

Statement of Consistency

Proposed SHD

Lands at St. Joseph's House,
and adjoining properties at
Brewery Road and
Leopardstown Road, Dublin 18

On behalf of
Homeland Silverpines Limited



September 2021



Planning & Development Consultants
63 York Road,
Dun Laoghaire,
Co. Dublin
www.brockmcclure.ie

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1 INTRODUCTION

We, Brock McClure Planning & Development Consultants, 63 York Road, Dún Laoghaire, Co. Dublin, have prepared this Statement of Consistency on behalf of **Homeland Silverpines Limited, 8 Sandford Road, Ranelagh, Dublin 6, D06 REH4** for a Strategic Housing Development (SHD), on lands at St Joseph's House and adjoining properties at Brewery Road and Leopardstown Road, Dublin 18.

The development includes lands associated with St. Joseph's House, (a protected structure) and adjoining residential properties at 'Annaghkeen', Dalwhinnie', 'Madona House, 'Alhambra', 'Souk El Raab', 'Calador', 'Cloonagh', 'The Crossing', Wellbrook' and 'Woodleigh'. For clarity, the site is located within the administrative boundary of Dun Laoghaire-Rathdown County Council.

This Statement of Consistency is intended to identify compliance with relevant strategic planning policy documentation and is prepared to address the requirement Question 12 of the Strategic Housing Development Application Form. We note that a Planning Report, which includes further details in respect of the site location and development description, also accompanies this application to An Bord Pleanala.

This report should be read as part of a wider suite of reports and we refer An Bord Pleanala to the Covering Letter enclosed herewith, which clearly sets out a schedule of documents enclosed with this application.

This Statement of Consistency is intended to outline consistency with guidelines issued under Section 28 of the Planning and Development Act (as amended) and the key policies, objectives and development management standards contained within the Dun Laoghaire Rathdown County Development Plan 2016- 2022.

2 OVERVIEW

This section sets out the basis and structure for this report.

2.1 Ministerial Guidelines

The following ministerial guidelines are considered relevant to the current SHD proposal:

- 1. Sustainable Residential Development in Urban Areas (2009)**
- 2. Urban Design Manual - Best Practice Guidelines**
- 3. Delivering Homes, Sustaining Communities (2008)**
- 4. Best Practice Guidelines - Quality Housing for Sustainable Communities**
- 5. Guidelines for Planning Authorities on Childcare Facilities (2001)**
- 6. The Planning System and Flood Risk Management (2009)**
- 7. Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (2009)**
- 8. Sustainable Urban Housing - Design Standards for New Apartments (2020)**
- 9. Urban Development and Building Height Guidelines (2018)**
- 10. Design Manual for Urban Roads and Streets (DMURS) 2013, Department of Transport, Tourism and Sport;**

The subject site and proposal are examined in compliance with each of the documents in Section 3 of this Statement.

2.2 Statutory Planning Policy

In addition to the above, the relevant statutory policy for consideration in this statement is the Dun Laoghaire Rathdown County Development Plan 2016-2022. The subject site and proposal are examined in compliance with this adopted Development Plan in Section 4 of this Statement.

The subject site and proposal are examined for compliance with this document in Section 3 of this Statement.

2.3 National Planning Policy

The sole purpose and intent of the Statement of Consistency is to set out the compliance of the scheme with Section 28 Ministerial Guidelines and the relevant Development Plan. National Policy is therefore addressed under separate cover, namely the Planning Report prepared by Brock McClure, which is enclosed herewith and also within the Material Contravention Statement.

2.4 Site Location

The subject site is located on lands at 'St. Joseph's House', Brewery Road which is a protected structure and adjoining residential properties at 'Annaghkeen', Dalwhinnie', 'Madona House', 'Alhambra', 'Souk El Raab', 'Calador', 'Cloonagh', 'The Crossing', Wellbrook' and 'Woodleigh' at Leopardstown Road, Dublin 18, and is identified in the figure below for the purposes of this report.

The main development site comprises an area of c. 2.58 ha. There are additional lands (of approx.16 ha) included within the red line boundary for the site, which provide for service connections and access proposals along Leopardstown Road and within the residential development at Silverpines, which is

taken in charge by Dun Laoghaire Rathdown County Council. In total, the application red line site boundary extends to an overall site area of c.2.74 ha.



Figure 1 - Aerial View of Subject Site outlined in Red - [Source: Google Maps]

