Appendix 3 Response to Section 137 Request from An Bord Pleanála

In respect of

PROPOSED MIXED USE DEVELOPMENT AT 1-4 CITY QUAY, and 23-25 MOSS STREET, DUBLIN 2

Prepared for

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1.0 INTRODUCTION

The purpose of this document is to provide a response to the Section 137 request by An Bord Pleanala in relation to the proposed development on the former City Arts site at City Quay, Dublin 2. Specifically, this document addresses Appendix 3 of the Dublin City Development Plan 2022-2028. Appendix 3 of the City Development Plan contains the *Height Strategy.* This document has been prepared in collaboration with Mahoney Architecture, the project architects.

A series of criteria are responded to in this document, primarily Table 3 Criteria, Table 4 Criteria and the Exceptional Circumstances Criteria.

It is noted that the response to these criteria had been set out in the documentation as part of the application and appeal. A response to the performance criteria was included in the Tall Building Statement and Appeal document (Appendix 1/Section 6) prepared by Urban Strategies. This document is therefore supplementary to the documents prepared by Urban Strategies and other supporting reports and assessments referenced herein. This document supplements the documents previously submitted, having regard to the adopted Dublin City Development Plan 2022-28, and identifies where each criterion is addressed in detail within the documentation submitted with the application and the appeal and should be read in conjunction with these detailed reports.

As is demonstrated, the site is appropriate for a landmark building and the proposed development satisfies the criteria. A summary of compliance is provided below:

Table 3 Checklist: 'Performance Criteria in Assessing Proposals For Enhanced Height, Density and Scale'

Section	Objective	Page No. (Appendix 3 Response document	Scheme Compliance
1	To promote development with a sense of place and character	15	✓
2	To provide appropriate legibility	21	✓
3	To provide appropriate continuity and enclosure of streets and spaces	21	✓
4	To provide well connected, high quality and active public and communal spaces	23	✓
5	To provide high quality, attractive and useable private spaces	25	✓
6	To promote mix of use and diversity of activities	27	✓
7	To ensure high quality and environmentally sustainable buildings	28	✓
8	To secure sustainable density, intensity at locations of high accessibility	34	✓
9	To protect historic environments from insensitive development	34	✓
10	To ensure appropriate management and maintenance	35	✓

Table 4 Checklist: 'Performance Criteria In Assessing Proposals For Landmark Tall Building/S'

Section	Objective	Page No. (Appendix 3 Response document	Scheme Compliance
1	Exemplary Architecture	36	✓
2	Sustainable Design and Green Credentials	42	✓
3	Public Realm	43	✓
4	Environmental Impacts	44	✓
5	Public Safety and Functional Impacts	45	✓
6	Visual Impact and Cityscape Analysis	46	✓
7	Tall Building Clusters	50	✓

The definitions of 'locally higher buildings and 'landmark/tall buildings' in the City Development Plan are set out below:

"Locally Higher Buildings: These are buildings that are significantly higher than their surroundings and are typically up to 50 metres in height. Higher buildings can act as Local or District landmarks."

"Landmark/Tall Buildings: A landmark or tall building is one that is a significant intervention in the cityscape and skyline. They are typically located in an area that denotes a specific function such as a public transport interchange or a key urban quarter/ regeneration site. Landmark/tall buildings are typically in excess of 50 metres in height, of exceptional architectural quality, can help people navigate through the City and form memorable reference points."

The subject site is identified as a site for a 'locally higher building' on the SDRA 6 Map with the proposal falling under the definition of a landmark building.

Section 5 *Landmark/Tall Buildings* of Appendix 3 includes the *Identification of Areas for Landmark/Tall Buildings*. It states:

"In terms of suitable locations, it is considered that landmark/tall building proposals are most appropriate in locations that are identified as a significant public transport interchange and/or areas for large scale regeneration and redevelopment; that are well connected centres of employment, which have the capacity to create their own character and identity and where the existing character of the area would not be adversely affected by the scale, mass and height of a landmark/tall building."

The subject site is located adjacent a significant public transport interchange (Tara Street), is in a regeneration area (SDRA6), is in a well connected centre of employment (George's Quay and city centre commercial core) and it is demonstrated that the proposal is an area with capacity to create its own character and identity (as proposed in the now expired LAP) and will not adversely affect the existing character of the area due to scale mass or height.

It is submitted that the subject site, by virtue of its location is supported as a site potentially suitable for a landmark building in the City Plan. It is however acknowledged that the site is identified for a 'locally higher building' in SDRA6.

Notwithstanding, provision is made in the City Development Plan for a case to be made for exceptional circumstances for a landmark building on a site not expressly identified for such. Certain criteria are set out to be satisfied, which are addressed below in Section 2.0, and therefore it is submitted that there would be no material contravention of the City Development Plan if these criteria are satisfied. These criteria are set out and addressed in detail in this submission.

Table 1

Table 1 of Appendix 3 sets out density ranges for residential development.

The subject development does not include any residential component and therefore Table 1 is not directly relevant. It is notable however that the highest density ranges are specified for the 'City centre and canal belt' and 'SDRA', both of which would apply to the subject location.

Table 2

Table 2 of Appendix 3 sets out 'Indicative' plot ratio and site coverage' for different areas of the city:

Table 2: Indicative Plot Ratio and Site Coverage

Area	Indicative Plot Ratio	Indicative Site Coverage
Central Area	2.5-3.0	60-90%
Regeneration Area	1.5-3.0	50-60%
Conservation Area	1.5-2.0	45-50%
Outer Employment and Residential Area	1.0-2.5	45-60%

The subject site is located in the 'Central Area' of the City.

The plot ratio of the proposed development is 14.4 and the site coverage is 83%. The site coverage complies with the indicative range provided in Table 2 for the 'Central Area'. The plot ratio exceeds the indicative range for the 'Central Area'; however, we note Appendix 3 allows for both higher plot ratio and site coverage in certain circumstances:

"Higher plot ratio and site coverage may be permitted in certain circumstances such as:

- *Adjoining major public transport corridors, where an appropriate mix of residential and commercial uses is proposed.*
- *To facilitate comprehensive re-development in areas in need of urban renewal.*
- *To maintain existing streetscape profiles.*
- *Where a site already has the benefit of a higher plot ratio.*
- *To facilitate the strategic role of significant institution/employers such as hospitals.*

Any development with a plot ratio over 3.0 must be accompanied by a compelling case."

Response

The proposed development satisfies the above criteria for increased plot ratio as set out below, notwithstanding that no residential use is proposed, there is clear evidence of a compelling case to support a higher plot ratio and site coverage in respect of this scheme in light of its approximate location to adjoining major public transport corridors. It is noted not all of the circumstances must be satisfied.

It is considered that the subject site is a highly appropriate location for the proposed development. It is situated in a pivotal location on the south quays of the River Liffey, which is a point of particular visual importance in the city, as explained further below. The site is located within c. 160m of the Tara Street Station which will have connections to Dart and suburban rail services in addition to the wide range of bus services nearby. Tara Street Station will also be served by Metrolink and it is the location of the only planned interchange between DART and Metrolink in the City Centre. The site is also within walking distance of Busáras bus station, Connolly Station and both Luas lines as outlined in Figure 1 below. Further details are set out within this document and in particular within the Public Transport Capacity Assessment prepared by Derry O'Leary and Transport and Mobility Management Plan prepared by Bakkala Consulting Engineers.

The proposed development will provide for the demolition of the existing derelict and vacant buildings and the overall redevelopment of the site resulting in a positive impact on the surrounding area and will act as a catalyst for further investment in the area. Further, it is considered that it is not appropriate for the building to remain in its current state along the quayside where multiple surrounding sites are being redeveloped. The proposed development incorporates a significant new cultural space for the City. It is noted that the proposed development is located in Strategic Development and Regeneration Area 6 (Docklands) and will contribute to the achievement of the regeneration objectives contained within the Development Plan.

The proposal will facilitate a strategic employer by providing for an increased choice of high-quality commercial floorspace within the city centre with a notable landmark building in an appropriate location. It will be key to attracting multinational companies setting up their headquarters here as numerous companies have done so already. The proposed development will provide for a large quantum of office floorspace and will encourage the further regeneration of this area of the city centre.

Mahoney Architects and BPC Engineers have inputted directly to this response to Section 137 request from ABP. The proposed development is supported by extensive spatial analysis including, but not limited to, the following which was submitted at Appeal stage:

- Daylight & Sunlight Assessment Addendum prepared by Digital Dimensions
- Architect's Response to Planning Refusal prepared by Mahoney Architecture;
- Report on Townscape and Visual Impact for first Party Appeal prepared by Modelworks;
- Urban Strategies Inc. Appeal Response
- Pedestrian Realm People Flow Study prepared by Bakkala Consulting Engineers
- City Quay Additional Verified Photomontages prepared by Digital Dimensions

Daylight & Sunlight Assessment Addendum prepared by Digital Dimensions contains a detailed assessment of potential impact on neighbouring buildings, states: *"The report assesses the impact of the proposed development for Daylight and Sunlight on the neighbouring buildings. This analysis is carried out based on the drawings of Mahoney Architecture."*

Section 4.3 of the Urban Strategies Inc. Appeal Response states: *"The proposed development does face some unique challenges due to its adjacency to the neighbouring school and church site however, any redevelopment of the site, including a mid-rise building as was originally envisioned by the outdated Georges Quay LAP, would impact existing uses. Several mitigation tactics have been employed to address these impacts. The massing is further eroded and cranked on the east side to create a set back from the adjacent school and church buildings. The treatment of the east boundary of the proposed development has been carefully designed to maintain the privacy of the properties and is described in detail by the accompanying materials provided by Mahoney Architecture."*

Architect's Response to Planning Refusal prepared by Mahoney Architecture concludes *"City Quay is clearly an ideal city-centre site for the development of a significant tall building. Its location inn the commercial core of the city centre, close to the central transport hub requires high density development in order to deliver on national sustainability targets."*

Report on Townscape and Visual Impact for 1st Party Appeal prepared by Modelworks concludes: *"The discussion in this report, responding to DCC's refusal, has focussed on the visual impact of the building as seen from distance across the*

townscape. The potential impacts on the immediate environs of the site are also important to note. Currently, the area at the junction of George's Quay, City Quay, Moss Street and Matt Talbot Bridge 'does not work'. For the location, the area lacks (a) life/activity (owing to the land use mix) and (b) buildings of distinction. This 'dead area' in the townscape contributes to the persistent dis-connection the old city and the Docklands. This should be the gateway but east-west movement along the quays is minimal.

The proposal's inclusion of a large arts centre in a building of landmark quality fronting City Quay and Matt Talbot Bridge, would transform this area.

The arts centre as proposed is a generous proposition. While internal to the building, it would nonetheless affect the surrounding townscape, adding colour and people to the streets and quays, and re-establishing the cultural identity of the place (which has faded since the previous arts centre's closure)."

The Pedestrian Realm People Flow Study prepared by Bakkala Consulting Engineers, concluded*: "Based on the results of agent-based computer simulations of pedestrian flows in the vicinity of the proposed development it is clear that the additional foot traffic generated by the scheme will not lead to unacceptable overcrowding in the surrounding areas."*

Section 6.0 of Appendix 3

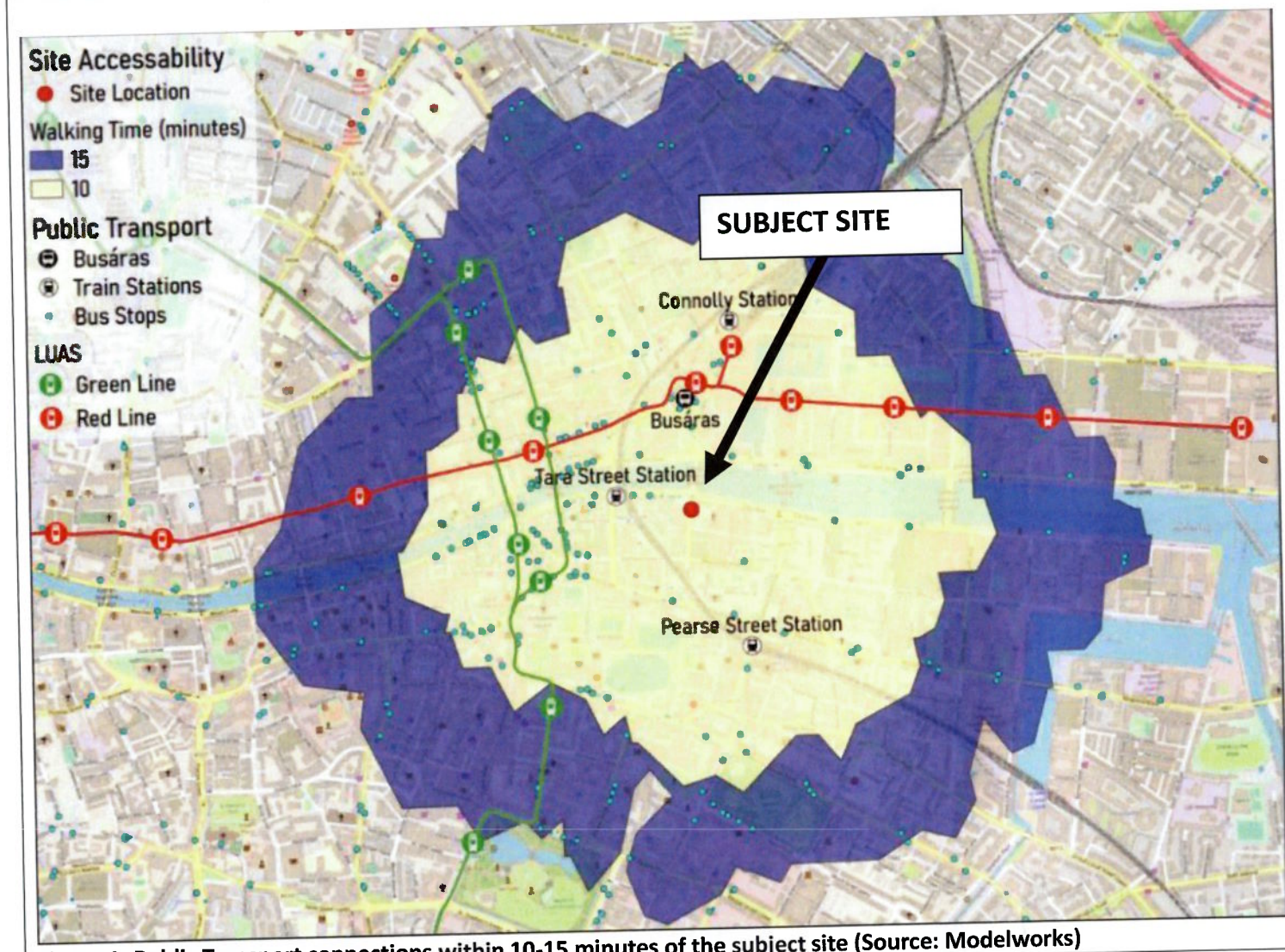
In addition to the below response to Table 3 and 4, we note the provisions of Section 6.0 of Appendix 3 *'Guidelines for Higher Buildings in Areas of Historic Sensitivity'*. IAC Archaeology (IAC) – Faith Bailey and Rob Goodbody prepared Chapter 12 'Archaeological, Architectural and Cultural Heritage' of the EIAR to assess the effect, if any, on the archaeological, architectural and cultural heritage resource of the proposed development. This chapter includes assessment of the potential impact on Protected Structures, key views, National Monuments and Conservation Areas.

'*Report on Townscape and Visual Impact for 1st Party Appeal*' prepared by Modelworks to accompany the appeal, reviewing in particular the potential impact of the development on sensitive views. The Modelworks Report on Townscape and Visual Impact states:

"It is acknowledged that views along the Liffey are highly valued and sensitive to inappropriate change. However, it must be recognised that the river is the central spatial/topographical feature of a European capital city. The Liffey passes between a wide variety of character areas along its 5km route through the city centre (from Heuston to Dublin Port) and along its course people are exposed to innumerable buildings of diverse era, typology, scale and architecture."

In regard to the sites position within the wider Dublin historic core this report notes: "*While the site is centrally located, to characterise it as being within Dublin's historic city core is not accurate. Most of the lands/plots surrounding the site (apart from the Custom House and the church) were redeveloped in the 20th century and/or are being redeveloped. The site lies at the centre of an extensive area of distinctly modern character (the George's Quay area), and this surrounding development forms a buffer between the site and the historic city core. (The two permitted tall buildings, AquaVetro and College Square, are closer to the historic city core than the site is.)"*

2.0 EXCEPTIONAL CIRCUMSTANCES CRITERIA

Exceptional Circumstances Criteria for a Landmark Building	Response	Compliance
That the landmark/tall building complies with all of the performance criteria set out in Table 4.	The Table 4 criteria are addressed separately below.	✓
The landmark/tall building/s will emphasise a point of particular civic of visual significance and that such a proposal will contribute in a meaningful way to the legibility of the city and contribute positively to the skyline. Any such proposal for a landmark/tall building must be supported by a detailed spatial analysis demonstrating that the design and location of the landmark/tall building is appropriate and optimal.	It is considered that the proposed" building will make a significant contribution to the legibility of the city and positively to the skyline of Dublin City. Photomontages prepared by Digital Dimensions have captured views from key points of civic or visual significance. Each of these views are assessed individually within Chapter 11 of the EIAR. The proposed development of the City Arts Centre will create a distinctive new profile on the Dublin City's skyline as detailed in the Architectural Design Statement submitted by Mahoney Architecture. The carefully considered building form has evolved in response to its immediate context as well to its impact on the wider City. It will provide a landmark building on the arrival side of one the City's most important river crossing and become a significant structure in the emerging cluster of tall buildings in Dublin City Centre's premier commercial district. The building will also reincarnate the City Arts Centre which occupied the site during the 1990's, in the form of an expansive new arts and cultural centre for the City. The distinctive form and scale of the building will mark this highly important location and will aid the legibility of the City from various vistas. It will create a visual destination and become a key reference point as one navigates the city. It will play a particularly important visual role for people travelling into the City centre from the northside of the city, including visitors arriving from the airport. The proposed building is located in close proximity to a key public transport interchange in the city, Tara Street Station, the only interchange in the City Centre between the Dart suburban rail services, and the planned Metrolink project.  **Figure 1: Public Transport connections within 10-15 minutes of the subject site (Source: Modelworks)**	✓

The Mahoney Architecture Appeal Report considers the impact of the building from various viewpoints around the city, for example in the context of the view from the Matt Talbott bridge it states:

"The building would form a completely separate new focal point and would become a dramatic new landmark on the south side of Matt Talbot bridge

The building will enhance the skyline of the inner city at this point by creating a new gateway and arrival point to the south central city and will undoubtedly make a positive contribution to the urban character of the inner city

Matt Talbot bridge is a dull entity there is no celebration of the river crossing merely an extended roadway with no redeeming characteristics there is no joy or drama, no placemaking

The proposed City Quay building will completely transform this through its scale and architectural expression and by the placement of the new City Arts Center front and central at the arrival place on the south quays"

From the beginning of the design process, the design team identified and acknowledged the sites prominent position in the city,

- As a riverfront site where it is highly visible from the Docklands and Liffey corridor,
- Its location, diagonally across from the Custom House,
- Its position at the landing place of an important river crossing and
- Its alignment and visibility from Gardiner Street and Kildare Street.

These urban characteristics have informed the design development and shaped the evolution of the buildings form and architectural expression.

As set out in the Urban Strategies Taller Building Statement:

"Considerable attention has gone into the articulation and design of the City Quay facades to ensure the building warrants its prominence at both the local and city-wide scale.

The essential massing of the City Quay block involves first sculpting the extruded block of the site to recognise the predominant building scale along City Quay to the west. Step backs are articulated at the 6th, 8th, and 10th floors.

The east face of the tower portion is also set back to defer to the scale and character of the National School and church buildings.

Within the upper tower shaft, the façade has been chamfered to acknowledge the distinct long views of the building from the approach down Gardiner Street from the north north-west and along Kildare Street to the south-west. These triangulated chamfers, acting as 'prows' establishing the presence on the skyline, will act to focus the view rather than extend it across the north and south facades.

Considerable attention has been give to the upper building glazing articulation to ensure its slimness and verticality is emphasised. At the lower levels a masonry façade is introduced to reflect building treatments along City Quay."

Section 2.2 of the 'Report on Townscape and Visual Impact for 1st Party Appeal; prepared by Modelworks sets out the Contribution to Urban Character of the Inner City which states:

"Architecture is a means for a city to express innovation, as well as other values/ambitions such as quality, sustainability, etc. The proposed development is a deliberate expression of innovation on a scale intended to be significant at national/international level. Its architecture also displays respect for the historic elements of its context (for example by turning its axis in order to address the Custom House and views from Gardiner Street, setting back the tower to respect the building line of the church, design references to Busáras and Liberty Hall, etc.)."

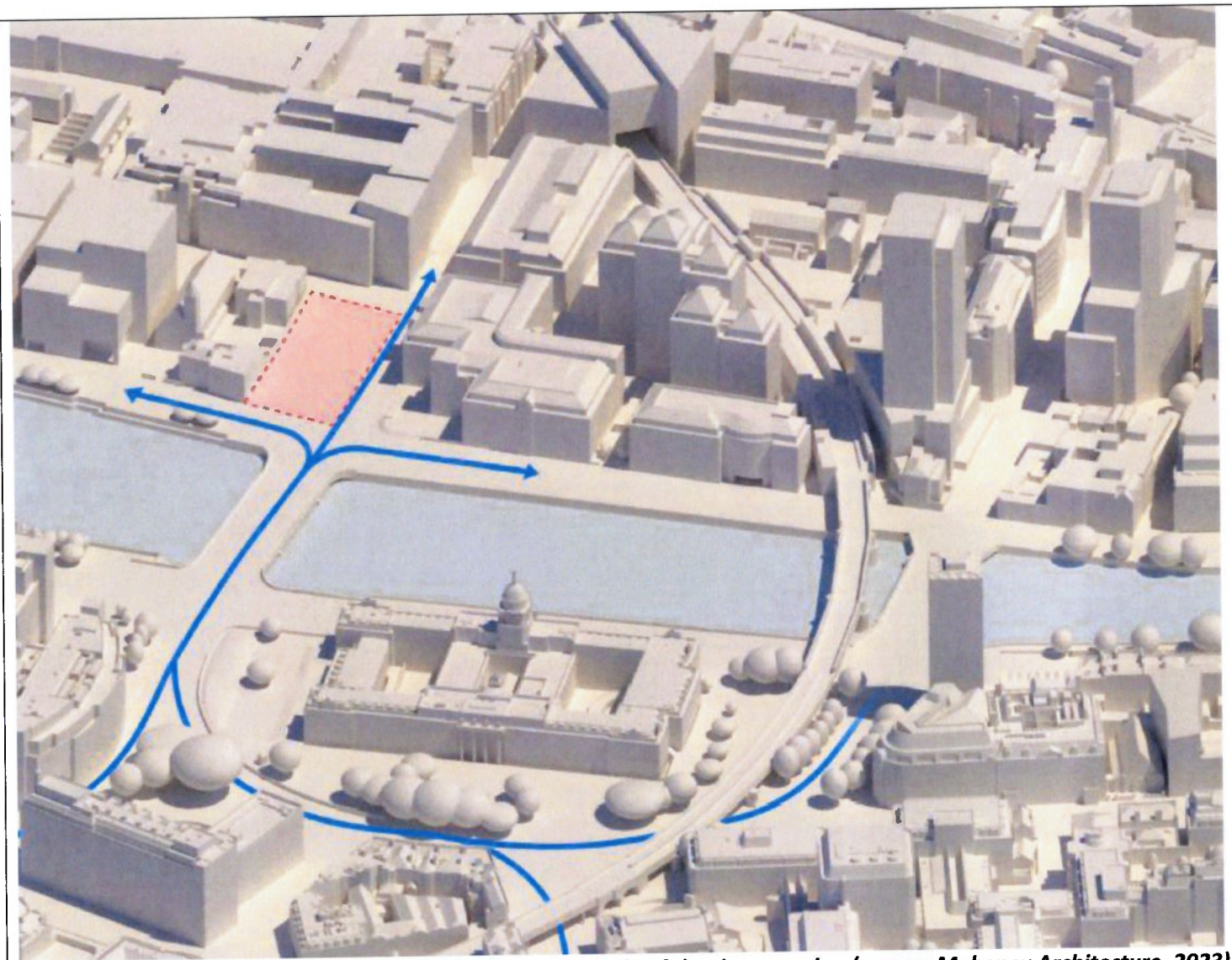


Figure 2: Design development concept illustrating arrival side of the river crossing (source: Mahoney Architecture, 2023).

The proposed design delivers a distinctive slender tower which has been shaped to address the various characteristics of its setting and to deliver on the economic potential of its prominent location in the heart of the city's central commercial core. The scale of the building has been carefully considered to address its visibility from all significant vistas and to deliver on its legibility as a new focal point in the city. It is a innovative addition to the cityscape which will enhance the skyline and create a new landmark, expressing Dublin's ambition to be a sustainable and prosperous global city.

The shape and form of the tower has evolved in response to its alignment with the axis of Gardiner Street. The slender diamond plan shape ensures that the building form is elegant and slender when viewed from Gardiner Street where its form is further accentuated by the fluted profile of its prow.

The roof profile of the tower is angled towards Gardiner Street creating a distinctive and unique form on the City's skyline and contributing to the character of the grouping of nearby buildings including Liberty Hall, Busáras and The Custom House.

