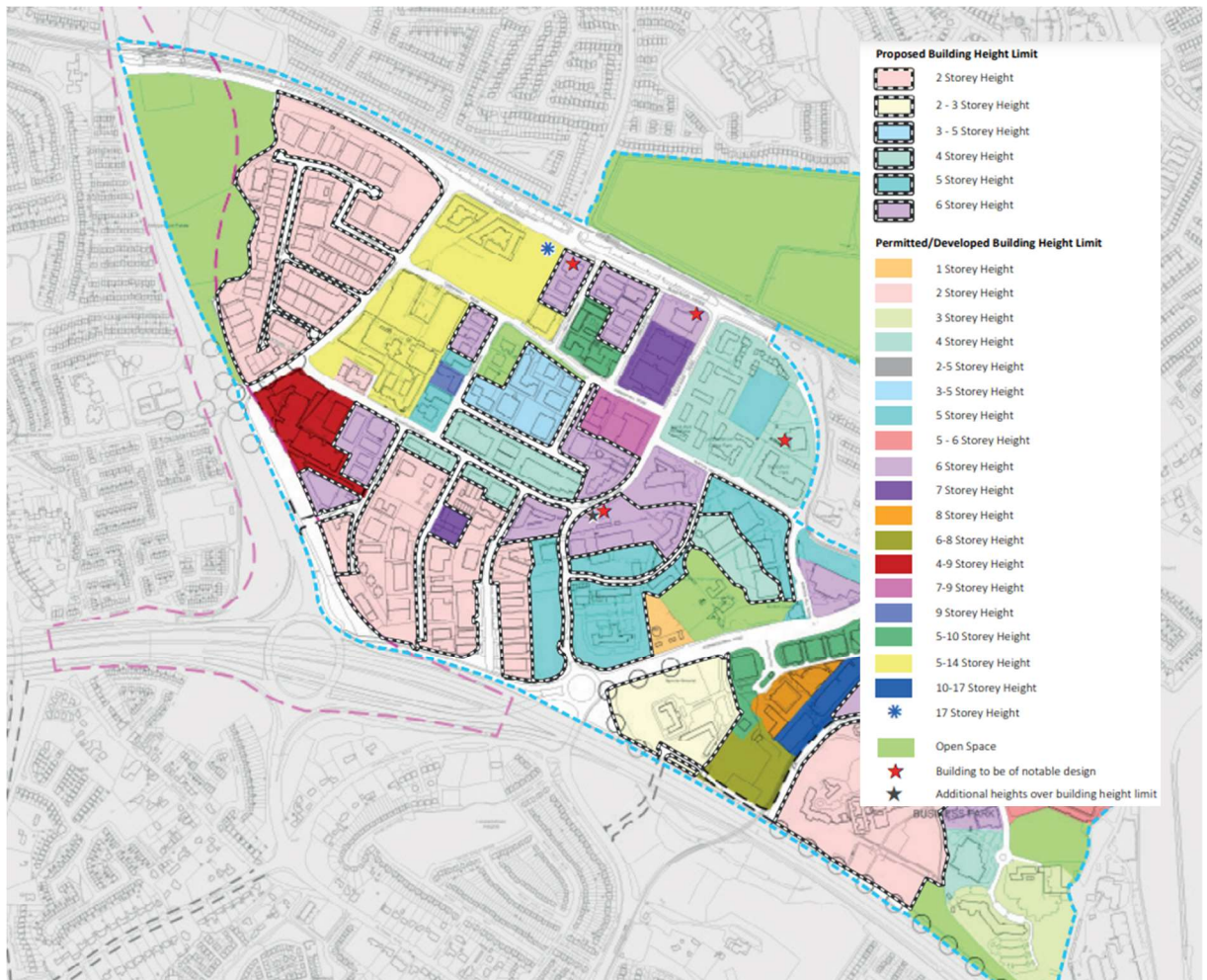
- (b) *Further consideration/justification of the documents as they relate to the Dun Laoghaire Rathdown Development Plan 2022 - 2028, specifically Appendix 5 and the Sandyford Urban Framework Plan, in relation to the scale, height, and design of the proposed development and the potential impact on the adjoining sites and surrounding environs of Sandyford. The further consideration/ justification should clearly 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). The further consideration of these issues may require an amendment of the documents and/or design proposal submitted.*

### **Design and Massing**

An Bord Pleanála is referred to the Design Statement and Masterplan document prepared by MDO Architects which provides a detailed analysis of the urban design rationale for the revised development in the context of an integrated approach for the Avid and Tack sites as part of one co-ordinated masterplan.

### **Sandyford Urban Framework Plan 2022-28**

Map 3 of the Sandyford Urban Framework Plan 2022-28 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 1).



**Figure 1 Map 3 – Building Heights of the Sandyford Urban Framework Plan 2022-2028**

It is important to refer to the policy Sandyford Urban Framework Plan 2022. The Plan states:

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

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

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



***onto Blackthorn Road. This outer edge whilst promoting routes and permeability will act as a buffer to the inner residential area and the green areas of this neighbourhood.***

### ***Height Policy under the SUFP and Appendix 5 of County Development Plan 2022-28***

The Statement of Consistency Report notes that under Policy Objective PHP39 of the County Development Plan (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.

The policy framework allows *the consideration of increased heights and also to consider taller buildings where appropriate within the Sandyford Urban Framework Plan area*, (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).

Policy SUFP 3 of the Sandyford Urban Framework Plan 2022-28 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.***

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

### ***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.

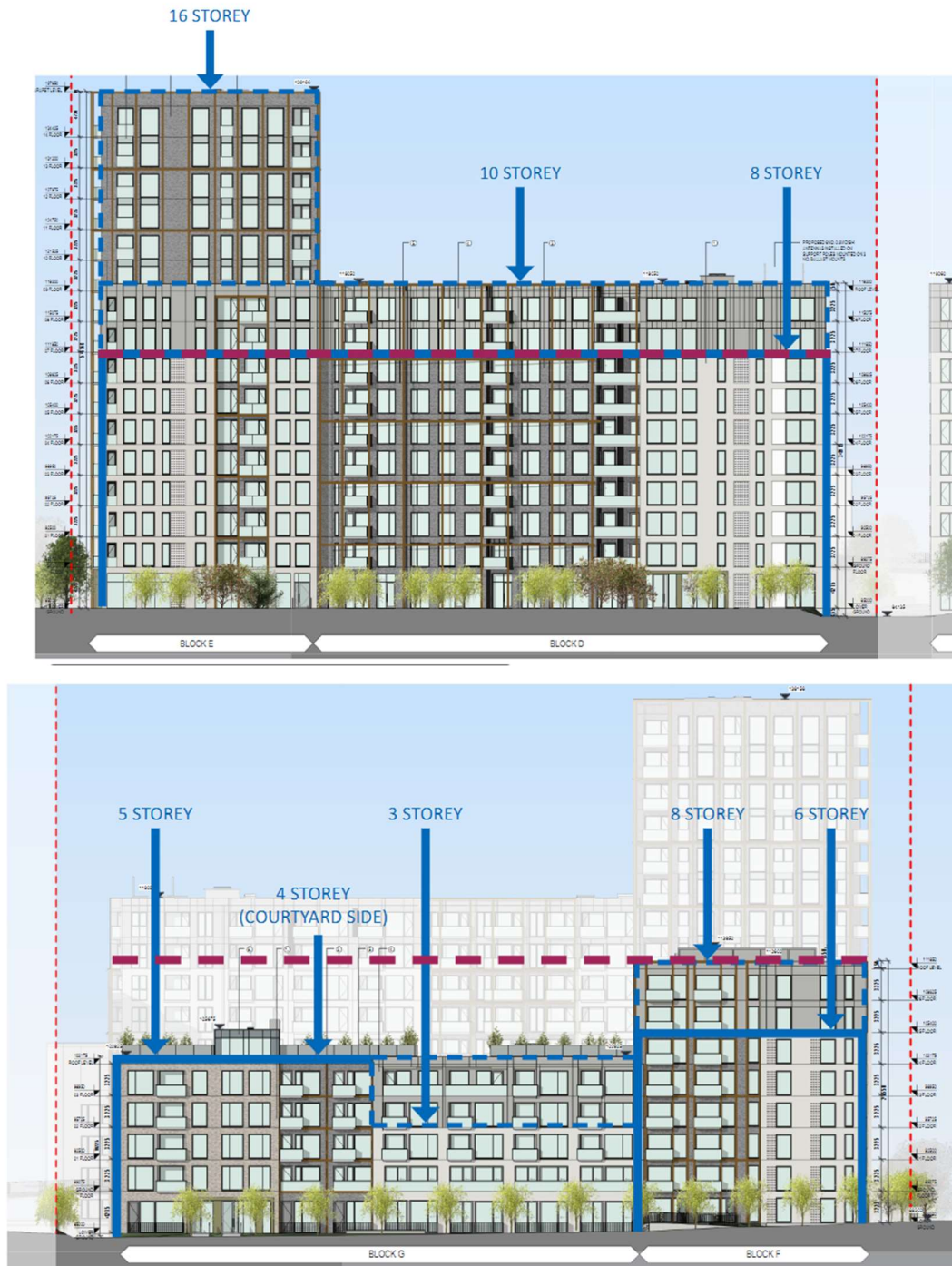
Figure 2 below is from the Design Statement prepared by MDO Architects. It illustrates that the architectural elevations have been designed to a ‘shoulder height’ of 8 storeys to Carmanhall Road.