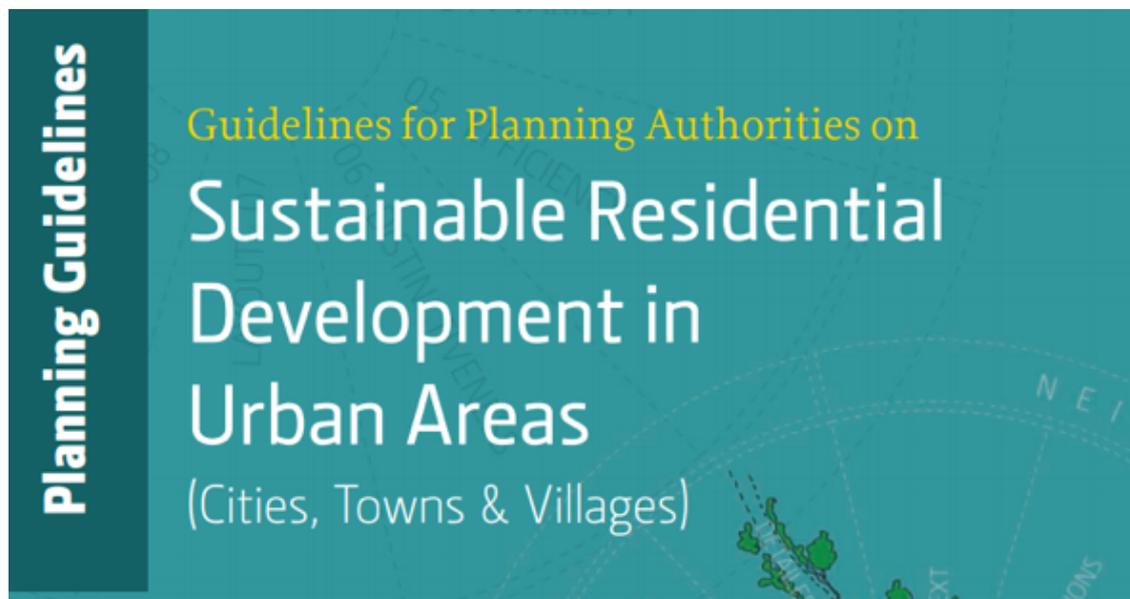
2.5 Subject Proposal

The development, now before the Board, comprises 463 no. residential apartment units in 6 no. residential apartment blocks, ranging from 2 to 10 storeys, a café, a childcare facility, a residential tenant amenity facility and significant public open space. Appropriate levels of car and bicycle parking are also provided.

3 MINISTERIAL GUIDELINES

Each of the relevant strategic policy documents is now considered below in relevance to the context of the site.

3.1 Sustainable Residential Development in Urban Areas /Urban Design Manual (2009)



The role of these guidelines is to ensure the sustainable delivery of new development throughout the country. The Guidelines provide guidance on the core principles of urban design when creating places of high quality and distinct identity. High quality design is recommended in the development management process. The Guidelines are accompanied by an Urban Design Manual, which demonstrates how key principles can be applied in the design and layout of new residential development.

Appropriate Locations for Increased Densities

Section 5.4 of the guidelines sets out appropriate locations for increased densities. They state that:

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

- a) *City and town locations*
- b) *Brownfield sites (within city or town centres)*
- c) *Public transport corridors*
- d) *Inner suburban / infill*

For the purpose of these guidelines, the proposed development site can be categorised as falling within the definition of both a ‘public transport corridor’ and an ‘inner suburban / infill site’.

‘Public Transport Corridors’ are described in the guidelines as being within walking distance from public transport nodes. It is recommended in the guidelines that ‘increased densities should be promoted within 500 metres walking distance of a bus stop, or within 1km if a light rail stop or rail station’. The subject site has a bus stop located along the boundary of the site at Leopardstown Road and is located c. 600m of the Central Park Luas Stop and 700m of the Sandyford Luas Stop.

'Inner suburban/infill sites' are referred to as inner suburban areas of towns or cities, proximate to existing or due to be improved public transport corridors. Given the proximity of the site to the green Luas Line specifically, the site can also be classified as an inner suburban / infill site as defined by the guidelines.

In addition, section 5.9 of the guidelines states *that in residential areas whose character is established by their density or architectural form, a balance has to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings, the protection of established character and the need to provide residential infill.... The design approach should be based on a recognition of the need to protect the amenities of directly adjoining neighbours and the general character of the area and its amenities, i.e. views, architectural quality, civic design etc. Local authority intervention may be needed to facilitate this type of infill development, in particular with regard to the provision of access to backlands'.*

The current proposal has been designed in the context of the above and we note the following in this regard:

- Appropriate building heights are proposed in accordance with performance criteria under the Building Height Guidelines 2018. Section 3.7 of this report refers and contains the specifics of the heights proposed.
- The proposed development is well located in proximity to high quality public transport; less than 5 minutes walking of a QBC with services direct to the City Centre and less than 10min walk to Sandyford Luas.
- The potential for overlooking has been reduced through the clever positioning of the residential blocks, appropriate separation distances, appropriate setback distances and the strategic positioning and design of the windows and balconies. We refer An Bord Pleanála to the 'Masterplanning & Architectural Design Statement' prepared by O'Mahony Pike Architects and detailed drawings submitted herewith for further details.
- Overshadowing is not considered an issue in this case and we note the submission of a Daylight and Sunlight Analysis herewith prepared by ARC for further detail. In summary, it is the finding of ARC's analysis that given that the potential for development to result in impacts on daylight access diminishes with distance, it is the finding of ARC's analysis that the proposed development will have no undue adverse impact on daylight access within buildings in the wider area surrounding the application site.
- An adequate level of on street parking is delivered with primary parking delivered at basement level. All parking is proximate to units and is considered safe and secure.
- Pedestrian access and permeability is key across the site and specific attention has been given to accessibility and the connectivity of the site with surrounding streets and the adjacent Leopardstown Park.
- A creche and residential amenity facility are delivered within the scheme.

Overall, the proposed development aims to deliver an appropriate density and form of residential development on this site at 'St. Joseph's House' and adjoining properties Brewery Road and at Leopardstown Road. A density of 179 no. units per ha is proposed at this site. It is submitted that this is an appropriate approach to development at this location given the site location and immediate site context 600 and 700 m from Sandyford and Central Park Luas stops.

It is considered that the proposed development is located on suitably zoned land for residential purposes. The density requirement set out by the current County Development Plan and national guidance has been taken into consideration when designing the scheme. The site layout maximises permeability through appropriate block sizes, block heights, and connectivity. Careful consideration has been given to adjoining levels of residential amenity.