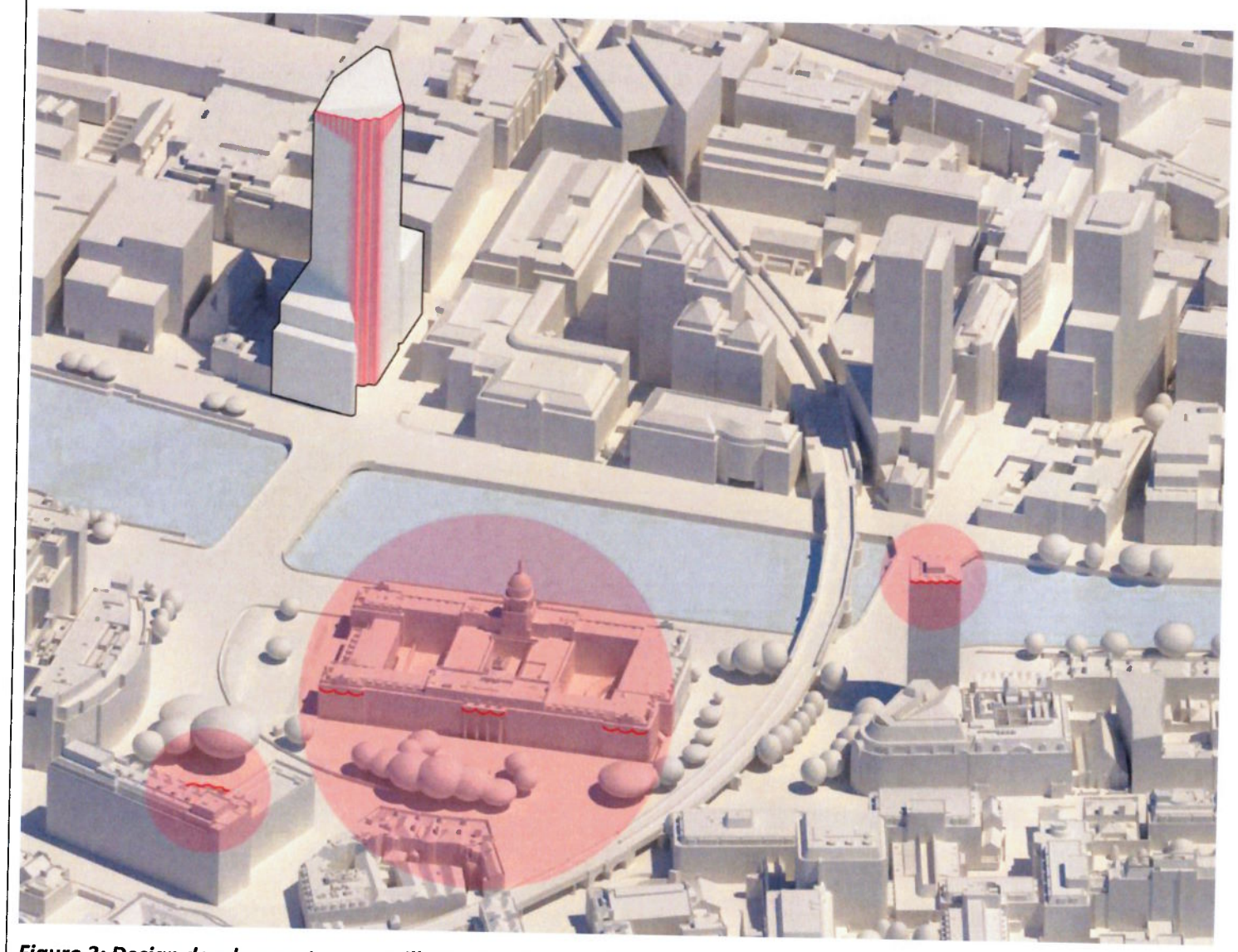


Figure 3: Design development concept illustrating form references (source: Mahoney Architecture, 2023).

The 'Report on Townscape and Visual Impact for 1st Party Appeal' prepared by Modelworks to accompany the appeal states: *"**The site has considerable potential to contribute to (a) place-making and legibility, (b) regeneration/re-imaging of the George's Quay/City Quay/Moss Street area, which is sub-optimal in character, quality and function, and (c) overcoming the physical and visual barrier between the old city and the Docklands**. The proposed development recognises this rare potential and seeks to capitalise on it while also responding meaningfully to the sensitivities that exist in the complex townscape context."*

The proposed is supported by extensive spatial analysis including, but not limited to, the following which was submitted at Appeal stage:

- Daylight & Sunlight Assessment Addendum prepared by Digital Dimensions
- Architect's Response to Planning Refusal prepared by Mahoney Architecture;
- Report on Townscape and Visual Impact for 1st Party Appeal prepared by Modelworks;
- Urban Strategies Inc. Appeal Response
- Pedestrian Realm People Flow Study prepared by Bakkala Consulting Engineers
- City Quay Additional Verified Photomontages prepared by Digital Dimensions

The detailed design of the proposed development is discussed throughout this report.

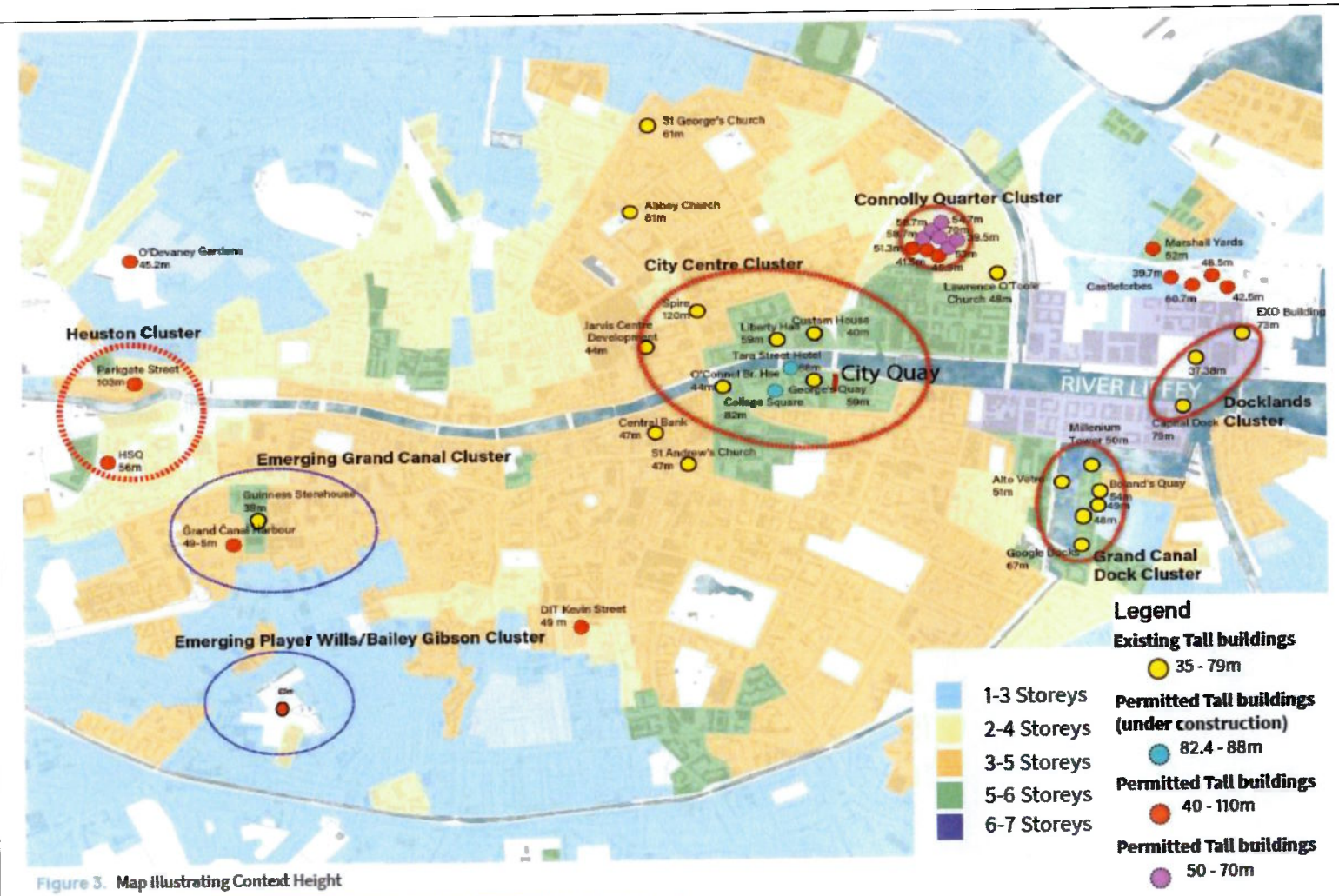


Figure 3. Map illustrating Context Height

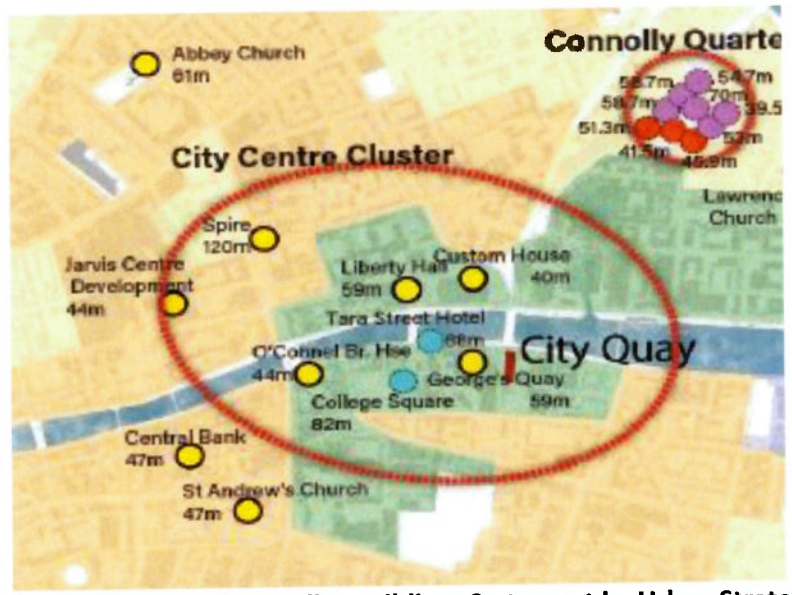


Figure 4: extract from Taller Buildings Statement by Urban Strategies illustrating height in Dublin City Context.

The landmark/tall building will act as a strategic intervention, a catalyst for regeneration and make a significant economic or cultural contribution. The landmark/ tall building proposal must also demonstrate that it is economically viable and	The proposed development will provide for the demolition of the existing derelict and vacant buildings and the overall redevelopment of the site resulting in a positive impact on the surrounding area and will act as a catalyst for further investment in the area. Further, it is considered that it is not appropriate for the building to remain in its current state along the quayside where multiple surrounding sites are being redeveloped. The proposed development provides for a unique opportunity for this cultural space to come back into use. The proposed modern cultural spaces will replace the existing building which was previously used as an arts centre before the building became derelict and vacant. These new spaces will be a significant improvement on the previous facility by providing a large art gallery which is capable of hosting events and exhibitions. These floors will also provide for 12 no. of art studios which can be rented out on an individual basis. Attracting headquarter type uses to the city is a key foreign direct investment strategy. However, there is a limited supply of the large floor area located within the City Centre. Suitable sites are	✓

implementable in the lifetime of the plan	often found in regeneration areas and this represents a significant strategic advantage for Dublin. The site itself is strategic in nature considering the exceptionally high level of public transport accessibility. Delivering large scale employment at central locations such as City Quay is considered highly important for the City's economic success. The proposed development will provide for an increased choice of high-quality office floorspace within the city centre with a notable landmark building in an appropriate location in the city centre. It will be key to attracting multinational companies setting up their headquarters here as numerous companies have done so already. The proposed development will provide for large footplate offices outside of the existing areas and will encourage the further regeneration of the city centre. An Economic Impact Assessment was prepared by KPMG Future Analytics as part of the planning application which concluded: "*The proposed development has the potential to bring substantial positive impacts on the local and wider economy and has the potential to generate a broad range of employment opportunities throughout the construction period and thereafter.*" The conclusions of the report further noted: *"The economic impact assessment has showed the following:* *1 That the construction of the proposed development will contribute* ***€232 million to the national economy****.* *2 The direct spend on the project is estimated to contribute* ***€155 million to national economic output,*** *whereas the* ***indirect spend is estimated to contribute €76 million****.* *3 In terms of employment,* ***520 annual jobs*** *are estimated to be created throughout the construction sector and its supply chain during the construction of the development, with 327 of these being direct employment and 193 occurring throughout the value chain.* *4 In terms of the contribution from pay-related taxes to the exchequer****, estimates suggest that €1.9 million (per annum) and €3.8 million in taxes*** *over the estimated two year construction phase will be paid to the exchequer."* The letter from Knight Frank accompanying this Section 137 response, which provides updated commentary on the office supply of the city, the schemes economic viability and implementable. The letter states: *"Large spaces on the grey market along with one-off increase in completion in 2023/2024, many of which have been delayed, combine to show a jump in overall vacancy. However, the reality is that approximately one third of this available space does not meet the sustainable credentials required, therefore reducing the vacancy considerably.* *Add to the fact that the increased cost of funding has put a brake on the commencement of many developments in the office market, reducing the delivery pipeline very considerably.* *Looking ahead post 2025, the completions pipeline has tightened to an extent that it will pose a problem in the medium terms. For example, 97% of the space due to complete in the city in 2026 is already pre-let."* The letter continues to set out the developments attributes in attracting occupiers and concludes: *"City Quay remains a unique proposition to bring Dublin's office market to the next level in terms of the evolution of the Irish economy as an attractive location for global occupiers.* *Its development is essential in terms of planning ahead to meet the requirements of large future global occupiers.* *This proposed scheme is without doubt economically viable and implementable within the lifetime of the Dublin City Development Plan 2022-2028.* *The case in favour of this development remains as strategically important as ever before."*	
That the landmark/tall building is located in an area with excellent high frequency, high capacity public transport accessibility and excellent pedestrian and cyclist infrastructure. The onus will be on the applicant to demonstrate the capacity of public transport and the quality of existing links between public transport and walking and cycling infrastructure and the site.	It is considered that the subject site is a highly appropriate location for the proposed development. The site is located within c. 160m of the Tara Street Station which will have connections to Dart, suburban rail, city bus services and the proposed MetroLink. The site is also within walking distance of Busáras bus station and both Luas lines as outlined in Figure 5 below. The site is similarly within walking distance of significant areas within the city such as the south City commercial core, the FSC and the Dockland. The development would therefore provide for a suitably scaled development at a sustainable location within the city centre of Dublin in close proximity to necessary services and facilities. Public Transport Capacity Assessment was prepared by Derry O'Leary enclosed.	✓

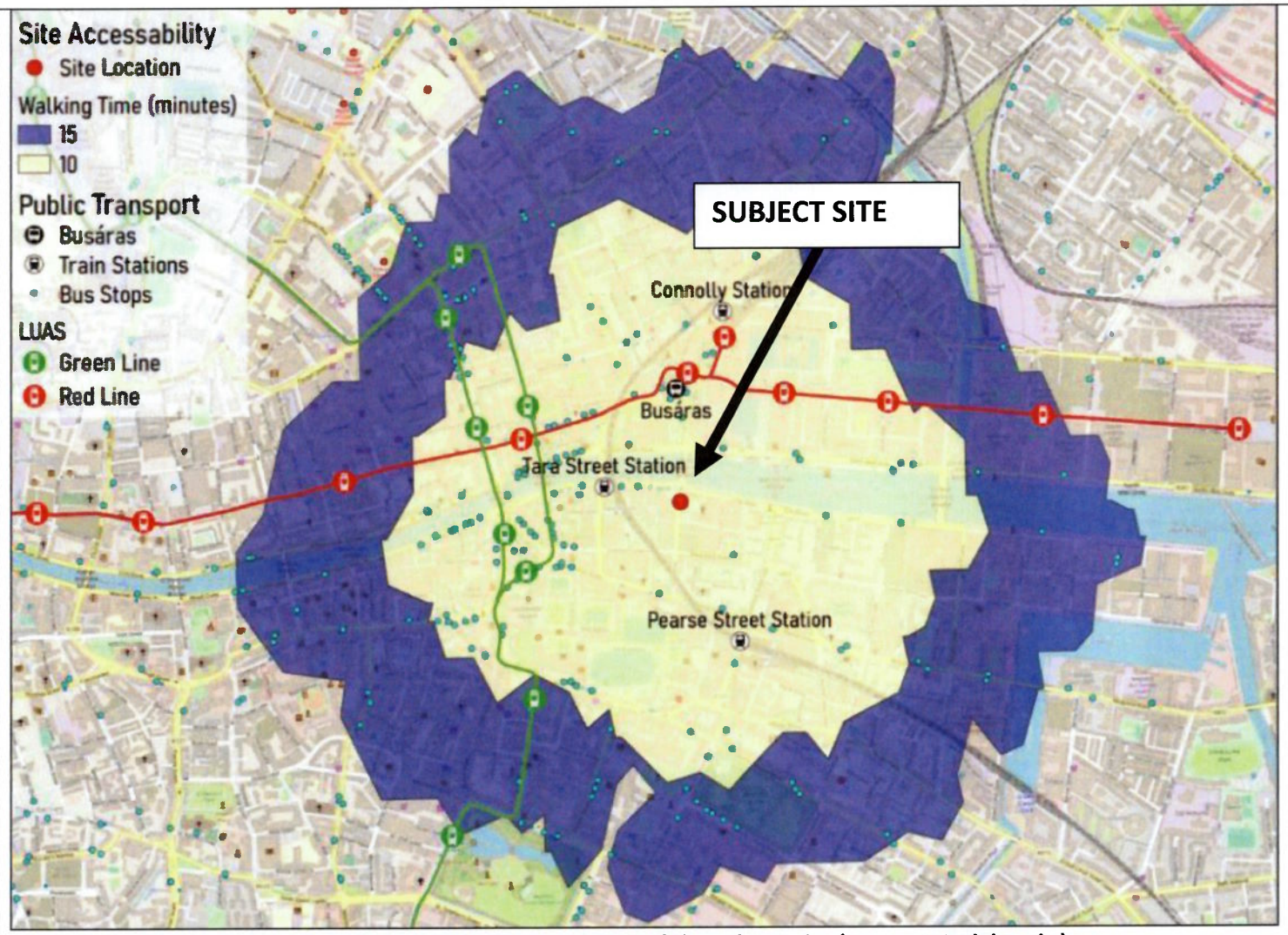


Figure 5: Public Transport connections within 10-15 minutes of the subject site (Source: Modelworks)

This assessment details the frequency of buses and the spare capacity during the peak PM period (16:30-18:30) at bus stop no. 4495 (Hawkins Street). There are a total of 44 no. buses over the 2-hour period which equates to a bus every 2.7 minutes. The principal bus stops in the area are noted within the Public Transport Capacity Assessment including those on D'Olier Street, Hawkin's Street, Eden Quay and Burgh Quay. The rationale for the selection of this stop for assessment is set out within this report. It is considered that this stop has a choice of a wide range of services, as stated in this report: "*from frequent cross-city routes (15, 27) to medium frequency routes (150, 151) offering all-day services and others of relatively limited frequency (68/A, 69/X and 84X). The routes also vary in their geographical coverage with southbound buses operating as far as Kilcoole/Newcastle, Co Wicklow and to Ballycullen, Templeogue, Tallaght, Lucan, Rathcoole and Newcastle in County Dublin. They serve a wide variety of suburbs and towns on the way to these destinations.*"

Timeband	Number of Buses	Total Passenger Nos	Average Passengers/ Bus	Revised % Spare capacity
16.30 - 16.45	6	173	29	57
16.46 - 17.00	5	121	24	64
17.01 - 17.15	9	155+**36**=191	21	69
17.16 - 17.30	3	125+**37**=162	54	19
17.31 - 17.45	3	78+**36**=114	38	43
17.46 - 18.00	6	170+**37**=207	35	48
18.01 - 18.15	6	192	32	52
18.16 - 18.30	6	168	28	58
Total	44	1,328	**30**	**55**

Rail Service, Direction	Passengers Boarding	% Share
DART, northbound	3417	36.8
DART, southbound	3743	40.4
Rosslare/Belfast, northbound	1037	11.2
Rosslare/Belfast, southbound	319	3.4
Maynooth/Sligo, northbound	702	7.6
Maynooth/Sligo, southbound	56	0.6
TOTAL	9274	100

Figure 6: Bus (left) and rail (right) Capacity (Source: Derry O'Leary, Public Transport Consultant, 2023)

The assessment concludes the following:

"Passenger numbers in this hour-long time band increased from the 528 surveyed to 674, an increase of 27.7%. The additional passengers in Table 10 in the evening peak hour had the effect of increasing the average passengers per bus for these time bands and for the total as a whole. The overall average number of passengers per bus increased from 27 (in Table 2) to 30 over the two-hour survey period. But this average of 30 passengers per bus represents seated occupancy of only 45% for the 44 double decker buses observed in the survey period. This equates to spare seated capacity of 55%. Even allowing for residual Covid effects, based on recent patronage, this analysis clearly indicates that the bus network's spare capacity, post generated trips, is more than adequate to cater for the increased bus commuter demand from the proposed development. This conclusion is indicative of the anticipated outcome for all the bus stops in the core of the city centre."

The assessment also assessed the impact on the Luas Green Line from the proposed development and states the following:

"In Table 4 earlier the estimated number of passengers on the Luas Green Line passing through Hawkin's Street came to a total of 3,140 commuters on 13 trams. If all 50% of the 239 generated rail trips attributed to Luas were to use the Green Line southbound only this would increase the observed patronage as shown in Table 11:

Despite the onerous allocation of all generated Luas trips to just the Green Line southbound, the impact on Luas capacity is quite minimal in that the average increase per tram amounts to only 9 passengers. Tram loadings after the increase above still remain more than 30% below stated Luas tram capacity. When one takes into account that the full tram service did not operate on the day of the survey, due to operational issues, then the impact is likely to be smaller again."

Trips	Surveyed October 2022	Generated by Site	Future Estimate
Luas Southbound	3,140	120	3,260
Passengers/Tram	242	9	251

Table 11. Impact of allocation of all Generated Luas trips to Green Line, southbound.