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. Block E clearly responds to the SUFP’s objective that ***“This residential neighbourhood shall be contained by tall buildings at either end of Carmanhall Road”***.

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.



**Figure 2 Analysis of proposed building height above ‘shoulder height’ street frontage (Source: MDO Architects Design Statement)**

**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 3 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)<sup>1</sup> identifies significant additional employment growth potential in the area by 2028.

<sup>1</sup> 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

**Table 1 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
<b>At County Level</b>		
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 the Planning Statement of Consistency 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 pho 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 SUFP

Criteria for All Such Proposals	DM Requirement	Proposal Response
<b>At District/Neighbourhood/Street Level</b>		
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 a Preliminary Flood Risk Assessment report (Waterman Moylan) and Storm Water Audit (Punch Consulting Engineers)
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
<b>County Specific Criteria</b>		
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).		This Response to Opinion report addresses issues 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 on 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 sites 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



**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.

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

It highlights that;

*The design as proposed reinforces the existing street pattern creating legible well de-fined 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 cre-ate 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.*

*The proposed masterplan design creates a varied high quality design and streetscape with high quality materials which is designed and modulated to maximise access to natural day-light, views and amenity, and provides a mix of new compact affordable sustainable residential unit typologies to compliment the residential 2/4 bed family homes predominant in the wider area. Good high-quality office units along Carmanhall Road combined with good residential amenities located at courtyard level and roof terrace level will provide good public and private communal spaces to enliven and animate the spaces at ground and at the private roof terrace level.*

*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 center 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 neighboring properties by minimizing overlooking and nighttime 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.*

We also refer the Board to the Planning Statement of Consistency report (MacCabe Durney Barnes), where Table 8 provides a Summary of Compliance with Section 3.2 of the Urban Development and Building Heights: Guidelines for Planning Authorities (2018).

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.

## 2.2 Additional documentation prepared in support of the application package

This section provides a response to the additional documentation which The Board in its Opinion considered should be prepared in support of the application package.

1. *In accordance with section 5(5)(b) of the Act of 2016, as amended, any application made on foot of this opinion should be accompanied by a statement that in the prospective applicant's opinion the proposal is consistent with the relevant zoning objectives of the development plan for the area. Such statement should have regard to the Dun Laoghaire Rathdown County Development Plan 2022 – 2028 and Sandyford Urban Framework Plan 2022, in particular SLO 113, in respect of any application for permission under section 4 of the Act.*

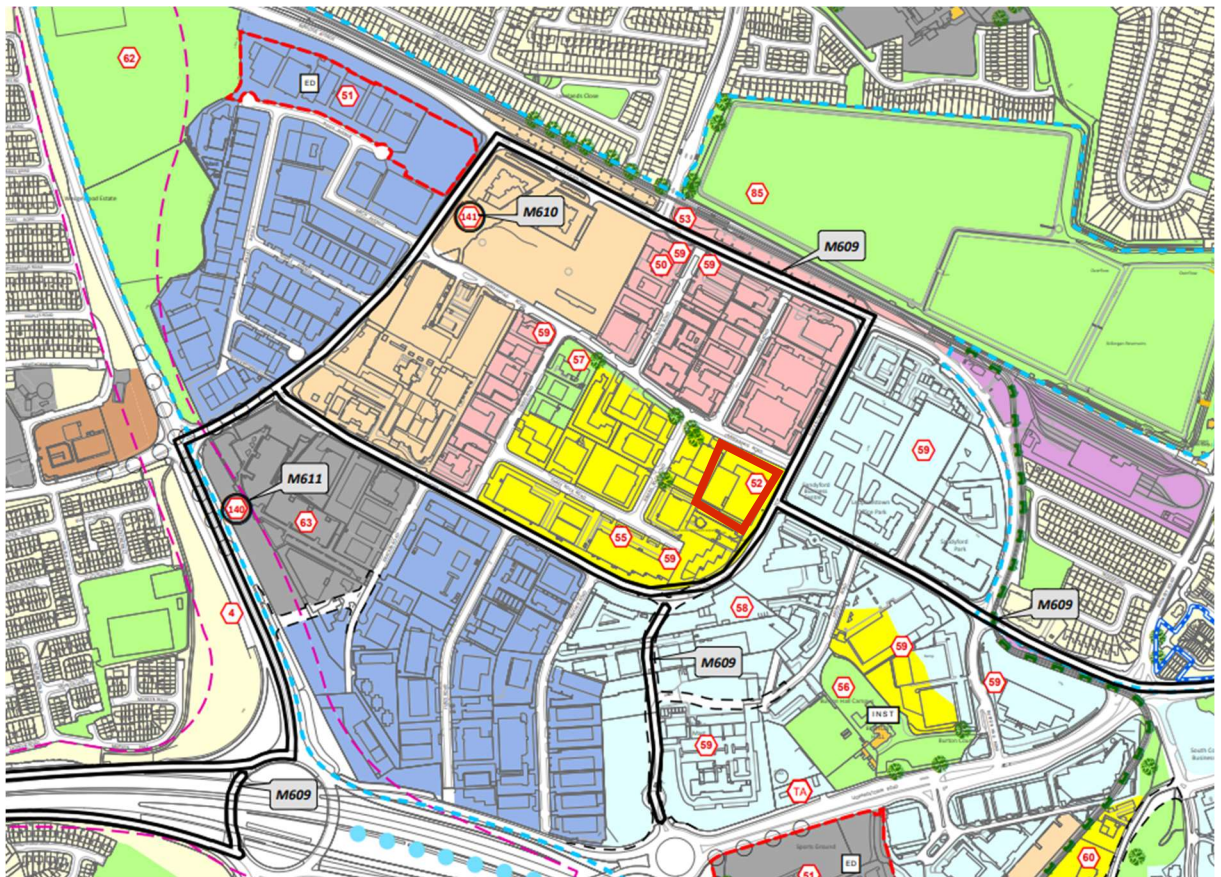
This SHD Planning Application package is accompanied by a detailed Statement of Consistency prepared by MacCabe Durney Barnes.

In this item the Board's Opinion refers to SLO 113. This was in fact an objective of the now expired SUFP 2016-22. This objective has been replaced by SLO 52 in the new Development Plan 2022-28 and the SUFP 2022-28. However, the Objective has remained consistent over the two plan periods.

The Sandyford Urban Framework Plan 2022-28 (SUFP) is included as Appendix 16 of the County Development. It sets out the detailed planning policy for the Sandyford area consistent with the County Development Plan. 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.



**Figure 4 Dún Laoghaire- Rathdown County Development Plan 2022-28 (Map 6)**

2. *A detailed statement, which should provide adequate identification of all such elements and justification as applicable, where / if the proposed development materially contravenes the statutory County Development Plan or UFP for the area other than in relation to the zoning of the land, indicating why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.*

This SHD Planning Application package is accompanied by a detailed Statement of Material Contravention prepared by MacCabe Durney Barnes.

3. *A detailed statement demonstrating further justification and clarity of the proposal with respect to red line boundary and what precisely is being proposed under any future application. Cognisance each application is dealt with on a case by case basis, therefore clarity is required to demonstrate how the Avid Site (the subject of this pre application) and proposals for the adjoining Tack Packaging site, which it is indicated while reliant upon one another will form two separate distinct applications can be carried out independently of one another.*

The adjoining 'Tack' and 'Avid' sites are in separate ownership and can be implemented fully independently of one another. The Board's assertion in the Opinion that the two sites are 'reliant upon one another' is not correct. The two sites are fully independent in terms of access and egress as well as all servicing arrangements.

The approach to prepare a masterplan for the two adjoining sites is respectfully submitted to be good planning practice and in the interest of the sustainable development of the area. Pursuant

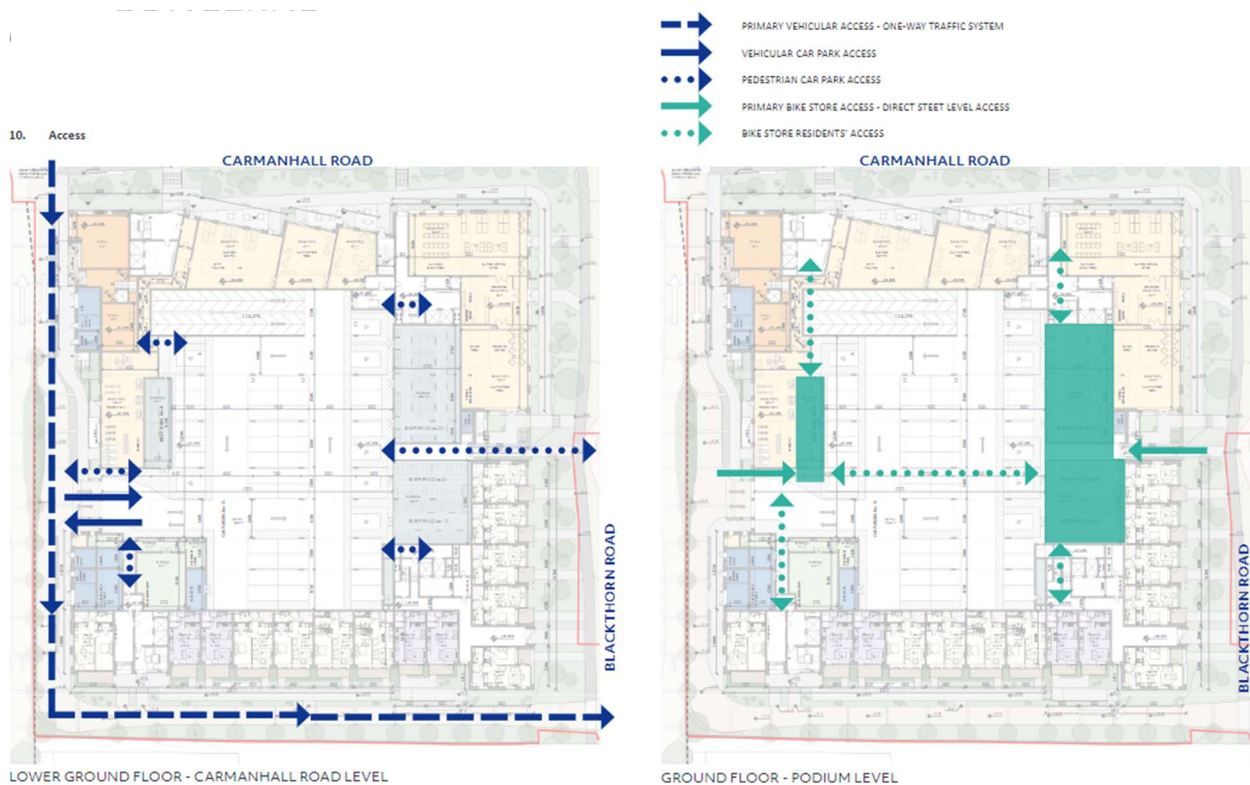
to the planning history of the two sites, it was clear that providing a coherent design approach is positive and desirable in the interest of sustainable development.