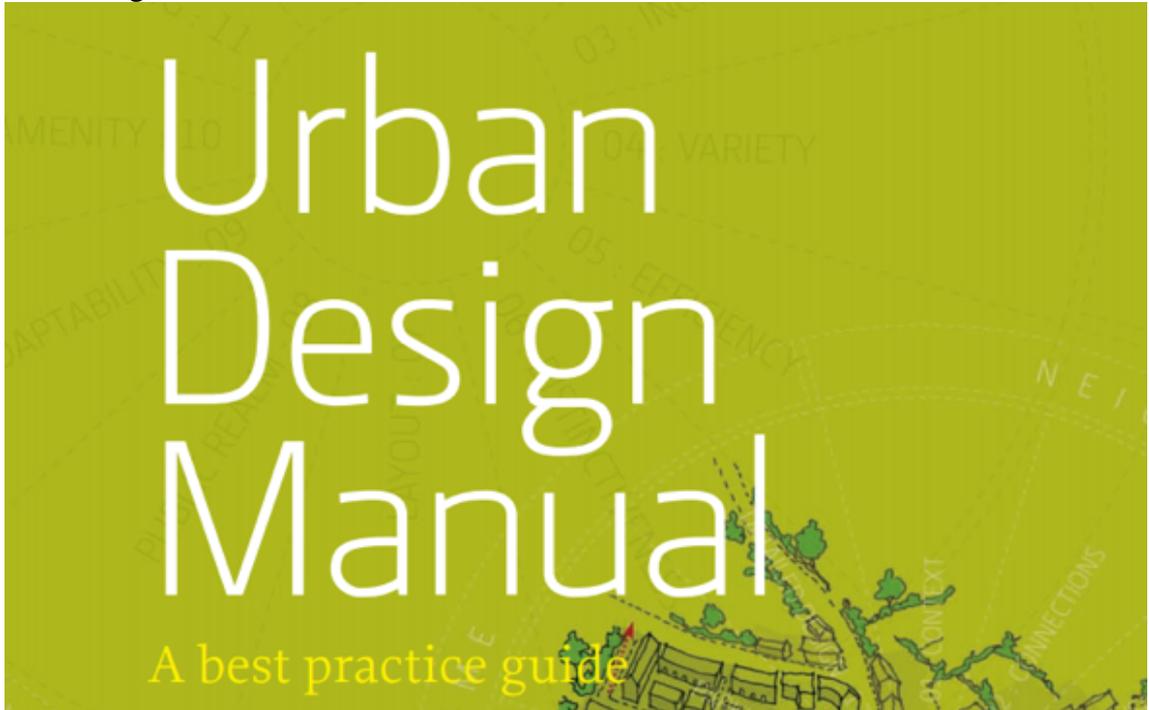
Childcare

The Guidelines also reference the provision of childcare facilities for larger towns and notes that the thresholds for provision of childcare facilities should be established having regard to the existing geographical distribution of childcare facilities and the emerging demographic profile of the area and also in consultation with local childcare committees and Planning Authorities.

The current proposal delivers a creche facility of c.282 sq m within the scheme and specifically within Block E. The childcare facility will cater for the demand arising from the current proposed development as set out further in the following sections of this report.

For consistency, this report outlines the consistency of the proposal with the requirement for a childcare facility at Section 3.6.5 below.

Urban Design Manual

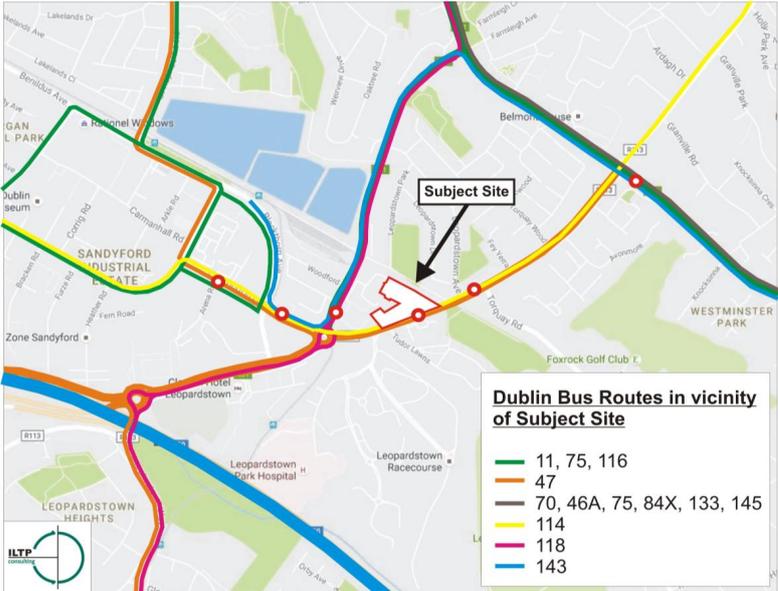


Aside from the above, we draw the attention of An Bord Pleanála to the compliance of the scheme with the ‘sister’ document for these guidelines, the ‘Urban Design Manual’. This planning application is accompanied by a Design Statement, prepared by OMP Architects, which demonstrates how the proposed development has regard to and has been developed in accordance with best practice in respect to urban design.

The Design Statement should be read in conjunction with this Statement of Consistency and the Planning Report and with the plans and particulars accompanying this planning application.

For the purposes of this Statement of Consistency, compliance with the key requirements of the Urban Design Manual are noted below:

CRITERIA	PROPOSAL RESPONSE
<p>CONTEXT</p> <p>How does the development respond to its surroundings?</p>	<p>An understanding of the existing site and its constraints has steered the design of this proposal. The presence of the Protected Structure St. Joseph’s House and its proximal location to Arkle Square which is an Architectural Conservation Area (ACA) south west of the subject site has been a key consideration for the layout of the proposal and appropriate setbacks and heights around this building are applied.</p> <p>The landscape proposal also aims to improve and open up the setting of this structure for the benefit of the wider community. The proposal also protects the existing residential amenity of adjoining and adjacent residential development through locating height and massing away from these boundaries. The proposed development specifically responds to the size of the site to allow for a gradual height increase from</p>