Figure 7: Luas Capacity (Source Derry O'Leary, Public Transport Consultant, 2023)

	The assessment concludes: *"In summary then, the analysis of the current and anticipated future bus and rail passengers, from the granular data in the case of the buses and Luas to the overview numbers for DART patronage, it is clear that the proposed development at City Quay can be easily accommodated by the sheer scale of the public transport offering open to future commuters to and from the subject site. The current plans for the ongoing upgrade of Dublin's public transport infrastructure, both bus and rail, are outlined in the next section. These will further boost the capacity of the city's public transport network to cater for future developments such as City Quay."* In terms of existing pedestrian and cyclist infrastructure, Bryne Looby prepared the Transport and Mobility Management Plan enclosed with the application which descried the existing infrastructure as follows: "*Pedestrian access is currently provided on both sides of the pavement on all surrounding highway networks. The proposed development seeks to maintain, and where possible enhance, pedestrian access on all surrounding boundaries and will aim to promote the use of walking to and from site.* *Cyclists are currently able to avail of the dedicated cycle lanes and trails on Talbot Memorial Bridge as well as George's Quay. A segregated trail also exists for cycling in both directions along City Quay. Cyclists are also able to easily access Moss Street, heading south and Gloucester Street south travelling east."* Overall the site is highly accessible by pedestrians and cyclists. A Pedestrian Realm People Flow Study was prepared by Bakkala Consulting Engineers which accompanied the appeal.	
The landmark/tall building will bring significant planning gain to the community including measures such as: • *substantial upgrades to the public realm;* • *environmental enhancements including open space and green infrastructure to be enjoyed by residents and the wider community;* • *significant new social and community infrastructure for the benefit of the wider area;* • *where the landmark/tall building is for residential use, the provision of a broad range of accommodation for people living in different household sizes and throughout various life cycle stages.*	The proposed development will provide for a significantly enhanced public realm and pedestrian access to the proposed development, particularly at the City Quay/Moss Street corner which is set back to broaden the public realm at the entrance and activate the street frontage. A new public plaza will provided at the building's entrance at the corner of Moss Street and City Quay. The proposed development will therefore increase the accessibility and permeability of the subject area thus improving the resilience of locations in terms of public access and egress at surface level. The DCC Planners report acknowledges these improvements " Overall, the proposed development will provide for a significantly enhanced public realm and pedestrian access to the proposed development, particularly along Moss Street and City Quay. The proposed development will therefore increase the accessibility and permeability of the subject area thus improving the resilience of locations in terms of public access and egress at surface level. On balance, the proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape Proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape" As set out in Mahoney Architecture's Design Statement: *"The proposed building is sited at a very busy location at the junction of City Quay, Moss Street and Talbot Memorial Bridge As such, the envelope of the building at ground floor level, has been pulled back from the boundary line at the northwest corner to increase the size of the open space at the main entrance A bespoke granite bench aligns with the undercroft of the second floor above and will be the main feature in the space* *We propose to upgrade the public realm footpath, along the west side of the building, from brushed concrete to DCC standard granite slabs and continue this surface into the main entrance open space with brass pavement studs installed to de mark the boundary line We also propose to upgrade the surface of the existing pavement extension, to the north of the building, from precast paving units, to DCC standard granite slabs with the material aim of creating a public/private zone more suited to the quality of the proposed new building* *The northern public to private boundary junction will be defined by a change in surface material, from DCC standard granite slabs to a 1250 mm wide terrazzo, (or textured concrete) fringe for the base of the columns to sit* *The primary paving finish on the ground floor will be a Leinster Granite natural stone slab with featured perimeter bands of textured cast in situ concrete All proposed paving is of a high quality and provides continuity and connectivity throughout the ground floor"* Careful architectural, landscape and urban design considerations have been made in order to provide high quality, attractive, and useable spaces to all those that interact with the proposed building. Landscaped areas are proposed at ground floor level with Terraces at 6th-8th-10th floors. As discussed in further detail within this document *"A holistic sustainable approach has been adopted by the design team for the proposed development Sustainability and efficiency features have been considered throughout the design process The proposed development will comply with non residential Part L 2021 (Buildings other Than Dwellings) and target a BER of at least A 2"* The design team has also provided for a generous amount of arts space (1,648 sq.m) across basement, ground and first floor as well as significant improvements to the public realm by providing a public plaza at the corner of Moss Street and City Quay. The provision of arts space at the lower levels and the improvements to the public realm ensures a significant gain for the subject site and the surrounding area	✓

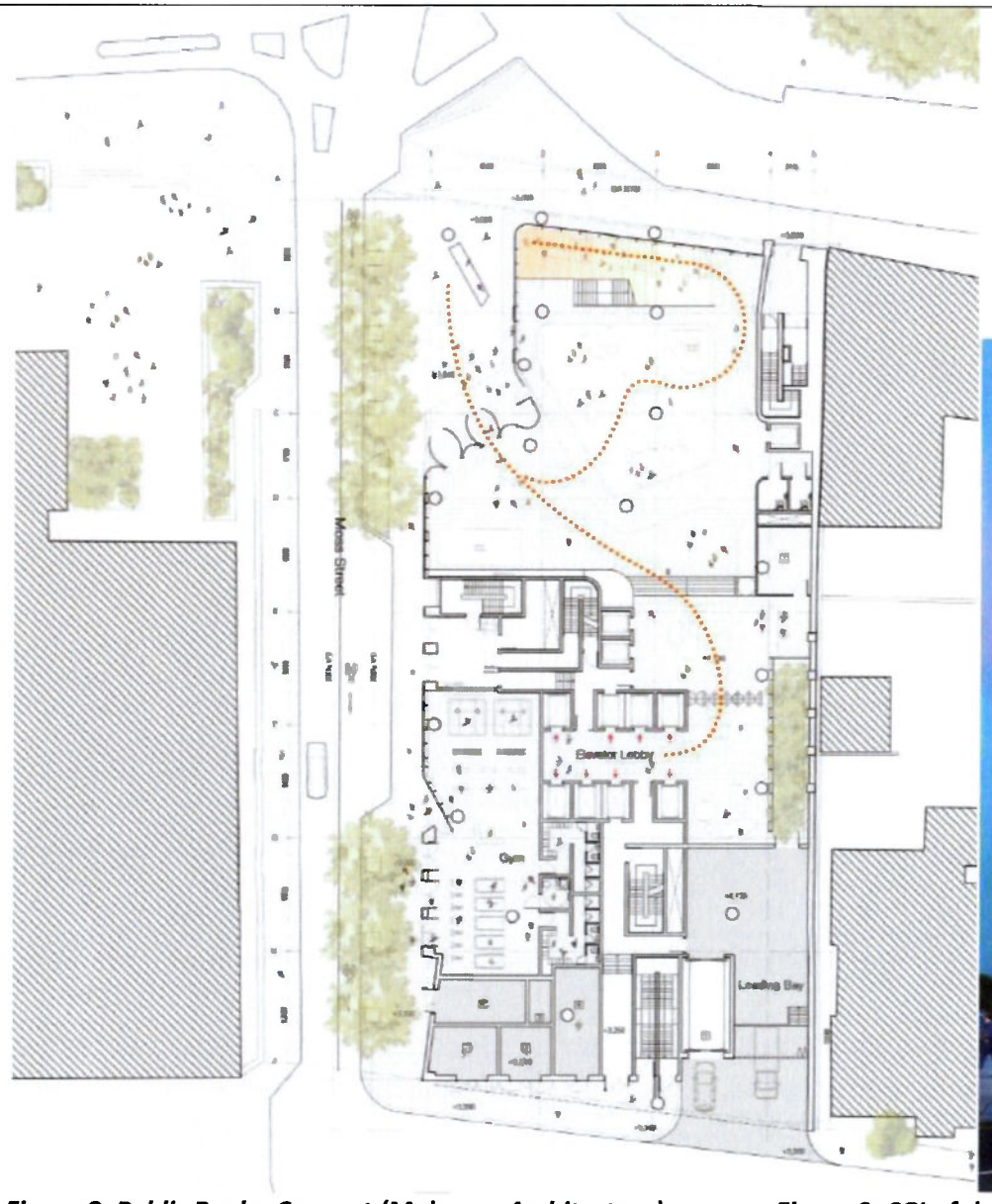
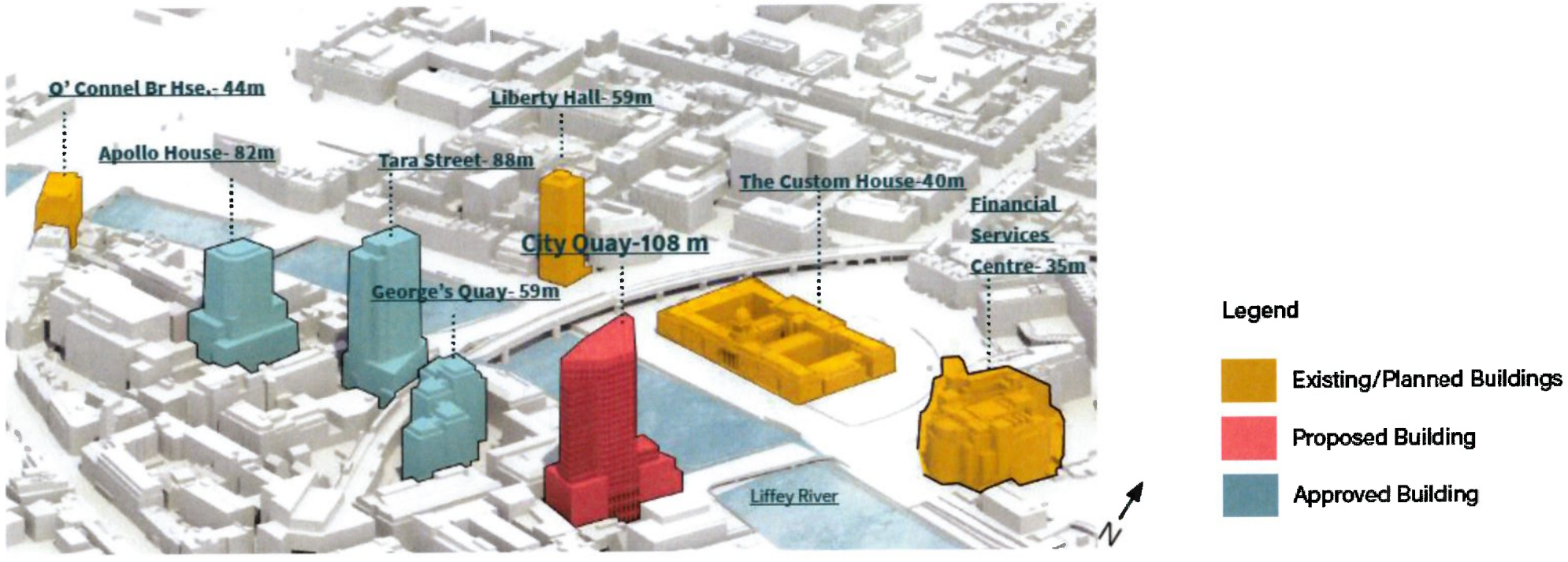


Figure 8: Public Realm Concept (Mahoney Architecture)

Figure 9: CGI of the New City Quay Arts Centre (Mahoney Architecture).

3.0 RESPONSE TO TABLE 3: PERFORMANCE CRITERIA IN ASSESSING PROPOSALS FOR ENHANCED HEIGHT, DENSITY AND SCALE

Table 3 Criteria – Objective 1: To promote development with a sense of place and character	Response	Compliance
Enhanced density and scale should: • *respect and/or complement existing and established surrounding urban structure, character and local context, scale and built and natural heritage and have regard to any development constraints,*	The application has carefully considered the existing urban structure, character, and local sensitivity of the area. Chapter 11 of the LVA prepared by AWN contains detailed assessment of individual views. In addition Section 2.1.3 'Sensitive Location in Proximity to the Custom House' of the 'Report on Townscape and Visual Impact for 1st Party Appeal' prepared by Modelworks contains a detailed overview of the surrounding sensitives and the urban structure of the area noting that Dublin developed along the Liffey and the river is one of the main arranging elements of the urban structure, as well as a key movement corridor. The broad blue/green space provides some of the city's most iconic views, including views of the Custom House. The Mahoney Architecture Appeal Report considers the impact of the building from various viewpoints around the city, for example in the context of the view from the west along the Liffey it states: *"All of the views westward form the River Liffey refer to Views 28 to 32 in the Visual Impact Assessment report show the proposed building sitting harmoniously as part of the Tara Street Georges Quay cluster The proposed building is no more visible in fact is less visible) compared to the permitted developments at Tara Street and College Square from the West It is clearly inconsistent to claim that the proposal would have a significant and detrimental visual impact on these views if the adjacent permitted developments have not been deemed to have this impact"* The Modelworks Report on Townscape and Visual Impact states: *"It is acknowledged that views along the Liffey are highly valued and sensitive to inappropriate change. However, it must be recognised that the river is the central spatial/topographical feature of a European capital city. The Liffey passes between a wide variety of character areas along its 5km route through the city centre (from Heuston to Dublin Port) and along its course people are exposed to innumerable buildings of diverse era, typology, scale and architecture."* In regard to the site's position within the Dublin historic core this report notes: *"While the site is centrally located, to characterise it as being within Dublin's historic city core is not accurate. Most of the lands/plots surrounding the site (apart from the Custom House and the church) were redeveloped in the 20th century and/or are being redeveloped. The site lies at the centre of an extensive area of distinctly modern character (the George's Quay area), and this surrounding development forms a buffer between the site and the historic city core. (The two permitted tall buildings, AquaVetro and College Square, are closer to the historic city core than the site is.)"*  ***Figure 10: extract from Urban Strategies Appeal Response.*** The Urban Strategies Report submitted alongside the First Party Appeal states: *"The City Quay building is designed to add to the quality and enjoyment of the built environment of Dublin. The City Quay building will form part of a composition of buildings completing the*	✓

	George's Quay cluster. That cluster, which now consists of the George's Plaza complex, the College Square development under construction at Hawkins Street and the approved building at Tara Street will define the edges of a tight, triangular grouping of taller buildings. *That grouping will be supported by a surround of modern lower buildings found in the George's Quay local area, acting to provide transition to the lower-scale Georgian quarter to the south-east and east along City Quay, to the scale of Pearse Street and Trinity College, and to the city centre and River Liffey frontage further west.* *The grouping also exists in relation to the pattern of development across the river. The Custom House establishes a formally powerful road and bridge connection to George's Quay, with the Tara Street and Talbot Memorial Bridges clearly leading to important destinations on the south bank. Two taller buildings at these key arrival points mark the significance of this cluster, with the Hawkins Street building marking its southern extent. The existing George's Plaza buildings are contained within this frame.* *This pattern of development, of lower buildings at the centre of the cluster contained within higher surrounding structures is indeed found in the existing pattern north of the river, where the lower-scale wings of The Custom House on either side of the pergola are contained within the taller Liberty Building and the mid-scale office structures to the east."* Overall it is considered that the building carefully responds to its urban context and immediate sensitivities. The proposed development will provide for a significantly enhanced public realm and pedestrian access to the proposed development, particularly along Moss Street and City Quay. A new public plaza will provided at the building's entrance at the corner of Moss Street and City Quay. The proposed development will therefore increase the accessibility and permeability of the subject area thus improving the resilience of locations in terms of public access and egress at surface level. The provision of arts space at the lower levels and the improvements to the public realm ensures a significant gain for the subject site and the surrounding area.	
• *have a positive impact on the local community and environment and contribute to 'healthy placemaking',*	The basement, ground and first floor of the proposed development will provide spaces for art studios and an art gallery. The first floor will also partly include office accommodation with a lobby located at the ground floor at the entrance to the development fronting onto City Quay. These uses at the lower floor of the building will provide for animation at street level and create vibrancy and vitality for long periods of the day and into the evening when events are hosted in the art spaces. The proposal also includes for a community centre which is accessed from Moss Street to the west of the subject site. These new spaces will be a significant improvement on the previous facility on the site by providing a large art gallery which is capable of hosting events and exhibitions. These floors will also provide for 12 no. of art studios which can be rented out on an individual basis. The existing building was previously home to the City Arts Centre which was a significant cultural building in Dublin City. However, this use ceased in 2001 and the building has been in disuse for a significant number of years and has become severely derelict and unsafe for pedestrians passing by along Moss Street or City Quay. It is therefore considered appropriate to demolish the existing building in order to provide a cultural space that is fit for purpose and can become a significant part of the Dublin City community again. It is considered that it is not appropriate for the building to remain in its current state along the quayside where multiple surrounding sites are being redeveloped. The proposed development provides for a unique opportunity for this cultural space to come back into use which will benefit the community.	✓
• *create a distinctive design and add to and enhance the quality design of the area,*	The Appeal Report prepared by Mahoney Architecture states: *"Our proposed City Quay building expresses the technology and materials of our time. Its form is inspired by and creates a dialogue with the rich heritage of its context. It has been designed to be seen in multiple glimpses which catch the eye as the building's form gradually unfolds, from compressed views within narrow streetscapes, to the contrast of its vertical form against the horizontal broadness of the river, revealing its purest form on the axis of Gardiner Street. All of these views have been carefully considered to be in harmony with its urban environment."* The overall design quality is discussed in detail within this report and accompanying documentation. The Urban Strategies Report submitted alongside the First Party Appeal states: *"The form of the proposed tower is shifted slightly forward and rotated precisely to the alignment of the Gardiner Street Axis. This will create a strong symmetrical massing when viewed from Gardiner Street therefore reinforcing the axis and introducing a new focal point in the cityscape. This is a common urban design response in both historic set pieces and contemporary interventions".*	✓
• *be appropriately located in highly accessible places of greater activity and land use intensity,*	As set out above, it is considered that the subject site is at a key crossing point of the river Liffey on the south quays served by exceptional public transport. It is a highly accessible as previously set out and is an appropriate location for the proposed development. It is highly accessible and a location which will form part of an emerging cluster of taller buildings George's Quay which include the existing, permitted and under construction buildings at College Square development under construction at Hawkins Street and the approved building at Tara Street, and the Grant Thornton building. The set back of higher element from the riverside and this series of landscape terraces provide the appropriate transition in scale to the setting of the scheme and adjacent development. A pedestrian realm people flow study was prepared by Bakkala Consulting Engineers which accompanied the appeal and includes description of the overall site, pedestrian flows and this demonstrates how overall the site is highly accessible by pedestrians. This study notes that not all people will arrive to the proposed development by foot. In addition, Chapter 13 of the EIAR 'Traffic and Transportation' notes the high level of accessibility of the site including road, rail, light rail and bus demonstrates how overall the site is highly accessible by a range of means.	✓

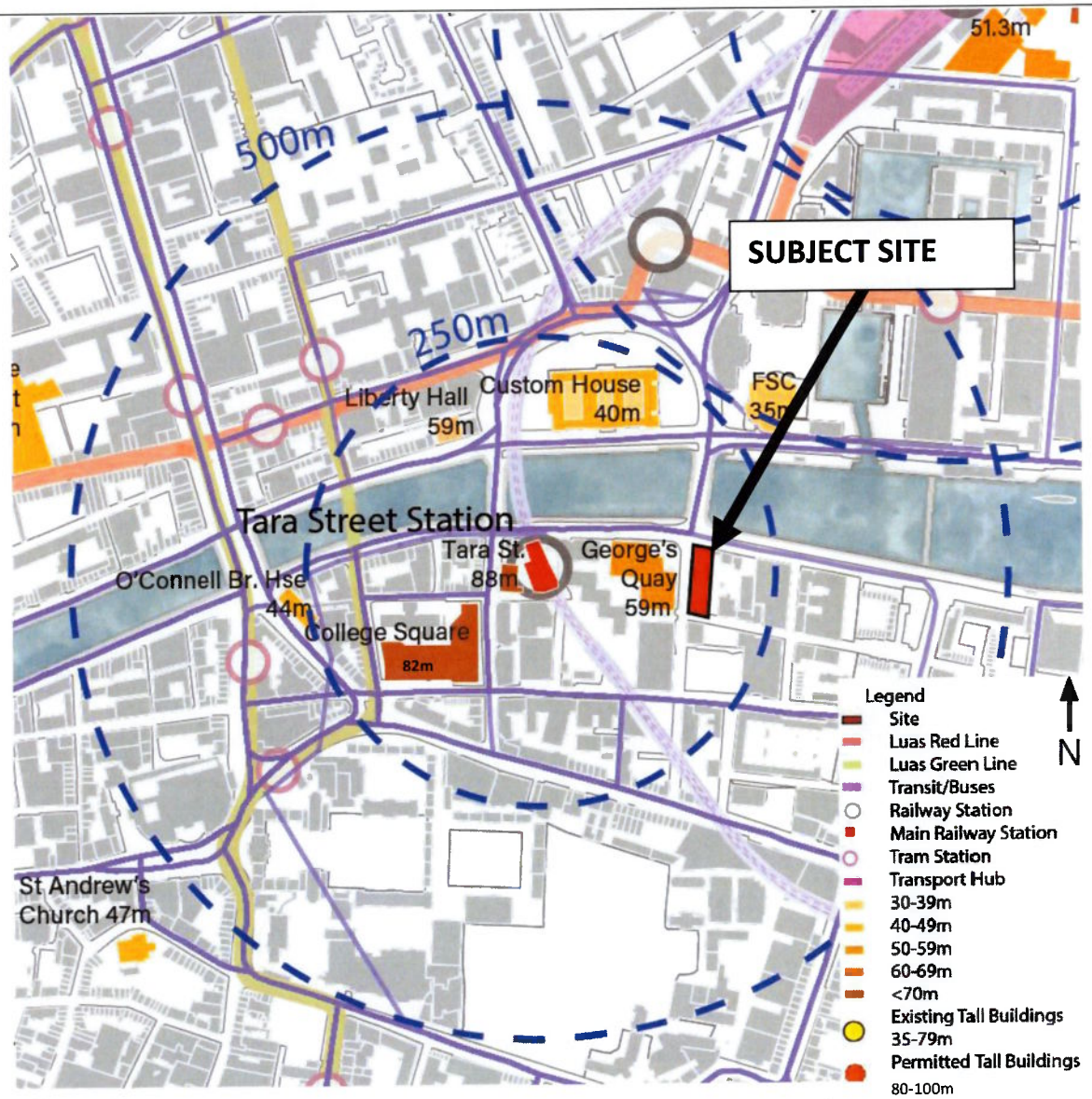


Figure 11 extract from Urban Strategies TVA Appeal Report map of tall buildings cluster.

It is considered that the subject site is a highly appropriate location for the proposed development. The site is located within c. 160m of the Tara Street Station which will have connections to Dart, suburban rail, city bus services and the proposed MetroLink. The site is also within walking distance of Busáras bus station and both Luas lines. The site is similarly within walking distance of significant areas within the city such as the south City commercial core, the FSC and the Dockland. The development would therefore provide for a suitably scaled development at a sustainable location within the city centre of Dublin in close proximity to necessary services and facilities.

Public Transport Capacity Assessment was prepared by Derry O'Leary enclosed.

The assessment concludes:

"In summary then, the analysis of the current and anticipated future bus and rail passengers, from the granular data in the case of the buses and Luas to the overview numbers for DART patronage, it is clear that the proposed development at City Quay can be easily accommodated by the sheer scale of the public transport offering open to future commuters to and from the subject site. The current plans for the ongoing upgrade of Dublin's public transport infrastructure, both bus and rail, are outlined in the next section. These will further boost the capacity of the city's public transport network to cater for future developments such as City Quay."

In terms of existing pedestrian and cyclist infrastructure, Bryne Looby prepared the Transport and Mobility Management Plan enclosed with the application which descried the existing infrastructure as follows: "Pedestrian access is currently provided on both sides of the pavement on all surrounding highway networks. The proposed development seeks to maintain, and where possible enhance, pedestrian access on all surrounding boundaries and will aim to promote the use of walking to and from site.

Cyclists are currently able to avail of the dedicated cycle lanes and trails on Talbot Memorial Bridge as well as George's Quay. A segregated trail also exists for cycling in both directions along City Quay. Cyclists are also able to easily access Moss Street, heading south and Gloucester Street south travelling east."

	Overall the site is highly accessible by pedestrians and cyclists. A Pedestrian Realm People Flow Study was prepared by Bakkala Consulting Engineers which accompanied the appeal.	
• *have sufficient variety in scale and form and have an appropriate transition in scale to the boundaries of a site/adjacent development in an established area,*	The proposed development has been carefully scaled in relation to the surrounding areas. The City Quay National School, St. Marys Crèche & Pre-School and City Quay Church neighbour the site to the east. The St. George's Quay office development (6-13 storeys) is located across Moss Street to the west and the Grant Thornton building is located within the same city block to the east, extending to 5-9 storeys. A hotel and residential development extending to 8 no. storeys is currently under construction to the south. In response to this adjacent recent development the building height at shoulder height is similar. As noted by Urban Strategies in their Response to Planning Refusal Report: *"The City Quay building provides an appropriate response to its adjacent streets and properties in terms of scale and enclosure. On its westerly and southerly facades the building responds on its lower floors to the character and scale of Moss Street and Gloucester Street. By creating a stepback or the general streetscale, no 'canyon'-type spaces are created. To the east and north, the building design responds to the presence of the lower scale National School and church structures and to the predominant heights of new development along the south bank of the River Liffey.* The massing is further reduced and cranked on the east side to reduce the massing when viewed from downriver, this also creates a set back from the adjacent school and church buildings. The Appeal Report prepared by Mahoney Architecture states: *"The form of the building is made up of two elements, the podium and the tower* *The brick clad gridded podium follows the site perimeter on the north, east and south facades and then folds inwards on the west Moss Street façade to form an entrance plaza where the fluted north west corner of the tower is allowed to extend and touch the ground surface* *The podium massing steps back from the riverside in a series of landscaped terraces which twist and rotate from the geometry of the street lines to settle as an elegant symmetrical form on the Gardiner Street vista* *This form is accentuated by the fluted profile of its prow and the scalloped silhouette of its roofline* *The tower form rising from the podium expresses a crystalline volume clad in glass and decorative brushed aluminium panels* *The form and material palette is inspired by the craft of silversmiths and crystal glass, materials used together over the centuries to create elegant vases and other vessels"*	✓

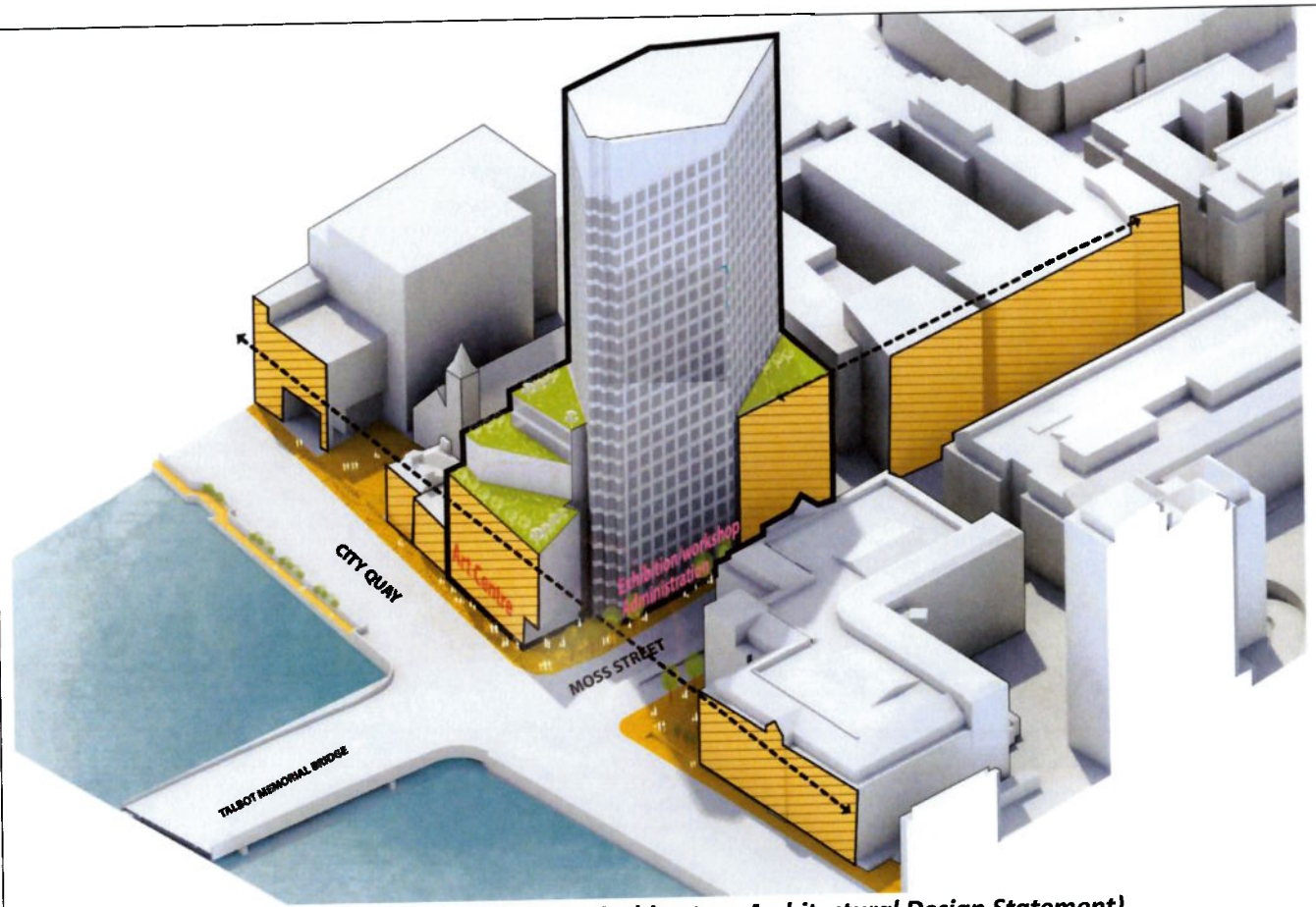


Figure 12: extract from urban context (Mahoney Architecture Architectural Design Statement).