4. *A detailed statement and further CGI's, photomontages and visual impact assessment demonstrating how the proposed development ties in visually with the immediate context of the site and the wider Sandyford area given the site context and the scale and massing proposed relative to the surrounding environment.*

A Visual Impact Assessment is included in Chapter 13 of the EIAR and Verified Photomontages by Digital Dimensions are also provided.

5. *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'.*

The Design Report by MDO provides detailed analysis of the urban design rationale for the layout of the proposed development independently and in the broader context of a masterplan with the adjoining Tack site.



**Figure 5 Vehicular, pedestrian and bicycle access (Source: MDO Design Statement)**

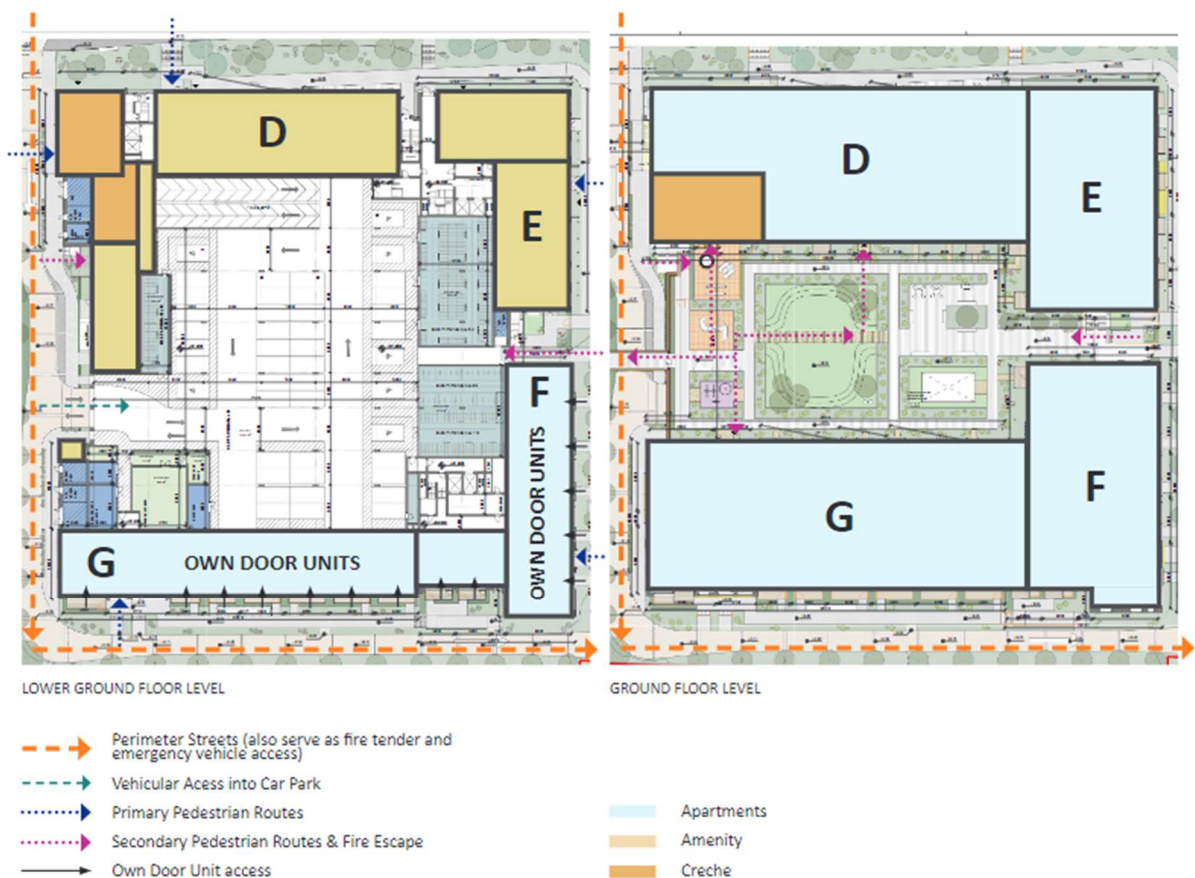
The MDO report highlights that;

*The development has been laid out to maximise the use of the existing sloped site providing a levelled, part M compliant, access from two streets at the perimeter of the site,*

*Blackthorn Road and Carmanhall Road. Designing with the existing topography in mind also allows to provide a discrete, undercroft car park.*

*A varied mix of studio, 1 and 2 bed units are provided in four blocks across the scheme meeting the aspirations of a wide range of households. The buildings and outdoor spaces in the development have all been designed to be Part M compliant, following universal design principles. This applies to the roof terraces on Block G, being fully accessible. A level approach and primary access point is provided to Block D from Carmanhall Road, Block E and F from Blackthorn Road, Block G from southern inner street, and the Creche from inner street to the west. Ground floor units of Block F and G have levelled own door access from Blackthorn Road and the southern inner street. These own door units overlook the street creating a positive aspect to passers-by. There is a secondary pedestrian access point to the site from Blackthorn Road and the inner street to the west, providing level access to bike parking facilities and various shared amenity spaces. Vehicle access to the proposed car park is provided from Carmanhall Road along Block D to the north of the development along the boundary with fire tender and emergency vehicle access. A one-way traffic is proposed on site with the entry of Carmanhall Road and exit to Blackthorn Road to reduce the size and impact of the proposed junctions.*

*The boundary treatment design for proposed scheme have avoided unnecessary physical or visual barrier. Only very low railing is proposed to the west inner street separating the neighbouring site.*



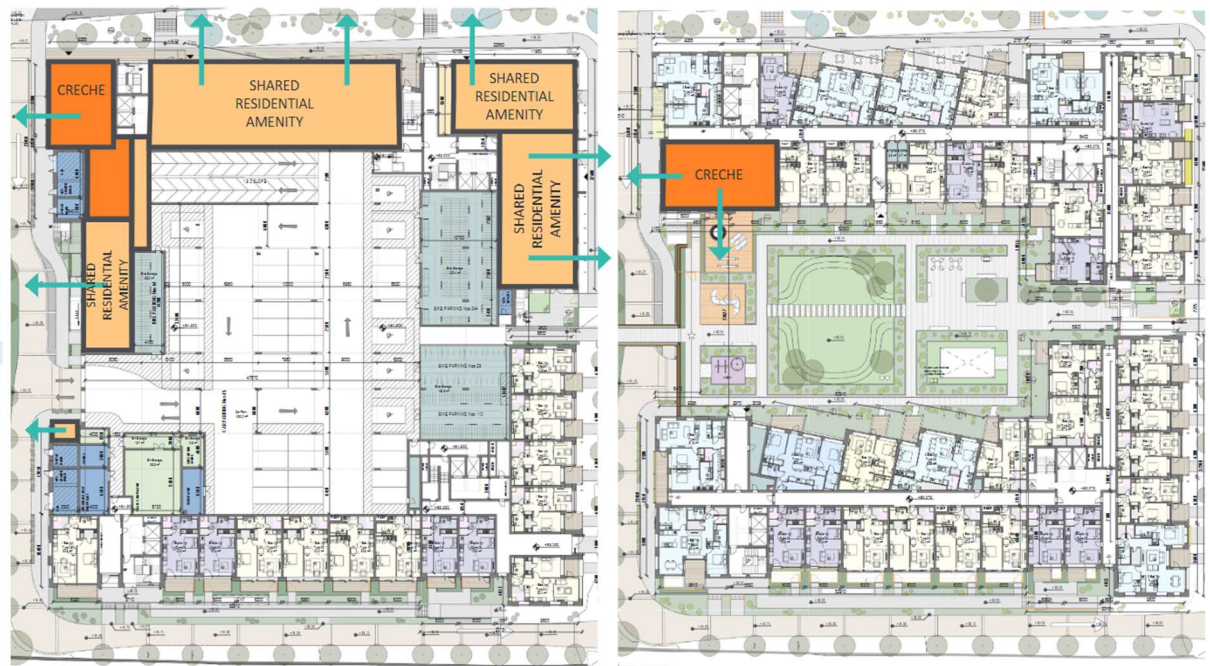
**Figure 6 Ground floor use and access routes (Source: MDO Design Statement)**

6. *Detail and justification of location and quantum of resident support facilities and resident services and amenities as defined by the Sustainable Urban Housing Design Standards for New Apartments Guidelines (2018) and accessibility/ease of access to those spaces by future residents.*

This planning application package includes a Property Management Strategy report prepared by Aramark Property.