	<p>the site boundaries towards the center of the site.</p> <p>The proposal has been designed specifically to enhance connections to the surrounding area including the greenway to the north of the site. The proposed development has been designed to respond positively to the existing residential developments to the south, north and west. Open space areas are designed to maximise on passive surveillance and take advantage of the proximity of the surrounding green network. An integrated development is delivered and one which enhances the presence of the natural landscape with high quality materials sympathetic to the surrounding area.</p>
<p>CONNECTIONS</p> <p>How well is the new neighbourhood/site connected?</p>	<p>The proposal is within a 500m radius of Sandyford Urban Core with associated shops and services and the Beacon South Quarter Urban Centre further southwest. It is also well served by public transport, specifically, the site is located 600m from the Green Line Luas Stop at Sandyford. In addition, there are a number of regular bus services on the R113 Leopardstown Road, N31 Brewery Road and N11 Stillorgan Road. The N11 is a primary arterial route connecting the suburbs of south Dublin with the city center. The closest bus stop on the N11 is approximately 16 minute walk away from the centre of the subject site, and is served by the 46A, 70, 75, 84X and 145 bus routes with services between the city centre at 10 minute intervals at peak periods.</p>  <p>Figure 2 - Bus routes in the vicinity of the proposed development</p> <p>There is also appropriate pedestrian and cyclist network within the site to the wider area. There are pedestrian connections to the greenway corridor along the park to the north which is considered a significant amenity in this case. A legible and permeable road network allows for ease of access throughout the scheme. A gym and residential amenity facilities are proposed as communal uses for the development.</p>
<p>INCLUSIVITY</p> <p>How easily can people use and access the development?</p>	<p>The proposed development provides for a range of apartment unit types including studio's, 1, 2 and 3 bedroom units. The dwellings are designed to allow for adaptability of use over time and will enhance the range of housing options available for different people and households. Specifically, the proposal will provide for an option for those wishing to scale down from a larger property to a smaller unit; the elderly; and young professionals. The proposal has been designed in a way so it is accessible for all users.</p> <p>Pedestrian access and linkages into the site are provided with large areas of open space punctuating the scheme and access to the greenway network to the north along existing open space via two new pedestrian access points. The scheme provides an inviting aspect to the site and avoids physical and visual barriers with attractive boundary treatments and passive surveillance.</p>
<p>VARIETY</p>	<p>As outlined above, variety in the development is provided through a range of design proposals in both the built environment and in the landscaping layout and through</p>

<p>How does the development promote a good mix of activities?</p>	<p>the range of residential amenity facilities including shared spaces, café, creche and a resident's gym.</p> <p>In the built environment, there are 6 new residential blocks proposed, delivering a range and variety of apartment styles and layouts, a gym facility and residential amenity space. Unit Types vary from studio, 1, 2 and 3 bedroom apartments, all of which are designed with adaptability in mind for a variety of occupants.</p> <p>The landscaped elements are divided between hard landscaping and soft 'green areas. A further layer of street furniture and street trees define the overall setting with play areas also provided. The mix of apartments and orientation allow for an interesting and broken elevational treatment eliminating any stretches of blank walls.</p> <p>Passive security is designed to provide passive surveillance over public areas. Appropriate playground facilities and pedestrian walkways and loops are delivered to enhance connectivity through the area.</p>
<p>EFFICIENCY</p> <p>How does the development make appropriate use of resources including land?</p>	<p>The proposed development will provide for a more efficient use of the site, by increasing the density of an opportunely located, zoned and serviced site. The development has been set back from existing residential units to the south and west and is effectively integrated with the greenway setting along the park to the north. The main open space provides a large, landscaped area accessible to all. The majority of car parking is provided at basement level with an element of on street parking to encourage activity and passive surveillance and ease of drop off. The proposal delivers a net density of 179 units per Ha, which is considered appropriate given proximity to public transport. The Landscaped areas are designed to provide amenity and biodiversity with a through route from north-site within the site. A SuDS strategy is incorporated into the landscape design to reduce surface water drainage. Additionally, the apartments and their private amenity spaces will be orientated so as to exploit the best solar orientation.</p>
<p>DISTINCTIVENESS</p> <p>How do the proposals create a sense of place?</p>	<p>The layout of the proposal will make the most of this site, including the redevelopment of St. Joseph's House (a protected structure). The scheme promotes the principles of DMURS - Design Manuel for Urban Roads and Streets and we refer An Bord Pleanala to the DMURS statement enclosed from ILTP Consulting. This balance of road planning, public space and site layout will provide an inviting and enticing setting for a new community. The proposal will provide a positive addition to the locality retaining existing natural features to maintain the identity of the site utilising the existing landform and also ecological features. The layout makes the most of the existing landscape, topography and flora to create a sensitive and memorable scheme that works within the features of the site. It will have a distinct appearance along Leopardstown Road, enhancing the streetscape at this frontage and the proposed open space areas will merge into the existing landscape to the north of the site exploiting views into and out of the scheme. The materials used reflect the existing developments in the neighbouring environment and are of a high quality.</p>
<p>LAYOUT</p> <p>How does the proposal create people-friendly streets and spaces?</p>	<p>There are no 'through roads' within the new development proposal and the objective is to reduce car speeds to a minimum when accessing surface level car parking and the basement. The majority of cars are removed from surface level shortly after entering the site and this is a welcome approach to development. Traffic speeds are controlled by design and layout. The nature of the proposed internal road network is the principal element that enhances the setting for this development. As it allows for the promotion of the public realm over that of vehicular access. Proposals for vehicular access comprise 1 no. existing vehicular access point via Silver Pines (an existing all movement junction onto Brewery Road) and 1 no. new vehicular access point at the general location of 'Annaghkeen' at Leopardstown Road (a new Left in Left Out junction arrangement). The new access point along Leopardstown Road will replace existing access points at 'Woodleigh', 'Cloonagh', 'Souk El Raab', 'Welbrook', 'Calador', 'Alhambra', 'Dalwhinnie', 'Annaghkeen' and 'The Crossing'. New pedestrian and cyclist linkages are proposed through the site which provide permeability to Leopardstown Road and the adjoining Greenway. Proposals also provide for the relocation of an existing bus shelter along Leopardstown Road.</p> <p>The Leopardstown Road Entrance will promote greater prominence and accessibility with a number of existing access points along this route being combined into one.</p>