• *not be monolithic and should have a well-considered design response that avoids long slab blocks,*	The Appeal Report prepared by Mahoney Architecture state: *"The massing of the building is broken down by the articulation of the façades into a series of well proportioned volumes defined by the podium and tower The 6 storey podium on City Quay relates to the established shoulder height of recent developments along City Quay* *The 8 storey podium to the south relates to the scale of the new developments on Moss Street and Gloucester Street South* *The oblong footprint of the tower forms a series of folding planes which ensure an appropriate slenderness ratio when viewed from each side* *The carefully considered balancing of the podium and tower volumes informs the height of the various elements and the overall massing of the building This has been considered from each of the primary vistas* *The contrasting surface material treatment of the podium and tower further articulates the composition The brick surface of the podium responds to the local scale of the streetscape and the glazed surface of the tower responds to the broader city scale and the emerging cluster of tall buildings"* The proposed building contains a range of materials used to add variety to the façade avoiding long slab blocks entirely and therefore is not monolithic. This is acknowledged in the DCC Planners Report *"The proposed scheme is replacing a brownfield site, which did not engage with the street, with a modern office development which will likely allow for a gradual transition of scale when viewed along with nearby office buildings. The proposal will likely bring activity at ground floor level at the entrance lobby and will enhance the visual interest on the street and provide passive surveillance. The proposed changes will likely redefine and improve the streetscape along Moss Street and City Quay.* *Proposal is not monolithic or overly horizontal and materials are well considered."* Slenderness is achieved through the break down of the tower form into a series of folding planes resulting from the plan shape. The alignment of the plan to the Gardiner Street vista trims the perimeter of the tower plan and breaks down the massing of the building into a dynamic series of slender planes. The resolution of these planes into the symmetrical form viewed from Gardiner Street adds an element of surprise and discovery to the City's skyline and emphasises the importance of this vista. The proportions and height of the building has been reviewed from many vantage points across the city to determine the most advantageous and balanced height to deliver an elegant and recognisable form which will become a building of character and interest in the City's skyline.	✓

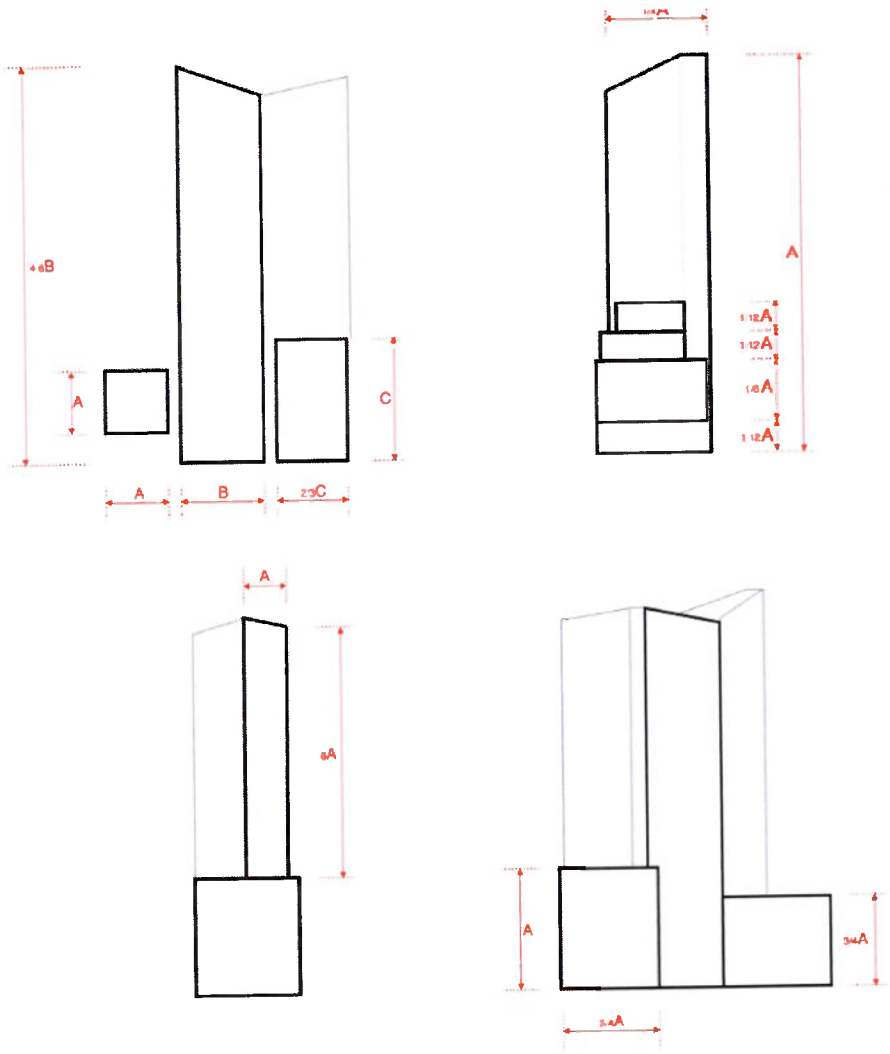


Figure 13: extract from Design Concept & Development Scale & Proportion (Mahoney Architecture Architectural Design Statement).

• *ensure that set back floors are appropriately scaled and designed.*	As detailed in the Architectural Design Statement submitted with the application, the massing of the building steps as the building rises from a six-storey shoulder height fronting the quays to the twenty-four storey tower. A series of stepped back terraces at 7th, 9th and 11th floors transition the form of the building from the base of the tower. The lower floors form a base to the tower and are located in a black brick frame with glazing infill. The Mahoney Architectural Design Statement states: *"The podium is stepped to rise from the six storey scale on the riverside to the ten storey height at the rear These steps are also angled to respond to the form of the tower, allowing the prow to extend and touch the ground* *These steps form terraces which are extensively landscaped to provide outdoor amenity space with expansive views along the river"* The surrounding environment has a number of existing taller buildings and the tiering of the podium level of the building across the site, up to 8/9 storey level is appropriate in this context. In response to this criteria the Urban Strategies appeal Response Report states: *"Considerable attention has gone into the articulation and design of the City Quay facades to ensure the building warrants its prominence at both the local and city-wide scale.* *The essential massing of the City Quay block involves first sculpting the extruded block of the site to recognise the predominant building scale along City Quay to the west. Step backs are articulated at the 6th, 8th, and 10th floors.* *The east face of the tower portion is also set back to defer to the scale and character of the National School and church buildings.* *Within the upper tower shaft, the façade has been chamfered to acknowledge the distinct long views of the building from the approach down Gardiner Street from the north north-west and*	✓

	along Kildare Street to the south-west. These triangulated chamfers, acting as 'prows' establishing the presence on the skyline, will act to focus the view rather than extend it across the north and south facades. *Considerable attention has been give to the upper building glazing articulation to ensure its slimness and verticality is emphasised. At the lower levels a masonry façade is introduced to reflect building treatments along City Quay."*	
Table 3 Criteria - Objective 2: To provide appropriate legibility	**Response**	**Compliance**
Enhanced density and scale should: • *make a positive contribution to legibility in an area in a cohesive manner,*	The scale of the building has been carefully considered to address its visibility from all significant vistas and to deliver on its legibility as a new focal point in the city. It is a innovative addition to the city scape which will enhance the skyline and create a new landmark, expressing Dublin's ambition to be a sustainable and prosperous global city. Section 2.4 of the Modelworks Appeal Report in particular considers the contribution to legibility in the area where the building is visible. As set out in Mahoney Architects Response to Planning Refusal Report: *The height and density of the City Quay building contribute to the coherence and legibility of the George's Quay building cluster, which consists of three buildings at its east, west and south corners, providing a frame for The Custom House to the north across the river.* *The positioning and function of the City Quay building add legibility to the George's Quay block structure, whose largely rectilinear grid pattern is bisected by the LUAS viaduct.* *The City Quay tower forms part of a cluster defined by three taller buildings and marks the easterly extent of the city centre.* The distinctive form and scale of the building will mark the Matt Talbot bridge and will make a positive contribution to the legibility of the area. It will create a visual destination and become a key reference point as one navigates the city. It will play a particularly important visual role for people travelling into the City centre from the northside of the city, including visitors arriving from the airport.	✓
• *reflect and reinforce the role and function of streets and places and enhance permeability.*	The proposed development will not impact the role and function of the surrounding streets, rather it will significantly improve the streets and public realm which surrounds the site. Permeability around the site will be significantly improved as a result of the public realm improvements and the provision of a public plaza to the northwest corner of the site. City Quay and Moss St are busy streets for cyclists and pedestrians alike and the proposed replacement and the opening up of this dead frontage, will give rise to a more positive streetscape and public realm. As a result, the legibility of the space will improve significantly from the present situation.	✓
Table 3 Criteria - Objective 3: To provide appropriate continuity and enclosure of streets and spaces	**Response**	**Compliance**
Enhanced density and scale should: • *enhance the urban design context for public spaces and key thoroughfares,* • *provide appropriate level of enclosure to streets and spaces,* • *not produce canyons of excessive scale and overbearing of streets and spaces,* • *generally be within a human scale and provide an appropriate street width to building height ratio of 1:1.5 – 1:3,*	As set out in the Urban Strategies Response to Planning Refusal Report: *"The City Quay building provides an appropriate response to its adjacent streets and properties in terms of scale and enclosure. On its westerly and southerly facades the building responds on its lower floors to the character and scale of Moss Street and Gloucester Street. By creating a stepback or the general streetscale, no 'canyon'-type spaces are created. To the east and north, the building design responds to the presence of the lower scale National School and church structures and to the predominant heights of new development along the south bank of the River Liffey."*	✓

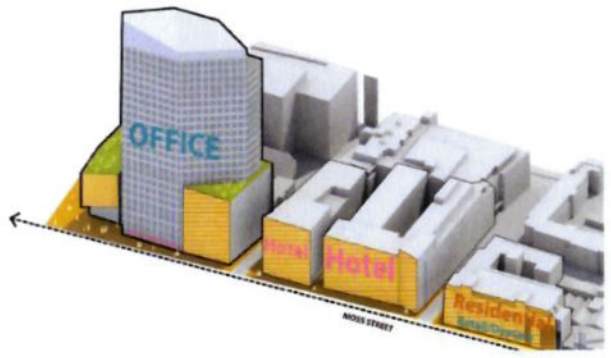


Figure 33 Moss street character

Figure 32 Proposed building within the built context along Moss street

Figure 34 Entrance to Artscape from Intersection of City Quay & Moss Street

Figure 14: extract from urban context (Mahoney Architecture Architectural Design Statement).

Figure 15: Public Realm Concept (Source: Mahoney Architects, 2023)

Figure 13 above illustrates the building proportions. While the proposed development exceeds the plot ratio for City Centre sites of 3:1 set out in Table 2 of Appendix 3, the criteria set out in Table 4 for landmark buildings are fully met, as demonstrated in this report. In regard to the overall scale and ratio of the building, Mahoney Design Statement states:

"The massing of the building is broken down by the articulation of the façades into a series of well proportioned volumes defined by the podium and tower

The 6 storey podium on City Quay relates to the established shoulder height of recent developments along City Quay

The 8 storey podium to the south relates to the scale of the new developments on Moss Street and Gloucester Street South

The oblong footprint of the tower forms a series of folding planes which ensure an appropriate slenderness ratio when viewed from each side

The carefully considered balancing of the podium and tower volumes informs the height of the various elements and the overall massing of the building

This has been considered from each of the primary vistas"

At shoulder level, the proposed development provides for a street width to building height ratio of 1:2.4 fronting onto City Quay and the River Liffey which is considered an appropriate response to the setting and scale of the River Liffey.

The formation of the plinth along Moss Street and Gloucester Street South creates a parapet shoulder similar to the height of the recently completed buildings directly opposite the City Quay site and forms a street width to shoulder height of between 1:2.3 and 1: 3.25 .

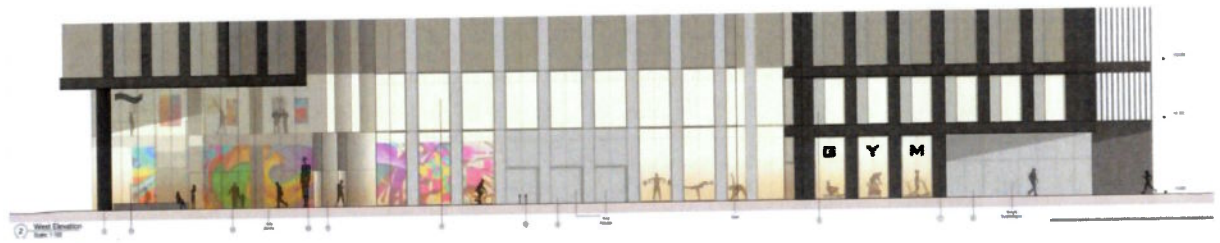
• *provide adequate passive surveillance and sufficient doors, entrances and active uses to generate street-level activity, animation and visual interest.*	The Arts Centre and gym spaces on the ground and lower floor levels, as well as the building lobby, will significantly increase street level activity and provide an animated, identifiable destination on the corner of City Quay and the Talbot Memorial Bridge resulting in good visual interest and passive surveillance. The double storey scale at ground level highlights the importance of the new City Arts Centre which occupies the most visible public frontage of the building. The main entrance to the building, located in the north east corner of the site off City Quay is set back from the site boundary to form a small plaza which opens into a light filled double height lobby. Use of the Arts Centre will continue into the evening, beyond office hours, which will result in additional activity and passive surveillance throughout the day and evening.	✓
Table 3 Criteria - Objective 4: To provide well connected, high quality and active public and communal spaces	**Response**	**Compliance**
Enhanced density and scale should: • *integrate into and enhance the public realm and prioritises pedestrians, cyclists and public transport,*	As discussed further above, the provision of a public plaza to the northwest corner of the site will provide for greater permeability on the site and improved pedestrian facilities. As set out in the Urban Strategies Response to Planning Refusal Report: *"While these considerations apply principally to residential developments, the City Quay development is appropriately scaled at the street level to ensure their appropriate use in terms of sunlight and daylight penetration. The ground floor is highly activated and interior space visible from the exterior public realm."* Overall the site is highly accessible by pedestrians and cyclists. A Pedestrian Realm People Flow Study prepared by Bakkala Consulting Engineers. We note also the improvements proposed in the Draft Dublin City Transport Strategy issued for consultation in September 2023 which include proposals for no through traffic on Pearse Street/Tara Street spine; pedestrianisation of quays at Customs House; the Pedestrianisation of Beresford Place; and, the reduction of traffic to one lane in both directions on Gardiner Street. The proposed scheme will integrate with and contribute to potential wider improvements in the area.  Moss Street Elevation  City Quay Elevation	✓

	 ***Figure 15: extract from design and development active frontage (Mahoney Architecture Architectural Design Statement).***	
• *be appropriately scaled and distanced to provide appropriate enclosure/exposure to public and communal spaces, particularly to residential courtyards,*	The proposed has been carefully scaled in relation to the surrounding areas including the river Liffey as view from Talbot Bridge, the west and east. As noted by Urban Strategies in their Response to Planning Refusal Report: *"City Quay has been carefully designed at its lower levels to contribute to the immediate and wider sense of place at the corner of City Quay and Moss Street. The location of the arts centre and building lobby in a multi-storey space will create both activity and animation and a welcoming sense of arrival at this key city corner, without the uniformity and dullness of too many office building lobbies. The somewhat formal open area of George's Plaza, opposite City Quay, can benefit from the activity generated by the indoor and outdoor ground floor activities of the Arts Centre to create an interesting place on City Quay and the River Liffey.* *That sense of place and activity will spill out into the street - the public plaza area becoming a spill-out space for the activities of the building's ground floors. City Quay along the Liffey is a very public place and the building is designed to enhance that feeling of welcome and interest."* No residential courtyards are proposed. In regard to the presence of the building on the River Liffey, Modelworks have considered this in further detail within the Report on Townscape and Visual Impact for 1st Party Appeal, which states: *"It should also be recognised that, as an open space corridor and thoroughfare for multiple transport modes, the Liffey provides favourable context for taller buildings. This is confirmed by one of the 'development management criteria' included in the Building Height Guidelines to assist in the evaluation of development proposals for taller buildings: "The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure…"* *The conservation-orientated approach to the Liffey corridor indicated by its CA [conservation area] designation should be balanced with (a) recognition of the diversity of character areas and buildings within view of the river due to it being the central feature and movement corridor through the city, and (b) the validity of the urban design principle of positioning building height along the edge of large open spaces and thoroughfares such as the Liffey corridor."*	✓
• *ensure adequate sunlight and daylight penetration to public spaces and communal areas is received throughout the year to ensure that they are useable and can support outdoor recreation, amenity and other activities – see Appendix 16,*	A Daylight Sunlight Assessment of the proposed development has been prepared by John Healy (MSc Environmental Design of Buildings) Digital Dimensions. This report assesses the impact of the development on the daylight and sunlight in accordance with BR 209 2022 3rd edition) BRE guidance document, Site Layout Planning for Daylight and Sunlight (BR 209). Digital Dimensions have included a detailed assessment of surrounding amenity spaces in their appeal document. The document assesses adjacent National School properties at 7/8 City Quay, Office buildings 1GQ: the Presbytery, Petersons Court, the Immaculate Heart of Mary Church Social housing on Gloucester Street and Grant Thornton. Section 4 relates to Sunlight to gardens and open spaces and Section 5 includes detailed Shadow Diagrams. As noted in Mahoney Architecture Design Statement, the 2.8 m ceiling height allows high levels of daylight to penetrate the full depth of the office floor plate. Overall the façade performance specification has been optimised to limit heat loss in the winter, heat gain in the summer, improve air tightness and thermal transmittance, and maximise natural daylight.	✓

• *ensure the use of the perimeter block is not compromised and that it utilised as an important typology that can include courtyards for residential development,*	Not applicable to the subject development as residential use is not proposed.	✓
• *ensure that potential negative microclimatic effects (particularly wind impacts) are avoided and or mitigated,*	The Urban Strategies Report states: "*.. the City Quay development is appropriately scaled at the street level to ensure their appropriate use in terms of sunlight and daylight penetration. The ground floor is highly activated and interior space visible from the exterior public realm.* *The Wind Microclimate Assessment found that ground level wind conditions around the existing site were found to be suitable for any pedestrian activity at all measurement locations during both the summer and winter seasons. There were no distress criteria exceedances during either the summer or winter season. The ground level wind conditions for the Proposed Development showed that the wind conditions are suitable for any pedestrian activity during the summer."*	✓
• *provide for people friendly streets and spaces and prioritise street accessibility for persons with a disability.*	The proposed development will significantly enhance the public realm surrounding the site, particularly at the northwest corner where a public plaza will be incorporated to include seating areas. The streets will be more people friendly by providing areas for people to socialise and interact. A Pedestrian Realm People Flow Study prepared by Bakkala Consulting Engineers.	✓
Table 3 Criteria - Objective 5: To provide high quality, attractive and useable private spaces	**Response**	**Compliance**
Enhanced density and scale should: • *not compromise the provision of high quality private outdoor space,*	While this criteria primarily relates to residential development we note the following relevant considerations. As set out in the Mahoney Architects Response to Planning Refusal Report: *"Careful architectural, landscape and urban design considerations have been made in order to provide high quality, attractive, and useable spaces to all those that interact with the proposed building.* *The main entrance to the building, located in the north east corner of the site off City Quay is set back from the site boundary to form a small plaza which opens into a light filled double height lobby. Additional outdoor spaces are provided through a series of stepped back terraces at 7th, 9th and 11th floors. Wind conditions at all spaces on the ground level and on terraces and roof are suitable for any pedestrian activity during the summer.* *The floor plate depth and ceiling height ensures high levels of daylight penetrate to the full extent of the office accommodation.* *Photovoltaic panels are located on the south east and south west facing façades of the tower and employed to provide the renewable power sources for the building. They are purposefully positioned so that they will not impact on light penetration into the building or views from the tenant space.* *The façade performance specification has been optimised to maximise natural daylight.* *Details on overlooking and privacy are addressed in response to Objective 7. The accompanying Sunlight and Daylight Study and the Micro Climate and Wind Assessment reports provide greater detail on this Objective."* As set out in Urban Strategies Appeal document (Appendix 1 / Section 6 – which sets out compliance with the Appendix 3 performance criteria): *"The criteria raised in this objective are met as follows.* • *The brick surface of the podium responds to the local scale of the streetscape and the glazed surface of the tower responds to the broader city scale and the emerging cluster of tall buildings.* • *Photovoltaic panels are located on the south south east and south west facing façades of the tower. These panels will provide the renewable power sources for the building and, due to the quantity achievable, can deliver excess capacity which can be fed into the energy grid.* • *The eastern façade bordering the Immaculate Heart of Mary Church and City Quay National School maintains visual privacy for these properties through a number of measures:* • *A translucent interlayer contained within the glazing extends from floor level to a height of 1.8 m on each floor to fully prevent any overlooking of the school property below;* • *This glazing is set back 3.3 m from the eastern boundary and is further screened from the adjacent properties by the open brick clad frame* • *The eastern façade bordering the Immaculate Heart of Mary Church and City Quay National School features a trellis of climbing plants, Fallopia baldschuanica (Mile a minute vine), which is an fast growing evergreen climber previously used by the landscape architects at the Irish Stock Exchange Building. Set between the brick frame and horizontal louvres on the set back glazing to ensure the visual privacy for these properties*	✓

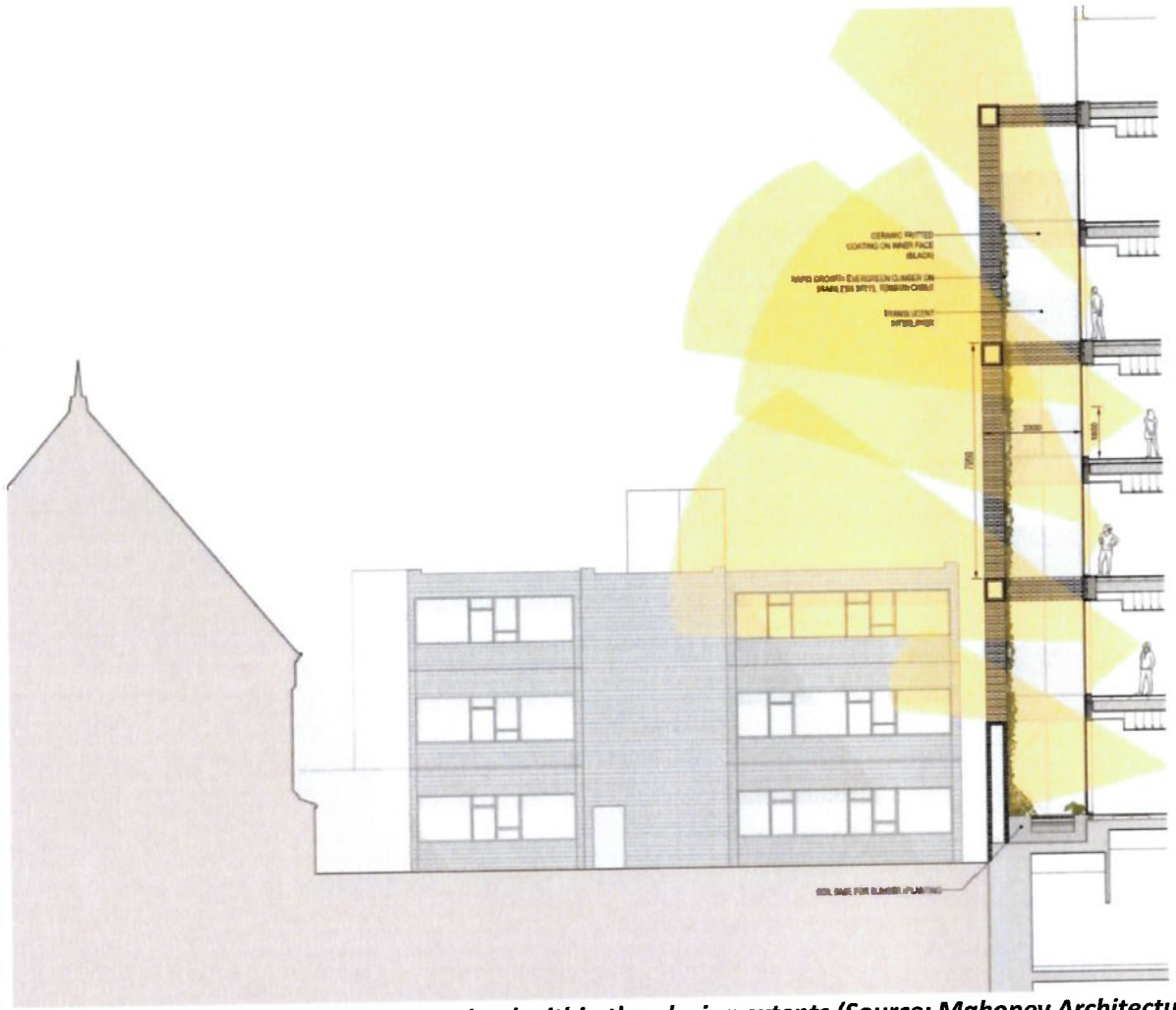
	• *The selected planting is trained vertically by tensioned cables and grows from a substantial trough at ground level which ensures convenient and accessible maintenance"*	
• *ensure that private space is usable, safe, accessible and inviting,*	No residential private open space is proposed as part of this development.	✓
• *ensure windows of residential units receive reasonable levels of natural light, particularly to the windows of residential units within courtyards – see Appendix 16,*	Daylight & Sunlight Assessment prepared by Digital Dimensions. The report assesses the availability of daylight and sunlight to the surrounding buildings. The proposed development is in an inner city location and there are a mixture of buildings uses surrounding the site including residential, Office, Educational and Hotel accommodation. The different building uses have different requirements for daylight. The BRE guidelines sets out criteria for residential buildings and references other buildings that may have a requirement for daylight and sunlight. Please refer to the Daylight & Sunlight Assessment prepared by Digital Dimensions for further information. No residential units are proposed as part of this development.	✓
• *assess the microclimatic effects to mitigate and avoid negative impacts,*	As noted above a wind a Wind Microclimate Assessment prepared by BRE and submitted at application stage, which included wind tunnel modelling, that ground level wind conditions around the existing site were found to be suitable for any pedestrian activity at all measurement locations during both the summer and winter seasons. There were no distress criteria exceedances during either the summer or winter season. The ground level wind conditions for the Proposed Development showed that the wind conditions are suitable for any pedestrian activity during the summer.	✓
• *retain reasonable levels of overlooking and privacy in residential and mixed use development.*	As noted above a translucent interlayer contained within the glazing extends from floor level to a height of 1.8 m on each floor to fully prevent any overlooking of the school property below. 	✓

Figure 16: translucent interlayer contained within the glazing extents (Source: Mahoney Architecture, 2023).