It is proposed to provide a variety of shared residential amenities on the lower ground floor of Block D and E overlooking DLR green verge on Carmanhall Road and Blackthorn Road, creating an active frontage and extend of the mix uses available in the development. 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 street 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 7 Extract from site plan illustrating location of Shared Amenity spaces (Source: MDO Design Statement)**

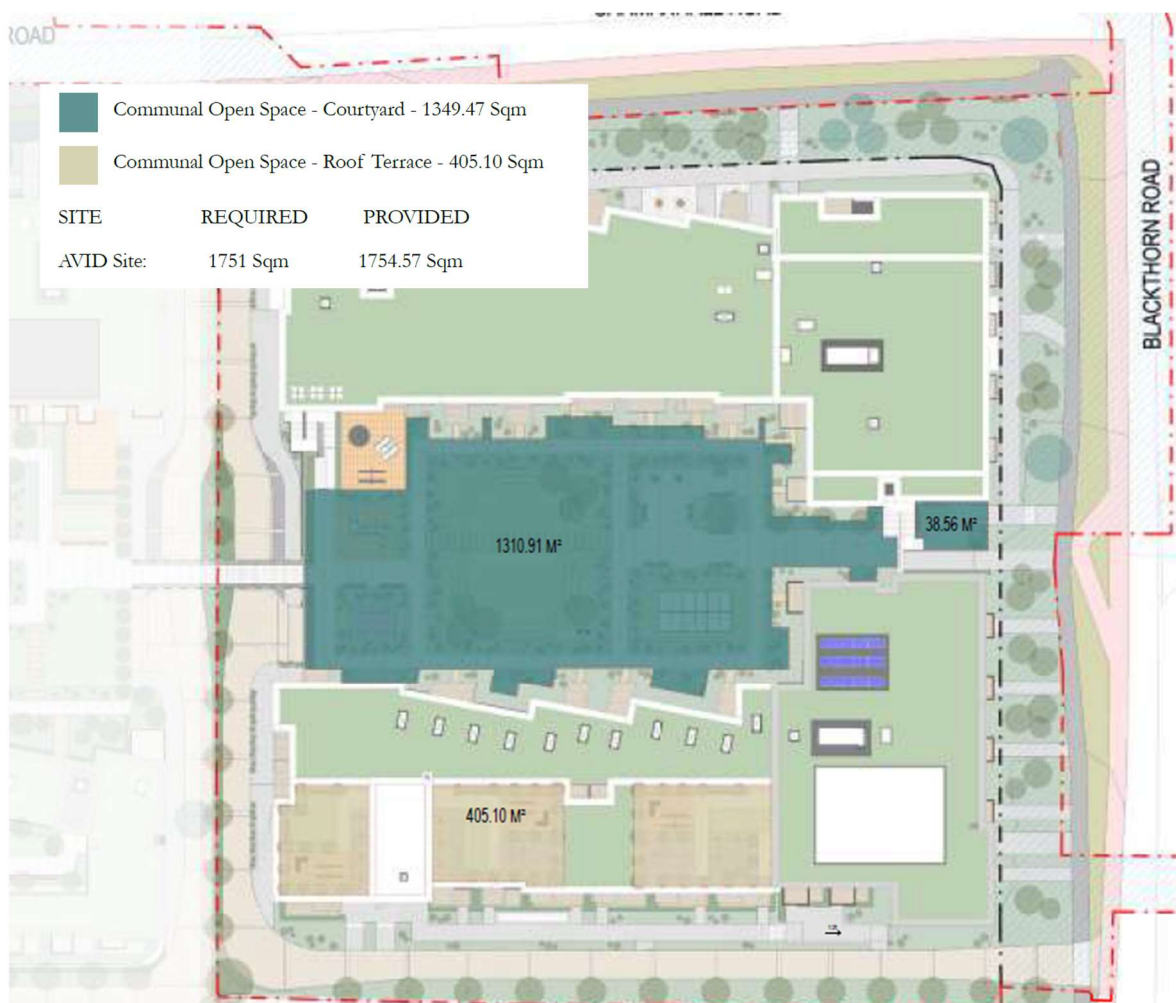
Additional uses and facilities provided in the scheme include a communal garden courtyard, children’s playground, and roof terraces, all of which can be easily accessed by residents.

The central garden courtyard is located at ground floor level podium covering the car park and the roof terraces are located on top of Block G. They can be used as an outdoor amenity space which is safe and passively overlooked. Both the courtyard and roof terraces has been designed to provide active break out areas for gathering, formal and informal play and spaces for quiet contemplation. Please refer to the NMP landscape drawings and report provided with this application for further details.

Resident support facilities such as designated bin store with a waste compactor is provided on the lower ground floor within 50m of each core, where it can be easily accessed by residents. Sustainable modes of transportation are actively encouraged within the proposed development with ample secure and covered short stay and long stay bicycle parking facilities serving residents of the scheme and located on the lower ground floor. There will be on-site management of shared residential amenities and facilities

7. *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 green / blue roof design.*

The Landscape Design Report prepared by NMP Landscape Architects provides detailed information on the proposed public realm improvements and quantum of communal open space. Analysis of sunlight and daylight is provided in the report by IN2 which is addressed under the next heading. In summary, the quantum of open space is summarised in the following graphic from the NMP Landscape report.



**Figure 8 Proposed amenity areas (Source: NMP Landscape Architects)**

*8. Further justification for omission of a childcare facility to serve the proposed development, in light of Childcare Facilities – Guidelines for Planning Authorities.*

Subsequent to the Tri-Partite Meeting with An Bord Pleanála and DLR Co. Co. the development was changed to include a Child Care facility. The Social Infrastructure Assessment report accompanying the SHD package provides an assessment of Child Care provision in the area. This supports the applicant's case that the two schemes can be implemented separately and independently service the child-care needs of the block (with spare capacity for non-resident use).

*9. Detailed Arboricultural Assessment.*

This SHD Planning application includes a Tree Survey and Arboricultural Impact Assessment Report prepared by Northern Tree Services. The impact on trees is shown on drawing JEG1972-T-1-2. NMP Landscape Architects have prepared a comprehensive landscape plan as part of the planning package.

A methodology for managing trees during construction is contained in the Northern Tree Services report with the locations of tree protection fencing and protective matting indicated.

*10. A Social and Community Audit*

This SHD Planning Application is accompanied by a Community Infrastructure Audit report prepared by MacCabe Durney Barnes, which provides analysis of the access to services and amenities within the catchment of the subject site. The audit has identified a number of community facilities and amenities in the surrounding area. It also notes the residential amenities provided as part of the development and concludes that the development would not add undue pressure on existing facilities.

*11. Provide further justification for the level of car and cycle parking proposed and detail the design of cycle parking spaces and secure storage areas. The justification should include an analysis of car and cycle parking demand that is likely to be generated by the proposed development taking account of the locational context and level of connectivity (by all modes) to services and employment generators.*

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 on Carmanhall Road for cars, service deliveries, refuse freighter and emergency vehicles. An exit only for all vehicles is proposed onto Blackthorn Road.

The Traffic and Transport Assessment highlights that the access arrangements here proposed, when considered in conjunction with adjoining Tack site proposal, is the best design solution for the overall block. It allows both sites to be serviced independently and then provides for considerable integration of access roadway if both sites are delivered.

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.

12. *Detailed landscape drawings that illustrate hard and soft landscaping, useable communal open space, meaningful public open space, quality audit and way finding. The public open space shall be usable space, accessible and overlooked to provide a degree of natural supervision. Details of play equipment, street furniture including public lighting and boundary treatments should be submitted.*

This SHD planning application includes a comprehensive landscape plan and detailed drawings prepared by NMP Landscape Architects which addresses all of the above matters.

13. *A Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to:*
- *Impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.*
  - *Impact to any neighbouring properties devoid of proposed and existing landscaping and trees.*

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.

*14. A response to matters raised within the PA Opinion submitted to ABP on the 25th January 2022.*

A response to the Planning Authority's Opinion is set out in Part 3 of this document and in relevant documentation in the SHD Planning Application Package (particularly the Architectural Design Statement and Engineering Reports).

*15. A life cycle report shall be submitted in accordance with section 6.13 of the Sustainable Urban housing: Design Standards for New Apartments (2020). The report should have regard to the long-term management and maintenance of the proposed development. The applicant should consider the proposed materials and finishes to the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings, landscaped areas, child friendly spaces, pathways, and all boundary treatments. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for the development.*

This SHD planning application package includes a Building Lifecycle Report prepared by Aramark. The purpose of the report is to provide an initial assessment of long-term running and maintenance costs as they would apply on a per residential unit basis at the time of application, as well as demonstrating what measures have been specifically considered to effectively manage and reduce costs for the benefit of the residents.

The Building Lifecycle Report has been developed on foot of the revised guidelines for Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities issued under Section 28 of the Planning and Development Act 2000 (as amended) December 2020. Within these guidelines, current guidance is being provided on residential schemes.