	<p>The new concierge and resident's amenity will be accessed from the Leopardstown Road entrance. A set down area is proposed along the new concierge and resident amenity space. There are pedestrian links to both the Leopardstown Road, Brewery Road, the adjoining park and existing Silverpines Development and beyond, which will deliver exceptional pedestrian connectivity. The current design delivers a central open space area and permeable landscape layout which will be accessible to all users.</p> <p>Furthermore, the layout of the buildings is the result of a detail design process that has given significant consideration to existing levels of residential amenity to the north, south and west and appropriate set back distances along all boundaries. The configuration of buildings has been designed to deliver a comfortable microclimate environment. Evidently, the design has been focused on the concept of placemaking and residential amenity.</p>
<p>PUBLIC REALM How safe, secure and enjoyable are the public areas?</p>	<p>The development delivers a new public realm experience through the site and at the Leopardstown Road frontage which is considered a significant positive impact of the proposal. The public spaces within the development are all interlinked or overlapped, and car access is relegated in favor of pedestrian priority zones. Surrounding dwellings providing a safe amenity for children and adults alike to overlook the main open spaces. Cars are removed from the site as soon as possible within the site, providing direct access from Leopardstown Road into basement parking other than drop off/deliveries and accessible parking.</p>
<p>ADAPTABILITY How will the buildings cope with change?</p>	<p>The units proposed in this case are considered appropriate for a mix of end users. All apartments are sizeable with the majority of units over and above the 10% increase in floor area required by the Apartment Guidelines. Some the proposed apartments have been designed to allow for potential modifications in the future with minimal impact on the building fabric (i.e. divisible spaces). There are social units proposed within the scheme, which is considered a welcome approach to urban living. All the apartments are designed to maximise daylight admittance and the building fabric will be highly insulated, meeting or exceeding the requirements of Part L of the Building Regulations.</p>
<p>PRIVACY AND AMENITY How do the buildings provide a high quality amenity?</p>	<p>All apartments will be afforded with their own private open space area in the form of a balcony/terrace. In addition, over half of the apartments will have dual aspect. Appropriate setbacks and window/balcony design will be provided between the proposed buildings as to avoid overlooking and provide privacy. The proposed buildings will also setback from boundaries shared by roads or existing houses as to provide privacy. The apartments are designed to prevent sound transmission by appropriate acoustic insulation or layout.</p> <p>The location of the site within a setting of retained mature trees and neighbouring recreational spaces further enhances this setting. Residential amenity and open space within the development are considered to be significant positives of the scheme.</p>
<p>PARKING How will parking be secure and attractive?</p>	<p>The majority of the car parking will be provided at basement level and will be well maintained, safe and secure with access via lift and stair cores. Some surface car parking is provided for within the development but will generally be used for the creche and visitor parking. Bicycle storage is delivered in compliance with local guidance and is located at passively surveilled areas at surface level and in designated areas at basement level.</p>
<p>DETAILED DESIGN How well thought through is the building and landscape design?</p>	<p>We refer the Board to the Architectural and Master planning Design Statement prepared by OMP, the Landscape Masterplan by Mitchell & Associates and the Planning Report prepared by Brock McClure for further details on design.</p>

Table 1 - Compliance with Urban Design Manual

The above table clearly outlines how the development proposal is envisaged to deliver on the key provisions of the Urban Design Manual.

We submit to the An Bord Pleanála that the current proposal is supportive of the objectives of the Sustainable Residential Development in Urban Areas (2009) / Urban Design Manual.

3.2 Delivering Homes Sustaining Communities (2007)



The Department's policy on housing provides the overarching policy framework for an integrated approach to housing and planning and notes that demographic factors will continue to underpin strong demand for housing. This in turn presents challenges for the physical planning of new housing and associated services. The quality of the housing environment is central to creating a sustainable community.

The *Delivering Homes Sustaining Communities* policy statement is accompanied by Best Practice Guidelines entitled 'Quality Housing for Sustainable Communities' and these are the focal point in terms of the consistency of the current proposal.

Quality Homes for Sustainable Communities (2007)



The purpose of these Guidelines is to promote high standards in design and construction and in the provision of residential development and services in new housing schemes. It is our considered view that the proposal for the site has delivered on the key principles of this document by delivering the following:

- The proposal provides for the efficient use of an opportunistically located site in close proximity to local amenities and public transport (Green Luas line and Sandyford Stop 600m). Please refer to the description of the site in the Planning Report for further detail on this.
- The proposed development will provide a quality living environment for residents with apartments designed to meet or exceed both quantitative and qualitative standards and the delivery of residential amenities (gym, café, roof terrace) and quality open space (new public park, children's play area) provided.
- Pedestrians and cyclists will have the benefit of a permeable site by way of new pedestrian and cyclist linkages with adjoining development and Leopardstown Road.
- Diversity in the unit type and mix proposed (studio, 1, 2 and 3 bedrooomed units).
- Pedestrian Access is prioritised within the scheme, and we note specifically the delivery of a new pedestrian link through the site from Leopardstown Road to the adjoining greenway to along the northwest boundary.
- All public open spaces are safe and benefit from passive surveillance. A clear and coherent network of spaces is proposed throughout the scheme.
- There are appropriate play areas delivered across the scheme with the theme of natural play spaces evident throughout the network of open spaces. Play Areas ensure security and benefit from passive surveillance.

A Housing Quality Assessment has been prepared by O'Mahony Pike Architects and submitted with this planning application. We direct the Bord to consideration of this assessment for full details on the extent of proposals.

We submit to the Bord that the current proposal is supportive of the objectives of the Delivering Homes Sustaining Communities (2007) and the associated Best Practice Guide 'Quality Housing for Sustainable Communities'.

3.3 Guidelines for Planning Authorities on Childcare Facilities (2001)



The Childcare Guidelines provide a framework to guide both local authorities in preparing development plans and assessing applications for planning permission, and developers and childcare providers in formulating development proposals. The Guidelines are intended to ensure a consistent approach throughout the country to the treatment of applications for planning permission for childcare facilities.