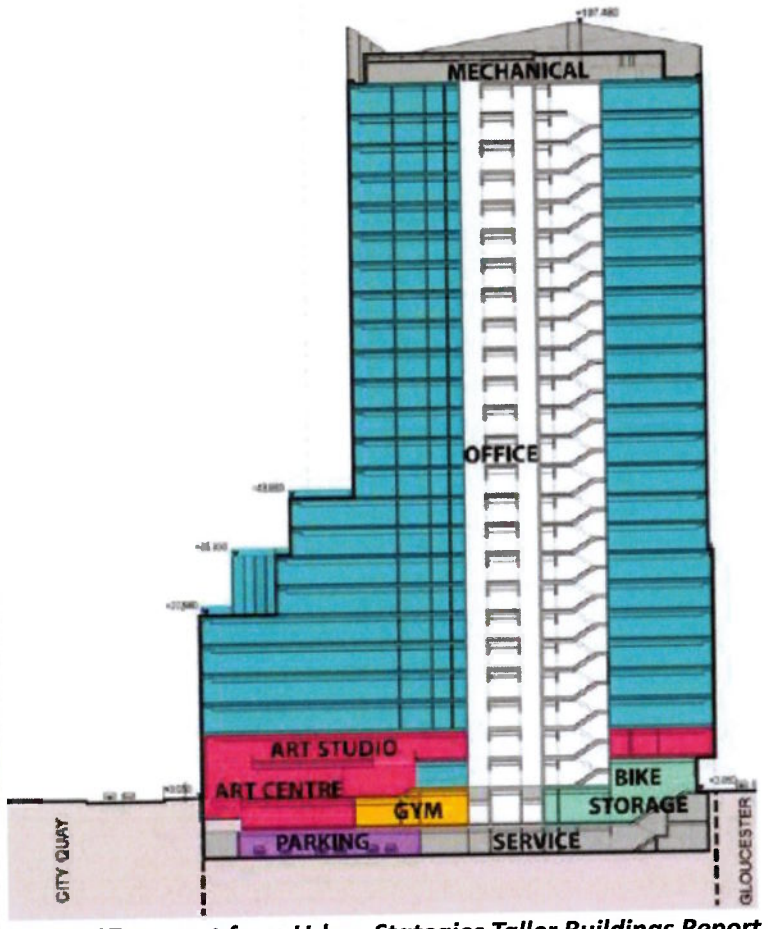
Table 3 Criteria – Objective 6: To Promote mix of use and diversity of activities	Response	Compliance
Enhanced density and scale should: • *promote the delivery of mixed use development including housing, commercial and employment development as well as social and community infrastructure,*	The proposed development mixed-use will provide for cultural uses at basement, ground and first floor levels with office accommodation on the floor above. The existing site provides for a derelict and vacant building that was previously used for cultural uses. The southern portion of the site comprises of a commercial car park. The proposed development will significantly enhance the uses on site which is currently significantly underused given the site's location with the city centre and in close proximity to major public transport. The proposed cultural uses will enhance the mix of uses on offer in the surrounding area and will replace the use that was previously on site. The office accommodation will provide for high-quality large floor plates which are not in high supply within the city centre. The proposed development will provide for a greater consolidation of the workforce within Dublin and will help achieve the national policy objectives regarding compact growth. The development is considered to complement the existing uses in the area with tourist accommodation, residential accommodation and smaller-scale office units in the immediate surrounding area.  ***Figure 17: extract from Urban Stategies Taller Buildings Report illustration of mix of uses.***	✓
• *contribute positively to the formation of a 'sustainable urban neighbourhood',*	The proposed development will significantly enhance the public realm surrounding the site, particularly at the northwest corner where a public plaza will be incorporated to include seating areas. The streets will be more people friendly by providing areas for people to socialise and interact.	✓
• *include a mix of building and dwelling typologies in the neighbourhood,*	Due to the nature of the proposed development and the constrained site it is only possible to provide a variation in terms of massing rather than a variety in a mix of buildings. The site is located in the commercial core of Dublin City Centre, adjacent to a major public transport interchange. It is a location where the City Development Plan is supportive of office use. Having regard to its high accessibility in the City Centre.	✓
• *provide for residential development, with a range of housing typologies suited to different stages of the life cycle.*	Residential use is not proposed in the subject application; however, a mix of uses is proposed with office, arts and gym uses.	✓

Table 3 Criteria - Objective 7: To ensure high quality and environmentally sustainable buildings	Response	Compliance
Enhanced density and scale should: • *be carefully modulated and orientated so as to maximise access to natural daylight, ventilation, privacy, noise and views to minimise overshadowing and loss of light – see Appendix 16,*	As set out in the Mahoney Architecture Design Statement: *"A Daylight Sunlight Assessment of the proposed development has been prepared by John Healy (MSc Environmental Design of Buildings) Digital Dimensions* *This report assesses the impact of the development on the daylight and sunlight in accordance with BR 209 2022 3rd edition) BRE guidance document, Site Layout Planning for Daylight and Sunlight (BR 209)* *The report assesses the availability of daylight and sunlight to the surrounding buildings and provides shadow studies for various times of year and hours of the day* *The proposed development is in an inner city location and there are a mixture of buildings uses surrounding the site including residential, office, educational and hotel accommodation* *Different building uses have different requirements for daylight which are set out in the BRE guidelines The report measures the reduction in available daylight for all windows and identifies that these will retain a Vertical Sky Component in excess of the BRE guidance target of 9 The study also identifies that the available sunlight hours for the outdoor amenity would also remain within the guidance for inner city locations"* The massing is further reduced and cranked on the east side to reduce the massing when viewed from downriver, this also creates a set back from the adjacent school and church buildings. Figure 18 below shows how the building design has evolved to address the proximity of the school.	✓

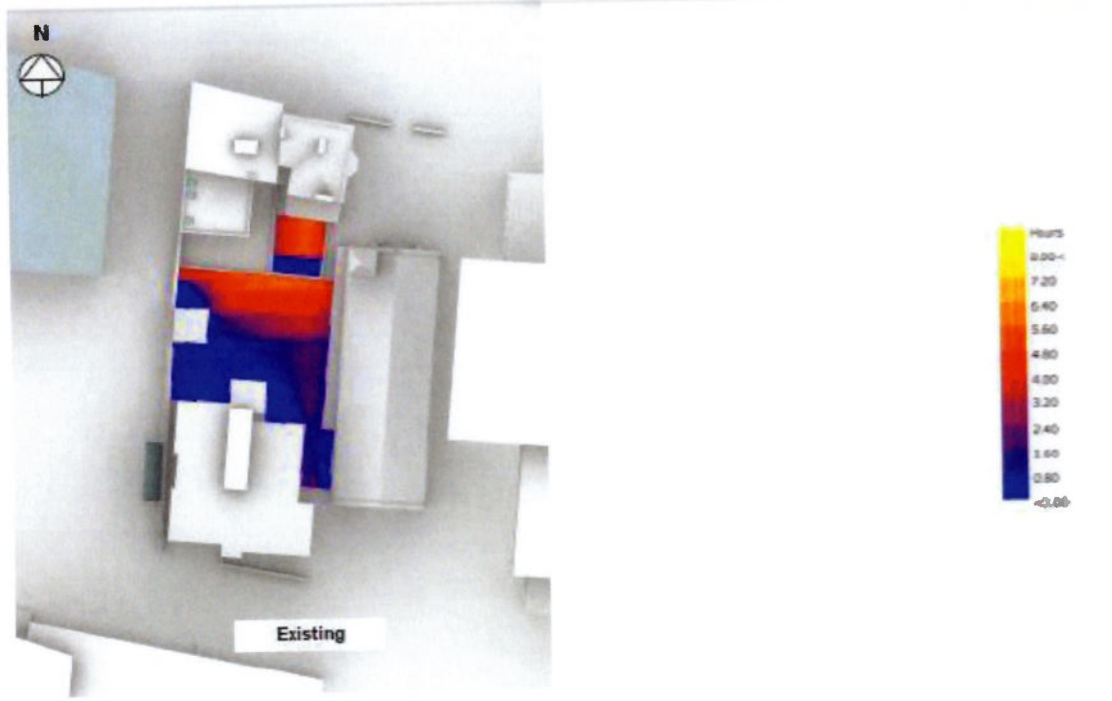


Figure 19: Radiation maps generated through the calculation of sun on the ground, on the 21st March. The massing are the Existing, Proposed and Local Area Plan scenarios. Scale indicates 0-8 hours of sunlight.

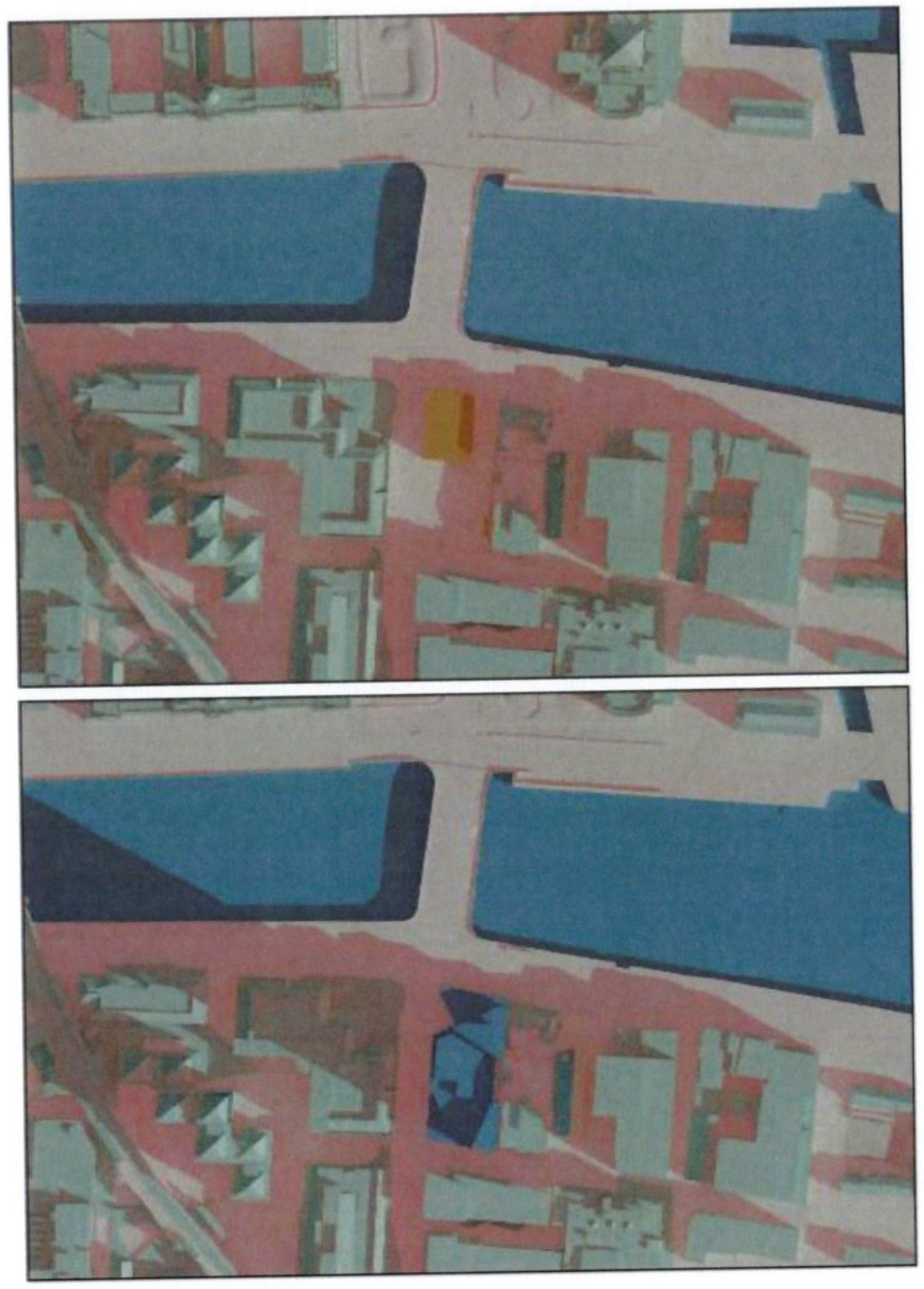
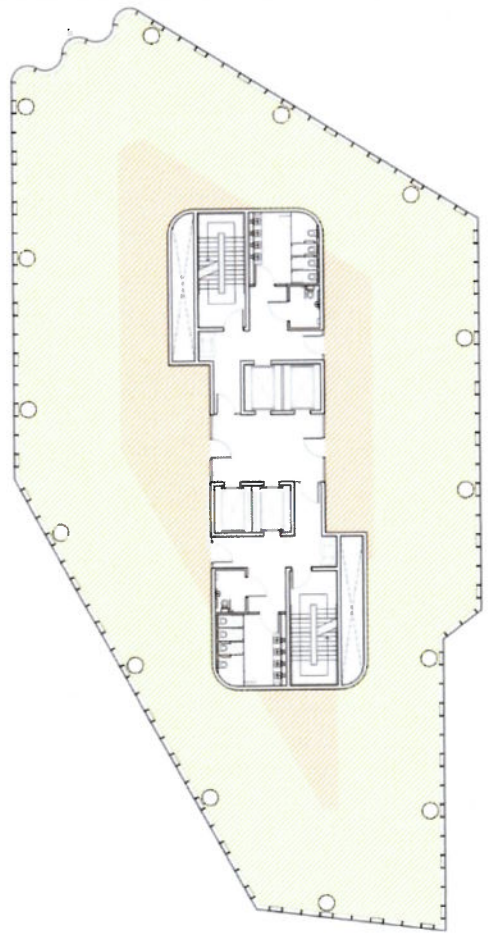


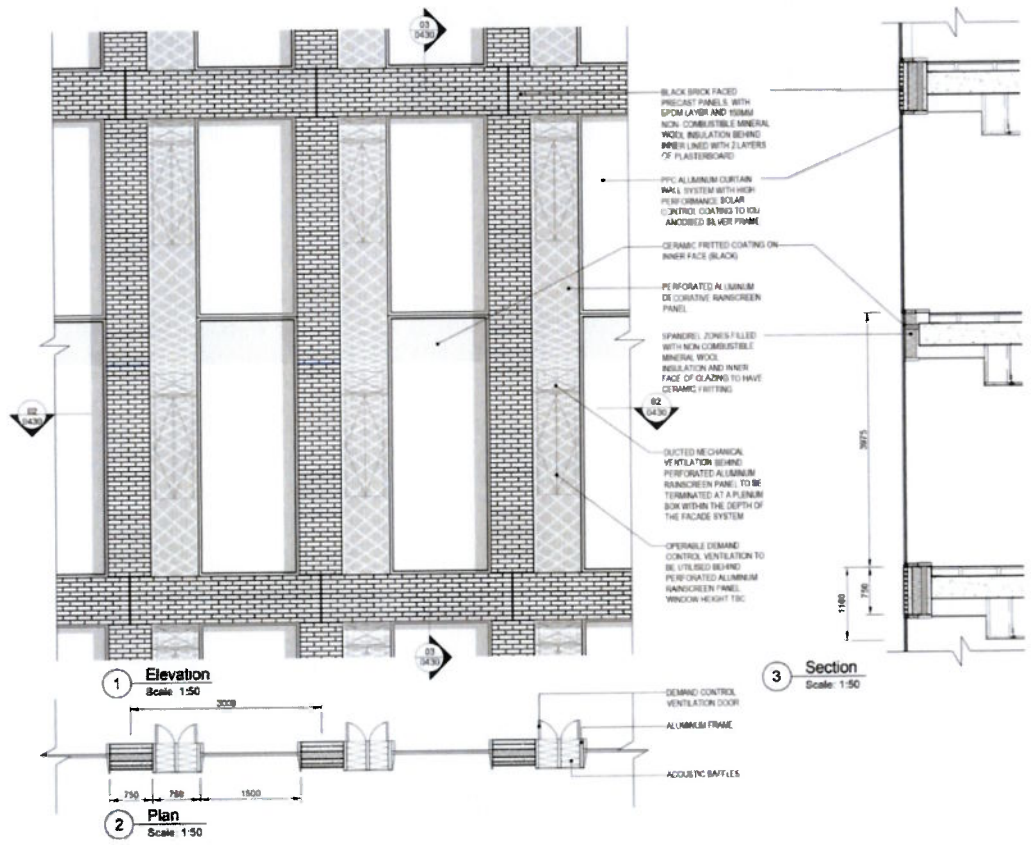
Figure 20: Shadow diagrams 21 March 09:00 UTC

Figure 18: extract from Mahoney Architects Design Statement illustrating sunlight daylight considerations.

The centrally located core accommodates the various service accommodation leaving an open floor plate with 360 degree panoramic views of the city which ensures a high quality internal environment and benefits the wellness of the occupants.

The building has been designed to maximise the enjoyment of natural light and natural ventilation for the occupants. The floor plate is shallow and the generous 2.8m ceiling height allows high levels of daylight to penetrate the full depth of the office floor plate.





Demand control natural ventilation is provided to all areas via a perforated metal bespoke system. This will allow occupants to administer fresh air into the office areas and the bespoke design will control draughts and outside noise.

The Sunlight and Daylight Assessment Addendum at appeal stage provides the following summary:

"Social housing on Gloucester Street:
There will be a moderate reduction in the available daylight levels. The apartments have a large continuous balconies overhead with low VSC values. BRE guidelines recommends assessing the existing development without the balconies to determine if the balconies are the main reason for poor daylight levels. The assessment of the VSC values for the proposed development without the balconies indicates that while there would be some reduction in below 80% of the existing value the windows would retain high VSC levels and all windows would retain a VSC in excess of 9%.

Presbytery City Quay:
There will be a reduction in available daylight to the windows to the rear of the Presbytery. The majority of the windows retain a VSC in excess of 9%. Two windows are reduced below the recommended VSC and below 80% of the existing value but they are most likely to bedrooms or ancillary use. Any impact will be minor.
There will be no noticeable reduction in available sunlight to the amenity space to the rear. There will be a minor reduction in the sunlight but it will still maintain 2 hours sunlight over 50% of the amenity space and will not be reduced below 87.7% of its existing value.

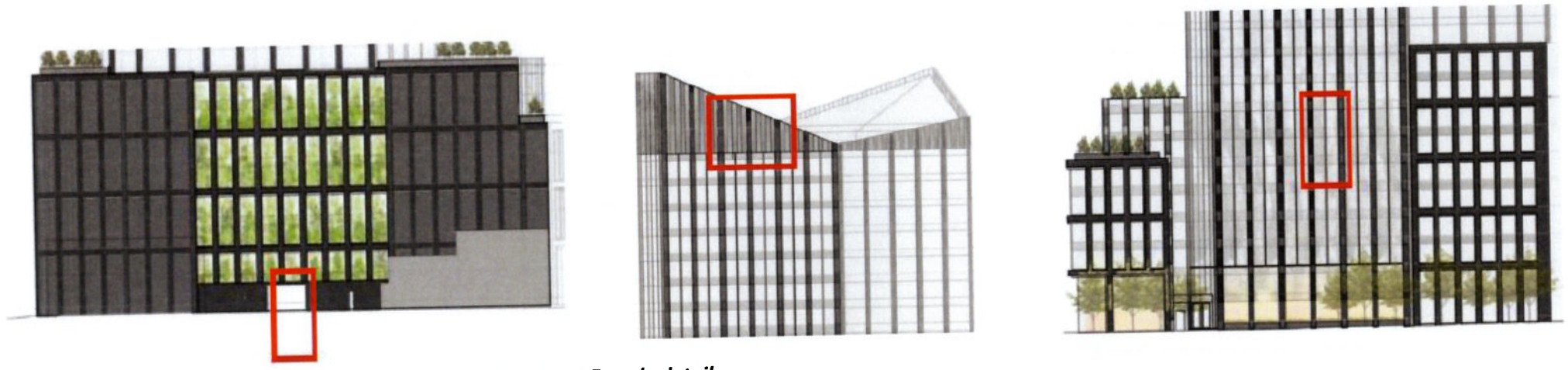
Petersons Court:
There would be no noticeable reduction in daylight levels to the houses in Petersons Court and any impact will be negligible.

National School Gloucester Street:
There would be a reduction to the available daylight of the windows on the classrooms to the courtyard side of the school. The windows would retain a VSC in excess of the target 9%. This is consistent with the VSC levels to the classrooms facing Gloucester Street following the recent completion of the Hotel, Social housing scheme and Office block which form a continuous obstruction to daylight levels to all 6 classrooms on this facade. The current proposal would not reduce the light levels any further to this facade and the VSC levels would still exceed the 9% target values to the classrooms facing the courtyard.