Section 6.13 of the Apartments and the Development Management Process guidelines for Sustainable Urban Housing: Design Standards for New Apartments (December 2020) requires that:

*“planning applications for apartment development shall include a building lifecycle report which in turn includes an assessment of long-term running and maintenance costs as they would apply on a per residential unit basis at the time of application, as well as demonstrating what measures have been specifically considered by the proposer to effectively manage and reduce costs for the benefit of residents.”*

16. *As per SPPR7 of the Sustainable Urban housing: Design Standards for New Apartments Guidelines for Planning Authorities, March 2020 the development must be described in the public notices associated with a planning application specifically as including 'Build to Rent' housing and a covenant/legal agreement is required at application stage.*

It is confirmed that the statutory notices specifically refer to 'Build to Rent' housing and that a covenant/legal agreement is included in the SHD Planning Application package.

17. *A rationale or evidence based justification that the proposed resident support facilities and resident services and amenities are appropriate and accord with SPPR7 (b) of the Apartment Guidelines 2020.*

This planning application package includes a Property Management Strategy report prepared by Aramark Property.

It highlights that it is proposed to provide a variety of shared residential amenities on the lower ground floor of Block D and E overlooking DLR green verge on Carmanhall Road and Blackthorn Road, creating an active frontage and extend of the mix uses available in the development. 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 street to the west.

Additional uses and facilities provided in the scheme include a communal garden courtyard, children's playground, and several shared residential amenities, all of which can be easily accessed by residents. The central garden courtyard will be located at ground floor level podium covering the car park and can be used as an outdoor amenity space which is safe and passively overlooked.

#### **Management Offices**

The development will have a designated management office and concierge suite, this office will focus on management of the residential management and the overarching management of the scheme, with an emphasis on security, surveillance of vehicular & pedestrian access, waste marshalling area, parcel deliveries, car parking, events management and community and stakeholder engagement.

The management and residents support services area will serve as a meeting place for residents, additional security, and a central hub where key estate and resident management services will be offered. For the management team, it will provide a single space or base from which these elements can be pooled and managed efficiently.

#### **Onsite Property Manager**

The on-site Property Manager would also be responsible for overseeing and coordinating resident move in/out strategy in terms of deliveries.

The service would operate from the support and internal facilities areas provided. The onsite property manager would be responsible for achieving a sense of community within the scheme.

#### **Residential Concierge Team**

The development will have a Residential Concierge Team. The service hours are envisaged to be from 08.00 to 20.00 Monday to Friday, Saturday - Sunday 09.00 to 14.00. There may be a requirement change these times depending on residents' requirements.

*18. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.*

The red line of the planning application includes verges and roads in the ownership of Dun Laoghaire Rathdown County Council. A letter of consent has been attained from the Council for the making of the application to facilitate access and connection with public utilities.

The landscaping proposals and site plan includes planting and materials for these areas consistent with those of Dun Laoghaire Rathdown County Council and which the developer is responsible for implementing on foot of a planning permission (in agreement with the Council).

The applicant does not propose to take ownership of lands (in the Council's ownership) for maintenance or management purposes. The applicant is not in a legal position to 'volunteer' lands in another party's ownership be taken in charge by the local authority. It is not in the applicant's gift to do so. Similarly, the applicant is not proposing that any area within their ownership be taken in charge. All internal roadways, paths and communal areas within the applicant's ownership shall remain under private management.

*19. Site Specific Construction and Demolition Waste Management Plan.*

This SHD Planning Application is accompanied by a Preliminary Construction and Demolition Waste Management Plan prepared by Waterman Moylan.

*20. Details of public lighting.*

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

### 3 Dun Laoghaire Rathdown County Council Chief Executive Report

This section specifically addresses the points raised by the local authority in their submission to An Bord Pleanála (DLR Reference PAC/SHD/276/21). All the items raised by the Council are addressed in the planning application package and are therefore noted succinctly in this section in an effort to limit unnecessary repetition.

#### 3.1 Response to submission of Local Authority

This section provides an overview of Dun Laoghaire Rathdown County Council's stated areas of "Main Concerns" in their pre-application report to An Bord Pleanála. The issues raised by the planning authority are quoted in *italic* and the amended development proposal's response in this SHD package are documented below.

##### 3.1.1 Planning Strategy

*DLR stated in its report that the scheme for which a 'stage 2' opinion was received appears to be materially different from the current proposal as shown in the masterplan.*

In response, it is highlighted that there appears to have been some confusion relating to the extent of the development proposed and whether the scheme included the Tack and Avid sites separately under the Masterplan or as separate applications. This issue was raised at the Tripartite meeting and it is clarified in this application that the SHD relates to the Avid site only, which is capable of being implemented independently.

We would note the entire point of pre-application process is that the design team has the opportunity to engage with the planning authorities as well as undertake further environmental and technical analysis of the proposal. It is our client's assertion that the development proposal has evolved and improved throughout this time and that there is no onerous restriction that limits changes to planning schemes from Stages 1 to 3 of the SHD process.

##### 3.1.2 Principle of Development

*The DLR report highlights that the quantum of development is greater than that envisaged in the SUFP and it was queried whether a Creche was included in the scheme.*

In response it is noted that the subject 'Avid' site (together with the adjoining 'Tack' site) shall be developed in a perimeter block typology in accordance with the urban design objectives of the SUFP. There is planning precedent for a Sandymount Student SHD under ABP Ref 303467 giving **131 student units (817 student bedspaces)** and up to 9 storeys on the Avid site. On the Tack Site, there is precedent for a 10-14 storey scheme with 182 units (319 units/ha) (PA Reg Ref D05A/0566) and the Delivery of high density on these sites has been accepted as entirely appropriate.

There have been several decisions in support of high density living in locality, including the former Aldi site, Carmanhall Road/Blackthorn Drive (North) (ABP-305940-19) where permission was granted for 564 no. build to rent apartments, creche and associated site works on 12/03/2020. It is also relevant to refer to the Rockbrook Phase II: SHD scheme (ABP PL06D.304405428) for 428 apartments in two blocks ranging in height from five to fourteen storeys and the Siemens site ( ABP-311722-21) for a development comprising of 190 Build to Rent apartments consisting of two blocks of 14-15 storeys height (including basement), which was Granted Permission in March this year.

The Planning Statement of Consistency demonstrates that the development of high density schemes is entirely appropriate in this location, as upheld by An Bord Pleanála on many major permissions in the locality.

### **Creche**

*The planning authority were of the opinion that a Creche should be included within the development proposal.*

This has been incorporated into the design as recommended.

### **3.1.3 Specific Local Objective 113**

*The planning authority considered that some of the Residential Amenity Space at ground floor level should be open to the public to be compliant with SLO 113 (now SLO 52).*

This has been incorporated in the design and management approach to the site with the unit beside the creche on Carmanhall Road being made open to the public for co-working, studio space (or similar use).

### **3.1.4 Density and Quantum of Development**

*DLR refer to a relationship between density and the capacity of supporting infrastructure. The local authority's argument appears to be that the development of new homes should be limited in urban areas unless open space amenities are provided on a pro-rata basis.*

It is respectfully submitted that the delivery of high density actually enables the delivery amenity open space in area. High density development supports the provision of a vibrant urban population who can support and sustain local businesses and services.

There is no objective to provide a public park or open space on the subject site. We also note that under the newly adopted County Development Plan 2022-28, SUFP (Appendix 16).

- It is an objective of the Council to actively pursue the use of the evolving reservoir site as active public open space (also Local Objective 85)
- 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.
- 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.

The Council's opposition to residential development, on the basis of high density is counter to Government Guidelines and in particular Housing for All – A New Housing Plan for Ireland (DHLGH 2021). This is further addressed in the Planning Statement of Consistency.

### **3.1.5 Building Heights**

*DLR Co. Co. have referred to Policy UD6 of the County Development Plan and the Building Height Strategy (BHS) noting the SUFP does provide for 17 storey building heights in other locations, but that in this site Map 3 of the SUFP identifies a limit of 9 stories. DLR note that the applicant should provide justification for the proposed increased height in in this location.*

It is respectfully submitted that the SUIP fully allows and supports the provision of a landmark building at the subject site. This item is addressed at Section 2.1 above in response to the Board's Opinion.

### **3.1.6 Standard of Accommodation**

*The planning authority has queried the balance and mix of apartment units as well as the percentage of dual aspect units.*

This is addressed in the MDB Statement of Consistency. It is clear that the BTR development provides an appropriate mix of units allowable under SPPR8 of the guidelines. The MDO Design Report and Statement of Consistency also highlight that 33% dual aspect is appropriate in Sandyford as an urban location (under the guidelines).

### **3.1.7 Public and Communal Space**

*The planning authority has calculated the communal open space well in excess of the applicant's interpretation of the Development Plan requirement.*

We refer the Board to the Landscape Masterplan by NMP Landscape Architects highlights that communal open space meets the required standard.

The Council has referred to the pedestrian linkage between the tack and Avid sites as 'not an ideal design outcome'.

It is noted that the design provides for steps linking the internal street to the communal space level to improve access and permeability. The pedestrian bridge has been addressed at Section 2.1 above.

### **3.1.8 Sunlight and Daylight**

*The Council considered that the sunlight and daylight performance of the units was unsatisfactory at 86%.*

We refer the Board to the sunlight and daylight report by IN2 which shows the final value at 96%.

### **3.1.9 Access and Parking**

*DLR has indicated it that the level of parking is insufficient.*

This SHD Planning application includes a comprehensive Traffic & Transport Assessment (T&TA) prepared by Waterman Moylan Consulting Engineers Ltd. Section 10 of the Report provides a detailed analysis of car parking policy and provision.