The Guidelines identify a number of appropriate locations for childcare facilities, which include the following:

- New Communities/Large Housing Developments
- The vicinity and concentrations of workplaces, such as industrial estates, business parks and any other locations where there are significant numbers working
- In the vicinity of schools
- Neighbourhood, District and Town Centres
- Adjacent to public transport corridors, park and ride facilities, pedestrian routes and dedicated cycle ways

The recommendation for new housing developments is the provision of **1 facility for each 75 dwellings**. This will generally provide for 20 childcare spaces based on a requirement of 35 of such dwellings requiring childcare spaces. The guidelines state that 50% of units can be assumed to require childcare.

We can confirm that the current proposal provides for a crèche facility of c.282 sqm (gross floor area). Section 3.6.5 below sets out how the proposal will comply with the 2020 Apartment Guidelines in regard to childcare provision, which is the most up to date ministerial guidance document with regard to childcare provision.

We submit to the Bord that the current proposal is therefore in compliance with the key objectives of the Guidelines for Planning Authorities on Childcare Facilities (2001) as amended by the Apartment Guidelines of 2018.

3.4 The Planning System and Flood Risk Management (2009)



The Planning System and Flood Risk Management Guidelines were published by the Minister for the Environment, Heritage & Local Government in November 2009 under Section 28 of the Planning & Development Act 2000 (as amended). The guidelines provide detailed guidance on the role that flood risk should play at different levels of the planning system. Planning Authorities must implement the Guidelines in ensuring that where relevant, flood risk is a key consideration in the assessment of planning applications.

We direct An Bord Pleanála to the enclosed Flood Risk Assessment prepared by Barrett Mahony Consulting Engineers for full details on the assessment carried out in accordance with the above guidelines. The key conclusion of this document is as follows:

“There is no significant risk of flooding affecting the proposed development site or flooding of the site drainage network impacting adjoining properties. Therefore, the development is deemed acceptable from a flood risk assessment perspective’.

The development is therefore considered to be fully compliant with the Flood Risk Management Guidelines.

3.5 Appropriate Assessment of Plans and Projects in Ireland (2009)



Under Article 6 (3) of the EU Habitat Directive and Regulation 30 of SI no. 94/1997 “European Communities (Natural Habitats) Regulations (1997)” any plan or project either alone or in combination which has the potential to adversely affect the integrity of a Natura 2000 site, in light of the sites conservation objectives (i.e. SAC or SPA) must be subject to an Appropriate Assessment. This requirement is also detailed under in the Planning and Development Acts (2000 - 2010).

In accordance with the above guidelines, the subject application is accompanied by an Appropriate Assessment (AA) Screening Report prepared by Brian Keeley Environmental Consultant. The AA Screening Report has assessed the development’s likely impact upon Natura 2000 sites, both individually and in combination with other projects.

The proposed development is not located within or directly adjacent to any Natura 2000 site. The Appropriate Assessment screening process considered potential impacts which may arise during the installation and operational phases of the changes being considered. Through an assessment of the pathways for effects and an evaluation of the activities, taking account of the processes involved and the distance of separation between Natura 2000 designations in the wider study area, it has been evaluated that there are no likely significant adverse effects on the qualifying interests or the conservation objectives of any designated Natura 2000 site.

The AA Screening Report concluded that there were no likely potential impacts, whether direct, indirect or cumulative, which could give rise to significant adverse effects on the qualifying interests or the conservation objectives of any designated Natura 2000 site. In addition, it also concluded that

*‘the proposed development, individually or in combination with other plans and projects, will not have a significant effect on a European site. **Consequently, the proposed development does not require an Appropriate Assessment; there is, therefore, no requirement to progress to Stage 2: NIS’.***

It is in considering the above, that we submit to the Board that the current proposal is in compliance with the key objectives of these Guidelines relating to Appropriate Assessment.

3.6 Design Standards for New Apartments (2020)

Sustainable Urban Housing: Design Standards for New Apartments

Guidelines for Planning Authorities issued under
Section 28 of the Planning and Development Act,
2000 (as amended)

December 2020



'Sustainable Urban Housing: Design Standards for New Apartments 2020' Guidelines are intended to promote sustainable housing, by ensuring that the design and layout of new **apartments** provide satisfactory accommodation for a variety of household types and sizes, including families with children over the medium to long term.

The 2020 Apartment Guidelines replace the 2018 version and are updated to reflect the conclusions from the review of co-living and shared accommodation.

The Guidelines address particular issues in order to:

- Enable a mix of apartment types that better reflects contemporary household formation and housing demand patterns and trends, particularly in urban areas.
- Make better provision for building refurbishment and small-scale urban infill schemes.
- Address the 'build to rent' sector.
- Prohibit 'shared accommodation' models since 2020.
- Remove requirements for car-parking in certain circumstances where there are better mobility solutions

The guidelines identify three main types of urban location for which particular considerations are set out in respect of residential development. These are defined as:

1. 'Central and / or Accessible Urban Locations
2. **Intermediate Urban Locations**
3. Peripheral and / or Less Accessible Urban Locations.

The first urban typology described in the Guidelines is that of Central and/or Accessible Urban Locations, and while the proposed development does fall into this category in terms of walking distance to public transports, the second typology is more suited to the proposed development site given the location of the proposed development to the south of Dublin City centre, the services and facilities in the area, and the short walking distance to frequent Luas services and reasonably frequent bus services.