The courtyard / outdoor amenity would have minimal reduction to the available sunlight. The assessment of sun on the ground indicates there will be a reduction in sunlight hours but the

	amenity space will not be reduced below 80% of the current value at 93.7%. A visual inspection of the shadow diagrams indicates that the school yard will be overshadowed by the boundary wall / screen by the time any shadow is cast by the proposed development and there will be no additional overshadowing. *Hotel at junction of Moss Street and Gloucester Street:* *There will be a reduction in available to the bedroom windows facing the proposed development on Gloucester Street. The usage of the rooms are short stay accommodation and the residents would not perceive any reduction in daylight levels relating to the existing and developed site due to the short stay nature of the residence. Currently the Hotel rooms face a vacant site with unobstructed access to the sky. The reduction in daylight levels from the current proposed development is similar to the levels of a mirror building on the proposed site of similar scale to the hotel. The VSC results for the massing as indicated appropriate for the site in the Local Area Plan indicate there would be a similar level of reduction the these windows.* *Office buildings 1GQ:* *There would be a reduction in the daylight levels to some of the windows facing the proposed development on moss street. Offices have a lesser requirement for daylight than residential buildings. The building has large floor plates at 36m deep with a central atrium. They are beyond lighting naturally for the depth of the floor. Offices require consistent light levels and use supplementary automatic lighting to achieve this. There is a reduction in the available daylight to the windows facing the proposed development which is 25% of the total facade of 1GQ. The majority of the windows that would have a reduction in VSC levels will retain a VSC in excess of the 9% target level.* *7/8 City Quay:* *There will be a reduction to VSC levels to the windows at the rear of the office building adjacent the proposed development on City Quay. The windows would retain a VSC level in excess of the Target 9%.* *Grant Thornton:* *There would be a reduction in the daylight levels to some of the windows in the surrounding offices. Offices have a lesser requirement for daylight than residential buildings. The floor plates to this buildings is deep at 35m facing the proposed development. The building has large full height glazing but still require supplementary lighting. The majority of the windows facing the proposed development retain a VSC level in excess of the Target 9%. A small number of windows are reduced below this level that are located in an inner corner with the building itself blocking the available light from the sky.* *There will be a moderate reduction to the daylight availability to the directly adjacent buildings however the majority of the windows to the buildings facing the proposed development retain a VSC in excess of the target 9%. This is in line with the possible reduction of a building similar in massing to the surrounding building and as set out in the local area plan."*	
• *not compromise the ability of existing or proposed buildings and nearby buildings to achieve passive solar gain,*	The Daylight and Sunlight Assessment prepared by Digital Dimensions and submitted at application stage states: *"There will be a moderate to major reduction in the available daylight levels to the directly adjacent buildings. The majority of these are commercial offices which with deep floor plates require artificial lighting and have a lesser requirement for natural daylight which varies throughout the day and would require supplementary lighting in an office setting.* *There would be a reduction to the light levels in the classrooms adjacent the proposed development but the main window retains a VSC in excess of the 9% Target. The high level side windows would have a major reduction but this would be the case with a 4 storey development.* *There would be some reduction the daylight levels in the social housing on Gloucester Street but these apartments have large continuous balconies which currently restrict daylight access from the sky and any development will cause a relatively large reduction because the existing VSC levels are low.* *The assessment of massing in line with the recent developments adjacent the site and the recommendation development level in the Local area plan indicate that overall the additional height of the proposed development would cause minimal additional reduction in daylight levels and the majority of the reduction would come from a development similar in massing to the adjacent buildings."* Please refer to the Daylight and Sunlight Assessment for further details. BPC Consulting Engineers have provided the following commentary on solar gain for this Section 137 response: *Enhanced density and increased building scale was implemented without significantly compromising the ability of existing or proposed buildings to achieve passive solar gain by employing thoughtful urban design and architectural strategies to the proposed development. This is visually demonstrated in the shadow images of the sunlight and daylight report as completed by Digital Dimensions which was submitted as part of the original planning application.* *When looking at the shadow image results of the equinox on September 21st the effect on solar gain is limited to 2 hours in the morning on 1GQ (commercial office) and from 3-5 o'clock on City Quay National School, neighbouring church and the commercial office at13-18 City Quay.* *The proposed building's location, with no buildings directly to the north of it has meant there is not a significant effect on existing neighbouring buildings. The key strategies implemented in the proposed design to achieve passive solar gain were:-*	✓

	Building Massing and Design: *The massing and form of the proposed building allows for adequate sunlight penetration to the proposed building.* *Building Envelope Design:* *The proposed building design implemented an energy-efficient building envelope design to maximize passive solar gain. This did include using high-performance glazing, thermal mass, and insulation to optimize the absorption and retention of solar heat.* *Overall, the development has been designed with due consideration for passive solar gain given the recommendations as set out in the BRE Guide – BR 209 "Site Layout Planning for Daylight and Sunlight, A guide to good practice (2022)." "*	
• *ensure a degree of physical building adaptability as well as internal flexibility in design and layout,*	The office floor plates are all designed open plan and are therefore adaptable to the needs of tenants. The Arts Centre provides an adaptable exhibition/ performance/ workshop space. Please see Mahoney Architecture Design Statement for further detail.	✓
• *ensure that the scale of plant at roof level is minimised and have suitable finish or screening so that it is discreet and unobtrusive,*	Plant is located at basement and roof level and will not be visible from street level. The fenestration pattern extends to the roof-top plant area with the glazing bands replaced by perforated aluminium panels which are backlit to create a lantern effect at light time. This cladding also screens the maintenance craneage system	✓
• *maximise the number of homes enjoying dual aspect, to optimise passive solar gain, achieve cross ventilation and for reasons of good street frontage,*	Not applicable to the subject development.	✓
• *be constructed of the highest quality materials and robust construction methodologies,*	Section 14.0 of the Architectural Design Statement sets out extension details on the high quality materials proposed, in this regard the Statement states: *"The brick clad gridded podium follows the site perimeter on the north, east and south facades and then folds inwards on the west (Moss Street) façade to form an entrance plaza where the fluted north-west corner of the tower is allowed to extend and touch the ground surface.* *The podium massing steps back from the riverside in a series of landscaped terraces which twist and rotate from the geometry of the street lines to settle as an elegant symmetrical form on the Gardiner Street vista. This form is accentuated by the fluted profile of its prow and the scalloped silhouette of its roofline.* *The tower form rising from the podium expresses a crystalline volume clad in glass and decorative brushed aluminium panels. The form and material palette is inspired by the craft of silversmiths and crystal glass, materials used together over the centuries to create elegant vases and other vessels.* *A restrained colour and material palette combined with the reflective surface, softens and lightens the impact of the tower on the skyline.* *Perforations in the brushed aluminium panels accommodate the on floor ventilation systems and the pattern of the perforations evokes the dappled surface of the river water as it ebbs and flows past the building"*	✓

	 ***Figure 19: extract from Mahoney Architects Design Statement Façade detail.***	
• *incorporate appropriate sustainable technologies, be energy efficient and climate resilient,*	A holistic sustainable approach has been adopted by the design team for the proposed development. Sustainability and efficiency features have been considered throughout the design process The proposed development will comply with non residential Part L 2021 (Buildings other Than Dwellings) and target a BER of at least A 2. Please see Climate Action & Energy Report prepared by PMEP Consulting Engineers. This report sets out energy and sustainability options including PV Panel, phase change materials, rainwater harvesting, geothermal heat recover, district heating and several other measures. The report states: *"The sustainable design elements of the proposed development contribute to a building design that meets and exceeds the Building Regulations in terms of primary energy consumption and carbon dioxide emissions.* *The passive measure included in the design, such as maximising the use of daylight and minimising solar gain (glazing and solar shading) reducing fabric heat loss through the building envelope and improving the air tightness significantly contribute towards reducing the loads on the active systems within the building.* *The active measure have been design to reduce the primary energy consumption through intelligent control and highly efficient plant and equipment.* *The sustainable design of the proposed development offers a building that will consume approximately considerably less primary energy than the reference building use to assess Part L Compliance."*	✓
• *apply appropriate quantitative approaches to assessing daylighting and sun lighting proposals. In exceptional circumstances compensatory design solutions may be allowed for where the meeting of sun lighting and daylighting requirements is not possible in the context of a particular site (See Appendix 16),*	Please see Daylight & Sunlight Assessments prepared by Digital Dimensions and associated addendum submitted with Appeal.	✓
• *incorporate an Integrated Surface Water Management Strategy to ensure necessary public surface water infrastructure and nature based SUDS solutions are in place – see Appendix 13,*	Please see Engineering Assessment and drawings prepared by Bakkala Consulting Engineers / Looby for details Surface Water Management Strategy to ensure necessary public surface water infrastructure and nature based SUDS. Additionally, the Bakkala letter which accompanies this Section 137 Response sets out compliance with Appendix 13.	✓
• *include a flood risk assessment – see SFRA Volume 7.*	Please see Flood Risk Assessment prepared by Bakkala Consulting Engineers / Byrne Looby as part of the EIAR lodged with the application.	✓

• *include an assessment of embodied energy impacts – see Section 15.7.1.*	A Whole Lifecycle Carbon Assessment prepared by BPC Consulting Engineers is submitted with this Section 137 Response. The report sets out a response to Section 15.7.1 in addition to the commentary provided in the Demolition Justification Report submitted with the application. Details on energy usage are set out in the Climate Action and Energy Statement prepared by PMEP submitted with the application.	✓
Table 3 Criteria - Objective 8: To secure sustainable density, intensity at locations of high accessibility	**Response**	**Compliance**
Enhanced density and scale should: • *be at locations of higher accessibility well served by public transport with high capacity frequent service with good links to other modes of public transport,*	As set out in the Mahoney Architects Response to Planning Refusal Report: *"The City Quay site occupies one of the most highly accessible locations in Dublin. The Tara Street DART station is approximately 150 metres to the west. Stations serving the LUAS network are located at 500 and 300 metres to the west and north. Connolly Station, with main line rail service to the north and Belfast is located less than 500 metres to the north of the site. Few if any other sites in Dublin have comparable transport accessibility, a locational advantage that should be recognised by enhanced density and scale. The site is also well-served by bike and walking routes along City Quay, across Talbot Memorial Bridge and to the south of the site connecting to routes serving Trinity College and the city centre. The scheme also provides shower and changeroom facilities for active transport users. Taking advantage of this superior accessibility by transport and active nodes, parking has been accommodated in a highly efficient manner. Only 11 spaces have been provided in two underground levels, a ratio of 0.3 per 1,000 metres squared , significantly lower than prevailing industry standards."*	✓
• *look to optimise their development footprint; accommodating access, servicing and parking in the most efficient ways possible integrated into the design.*	The subject site is relatively small and the building comprises a higher intensity development occurring, making a very efficient use of land. A Delivery and Service Management Plan has been prepared by Bakkala Consulting Engineers/Byrne Looby and was enclosed with the first Party Appeal. Vehicular access to the basement of the site will be from Gloucester Street via a new double car lift. A full assessment of the access arrangements are set out in the Transport and Mobility Management Plan prepared by Bakkala Consulting Engineers and Byrne Looby Consulting Engineers which were submitted with the application to Dublin City Council. A total of 11 no. car parking spaces with an additional 2 no. disabled car parking spaces are provided in line with the current Development Plan standards. All the spaces will be equipped with EV charging facilities.	✓
Table 3 Criteria - Objective 9: To protect historic environments from insensitive development	**Response**	**Compliance**
• *Enhanced density and scale should: not have an adverse impact on the character and setting of existing historic environments including Architectural Conservation Areas, Protected Structures and their curtilage and National Monuments – see section 6 below.*	In terms of built heritage and conservation, the potential impact of the proposed has been assessed in detail as part of Chapter 12 of the EIAR 'Archaeological, Architectural And Cultural Heritage' prepared by IAC - Faith Bailey & Rob Goodbody. Chapter 12 states: *"Following the completion of the above mitigation measures there would be no residual impact on the archaeological heritage resource resulting from the proposed development* *The negative impacts caused by the removal of historic derelict buildings is mitigated down to a slight negative residual affect due to the creation of a detailed record of the buildings before their demolition.* *There will be slight and moderate residual negative effects upon the architectural heritage resource during the operation of the development. This is due to the fact that no mitigation is available to reduce the impacts of a landmark structure on the architectural heritage resource."* Chapter 11 of the EIAR Landscape and Visual Impact prepared by AWN/Modelworks sets out the potential impact on historic views and built heritage also. As set out in the Mahoney Architects Response to Planning Refusal Report: *"City Quay is not located in an existing historic environment or Architectural Conservation Area. The Cultural and Heritage Assessment as included in EIAR provides greater detail. The form of the proposed tower is shifted slightly forward and rotated precisely to the alignment of the Gardiner Street Axis. This will create a strong symmetrical massing when viewed from Gardiner Street therefore reinforcing the axis and introducing a new focal point in the cityscape. This is a common urban design response in both historic set pieces and contemporary interventions.* *The proposed development also pays homage to the historic past of the site which was home to the City Arts Centre from 1987 to 2001. The New City Arts Centre will re establish the historic use of the site and will deliver a creative core at the entrance to the building. Additionally, the original City Arts Centre neon sign was left attached to the building and has been salvaged by the current owners for restoration and reuse in the new building.* *No specific view or vista impacts are created with respect to any historic environment.* *A comprehensive Visual Impact Analysis for City Quays is found below in response to Item 6, Table 4: Performance Criteria in Assessing Proposals for Landmark Tall Buildings..."*	✓

• *be accompanied by a detailed assessment to establish the sensitives of the existing environment and its capacity to absorb the extent of development proposed,*	As set out in Modelworks Report on Townscape and Visual Impact for 1st Party Appeal, it is recognised that the site occupies a prominent position in the townscape for a number of reasons, however this report notes: *"These characteristics of the site all point to its prominence in the townscape. It has a strong spatial and visual relationship with a number of important elements, features and character areas of the city.* ***While this demands a considered response in the conceptualisation and design of new development on the site, it equally points to the site's potential – especially considered in light of other policy (e.g. compact growth, increased building height, alignment of land use/density and public transport, promotion of Dublin as a 'global city of scale', etc.).*** ***The site has considerable potential to contribute to (a) place-making and legibility, (b) regeneration/re-imaging of the George's Quay/City Quay/Moss Street are, which is sub-optimal in character, quality and function, and (c) overcoming the physical and visual barrier between the old city and the Docklands****. The proposed development recognises this rare potential and seeks to capitalise on it while also responding meaningfully to the sensitivities that exist in the complex townscape context."*	✓
• *assess potential impacts on keys views and vistas related to the historic environment.*	A Landscape and Visual Impact Assessment has been included as Chapter 11 of the EIAR which was submitted with the application which assesses each photomontages individually. Further to this, 'Report on Townscape and Visual Impact for 1st Party Appeal' was prepared by Modelworks provides an assessment of the impact the proposed development has on the following views: • Custom House Environs • Amiens Street • Mountjoy Square and Gardiner Street • Trinity College Campus • Views Westward from the River Liffey The Report on Townscape and Visual Impact for 1st Party Appeal prepared by Modelworks states the following: *"While there are valued townscape assets in the immediate environs (the Liffey, Custom House and the nearby church), the site is squarely in the Docklands, in an area characterised by predominantly modern buildings and a particularly diverse mix of building typologies, scale and architecture. Each of these buildings (e.g. the Custom House itself, Buasáras, Liberty Hall, IFSC, George's Quay Plaza, AquaVetro and College Square) was a forerunner and a strong expression of its type and time. The proposed development fits into this character.* *From the immediate environs of the site the building's design response to its context, and its refined design and material quality would be appreciable. It would be a bold intervention in terms of scale, but seen from close-up it would be beautiful. The arts centre, positioned and designed for maximum visibility from the surrounding public realm would contribute to this.* *...* *Although the application site is limited outside of the building footprint, which limits the extent of public realm works proposed, the development could be a catalyst for improvements to the public realm of Moss St, City Quay, George's Quay and their junction at the landing of Talbot Bridge. The quality of the public realm in this area is a particular weakness of the townscape currently."*	✓
Table 3 Criteria - Objective 10: To ensure appropriate management and maintenance	**Response**	**Compliance**
Enhanced density and scale should • *Include an appropriate management plan to address matters of security, management of public/communal areas, waste management, servicing etc.*	As set out in the Mahoney Architects Response to Planning Refusal Report: *"A facilities management company will provide 24/7 management and security services for the building. The main entrance lobby will have a discreet security presence to ensure a welcoming atmosphere for the public visiting the Arts Centre. Office reception personal will man the office reception desk, located on the raised ground level, from where they will monitor and control access to the lifts and upper floors. Access to the lifts serving the office floors will be controlled by a series of turnstiles positioned close to the reception desk. Access to the cycle and car parking facilities located at the rear of the building and will be CCTV monitored from the main reception desk and adjacent security room. There are 2 dedicated lifts which transport occupants from the basement floors to the ground floor office reception area, from where they gain access to the main lift core through the security turnstiles. The Arts Centre will be administered and curated by a separate specialist studio provider. This provider will manage leasing of the artist studios. Access to the Arts Centre will be completely independent from the office floors."* An Resource and Waste Management Plan and an Operational Waste Management Plan (OWMP) have been prepared for the proposed project and are included in Appendix 15.1 and 15.2 of the EIAR. The OWMP provides a strategy for segregation (at source), storage and collection of all wastes generated within the development during the operation phase, including dry mixed recyclables, organic waste and mixed non-recyclable waste as well as providing a strategy for the management of waste glass, batteries, WEEE, printer/toner cartridges, chemicals, textiles, waste cooking oil and furniture. A Delivery and Service Management Plan was also submitted as part of the first party appeal.	✓

4.0 RESPONSE TO TABLE 4: PERFORMANCE CRITERIA IN ASSESSING PROPOSALS FOR LANDMARK TALL BUILDING/S

Table 4 Criteria – Objective 1: Exemplary Architecture	Response	Compliance
• *All proposals must be accompanied by a detailed design statement that demonstrates the achievement of excellent design and the highest standards for future occupants.*	A detailed Architectural Design Statement has been prepared by Mahoney Architecture demonstrating how excellent design achieved. The details of this are discussed further below in relation to individual aspects. In response to this criteria the Urban Strategies appeal Response Report states: *"The City Quay building is designed to add to the quality and enjoyment of the built environment of Dublin. The City Quay building will form part of a composition of buildings completing the George's Quay cluster. That cluster, which now consists of the George's Plaza complex, the College Square development under construction at Hawkins Street and the approved building at Tara Street will define the edges of a tight, triangular grouping of taller buildings.* *That grouping will be supported by a surround of modern lower buildings found in the George's Quay local area, acting to provide transition to the lower-scale Georgian quarter to the south-east and east along City Quay, to the scale of Pearse Street and Trinity College, and to the city centre and River Liffey frontage further west.* *The grouping also exists in relation to the pattern of development across the river. The Custom House establishes a formally powerful road and bridge connection to George's Quay, with the Tara Street and Talbot Memorial Bridges clearly leading to important destinations on the south bank. Two taller buildings at these key arrival points mark the significance of this cluster, with the Hawkins Street building marking its southern extent. The existing George's Plaza buildings are contained within this frame.* *This pattern of development, of lower buildings at the centre of the cluster contained within higher surrounding structures is indeed found in the existing pattern north of the river, where the lower-scale wings of The Custom House on either side of the pergola are contained within the taller Liberty Building and the mid-scale office structures to the east.* *The George's Quay cluster will be the first of three newer clusters anticipated in the centre of Dublin at points of high transport accessibility. Similarly tight patterns of taller existing and approved development around Heuston and Connolly Stations will join the existing more dispersed pattern of tall buildings found in the Docklands.* *Further detail is provided in the Architectural Design Statement."*	✓
• *The development should make a significant contribution to the built environment of the city. Detailed consideration must be given to the scale, form, massing and proportions of the building. A slenderness ratio of 3:1 is desirable.*	The architects have given careful consideration to the scale, form, massing and proportions of the building which are discussed further within this report. The Appeal Report prepared by Mahoney Architecture states: *"The form of the building is made up of two elements, the podium and the tower* *The brick clad gridded podium follows the site perimeter on the north, east and south facades and then folds inwards on the west Moss Street façade to form an entrance plaza where the fluted north west corner of the tower is allowed to extend and touch the ground surface The podium massing steps back from the riverside in a series of landscaped terraces which twist and rotate from the geometry of the street lines to settle as an elegant symmetrical form on the Gardiner Street vista* *This form is accentuated by the fluted profile of its prow and the scalloped silhouette of its roofline* *The tower form rising from the podium expresses a crystalline volume clad in glass and decorative brushed aluminium panels The form and material palette is inspired by the craft of silversmiths and crystal glass, materials used together over the centuries to create elegant vases and other vessels"* Section 2.2 of the 'Report on Townscape and Visual Impact for 1st Party Appeal; prepared by Modelworks sets out the Contribution to Urban Character of the Inner City which states: ***"Architecture is a means for a city to express innovation, as well as other values/ambitions such as quality, sustainability, etc. The proposed development is a deliberate expression of innovation on a scale intended to be significant at national/international level. Its architecture also displays respect for the historic elements of its context (for example by turning its axis in order to address the Custom House and views from Gardiner Street, setting back the tower to respect the building line of the church, design references to Busáras and Liberty Hall, etc.)."***	✓

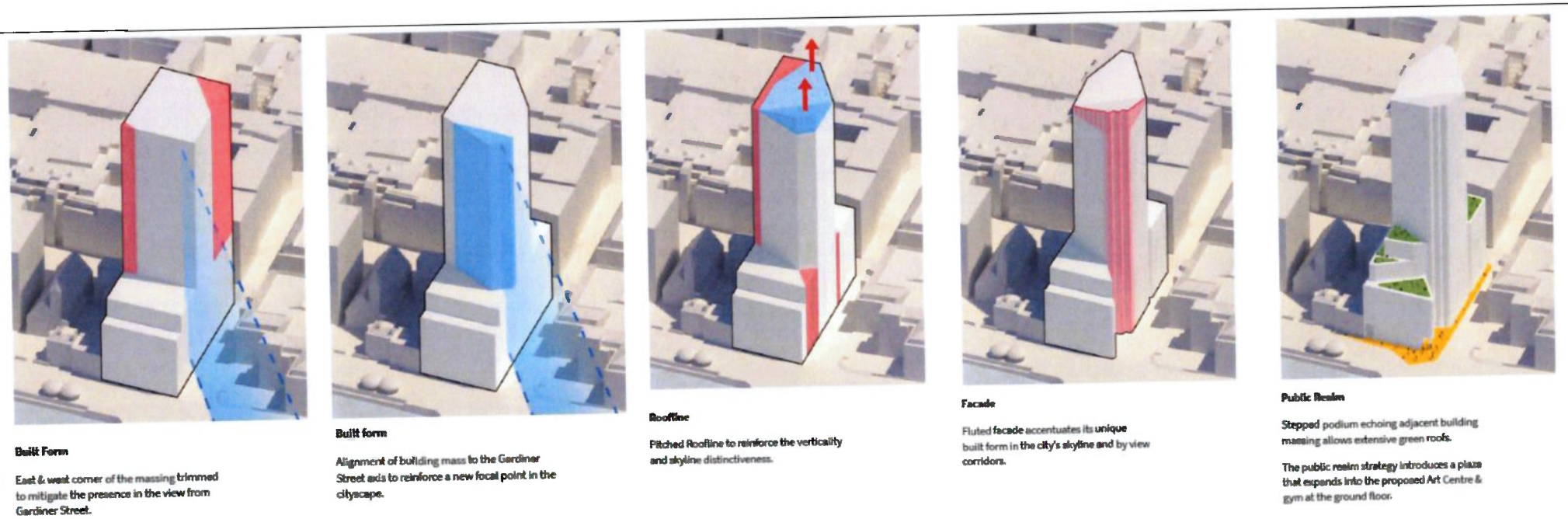


Figure 20: extract from Urban Strategy Tall Building Statement built form evolution.

The Page 33 of the Appeal Report prepared by Mahoney Architecture sets out the approach to the building ratios.

Slenderness is achieved through the break down of the tower form into a series of folding planes resulting from the plan shape.

The alignment of the plan to the Gardiner Street vista trims the perimeter of the tower plan and breaks down the massing of the building into a dynamic series of slender planes. The resolution of these planes into the symmetrical form viewed from Gardiner Street adds an element of surprise and discovery to the City's skyline and emphasises the importance of this vista.

The proportions and height of the building has been reviewed from many vantage points across the city to determine the most advantageous and balanced height to deliver an elegant and recognisable form which will become a building of character and interest in the City's skyline.

At shoulder level, the proposed development provides for a street width to building height ratio of 1:2.4 fronting onto City Quay and the River Liffey which is considered an appropriate response to the setting and scale of the River Liffey.

The formation of the plinth along Moss Street and Gloucester Street South creates a parapet shoulder similar to the height of the recently completed buildings directly opposite the City Quay site and forms a street width to shoulder height of between 1:2.3 and 1: 3.25 .

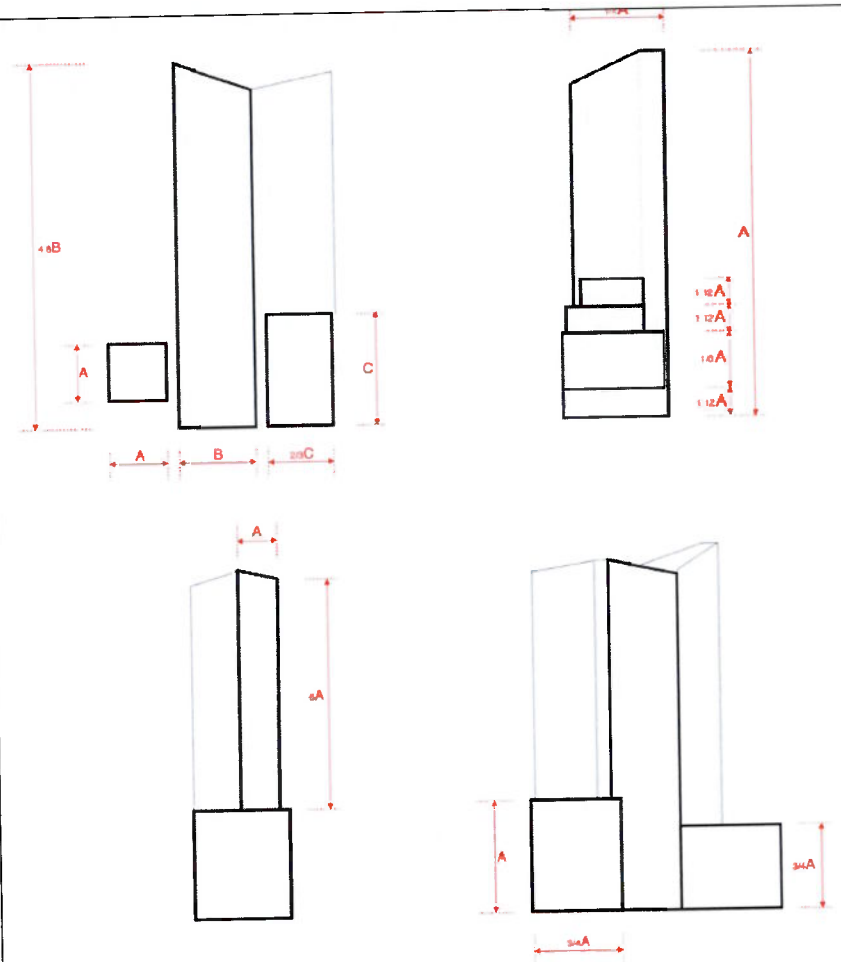


Figure 20b: extract from Design Concept & Development Scale & Proportion (Mahoney Architecture Architectural Design Statement).