## **3.2 Appendix A – Drainage Report**

*Appendix A of the Council's Report is a report by the Council's Municipal Services, Planning Department. It cites 14 items under the heading of Surface Water and 1 item referring to Flood Risk Assessment.*

As noted above, this SHD application package includes a suite of comprehensive engineering reports prepared by Waterman Moylan Consulting Engineers. Section 4 of the Waterman

Moylan Engineering Assessment Report addresses Surface Water Drainage. A Flood Risk Assessment Report (FRA) is also included in the application documentation.

### 3.3 Appendix B Transportation Report

*The Transportation Report of Dun Laoghaire Rathdown County Council refers to 14 items including vehicular access and parking, cycle parking and parking provision and the need for a detailed Quality Audit.*

This SHD Planning application includes a Traffic and Transport Assessment and Traffic Plan Engineering Reports prepared by Waterman Moylan Consulting Engineers Ltd. A Quality Audit (including Road and Cycling Safety) is also provided. All the items raised by DLR Co. Co. are fully addressed in the Waterman Moylan documents.

### 3.4 Material Contravention Statement

This SHD Planning Application is accompanied by Material Contravention Statement prepared by MacCabe Durney Barnes, where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land. The public notices make reference to this as required.

## 4 Conclusion

The opinion issued by An Bord Pleanála stated that the documents submitted with the request to enter into consultations constituted a reasonable application basis for an application for strategic housing development. The above details indicate that all of the additional documentation raised by the Board has been fully complied with.



Appendix A ABP Ref. 312265-21 Notice of Pre-Application Consultation  
Opinion



**Case Reference:  
ABP-312265-21**

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**Planning and Development (Housing) and Residential Tenancies Act 2016  
Notice of Pre-Application Consultation Opinion**

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**Proposed Development: 336 Build to Rent apartments and associated site | works. Former Avid Technology International Site, Carmanhall Road, Sandyford Industrial Estate, Dublin 18.**

An Bord Pleanála has considered the issues raised in the pre-application consultation process and, having regard to the consultation meeting and the submission of the planning authority, is of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development.

An Bord Pleanála considers that the following issues need to be addressed in the documents submitted that could result in them constituting a reasonable basis for an application for strategic housing development.

**1. Development Strategy**

- (a) Further consideration/justification of the documents to clearly set out how the Avid site can be developed independently of the Tack Packaging site, given the linked nature of the overpass pedestrian walkway, communal open space and access to undercroft car parking also the requirement for a creche. Clear justification that each scheme, which it is submitted are to comprise two

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separation planning applications can be deliver independently of one another, in particular, with respect of access, drainage and engineering technical matters, given the Masterplan for an overall scheme, the recent SHD pre application 308186-20 on the Tack Packaging site and land ownership.

- (b) Further consideration/justification of the documents as they relate to the Dun Laoghaire Rathdown Development Plan 2022 - 2028, specifically Appendix 5 and the Sandyford Urban Framework Plan, in relation to the scale, height, and design of the proposed development and the potential impact on the adjoining sites and surrounding environs of Sandyford. The further consideration/justification should clearly 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). The further consideration of these issues may require an amendment of the documents and/or design proposal submitted.

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

1. In accordance with section 5(5)(b) of the Act of 2016, as amended, any application made on foot of this opinion should be accompanied by a statement that in the prospective applicant's opinion the proposal is consistent with the relevant zoning objectives of the development plan for the area. Such statement should have regard to the Dun Laoghaire Rathdown County Development Plan 2022 – 2028 and Sandyford Urban Framework Plan 2022, in particular SLO 113, in respect of any application for permission under section 4 of the Act.
2. A detailed statement, which should provide adequate identification of all such elements and justification as applicable, where / if the proposed development materially contravenes the statutory County Development Plan or UFP for the

area other than in relation to the zoning of the land, indicating why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.

3. A detailed statement demonstrating further justification and clarity of the proposal with respect to red line boundary and what precisely is being proposed under any future application. Cognisance each application is dealt with on a case by case basis, therefore clarity is required to demonstrate how the Avid Site (the subject of this pre application) and proposals for the adjoining Tack Packaging site, which it is indicated while reliant upon one another will form two separate distinct applications can be carried out independently of one another.
4. A detailed statement and further CGI's, photomontages and visual impact assessment demonstrating how the proposed development ties in visually with the immediate context of the site and the wider Sandyford area given the site context and the scale and massing proposed relative to the surrounding environment.
5. 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'.
6. Detail and justification of location and quantum of resident support facilities and resident services and amenities as defined by the Sustainable Urban Housing Design Standards for New Apartments Guidelines (2018) and accessibility/ease of access to those spaces by future residents.
7. 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 green / blue roof design.
8. Further justification for omission of a childcare facility to serve the proposed development, in light of Childcare Facilities – Guidelines for Planning Authorities.
9. Detailed Arboricultural Assessment.

10. A Social and Community Audit
11. Provide further justification for the level of car and cycle parking proposed and detail the design of cycle parking spaces and secure storage areas. The justification should include an analysis of car and cycle parking demand that is likely to be generated by the proposed development taking account of the locational context and level of connectivity (by all modes) to services and employment generators.
12. Detailed landscape drawings that illustrate hard and soft landscaping, useable communal open space, meaningful public open space, quality audit and way finding. The public open space shall be usable space, accessible and overlooked to provide a degree of natural supervision. Details of play equipment, street furniture including public lighting and boundary treatments should be submitted.
13. A Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to:
  - Impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.
  - Impact to any neighbouring properties devoid of proposed and existing landscaping and trees.
14. A response to matters raised within the PA Opinion submitted to ABP on the 25<sup>th</sup> January 2022.
15. A life cycle report shall be submitted in accordance with section 6.13 of the Sustainable Urban housing: Design Standards for New Apartments (2020). The report should have regard to the long-term management and maintenance of the proposed development. The applicant should consider the proposed materials and finishes to the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings, landscaped areas, child friendly spaces, pathways, and all boundary treatments. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for the development.
16. As per SPPR7 of the Sustainable Urban housing: Design Standards for New Apartments Guidelines for Planning Authorities, March 2020 the development

must be described in the public notices associated with a planning application specifically as including 'Build to Rent' housing and a covenant/legal agreement is required at application stage.

17. A rationale or evidence based justification that the proposed resident support facilities and resident services and amenities are appropriate and accord with SPPR7 (b) of the Apartment Guidelines 2020.
18. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.
19. Site Specific Construction and Demolition Waste Management Plan.
20. Details of public lighting.

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

1. Irish Water
2. Transport Infrastructure Ireland
3. National Transport Authority
4. Dun Laoghaire Rathdown County Childcare Committee

**PLEASE NOTE:**

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2020 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

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Stephen O'Sullivan  
Assistant Director of Planning  
May 2021|

Appendix B Comments on DLR Submission on Tack SHD Planning Application (ABP-313338-22)



Response to the Chief Executive Report on the application submitted by Sandyford Environmental Construction Limited at a site at the Junction of Ravens Rock Road and Carmanhall Road, Sandyford, Dublin 18, known as the Tack Packaging Site (ABP. Ref. 313338-22).

Item	Title	CE Report - Comment Breakdown	Applicants' Response
8.1	Principle of development	Childcare service and OS permitted in principle	Noted
		BTR open for consideration. On assessment, nature of the tenure is appropriate at this location at this point in time.	Noted
8.2	Residential density	Proposed density materially contravene the CDP.	Addressed in Statement of Material Contravention
		Concerns also raised in relation to the carrying capacity of the area and the residential quality of the scheme.	Addressed in Statement of Material Contravention
8.3	Housing Mix	PA acknowledges s.12.3.3 of the CDP and considers the mix is acceptable but would have welcomed a mix of larger units.	Noted
8.4	Standard of Accommodation		
	Size	meet or exceed minimum areas	Noted
	Dual aspect	DLR as a county is classified as 'suburban or intermediate location'. CE has serious concerns regarding the proportion of dual aspect units proposed.	Addressed in Statement of Material Contravention. SPPR 8 of the Apartment Design Guidelines applies.
	Floor to ceiling height	No concern	
	Lift and stair cores	No concern	

Item	Title	CE Report - Comment Breakdown	Applicants' Response
	Internal storage	Requirement met.	
	External storage	Request a condition to allow for compliance with 12.3.5.3 of CDP.	The applicant would accept a condition to that effect.
		Consider that some of the basement parking could be used to comply.	The Board will note that external storage has been provided as part of the Carmanhall Road 2022 SHD to the tune of 155.1 sqm.
	Sunlight & Daylight	Significant concerns regarding assumptions used.	
		No assessment of annual probable sunlight hours and winter sunlight has been provided. No skyline and target illuminance analysis provided.	<p>It was noted in the planners report for Tack that:</p> <ol style="list-style-type: none"> <li>1. there was no assessment of Annual Probable Sunlight Hours (APSH) and Winter Probably Sunlight Hours (WPSH) on all windows of the proposed development.</li> <li>2. That “no skyline” and “target illuminance” analysis had not been provided in the report.</li> </ol> <p>In relation to these two points we would note the following both for the Tack site and for the Avid site.</p> <ol style="list-style-type: none"> <li>1.1. As noted in the executive summary for the Tack site, sunlight for the proposed development is covered in adherence with the 2020 Apartment Guidelines 3.16 which stipulates sunlight is measured by quantity of dual aspect units. Therefore, sunlight was not assessed under any additional metric. It is also noted that any window not within 90 degrees of due south, i.e. any window angled slightly north of due east or due west, cannot achieve any WPSH and therefore,</li> </ol>