Intermediate Urban locations are described in the Guidelines as:

'Such locations are generally suitable for smaller-scale (will vary subject to location), higher density development that may wholly comprise apartments, or alternatively, medium-high density residential development of any scale that includes apartments to some extent (will also vary, but broadly >45 dwellings per hectare net) including':

- Sites within or close to i.e., within reasonable walking distance (i.e., up to 10 minutes or 800-1,000m), of principal town or suburban centres or employment locations, that may include hospitals and third level institutions;
- Sites within walking distance (i.e., between 10-15 minutes or 1,000-1,500m) of high-capacity urban public transport stops (such as DART, commuter rail or Luas) or within reasonable walking distance (i.e., between 5-10 minutes or up to 1,000m) of high frequency (i.e., min 10-minute peak hour frequency) urban bus services or where such services can be provided;
- Sites within easy walking distance (i.e., up to 5 minutes or 400-500m) of reasonably frequent (min 15-minute peak hour frequency) urban bus services.

The proposed development is in keeping with this urban typology as described in the 'Guidelines' for the following reasons:

- The proposed development is well located in proximity to high quality public transport; less than 5 minutes walking of a QBC with services direct to the City Centre and less than 10min walk to Sandyford (600m) and Central Park (700m) Luas stops.
- The proposed development is well located within 10min walk and 5min cycle to Sandyford Business Park.
- The proposed development is well located within 15min walk and 5min cycle to amenities and services in Stillorgan Village.
- There is excellent cycle infrastructure in the area with dedicated cycle lanes along the Leopardstown Road and N31 Brewery Road connecting to the N11.
- The proposed development will provide 968 No. cycle parking spaces, including secure and safe cycle parking.

Details in respect of compliance with the standards contained in the Sustainable Urban Housing: Design Standards for New Apartments, 2020, are set out in the accompanying Housing Quality Assessment and Schedule of Accommodation by O' Mahony Pike Architects (OMP). In particular, the guidelines contain a number of Specific Planning Policy Requirements (SPPR) of relevance.

The current proposal provides for 463 no. residential units and this statement of consistency sets out the compliance of the proposal with the key policy requirements and standards as follows:

3.6.1 **Specific Planning Policy Requirements**

Specific Planning Policy Requirement 1

Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence-based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s).

Applicant Response to SPPR1

A total of 463 no. residential units are proposed with a mix as follows:

- 85 no. studio units (18.4%)
- 117 no. 1 bed units (25.2%)

- 248 no. 2 bed units (53.5%)
- 13 no. 3 bed units (2.8%)

We submit the proposal is in compliance with the above SPPR given that the development will not exceed the 50% maximum for one bed units, with no more than 18.4% as studios.

Specific Planning Policy Requirement 3

Minimum Apartment Floor Areas:

- **Studio apartment (1 person) 37 sq.m**
- **1-bedroom apartment (2 persons) 45 sq.m**
- **2-bedroom apartment (4 persons) 73 sq.m**
- **3-bedroom apartment (5 persons) 90 sq.m**

Applicant Response to SPPR3

The subject proposal complies with the minimum apartment floor areas as follows:

- Studio units 37.0 sqm to 45.5 sqm
- 1 bed units 47.1 sqm to 65.2 sqm
- 2 bed units 73.2 sqm to 96.7 sqm
- 3 bed units 90.0 sqm to 126.4 sqm

This Strategic Housing Development application also includes a Housing Quality Assessment and a detailed daylight, sunlight and internal light analysis report, in accordance with Chapter 6 of the Guidelines. The proposed development will help to meet the current demand for apartment type developments. For further information in this regard, please refer to the enclosed architectural drawings and detailed 'Architect and Urban Design Statement' and 'Housing Quality Assessment' schedule prepared OMP Architects, which provide confirmation that the proposed development is consistent with the design standards of these Guidelines.

Specific Planning Policy Requirement 4

In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply:

- A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate.***
- In suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.***
- For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects.***

Applicant Response to SPPR4

The development in this instance is located in a suburban location on appropriately zoned lands in a highly accessible location within the development boundary of Stillorgan. In this regard, the minimum requirement for dual aspect units is 50%. In addition, we note that St. Joseph's House is an existing

historic building. Section 6.9 of the Apartment Guidelines states that in relation to the refurbishment of existing buildings, the general requirements of the guidelines can be practically and flexibly applied to refurbishment schemes particularly in historic buildings.

SPPR4 notes that in building refurbishment schemes of any size, planning authorities may exercise further discretion to consider dual aspect unit provision at a lower level than the 50% minimum outlined on a case-by-case basis, subject to the achievement of overall high quality in other aspects. However, the Applicant has still provided 51% across the entire site.

A total of 232 no. of the 463 no. units proposed will have the benefit of dual aspect equating to 50.1% of the total number of units. Given this, we submit the proposal complies with the dual aspect ratio requirements of the Apartment Guidelines.

Specific Planning Policy Requirement 5

Ground level apartment floor to ceiling heights shall be a minimum of 2.7m and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise discretion on a case-by-case basis, subject to overall design quality.

Applicant Response to SPPR5

The proposed floor to ceiling height of the ground floors of the buildings will be approx. 2.7 m with the remaining floors at approx. 2.4 m. We note the Guidelines state the following:

*“Building Regulations Technical Document F deals with Ventilation. It provides guidance on ceiling height in habitable rooms. The suggested minimum floor to ceiling height, consistent with good room design, the use of standard materials and good building practice is **generally 2.4m.**”*

Given this, we submit the proposal complies with the floor to ceiling height requirements of the Apartment Guidelines.

Specific Planning Policy Requirement 6

A maximum of 12 apartments per floor per core may be provided in apartment schemes. This maximum provision may be increased for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, subject to overall design quality and compliance with building regulations.

Applicant Response to SPPR6

The number of apartment units per core will vary per block. As per the figures below which are snippets from enclosed floor plans prepared by OMP, we can confirm that the number of apartments per floor per core will not exceed 12 no. We refer An Bord Pleanála to the enclosed floor plans prepared by O'Mahony Pike Architects for full detail on this.

In addition to the Specific Planning Policy Requirements noted above the ‘Guidelines’ sets out additional requirement for the following items:

3.6.2 Internal Storage

The Board will note that full compliance with the Guidelines is achieved in respect of storage to individual units as per Appendix 1 of the guidelines.