• *The facades must be carefully articulated and animated. This can be achieved through the use of high quality materials, colour, fenestration, reflectiveness and/or expression of depth. Large, blank or inactive gables should be avoided.*	Section 14.0 of the Architectural Design Statement prepared by Mahoney Architecture sets out the design approach and detail of the facades. Further, in response to this criteria the Urban Strategies appeal Response Report further states: *"Considerable attention has gone into the articulation and design of the City Quay facades to ensure the building warrants its prominence at both the local and city-wide scale.* *The essential massing of the City Quay block involves first sculpting the extruded block of the site to recognise the predominant building scale along City Quay to the west. Step backs are articulated at the 6th, 8th, and 10th floors.* *The east face of the tower portion is also set back to defer to the scale and character of the National School and church buildings.* *Within the upper tower shaft, the façade has been chamfered to acknowledge the distinct long views of the building from the approach down Gardiner Street from the north north-west and along Kildare Street to the south-west. These triangulated chamfers, acting as 'prows' establishing the presence on the skyline, will act to focus the view rather than extend it across the north and south facades.* *Considerable attention has been give to the upper building glazing articulation to ensure its slimness and verticality is emphasised. At the lower levels a masonry façade is introduced to reflect building treatments along City Quay."* Overall the building proposed a contemporary façade, animated by the use of materials, glazing and fenestration which makes a significant contribution to the Architectural qualities of Dublin City.	✓

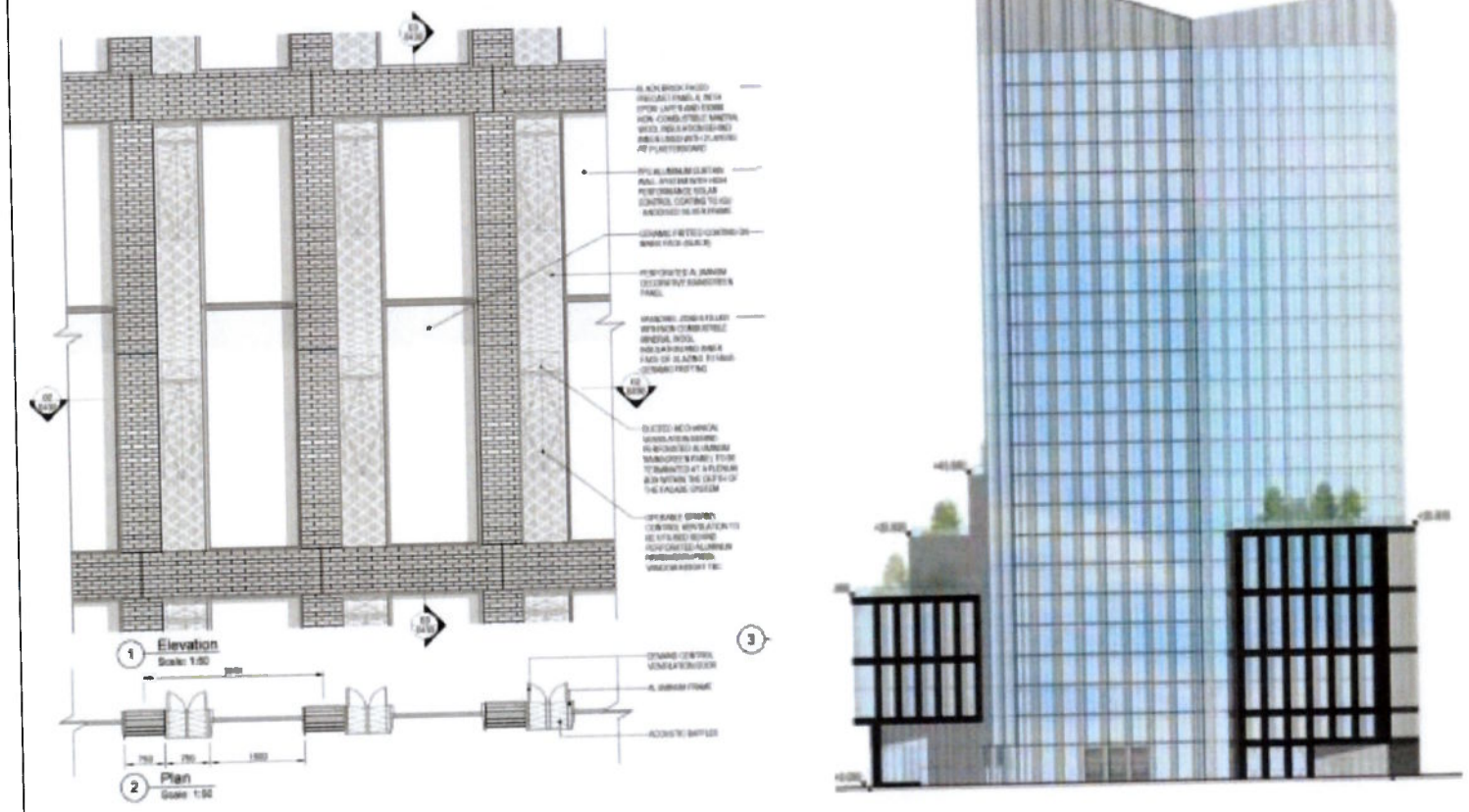
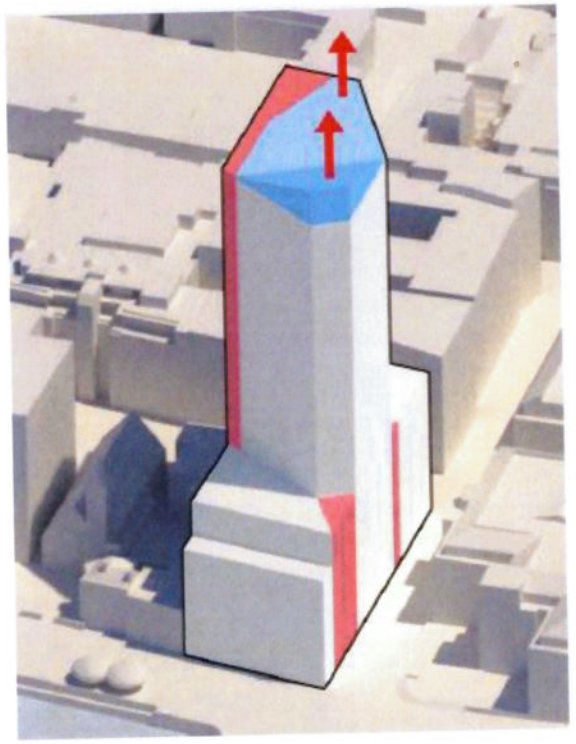


Figure 21: extract from MahoneyArchitecture Appeal Response Report.

• *The building form and layout must have regard to the density and character of the surrounding development. The applicant will be required to demonstrate the relationship and potential impacts of the proposal to the surrounding context, including topography, built form, scale, height, urban grain, streetscape, public realm, open spaces, rivers and waterways, important views and prospects, skyline and that these factors have been considered in the design approach.*	A detailed architectural statement has been prepared by Mahoney Architecture, the development of the design concept has regarded relationship and potential impacts of the proposal to the surrounding context. The Modelworks Report enclosed responds to the nearby sensitive views, in particular including the Liffey which is an important view corridor. More generally the application is accompanied by a detailed suite of documentation including an EIAR which has considered the existing environment very carefully. In regard to the density of the proposed development, the Mahoney Architecture Appeal Report states: *"Tall buildings in the right locations, have great merit, especially close to major public transport hubs in highly serviced urban centers, where they are vital to achieving the necessary density for sustainable compact cities Density brings vitality to urban centers, is energy efficient, enables business to prosper, creates communities and makes costly public transport and other services viable* *Achieving density in the Georges Quay environs is vital to justification of the investment in the Metro Link project, where Tara Street station is the central hub of this infrastructure It is difficult to see where else density of the necessary scale can be achieved adjacent to city center, making the Georges Quay Quarter the single most important central location for a substantial cluster of tall buildings* *The emerging cluster at City Quay and Georges Quay requires ambition and vision to successfully deliver the required density to justify the huge investment in public transport as well as the city's ambition to create a world class commercial core centered around Tara Street Station* *Successful clusters must start with individual buildings which can achieve the optimum scale of development to deliver the broader potential of the cluster The City Quay site offers a rare opportunity to deliver meaningful density as part of this cluster and there is therefore, a clear obligation on the Development Team to fully realise the potential of this site as a key component of the future Sustainable Development of City Centre"* A Tall Building Report has been prepared by the internationally renowned experts, Urban Strategies and was enclosed at Planning Application stage. This document sets out the urban context, analyses the impact and establishes the appropriate scale of the proposed development. This report sets out the context of the development stating: *"The site presents an appropriate location for a taller building in Dublin at both the city and local scales. Considering the opportunity at a city-wide scale, this location with a taller building contributes to the emerging height and functional structure of Dublin city centre. Dublin, as a emerging business centre requires locations for appropriately-scaled and functional office buildings. Dublin, as a predominantly low-to-mid scaled city, needs to ensure that such buildings do not conflict with, and contribute to, that predominant character. The emerging policy*	✓

	framework regarding taller buildings is thus structured to direct taller buildings to a limited number of locations where they are well-supported by transport facilities, where they can form part of wider clusters of similarly-scaled development and where no negative impacts are created on adjacent buildings or areas of heritage significance. *Several groupings of taller buildings that exist or are forming in parts of Dublin meeting these conditions have been identified in applicable planning policy documents. The area around Grand Canal Basin constitutes the largest existing cluster, with further buildings contemplated. Higher, more intense development is also being encouraged in the area around Connolly Station and the north Docklands. Through recent decisions, An Bord Pleanala has recently established guidance for taller buildings in the area supported by Heuston Station. George's Quay constitutes a fourth location, containing the City Quay site and the several taller buildings noted. The area is one of the most accessible in the Dublin urban region, with direct DART and LUAS service and ready pedestrian connection to Connolly Station."*	
• *Detailed consideration will be required for all lighting proposals to ensure that they are energy efficient, contribute to the design and quality of the building whilst limiting the potential for excessive light spill, glare and sky glow.*	Site Lighting Report and Drawings prepared by PMEP Consulting Engineers. Mahoney Architecture Design Statement states: *"LED Fittings: LEDs have extremely long life spans and excellent energy performance. Compact Fluorescent Lamps: These fittings offer improved energy performance over standard tungsten lamps and they can be used in a traditional ceiling rose or as surface mounted fittings. High Frequency Ballast & Control: For Fluorescent lamps, these offer reduced energy consumption, improved power factor correction, extended lamp life and elimination of the strobe effect.* *A number of lighting control methods will be utilised such as:* *Time Control Systems: These controls can be set up to switch on and off the lighting based on the expected occupancy levels within areas and also have an override available using a light switch.* *Daylight Linked Controls: This type of control is based on photocell control, which detects the amount of light available. They can be used in corridors, reception areas and other open areas to turn lights on and off as required.* *Dimming Link Controls: Similarly, to Daylight Linked Controls and using photocell control, the photocells are connected to the fluorescent lights with high frequency ballasts to maintain a pre set lux level at the working plane throughout the day."*	✓
• *The impact of the roofscape (including telecommunications apparatus and plant rooms) must be considered and it should be designed to make an appropriate contribution to the city's skyline.*	Plant and telecommunications apparatus have been considered as part of the roof design. As set out in Mahoney Architecture report: "*The fenestration pattern extends to the roof top plant area with the glazing bands area replaced by concave perforated aluminium panels which are subtly lit to created a lantern effect at night time* *This cladding forms a pitched profile to the roofline and screens the façade maintenance craneage system* Urban Strategies Tall Buildings report states*: "The glazed façade treatment of the upper floors of the tower shaft were described above, intended to lighten the building in the skyline and emphasize its verticality, at the same time responding to both the overall city view and the specific views along Gardiner and Kildare Streets.* *The triangular roof line of the building was designed to be of visual interest in the skyline while acknowledging the distinctive pyramidal roof lines of the George's Plaza complex immediately west."*	✓

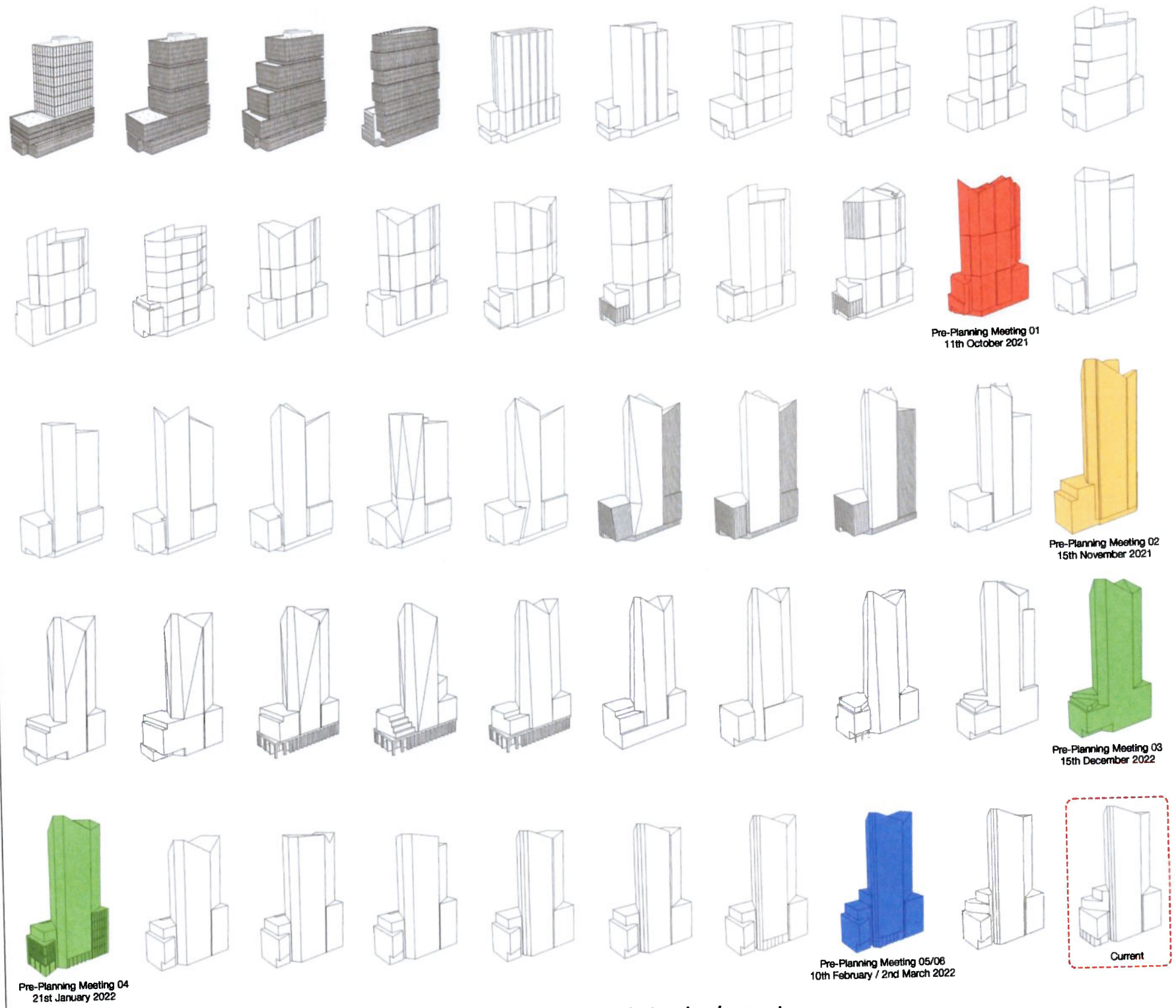


Roofline

Pitched Roofline to reinforce the verticality and skyline distinctiveness.

Figure 22: extract from Mahoney Architecture images of the roof design concept and photomontage.

• *Where a landmark/tall building/s proposal abuts a lower density areas, such sites should be planned to provide lower level buildings at the perimeter assisting the transition in scale from the landmark/tall building/s down to the surrounding context.*	As stated by Urban Strategies in the Appeal Response Report Section 6.0: *"City Quay is designed to be a part of the wider cluster of taller buildings in the St George's Quay grouping. Its roof profile and design is designed to echo the pyramidal shapes of George's Plaza. In height it forms a grouping with the new Hawkins and Tara St buildings. to cleanly define the edges of the cluster. The east facade of City Quay also makes a strong statement about the entrance to the city centre from the east and an important connecting gesture to the cluster of taller buildings in the Docklands. It also provides and strong sense of arrival to the city centre down the important Gardiner St corridor connecting to north Dublin, as an iconic presence in that view corridor. Uniquely in Dublin's development to date, this cluster will be more contained than pyramdic. The buildings of George's Plaza will be contained within the urban space defined by the new Hawkins St. buildings, the approved Tara St. building and City Quay, all three of approximately the same height. A similar cluster is seen across the river around Custom House."* The proposed development has been carefully scaled in relation to the surrounding areas. The City Quay National School, St. Marys Crèche & Pre-School and City Quay Church neighbour the site to the east. The St. George's Quay office development (6-13 storeys) is located across Moss Street to the west and the Grant Thornton building is located within the same city block to the east, extending to 5-9 storeys. A hotel and residential development extending to 8 no. storeys is currently under construction to the south. In response to this adjacent recent development the building response responds to this adjacent height at shoulder level which is similar. As detailed in the Architectural Design Statement submitted with the application, the massing of the building steps as the building rises from a six-storey shoulder height fronting the quays to the twenty-four storey tower. A series of stepped back terraces at 7th, 9th and 11th floors transition the form of the building from the base of the tower. Please also see response to Table 3 Objective 1 above. As noted by Urban Strategies in their Response to Planning Refusal Report: *"The City Quay building provides an appropriate response to its adjacent streets and properties in terms of scale and enclosure. On its westerly and southerly facades the building responds on its lower floors to the character and scale of Moss Street and Gloucester Street. By creating a stepback or the general streetscale, no 'canyon'-type spaces are created. To the east and north, the building design responds to the presence of the lower scale National School and church structures and to the predominant heights of new development along the south bank of the River Liffey.* The massing is further reduced and cranked on the east side to reduce the massing when viewed from downriver, this also creates a set back from the adjacent school and church buildings.	✓

• *Where a proposal of significant height is proposed, the process of design selection should preferably be by means of an architectural competition.*	An architectural competition was not held however the design development went through a large number of iterations in consultation with DCC over a period of month, as evident in Figure 23 below:  ***Figure 23: extract from Mahoney Architecture Design Statement illustrating design development.***	✓
Table 4 Criteria – Objective 2: Sustainable Design and Green Credentials	**Response**	**Compliance**
• *Landmark/tall buildings should set exemplary standards in terms of*	Please see Climate Action & Energy Report prepared by PMEP Consulting Engineers. This report sets out energy and sustainability options including PV Panel, phase change materials, rainwater harvesting, geothermal heat recover, district heating and several other measures. As set out in the Mahoney Architects' Response to Planning Refusal Report states:	✓

sustainability. Proposals should incorporate appropriate technologies and design features to minimise energy use.	*"A holistic sustainable approach has been adopted by the design team for the proposed development. Sustainability and efficiency features have been considered throughout the design process. The proposed development will comply with non- residential Part L 2021 (Buildings other than Dwellings) and target a BER of at least A2. The optimised approach is based on the Energy Hierarchy Plan - Be Mean, Be Lean, Be Green. The Climate Action and Sustainable Energy Statement provides this information in greater detail.* ***Be Mean:** The façade performance specification has been optimised to limit heat loss in the winter, heat gain in the summer, improve air tightness and thermal transmittance, and maximise natural daylight.* ***Be Lean:** High efficiency plant will be specified to take advantage of the optimised façade design measures. A low-energy lighting design will be utilised to further reduce energy consumption and increase occupant thermal comfort.* ***Be Green:** Renewable energy technologies such as Air Source Heat Pumps (ASHP) and Solar PV Panels are utilised. A number of sustainable design features have been considered within the design to achieve the sustainability targets of the proposed development. These include the proximity of the development to public transportation networks, water efficiency measures such as low consumption sanitary fittings, and improved indoor environmental quality.* ***Building Energy Rating (BER) A2:** This will be achieved primarily through passive strategies such as an energy efficient envelope, which in turn reduces the demand to items such as HVAC and renewable energy systems. This approach to reducing the energy demand significantly aids the project in obtaining the desired energy goals while reducing running costs. The energy systems design also focuses on specifying energy efficient equipment to ensure the day-to-day running of the energy systems is optimised to further reduce energy usage and related costs."*	
• *The applicant must demonstrate that the design is innovative and flexible and can be adapted overtime.*	The proposed floor plates are open plan in nature therefore adaptable to future tenants and uses. The Arts Centre provides an adaptable exhibition/ performance/ workshop space. Please see Mahoney Architecture Design Statement for further detail.	✓
• *Include an assessment of embodied energy impacts – see Section 15.7.1.*	A Whole Lifecycle Carbon Assessment prepared by BPC Consulting Engineers is submitted with this Section 137 Response. The report sets out a response to Section 15.7.1 in addition to the commentary provided in the Demolition Justification Report submitted with the application. Details on energy usage are set out in the Climate Action and Energy Statement prepared by PMEP submitted with the application.	✓
Table 4 Criteria – Objective 3: Public Realm	**Response**	
• *The development should contribute positively to its surroundings at street level, help create a 'sense of place', provide appropriate passive surveillance and active ground floor uses. The design of the base of landmark/tall building/s must be of a proportion, composition and scale that appropriately defines and enhances the public realm, and provides for a safe and comfortable pedestrian experience. Particular attention must be paid to the design and location of public entrances to ensure that they are legible and accessible.*	The active uses, such as the arts centre and gym, at ground floor level provide for active frontages and passive surveillance onto the surrounding pedestrian spaces. The provision of a public plaza to the northwest corner of the site will provide for greater permeability on the site and improved pedestrian facilities. As set out in the Mahoney Architect's Response to Planning Refusal Report: *"City Quay has been carefully designed at its lower levels to contribute to the immediate and wider sense of place at the corner of City Quay and Moss Street. The location of the arts centre and building lobby in a multi-storey space will create both activity and animation and a welcoming sense of arrival at this key city corner, without the uniformity and dullness of too many office building lobbies. The somewhat formal open area of George's Plaza, opposite City Quay, can benefit from the activity generated by the indoor and outdoor ground floor activities of the Arts Centre to create an interesting place on City Quay and the River Liffey.* *That sense of place and activity will spill out into the street - the public plaza area becoming a spill-out space for the activities of the building's ground floors. City Quay along the Liffey is a very public place and the building is designed to enhance that feeling of welcome and interest."* As noted by Urban Strategies in their Response to Planning Refusal Report: *"City Quay has been carefully designed at its lower levels to contribute to the immediate and wider sense of place at the corner of City Quay and Moss Street. The location of the arts centre and building lobby in a multi-storey space will create both activity and animation and a welcoming sense of arrival at this key city corner, without the uniformity and dullness of too many office building lobbies. The somewhat formal open area of George's Plaza, opposite City Quay, can benefit from the activity generated by the indoor and outdoor ground floor activities of the Arts Centre to create an interesting place on City Quay and the River Liffey.* *That sense of place and activity will spill out into the street - the public plaza area becoming a spill-out space for the activities of the building's ground floors. City Quay along the Liffey is a very public place and the building is designed to enhance that feeling of welcome and interest."* As detailed in the Architectural Design Statement submitted with the application, the massing of the building steps as the building rises from a six-storey shoulder height fronting the quays to the twenty-four storey tower. A series of stepped back terraces at 7th, 9th and 11th floors transition the form of the building from the base of the tower. The shape and form of the tower has evolved in response to its alignment with the axis of Gardiner Street. The slender diamond plan shape ensures that the building form is elegant and slim when viewed from Gardiner Street where its form is further accentuated by the fluted profile of its prow.	✓