Item	Title	CE Report - Comment Breakdown	Applicants' Response
			<p>arguably, is not a relevant metric to use to assess “all” windows as pass rate will remain low.</p> <p>1.2. For the Avid site however, the new metric as defined in BRE BR209 2022 edition, exposure to sunlight has been provided. This metric looks for compliance by unit and not by window and allows a better understanding of the actual sunlight availability for a scheme.</p> <p>2.1. No Skyline was not included in the assessment for the proposed units of the Tack site as no skyline is utilised to assess potential impact on daylight of neighbouring dwellings where internal layouts are known. Internal daylight is the correct metric to assess daylight for the proposed development. Target illuminance, assumed to be referring to target illuminance as defined in EN 17037, whilst not directly assessed has been addressed, EN 17037 allows for two methods of assessments, Spatial Daylight Autonomy (SDA) and Medium Daylight Factor (MDF). MDF results were included in Appendix A of the report as submitted.</p> <p>2.2. As above, no skyline was not assessed for the proposed Avid development as it is not the relevant metric to assess daylight for this purpose. A full SDA assessment has been included which shows compliance with target illuminance has been provided for the Avid site.</p>

Item	Title	CE Report - Comment Breakdown	Applicants' Response
		Reference made to future development of Avid.	
		Acceptable results for amenity space	Noted
		Given quantum of dual aspect and omissions and assumptions, the PA has concerns regarding the level of amenity that future occupants of the apartments would experience.	The applicants are of the view that all units proposed as part of the Tack SHD provide high level of amenity to future residents. A number of units have availed of mitigation measures. The development now achieves high standards having regard to sunlight and daylight requirements. The applicants note the Authority's concerns in relation to the dual aspect ratio and refer the Board to the Statement of Material Contravention which addresses it.
	Private Open Space	Refers to table 12.11 of the CDP. Scheme fails to comply with the standards of private open space for certain units. Some units are not provided with private open space. This will seriously impact the amenity value of these apartments for future residents.	As part of the Statement of Material Contravention, the applicants have provided a justification where it may be considered that certain requirements are not met. It should also be noted that the proposed development being a Built to Rent scheme can avail of deviations from the development standards set out under the CDP. Additionally, a number of units have been catered with Juliet balconies, which are not 'traditional'. These Juliet balconies are areas of private open space which have been brought inside. They are provided as a mitigation measure for daylight / sunlight assessment. As a result, it may appear that no 'traditional' outdoor area, such as a balcony is provided on plans. The Board will see that these units are effectively larger units, as they are incorporated the private amenity space.
		In terms of the quality of the private open space, reference made to the microclimate section of the EIAR.	Noted

Item	Title	CE Report - Comment Breakdown	Applicants' Response
	Residential facilities	Condition requested in relation to the use of the residential amenity space. The PA noted a shortfall of 620 sqm. At least 300 sqm of this space should be specifically allocated for residential support facilities such as laundry. This should be conditioned.	The applicants will accept a condition to that effect.
<b>8.5</b>	<b>Public and Communal Open Space and Trees</b>		
	Public Open Space	PA notes that where the required % of POS is not provided, then a development contribution under s.48 will be sought. Notes that parks have not recommended such condition be applied.	The applicants will accept a condition to that effect.
		No taking in charge drawing was submitted, this should be conditioned.	There are effectively no lands to be taken-in-charge. The Council have given its consent for the applicants to include council lands in the proposed development. In effect, the applicants have designed and will construct as per the plans, as agreed with the council and revert back these lands, owned by the Council, to the Council. There are no lands proposed to be taken-in-charge, therefore no drawing is required to that effect.
	Communal Open Space	No concern regarding the provision of communal open space	Noted
		Lack of assessment of the boundary treatments at roof level given the increased winds at increased height. Request a condition on revised boundary treatment. A workable solution may be the requirement for 2m high	The applicants will accept a condition to that effect.

Item	Title	CE Report - Comment Breakdown	Applicants' Response
		screens surrounding the rood gardens to ensure an appropriate quality of amenity for future occupants.	
		Separate play areas to be provided for small play space and large play areas. Roof gardens is not considered appropriate for play areas. Request a condition.	The applicants will accept a condition to that effect.
		Landscape quality: no concern	Noted
	Trees	Refers to reasons for refusal included in the Parks report and consider condition can be attached.	The applicants will accept a condition to that effect.
<b>8.6</b>	<b>Design and Finishes</b>	No concerns, request a condition	The applicants will accept a condition to that effect.
<b>8.7</b>	<b>Impacts on residential and visual amenity</b>		
	Overlooking	Noting the separation distances between the proposed development and adjacent site to the east, it is considered that an unreasonable level of overlooking would occur and that this would negatively impact the development potential of Avid. This is not an acceptable site responsive design outcome.	The Tack site has been designed jointly with the Avid site as a single overarching masterplan for two standalone planning applications. The Planning Authority considers that the separation distance between the two sites is too low and would give rise to overlooking across both sites. We wish to bring to the Board's attention the north-south axis which separates the two sites. This axis is a street, which has been designed as a perimeter street. Its objectives are to provide for vehicular access to the basement / undercroft areas of both sites but more importantly to serve as a street to

Item	Title	CE Report - Comment Breakdown	Applicants' Response
			<p>improve pedestrian access. The street was designed in accordance with the principles set out under section 4.2.1 of the Design Manual for Urban Streets. The objective was to achieve a sense of enclosure in an area largely characterised by large plots and wide streets.</p> <p>The Sandyford Business District was originally an industrial estate, meaning road width would allow for safe movements of larger vehicles such as truck. It has been the Council's long standing objective to make Sandyford more pedestrian friendly, to improve permeability and the street network legibility. This development, together with its neighbour, has been designed as a perimeter block. A conscious decision was made not to pursue wider streets and to favour permeability and enclosure to promote good urban design. The windows of the eastern elevation of Tack and those of the western elevation of Avid are staggered. The proposed development of Tack will not impact on the future residential amenities of Avid or the other way round as both sites were designed together.</p>
		<p>Provision of own-door units to the west is welcome. Private amenity space should be set off the footpath by c. 1m. Request a condition to that effect.</p>	<p>The applicants will accept a condition to that effect.</p>

Item	Title	CE Report - Comment Breakdown	Applicants' Response
	Overbearing	Concerns regarding Block C at 10 storey and Block B at 9 storey would appear overbearing, when viewed from the streetscape along Carmanhall Road having regard to the lack of setback from the street. Concerns that above 8 storey the blocks would overbear the streetscape. Request condition omitting two floors of Block C and one floor of Block B.	The proposed development is not overbearing. Please refer to the Landscape and Visual Impact Assessment included in the EIAR, to the Architect Design Statement and to the building height assessment provided in the Statement of Material Contravention.
	Noise	Request a condition requiring the management company to monitor and control potential noise disturbance during later night time hours to ensure residential amenity is maintained.	The applicants will accept a condition to that effect.
	Within the development	Concern of direct overlooking between Block A and Block B where is a proposed separation distance between habitable rooms of 8.9 above ground floor. Poor standard of residential amenity.	Windows on block A and B are staggered and do not give rise to overlooking. The only windows where this may apply is the window of the kitchen of the type 07 and 02 which appear to may appear to be directly facing each other. This are not significant. The two windows are not of the same width. This also allow to preserve the privacy of the master bedroom of the type 07 in block A. The applicants are not of the view that the overlooking here is significant and disagree that the development provides for poor standard of residential amenity.
		Request a condition that some of the western facing windows in the relevant units of Block C are fitted with opaque glazing and some southern facing windows of the relevant units of Block B are also fitted.	Noted.



Item	Title	CE Report - Comment Breakdown	Applicants' Response
8.8	Childcare	Proposed facility is acceptable. Requirement for 5 no. car parking spaces. It should be allocated from the parking.	The applicants are of the view that the proposed arrangements are sufficient and have addressed this in the Statement of Material Contravention. Notwithstanding this, should the Board be of a different view, they will accept a condition to that effect.
8.9	Telecommunications	No concern	Noted
<b>8.1</b>	<b>Access, Car and Bicycle Parking</b>		

Item	Title	CE Report - Comment Breakdown	Applicants' Response
	Access	Permeability implied through the scheme for pedestrian but it does not stand up to close inspection.	<p>The applicants fundamentally disagree with the assertion of the Planning Authority in this instance. The proposed development caters for internal and external permeability. Internally, it proposes to connect the Tack site to its neighbour via a pedestrian bridge at podium level. As the Board and the Planning Authority will see, the applicants for the Carmanhall SHD 2022 are now proposing to also provide for staircase from the green street to the podium level to allow pedestrians travel from a level to the other in the event the pedestrian bridge was not built for a reason or another. On this basis, Sandyford Environmental Construction Ltd request that, in the event that there are still doubt over the pedestrian bridge, the Board attaches to the grant of permission the provision of a similar staircase on the Tack site. This will allow for pedestrian to go from one level to another from the north-south street without any issue. The proposed north-south street has been designed at a width that provides for enclosure. At the scale of the masterplan site (Tack + Avid), together these make a significant contribution to the permeability of Sandyford and its street network legibility. This part of the County has been earmarked for significant growth both in terms of employment and residents. The council has applied many good urban design principles in the SUIP, particularly in seeking to make the Carmanhall Neighbourhood, resident and pedestrian friendly. It has also pursued active travel programs with the planned delivery of the cycle lane. Yet to date, the area, by large, remains dominated by large plots. Tack, together with Avid, has been designed as perimeter</p>

Item	Title	CE Report - Comment Breakdown	Applicants' Response
			block to allow maximising pedestrian connectivity and improve permeability.