• *Detailed design and hard and soft landscape measures for the treatment of the public realm both within and external to the development must be provided.*	Hard and soft landscape measures for the treatment of the public realm is provided Landscape Design Report and Drawings prepared by ThirtyThreeTrees (TTT).	✓
• *Opportunities to improve the permeability of the site and wider area should be maximised, particularly where increased pedestrian and cycle flows are envisaged.*	The proposed development will provide for a significantly enhanced public realm and pedestrian access to the proposed development, particularly along Moss Street and City Quay as explained above. A new public plaza will provided at the building's entrance at the corner of Moss Street and City Quay. The proposed development will therefore increase the accessibility and permeability of the subject area thus improving the resilience of locations in terms of public access and egress at surface level. Please also refer to Pedestrian Realm People Flow Study prepared by Bakkala Consulting Engineers.	✓
Table 4 Criteria – Objective 4: Environmental Impacts	**Response**	Compliance
• *Applications must be accompanied by detailed technical analysis and supporting reports to demonstrate how potential environmental impacts can be appropriately mitigated and avoided. It must be proven that the development will not affect the surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise and reflected glare. This should be done through the testing of accurate physical and three dimensional models, conducting wind tunnel studies, sun path studies, as well as other suitable impact simulation methods. Impacts on adjacent properties should be tested through detailed section analysis and three dimensional (3D) computer models.*	A comprehensive suite of environmental assessments were completed as part of this application including an EIAR prepared by AWN and a Natura Impact Statement prepared by Altemar. In regard to overshadowing please also see detailed 3D Daylight Sunlight Assessment was completed by Digital Dimensions as part of the First Party Appeal. The Wind Microclimate Assessment prepared by BRE and submitted at application stage, which included wind tunnel modelling, states the following in relation to microclimate impacts: *"The following conclusions can be drawn from this study:* *The ground level wind conditions around the Existing Site were found to be suitable for any pedestrian activity at all measurement locations during both the summer and winter seasons.* *There were no distress criteria exceedances for the Existing Site during either the summer or winter season.* *The ground level wind conditions for the Proposed Development showed that the wind conditions are suitable for any pedestrian activity during the summer.* *For the Proposed Development, measurements taken on the roof terraces showed that wind conditions are suitable for any pedestrian activity during the summer.* *For the Proposed Development, none of the test locations have higher distress ("unsafe") wind conditions.* *For the Proposed Development, the wind conditions in winter mean that at a few test location shave occasional lower wind distress ("discomfort) conditions, and depending upon their intended pedestrian usage, some locations might have unsuitable wind comfort conditions. These locations are highlighted in the report, and where appropriate attention is directed to commonly used wind mitigation measures that are described in Appendix C.* *It is judged that the wind impacts of minor changes to the tower profile are likely to be negligible."* An Aeronautical Assessment Report has been prepared by O'Dwyer & Jones Design Partnership and included at application stage which states: *"We consider that the proposed offices development at City Quay, Dublin 2, complies fully with all aviation and aeronautical considerations and requirements affecting the site."* A glint and glare assessment was not considered necessary, as set out in the Aeronautical Assessment Report: *"No Solar/PV panels are being provided on the roof of this development (so that no Glint & Glare Study applies). The PV strips being provided to facades are not anticipated to give rise to reflections which could affect aviation."* Please also see detailed 3D overshadowing diagrams completed by Digital Dimensions as part of the First Party Appeal. In regard to impacts on adjacent properties, Mahoney Architects prepared a series of sections, and numerous diagrams as part of the application in order to illustrate the nature of the relationship with adjacent properties. Chapter 10 'Noise & Vibration' of the EIAR provides a detailed assessment of the potential impact of the proposed development.	✓
• *Potential impacts to sensitive bird or bat species should be considered where appropriate.*	Chapter 6 of the EIAR, Biodiversity, included an assessment of potential impacts to sensitive birds and bats. The EIAR states: *"Results of the flightline assessment (Appendix 6.2) suggest that the site is not a regular flightline path for such species like Brent Geese or other species of significant interest, and that these species are not frequently encountered passing through this area. However, as outlined in section 14 of the Architectural Design Statement 'The integration of bird friendly design has been taken into account in the form of an applied etching and/or printed interlayer on the glazed elements as birds often perceive glazing as openings. Visual ques will help identify solid surface, whilst visible up close, they are difficult to read from any kind of a distance. These etchings have the added bonus of providing a form of solar control.' "* *"The proposed development will change the local environment as new structures are to be erected and some of the existing vegetation will be removed. No bat roosts will be lost due to this*	✓

	development. As the site will have been cleared no potential roosting habitats will be on site."	
• *Where the development would have a significant environmental impact, EIA screening will be required and an Environmental Impact Statement may be required.*	An Environmental Impact Assessment Report was submitted with the application which was coordinated by AWN.	✓
Table 4 Criteria – Objective 5: Public Safety and Functional Impacts	**Response**	**Compliance**
• *Landmark/tall building proposals must demonstrate that the development creates a pleasant, safe and healthy environment for its future occupants. The design of the building should follow best practice to minimise the threats from fire, flood and other hazards.*	The urban Strategy appeal response provides further detail in regard to public safety and healthy environment (page 66). Further, a 'Pedestrian Realm Flow Study' has been prepared by Bakkala Consulting Engineers to address the fourth point regarding overcrowding at entrances, access routes and ground floor uses. Chapter 5 of the EIAR relates to Population and Human Health. A Flood Risk Assessment was prepared by Byrne Looby and submitted with the application. The FRA concluded: *"The subject site lies within Flood Zones A, B and C. The development of a commercial complex is classified as a less vulnerable development under the FRM Guidelines. The less vulnerable development adopts the precautionary approach to setting of finished floor levels as noted in Section 5.16 of the FRM Guidelines and is robust to breach, overtopping and climate change scenarios. Commercial development is proposed to be sited above the 0.5% AEP coastal flood level with allowance for climate change and freeboard (**at 4.0mOD**), with other less vulnerable uses at existing streetscape level to ensure continuity within the streetscape, but protected with demountable barriers to address the food risk. The proposed development will not impact of flood extent, depth, risk or flood routes elsewhere. Whilst there will be reliance on existing defences of the South Campshire Flood Protection Scheme to protect the development, the development has measures in place that will, on their own, protect the development to the require design standard in the FRM Guidelines. Ancillary building facilities, such as heating, back-up power and sprinkler systems will be protected from flooding. Mitigation measures to reduce residual risk of flooding for greater than design event and or breach/overtopping are suggested in Chapter 7 of this report. The residual risk of flooding has been adequately addressed. A justification test for the proposed development has been undertaken which demonstrates the appropriateness of the development and how it meets the requirements of The Planning System and Flood Risk Management, Guidelines for Planning Authorities (2009), local zoning objective whist respecting the local streetscape and urban fabric."*	✓
• *All applications must be accompanied by an assessment on potential interference with aviation, navigation and telecommunications.*	A Telecommunication Report has been prepared by ISM which was included with the application and concludes the following: *"ISM can conclude based on the findings outlined herein that the proposal being made by the Applicant within its submission to the Planning Body allows for the retention of important Telecommunication Channels, such as Microwave links, and therefore satisfies the criteria of Section 3.2 of the Building Height Guidelines."* An Aeronautical Assessment Report has been prepared by O'Dwyer & Jones Design Partnership and included at application stage which states: *"We consider that the proposed offices development at City Quay, Dublin 2, complies fully with all aviation and aeronautical considerations and requirements affecting the site."*	✓
• *It must be demonstrated that buildings can be serviced, maintained and managed in a manner that will not cause disturbance or inconvenience to surrounding public realm.*	A 'Delivery and Service Management Plan' prepared by Byrne Looby was submitted as part of the First Party Appeal. The report sets out operational servicing proposals including deliveries and waste management to ensure an appropriate servicing regime is in place for the development. The report includes the likely frequency and type of servicing vehicles to the site and a swept-path analysis demonstrating the safe manoeuvrability of all vehicles servicing the sites.	✓
• *Entrances, access routes, and ground floor uses should be designed and placed to allow for peak time use and to ensure there is no unacceptable overcrowding in the surrounding areas.*	A 'Pedestrian Realm Flow Study' has been prepared by Bakkala Consulting Engineers to address the fourth point regarding overcrowding at entrances, access routes and ground floor uses. The report concluded: *"Based on the results of agent-based computer simulations of pedestrian flows in the vicinity of the proposed development it is clear that the additional foot traffic generated by the scheme will not lead to unacceptable overcrowding in the surrounding areas."*	✓

• *All tall building proposals must be submitted by a full transport capacity assessment. The intensity of use associated with tall buildings will only be appropriate if it is supported by an appropriate level of transport capacity to ensure good pedestrian, disability and public transport access.*	A 'Public Transport Capacity Assessment' undertaken by Derry O'Leary was submitted as part of the appeal. The Report includes details of the public transport servicing the site and assessment of capacity, informed by survey. The conclusions of the Report state: 1. *"The development site is extremely well located, immediately adjacent to the heart of Dublin's public transport network, bus and rail.* 2. *The bus survey undertaken in the key evening peak shows a significant degree of spare capacity in the existing bus network close to the development site. The spare capacity was measured following a recent recovery in bus patronage brought about by an increasing return to work and the effects of the 20% reduction in public transport fares.* 3. *When the generated bus trips anticipated from the development were added to observed passenger data the impact on bus spare capacity was limited. There remained more than adequate spare capacity in the bus network available to bus passengers.* 4. *However, in the event of any material rise in patronage in the years to come, the NTA, through "Measure Bus5", will respond to this increased demand with even higher bus frequencies in keeping with its transport strategy for the Dublin area.* 5. *Similar exercises carried out on the surveyed Luas passenger numbers showed significant levels of existing spare capacity, even with reduced service. The overall trend data since the commencement of the pandemic suggests that there is lots of leeway to increase Luas patronage. The number of generated trips expected to use the Luas service will not challenge existing network capacity.* 6. *DART and Commuter Rail services operating out of nearby Tara St Station, like Luas, have seen dramatic falls in patronage during the pandemic. Recovery in rail passengers has been slow with significant, almost excessive, spare capacity in the system. The extra trips generated will, in a limited way, assist the recovery of rail services.* 7. *The future infrastructure and service enhancements expected with Metrolink, DART+ and BusConnects (including the new CBCs), will further enhance the capacity and quality of the public transport network in the vicinity of the development site at City Quay."*	✓
Table 4 Criteria – Objective 6: Visual Impact and Cityscape Analysis	**Response**	**Compliance**
• *All applications must be accompanied by a detailed visual impact and cityscape assessment to illustrate the impact on the context, especially on residential amenities, conservation areas and significant views.*	To assess the potential visual impact of the proposal, 52 representative viewpoints were selected for detailed assessment informed by verified photomontages. The effects on these views are individually assessed in Chapter 11: Landscape and Visual Impact of the Environmental Impact Assessment Report. Modelworks also carried out an additional Report on Townscape and Visual Impact for 1st Party Appeal enclosed with the First Party Appeal, this report considered the potential visual impact of the building from key sensitive views around the City. Urban Strategies prepared of a Tall Building Statement for the redevelopment considering the impact of the building on the Cityscape. In terms of built heritage and conservation, the potential impact of the proposed has been assessed in detail as part of Chapter 12 of the EIAR 'Archaeological, Architectural And Cultural Heritage' prepared by IAC - Faith Bailey & Rob Goodbody. Chapter 11 of the EIAR 'Landscape and Visual Impact prepared by Modelworks sets out the potential impact on historic views and built heritage also.	✓

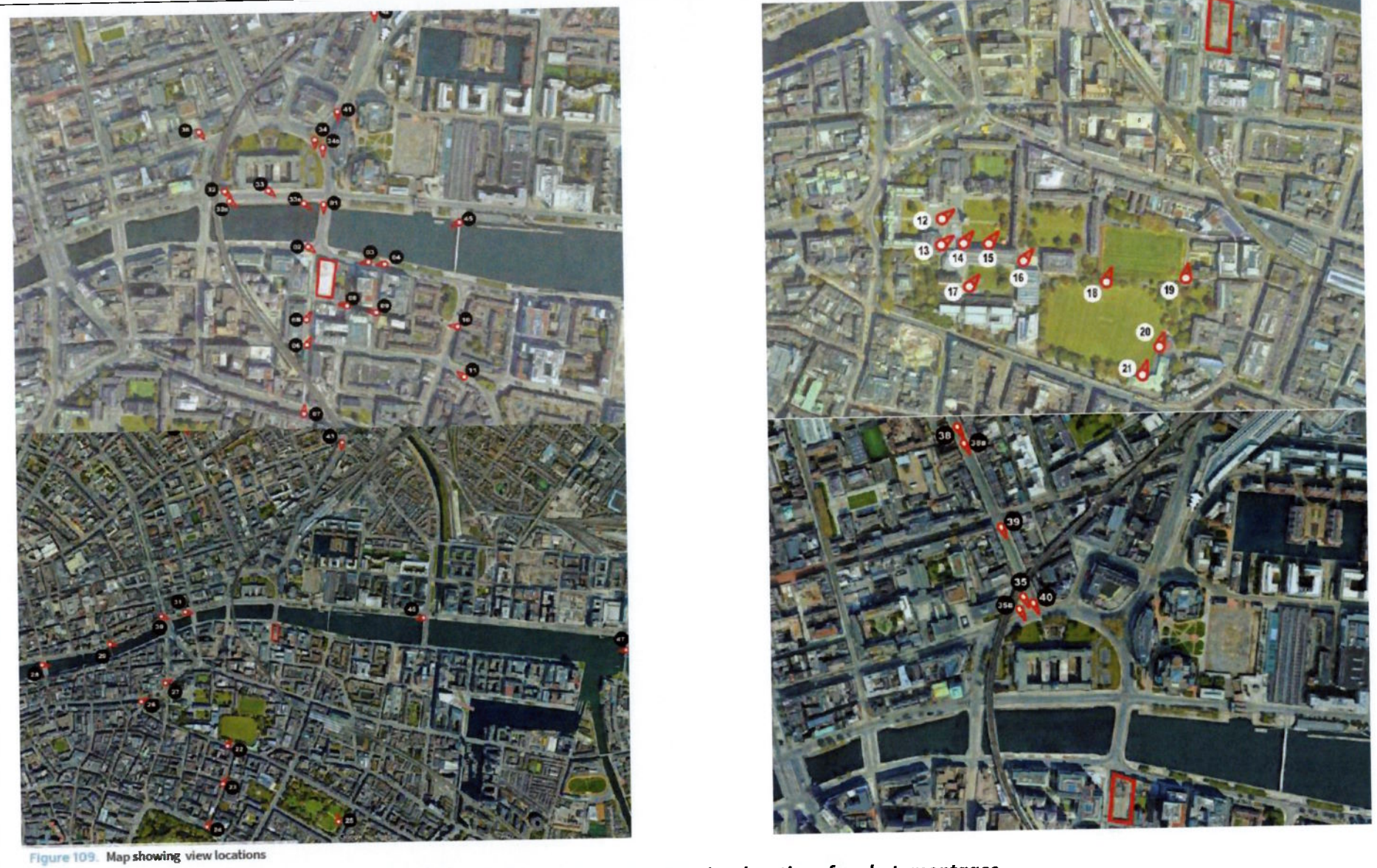


Figure 109. Map showing view locations

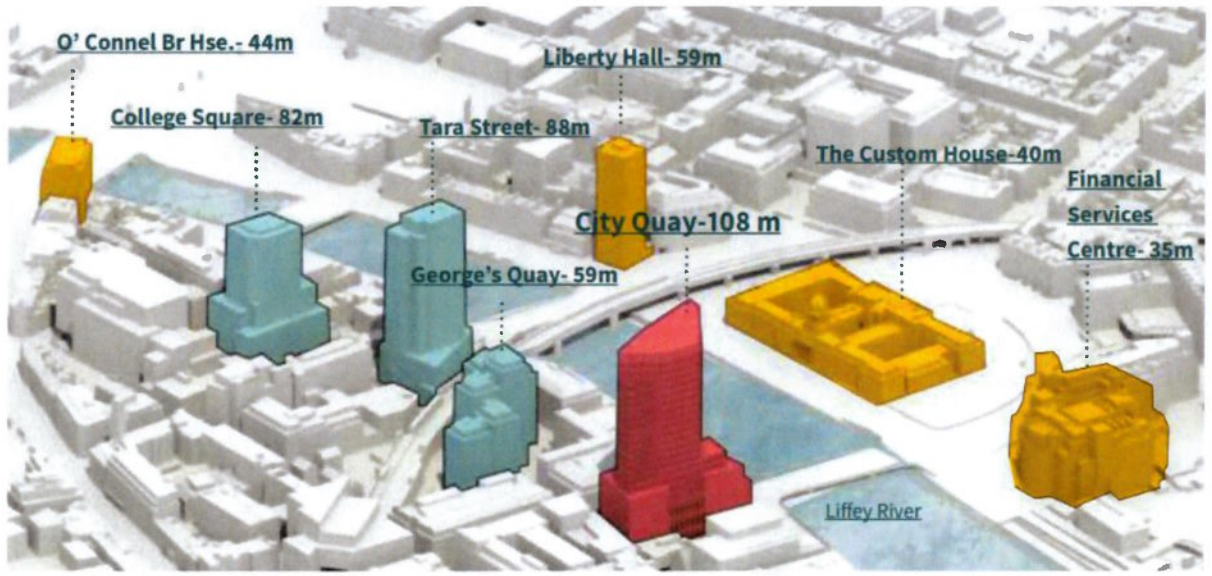
Figure 24: extract from Urban Strategy Tall Building Statement Map showing view locations for photomontages.

• *The cityscape analysis should include a detailed assessment including accurate visual modelling of the existing characteristics of the built form. It should identify strategic views and present detailed verifiable fully rendered photomontages (day and night) of the proposed tall building in the context of the surrounding area (existing, proposed and cumulative). It should be demonstrated that the development makes a positive contribution to long range, mid-range and immediate views.*	Visual modelling was prepared by Digital Dimensions comprising a series of verifiable photomontages from strategic views. The enclosed view location maps identity locations of photos. Chapter 11: Landscape and Visual Impact prepared by AWN of the Environmental Impact Assessment Report has considered the impact in terms of existing, proposed and cumulative context. Please see Urban Strategies Appeal Response Report Section 6.0 prepared which also discusses the potential impact from immediate, long and mid-range townscape views. Night time CGI's have been prepared as part of the Photomontages prepared by Digital Dimensions (see below for example).	✓

	 ***Figure 25: extract from Digital Dimensions Verified Views.*** This is addressed in the Architectural Design Statement by Mahoney Architects, the Landscape and Visual Impact Assessment in the EIAR and Urban Strategies Appeal report prepared in response to Table 3 and Table 4.	
• *It must be demonstrated that the landmark/tall building/s will reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding.*	It is considered that the proposed building will make a significant contribution to the legibility of the city and positively to the skyline of Dublin City. Photomontages prepared by Digital Dimensions have captured views from key points of civic or visual significance. The proposed development of the City Arts Centre will create a distinctive new profile on the Dublin City's skyline as set out in the submitted in the Architectural Design Statement submitted by Mahoney Architecture. The carefully considered building form has evolved in response to its immediate context as well to its impact on the wider City. It will provide a landmark building on the arrival side of an important river crossing and become a significant structure in the emerging cluster of tall buildings in Dublin City Centre's premier commercial district. The building will also reincarnate the City Arts Centre which occupied the site during the 1990's, in the form of an expansive new arts and cultural centre for the City. The Report on Townscape and Visual Impact for 1st Party Appeal prepared by Modelworks states: *"The site has considerable potential to contribute to (a) place-making and legibility, (b) regeneration/re-imaging of the George's Quay/City Quay/Moss Street are, which is sub-optimal in character, quality and function, and (c) overcoming the physical and visual barrier between the old city and the Docklands. The proposed development recognises this rare potential and seeks to capitalise on it while also responding meaningfully to the sensitivities that exist in the complex townscape context."* As set out in Urban Strategies appeal report: *"The height and density of the City Quay building contribute to the coherence and legibility of the George's Quay building cluster, which consists of three buildings at its east, west and south corners, providing a frame for The Custom House to the north across the river.* *The positioning and function of the City Quay building add legibility to the George's Quay block structure, whose largely rectilinear grid pattern is bisected by the LUAS viaduct.* *The City Quay tower forms part of a cluster defined by three taller buildings and marks the easterly extent of the city centre."*	✓

• *The cityscape study should include a simulation of the building within a 3D digital model to demonstrate the impact of the proposal.*	A digital 3D Model was created by the architect for the purpose of its spatial analysis and technical assessment. This model has been used widely in the application documentation. A scaled 3D model was also created for the purposes of wind tunnel analysis.	✓
• *The cumulative impact of a tall building proposal in the context of other existing and proposed tall building proposals must be considered.*	Urban Strategies Appeal Report and Chapter 11: Landscape and Visual Impact of the Environmental Impact Assessment Report have considered the impact in terms of cumulative impact with proposed (e.g. permitted Aquavetro and College Square buildings) and existing tall buildings. Figure 28/29 of this document notes existing urban context with regard to tall buildings. Chapter 11 of the EIAR states: *"From a visual effects perspective the proposed development would be seen in many views with the AquaVetro and College Square towers. These include views from Trinity College and from east and (particularly) west along the Liffey. The two permitted buildings are uncomfortably close together in many of the views (in an otherwise mostly low-rise city), forming a tightly spaced pair. The photomontages show that a third tall building in the same part of the city/skyline, but standing slightly apart from them, would:* • *strengthen the cluster and cement the character of the area (the transitional zone between the old city and the Docklands) as a contemporary, high density quarter;* • *create a better balanced composition of vertical forms, which would be easier on the eye than the tightly spaced pair;* • *diminish the relative prominence of the other two buildings by adding a third building (a more diverse cluster has greater 'tolerance' for peoples' varying aesthetic/architectural preferences than a smaller cluster). The photomontages show that the proposed building would compare favourably in design and material quality with the two other buildings.* *In conclusion, the cumulative townscape and visual effects of the proposed development in combination with the AquaVetro and College Square developments – and considering also trend towards high density/tall developments around the city - would be positive."*  ***Figure 26: CGI with permitted and exiting buildings illustrated. (Source: Mahoney Architecture, 2023)***	✓
• *Landmark/tall building proposals must demonstrate the impacts on the historic context, including the need to ensure that the proposal will preserve and/or enhance historic buildings, sites, landscapes and skylines. Landmark/tall building proposals must address their effect on the setting of, and views to and from historic*	IAC Archaeology (IAC) – Faith Bailey and Rob Goodbody have prepared chapter 12 'Archaeological, Architectural and Cultural Heritage' to assess the effect, if any, on the archaeological, architectural and cultural heritage resource of the proposed development. This chapter includes assessment of the potential impact on Protected Structures, key views, National Monuments and Conservation Areas Chapter 11: Landscape and Visual Impact considers the historic sensitivity of the wider city landscape. 'Report on Townscape and Visual Impact for 1st Party Appeal' prepared by Modelworks to accompany the appeal, reviewing in particular the potential impact of the development on sensitive views. As an example Modelworks have assessed the impact from Gardiner Street, concluding: *"The net effect on Gardiner Street – as a townscape character area and visual resource - would be to elevate it to a new status and level of visual interest, retaining the historic character of the foreground (due to the building's clear separation from it in space and character) and emphasising that character through juxtaposition. The effect would be very significant but would constitute an enhancement of the townscape character overall."*	✓

buildings, sites and landscapes over a wide area. It must be demonstrated that the building will have no adverse impact on the built cultural or historical heritage of the city including Architectural Conservation Areas and Protected Structures and their curtilage and National Monuments.	As set out in Urban Strategies Appeal Report: *"City Quay is not located in an existing historic environment or Architectural Conservation Area. The Cultural and Heritage Assessment as included in EIAR provides greater detail.* *The form of the proposed tower is shifted slightly forward and rotated precisely to the alignment of the Gardiner Street Axis. This will create a strong symmetrical massing when viewed from Gardiner Street therefore reinforcing the axis and introducing a new focal point in the cityscape. This is a common urban design response in both historic set pieces and contemporary interventions.* *The proposed development also pays homage to the historic past of the site which was home to the City Arts Centre from 1987 to 2001. The New City Arts Centre will re establish the historic use of the site and will deliver a creative core at the entrance to the building. Additionally, the original City Arts Centre neon sign was left attached to the building and has been salvaged by the current owners for restoration and reuse in the new building.* *No specific view or vista impacts are created with respect to any historic environment.* *A comprehensive Visual Impact Analysis for City Quays is found below in response to Item 6, Table 4: Performance Criteria in Assessing Proposals for Landmark Tall Buildings.* *The following views compare the proposed development (24 floors) with the LAP as well as a 16, 20 and 30 floors massing."*	
Table 4 Criteria – Objective 7: Tall Building Clusters • *In general, opportunities for singular landmark/tall buildings in the city is likely to be limited. It is acknowledged from an architectural and land use perspective that it is preferable that landmark/tall buildings are clustered and the City Council supports this approach in the locations identified as suitable for tall buildings. A cohesive group of landmark/tall buildings maximises their economic and sustainable advantages.*	**Response** The subject site is located c. 160m from the permitted building at Tara Street Station. Figure 28/29 identifies the location of the proposed development at City Quay and also outlines the locations of nearby tall buildings at Tara Street Station, Apollo House and Liberty Hall. The George's Quay development lies between the subject site and the permitted building at Tara Street Station which reaches up to 22 no. storeys (88m).  **Figure 28: Tall Building Cluster (Source: Modelworks)** The Report on Townscape and Visual Impact for 1st Party Appeal' included with the First Party Appeal states: *"In the one view (below) in which all three buildings are clearly visible, contrary to DCC's opinion they clearly do form a coherent cluster. In the 360 degree field of view available from this location, they occupy a narrow wedge of the view. Their cumulative effect would be to establish a distinct zone of contemporary high density development in the vicinity, but outside of, the campus. This is neither inappropriate nor undesirable for a university campus located at the heart of a European capital city in the 21st century.* The 'Report on Townscape and Visual Impact for 1st Party Appeal' also goes on to that *"a cluster is established and the development would have the effect of reinforcing this cluster and adding to the visual interest of the evolving city centre skyline."* The supporting document provided by Mahoney Architecture states:	**Compliance** ✓

	"The emerging cluster around Tara Street station is in its infancy with the College Square (Apollo House site) building well under construction and the Tara Street emerging from the ground. Two buildings hardly form a cluster and it is highly likely that other nearby sites will be redeveloped over the coming decades and that the cluster will evolve over time"  **Figure 29: Emerging Cluter around Tara Street Station (Souce: Mahoney Architecture)** As set out in Mahoney Architecture Report: "*City Quay is designed to be a part of the wider cluster of taller buildings in the St George's Quay grouping. Its roof profile and design is designed to echo the pyramidal shapes of George's Plaza. In height it forms a grouping with the new Hawkins and Tara St buildings. to cleanly define the edges of the cluster. The east facade of City Quay also makes a strong statement about the entrance to the city centre from the east and an important connecting gesture to the cluster of taller buildings in the Docklands. It also provides and strong sense of arrival to the city centre down the important Gardiner St corridor connecting to north Dublin, as an iconic presence in that view corridor.* *Uniquely in Dublin's development to date, this cluster will be more contained than pyramdic. The buildings of George's Plaza will be contained within the urban space defined by the new Hawkins St. buildings, the approved Tara St. building and City Quay, all three of approximately the same height. A similar cluster is seen across the river around Custom House."*	
• *Where clusters of landmark/tall buildings are proposed, careful attention must be paid to the roof profile in the context of the whole cluster. Clusters of such towers should be composed with the tallest at the centre of the group, falling away to the edges.*	While a cluster is not proposed within this application, the building will form part of an emerging tall build cluster. As set out above the roof profile and design is designed to echo the pyramidal shapes of George's Plaza. In height it forms a grouping with the new Hawkins and Tara St buildings. to cleanly define the edges of the cluster. The shape and form of the building has evolved over several months in response to discussions and guidance from the Design team and from the various pre planning meetings with Dublin City Council. Figure 23 tracks the massing development over the course of the design development with the proposed massing at each of the DCC meetings highlighted. See Figure 23 above for full range of iterations of roof design development.	✓