Item	Title	CE Report - Comment Breakdown	Applicants' Response
		<p>East-west access would be impeded along the entirety of the meridian of the shared north-south road as shown by the inclusion of a 2m high mesh fence along the entirety of the boundary. No footpath proposed on the east-west roadway off Ravensrock Road.. The road is also at a lower level than its surroundings. The route is effectively a car park access ramp and not a green street.</p>	<p>Atlas GP has taken this comment on board and provided for a different type of treatment along the north-south street. We refer the Board to section 4 of the Landscape Design Statement by NMP which shows the different scenarios. Should the Board view this to be a better option, Sandyford Environmental Construction Ltd would accept a condition to that effect to align with the proposals made of the Avid site. In relation to the ramp, the applicants have responded on several occasion in this table as to why they think the assessment of the Council is erroneous and that the north-south street is a street and not a ramp. Atlas GP Limited is now proposing active uses at grade on this street (a gym), in addition to providing alternative options for traveling from street level to podium level. Sandyford Environmental Construction would accept a condition requiring similar proposals be made on their side of the north south street if it is satisfied both the Board and the Planning Authority that it would further promote the street as a street and not as a ramp, as claimed by the Council.</p>
		<p>North-south access would be by undercroft parking to the west which is poor street environment. Lack of passive surveillance and animated street front at ground level with an artificially lit car park the main view to the west of the new road.</p>	<p>The applicants refer the Board to proposals made by Atlas GP limited which now include a gym.</p>

Item	Title	CE Report - Comment Breakdown	Applicants' Response
		Serious concerns regarding the pedestrian bridge and the fronting of the north-south street with undercroft parking as these are sub-standard urban design solutions to achieve permeability. The proposal is premature at this time.	The applicants refer the Board to the proposal to include stairs from the podium directly onto the street on the Avid site to the west. If the Board considered this to be an appropriate response, then Sandyford Environmental Construction would accept a condition to the effect that a similar design response be provided on the Tack site.
		Request taking in charge due to works on the lands outside the ownership. The works should be undertaken by the applicants.	All works and development proposed as part of the red line will be undertaken by the applicants.
		Request condition in relation to the cycle lane	The applicants will accept a condition to that effect.
		Note concerns from DLR Transportation Report.	These concerns have been addressed in the relevant report by Waterman Moylan
	Car Parking	Considers that given the no. of spaces proposed (below the requirements) then car-sharing should be considered. 5% of mobility parking should be provided, 10% should be provided for visitors.	The applicants will accept a condition to that effect.
		Provision of undercroft parking not an optimal or high quality design solution.	Noted.
		Rationale provided as to why a lower ratio would be acceptable which includes the removal of floors. On this basis 69 spaces would be acceptable but not undercroft.	Noted

Item	Title	CE Report - Comment Breakdown	Applicants' Response
		Notes that a considerable portion of the basement would likely be required for external storage which would severely limit car parking space area available for future residents.	Noted
		Greater use of car club parking, mobility spaces and EV charging points should be considered. Request a condition be attached on demonstration of compliance with SUFP in relation to parking.	This matter was addressed in the Statement of Material Contravention. The applicants are of the view that on the basis of the arguments presented, they comply.
	Cycle Parking	Proposal to provide 240 cycle spaces is welcome but design and location with the lack of ground floor locations are of concern. No short-stay cycle parking is not specifically designated. Condition requested.	The applicants will accept a condition to that effect.
8.11	Building Height	PA undertook the Building Height assessment in accordance with the Guidelines, of particular interest are the following points:	
		the eastern ground level / undercroft area façade facing the new north-south street is considered to be of poor design that fails to enclose the public realm / street and does not benefit the legibility, appearance or character of the area as it lacks building frontage and animation to the street. The PA does not concur with the Applicant's assertion that this design outcome complies with DMURS	The applicants disagree with the assessment of the planning authority. The proposed development on the Tack site is of high architectural quality and would make a positive contribution to the streetscape of Carmanhall Road. The heights, albeit above those envisaged under the SUFP, are replicating the principles attached to the SUFP, these are staggered. The heights proposed on Tack are gradual and should be considered in conjunction with those of Avid, which bookend Carmanhall road. Atlas GP successfully demonstrates how the issue of animation of the north south street can be resolved. On this basis, should the board considers this appropriate, Sandyford Environmental

Item	Title	CE Report - Comment Breakdown	Applicants' Response
			<p>Construction would accept a condition requesting same. Furthermore, the board will note the revised landscape proposals under s.4 of the Landscape design report. On this basis, Sandyford Environmental Construction considers that the proposed development on the Tack site is aligned with the criteria for building height assessment. Any outstanding issues can be resolved by way of condition in a manner similar to what is proposed on the adjacent Carmanhall Road SHD 2022.</p>
		<p>Concerns relating to scale / quantum of development proposed.</p>	<p>These concerns have been addressed in the Statement of Material Contravention.</p>
		<p>Concerns relating to how the development responds criteria 1 - context and 2 - connection of the UD Manual. This also applies to 7 - Layout, 8 - public realm, 10 - privacy/amenity and 11 parking. Shortcomings identified for 11 - detailed design.</p>	<p>Through this table and with the proposals made on the Avid site, the applicants are of the view that they have addressed and subsequently resolved any perceived issues. Any outstanding issues can be resolved by way of condition.</p>
		<p>Concerns regarding the overbearing impact of the development on Carmanhall Road due to the height and position proposed.</p>	
		<p>Issues relating to daylight / sunlight</p>	
		<p>Position of the north-south internal street is 4.5m lower than podium level and is unsafe. The street is not DMURS compliant or in accordance with the placemaking objectives of the CDP.</p>	<p>Whether the street complies with DMURS or not has been addressed in response to other items of the CE report. The applicants are of the view that they comply.</p>

Item	Title	CE Report - Comment Breakdown	Applicants' Response
		Request that 4th and 5th floors of Block C and 4th floor of block b be omitted.	Noted.
8.12	Surface water drainage and flood risk	Separate report	All relevant concerns have been addressed in the report by Waterman Moylan.
8.13	Part V	noted	
8.14	Construction Management and Construction and Operational Waste Management	noted	
8.15	Building lifecycle	noted	
8.16	Archaeology	noted	
8.17	Ecological Impact	noted	
8.18	Development contributions	noted	
8.19	TiC	noted	
8.2	AA / EIA	noted	
<b>10</b>	<b>Recommendations</b>		



Item	Title	CE Report - Comment Breakdown	Applicants' Response
	Ground 1	Piecemeal development	<p>The applicants fundamentally disagree with the Planning Authority on this particular point. Sandyford Environmental Construction and Atlas GP Ltd have devised a logical and rational masterplan to allow for both sites to be developed to their maximum potential without impacting on one another. This masterplan was particularly important to address ground of refusal number 1 attached to ABP-310104-21 which states: 'the Board is not satisfied that the proposed development would provide a satisfactory interface with the adjoining site to the north-west in terms of proximity to the site boundary and sunlight and daylight impact, and that it would not prejudice the development potential of that site.' Both Sandyford Environmental Construction and Atlas GP have demonstrated how the two sites can work together provided that these are subject to the same joined up vision. The proposed development is not piecemeal.</p>
		East west pedestrian link via a bridge is wholly dependent on the development of Avid. It cannot be conditioned.	<p>The proposed development can be delivered independently from the Avid site. The applicants are demonstrating on the Avid demonstrate how this can be achieved with or without the pedestrian bridge. The applicants will accept a condition requiring them to provide an alternative as per the model set out by AVID.</p>
		Fronting of north-south street with undercroft parking is substandard having regard to PHP35 Healthy Placemaking.	<p>The applicant disagrees. Should the Board consider this appropriate, alternative elevational treatment can be provided by way of condition.</p>

Item	Title	CE Report - Comment Breakdown	Applicants' Response
		Substandard urban design solution that fails to enclose the street, animate the street, provide passive surveillance.	The applicants are demonstrating on the Avid demonstrate how this can be achieved with or without the pedestrian bridge. The applicants will accept a condition requiring them to provide an alternative as per the model set out by AVID.
		Fails to achieve permeability and lack of crossing at grade.	As above
		Undesirable precedent.	Noted
		Layout is a Material Contravention of zoning objective and contrary to proper planning and sustainable development.	Noted.
	Ground 2	Density, scale and quantum. Material contravention of SUPP.	Please refer to Statement of Material Contravention.
	Ground 3	40% dual aspect units below the stated CDP requirement. Material contravention of CDP objective in relation to the residential amenity.	Please refer to Statement of Material Contravention. SPPR 8 applies
	Ground 4	Private open space standards: sub-standard level of residential amenity for future occupants. Material contravention of the of CDP objectives	Please refer to Statement of Material Contravention. SPPR 8 applies
	Ground 5	Inadequate separation distances between proposed development and adjacent sites to the east. Unreasonable overlooking	Please refer to other responses in this table.

Item	Title	CE Report - Comment Breakdown	Applicants' Response
	Ground 6	Proposed access arrangement and internal access layout and parking arrangements are substandard. Proposed access would endanger public safety by reason of a traffic hazard or obstruction.	Please refer to the relevant documentation by Waterman Moylan
	Note	Inadequate external storage space	Please refer to Statement of Material Contravention. SPPR 8 applies
		Inadequate amenities and facilities for BTR	Please refer to Statement of Material Contravention. SPPR 8 applies
		Inadequate play areas	The applicants will accept a condition to that effect.
		Inadequate separation distances	Noted