No. of bedrooms	Minimum storage requirements	Proposed
Studio	3 sqm	3.0 to 3.1 sqm
1 bedroom	3 sqm	3.0 to 4.3 sqm
2 bedrooms	6 sqm	6.0 to 8.4 sqm
3 bedrooms	9 sqm	9.0 to 9.4 sqm

Table 2 - Internal Storage Requirements and Provision

Please refer to the Housing Quality Assessment prepared by O'Mahony Pike Architecture for further details on storage compliance.

3.6.3 Private Amenity Space

The proposed development complies with the requirements set down in respect of private amenity open space in the guidelines. All of the units are provided with private open space comfortably in excess of the minimum, as shown the Housing Quality Assessment prepared by OMP.

No. of bedrooms	Minimum floor areas for private amenity space	Proposed
Studio	4 sqm	4 – 22.3 sqm
1 bedroom	5 sqm	5 – 25.4 sqm
2 bedrooms	7 sqm	7 – 75 sqm
3 bedrooms	9 sqm	9 - 116 sqm

Table 3 - Private Amenity Space and Provision

All balconies will exceed the minimum depth requirement of 1.5 m with a provision of 1.8m for each balcony.

It is worth setting out that 4 of the units proposed within the Protected Structure do not have private open space provision. This approach was accepted in principle under a previous permission for this site (Reg. Ref. D17A/0337 & PL06D.249248) and we note that the Apartment Guidelines 2020 (Section 6.9) provides for this approach as follows:

“Planning authorities are also requested to practically and flexibly apply the general requirements of these guidelines in relation to refurbishment schemes, particularly in historic buildings, some urban townscapes and ‘over the shop’ type or other existing building conversion projects, where property owners must work with existing building fabric and dimensions. Ultimately, building standards provide a key reference point and planning authorities must prioritise the objective of more effective usage of existing underutilised accommodation, including empty buildings and vacant upper floors commensurate with these building standards requirements.”

In addition, as per the guidelines 2020 for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha , private amenity space requirements may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality.

3.6.4 Communal Open Space

The Sustainable Urban Housing: Design Standards for New Apartment, 2020, set out standards for open space at Appendix 1.

We submit that the proposal fully complies with the minimum required areas for communal amenity space.

No. of bedrooms	Minimum floor areas for communal amenity space	Required	Proposed
Studios	4 sq m	340 sq m	3,205 sq m
1 bedroom	5 sq m	578 sq m	
2 bedrooms	7 sq m (higher 4 person requirement applied)	1,736 sq m	
3 bedrooms	9 sq m	117 sq m	
	Total required	2771 sq m	

Table 4 - Community Amenity Space Provision

The proposed development will provide for a significant communal facility offering within the development. We note specifically that the following facilities are proposed:

- Open Space (approx. 9,885 sq m) proposed in the form of
 - a) public open space areas (approx. 6,680 sq m) a public plaza/court area, a main area of public open space (including a play area and outdoor gym area) and woodland trail; and
 - b) all communal open space areas (approx. 3,205 sq m) which include areas adjacent to Saint Joseph's House (Block E), Block D and Block F, a courtyard and play area located between Blocks A and B and roof terraces at fifth floor level of Blocks C and D.
- In addition to the above, Visual Amenity Open Space of approx. 1,000 sq m is proposed.

3.6.5 Childcare Facilities

The Apartment Guidelines require the provision of one childcare facility for every 75 dwelling units, subject to the proposed development mix and existing local childcare facilities.

It is also stated that *“Notwithstanding the Planning Guidelines for Childcare Facilities (2001), in respect of which a review is to be progressed, and which recommend the provision of one child-care facility (equivalent to a minimum of 20 child places) for every 75 dwelling units, the threshold for provision of any such facilities in apartment schemes should be established having regard to the scale and unit mix of the proposed development and the existing geographical distribution of childcare facilities and the emerging demographic profile of the area.”*

In addition to this it clarifies that **“one-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms.”**

The proposed development of 463 no. units provides for the following unit mix:

- 85 no studio units
- 117 no. 1 bed units
- 248 no. 2 bed units
- 13 no. 3 bed units

Guidance on the provision of a childcare facility suggests that 1 facility (20 spaces) is required for every 75 units. It is evident from a review of planning policy that one bedroomed units are not considered to contribute to childcare demand under the Apartment Guidelines (2020). Therefore, a total of 261 no. 2 and 3 bed units have the potential to require childcare.

The Childcare Guidelines (2001) have identified that only 50% of units will require childcare. The following requirements are therefore identified:

- 50% of 261 no. units = $261/2 = 130.5$ units

As the demand arising from the proposed development is more than 75 units (where a facility is not normally required), a childcare facility of 282 sq m is proposed in block E as part of the proposed development. This facility accommodates 38 children and 6 staff.

Under the 2001 Childcare Guidelines, minimum floor space requirements per child are 2.32 sqm for 2-6 years and 2.00 sqm for afterschool care. This is exclusive of kitchen, bathroom and hall, furniture or permanent fixtures.

Appropriate car parking is provided to cater for this facility in the form of 6 no. spaces to the north of the building. This provision aligns with the requirements of the Dun Laoghaire Rathdown County Council Development Plan 2016-2022.

We therefore submit the proposed development is acceptable in addressing the anticipated demand that might arise from the proposed development.

3.6.6 Children's Play

In terms of Children's Play areas, the proposed development has considered the recreational needs of children and incorporates children play equipment as part of the communal amenity space within the scheme. As stated within the Guidelines, "*Children's play needs around the apartment building should be catered for:*

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

The apartment guidelines state that "***one-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms.***"

The proposed development of 463 no. units provides for the following unit mix:

- 85 no studio units
- 117 no. 1 bed units
- 248 no. 2 bed units
- 13 no. 3 bed units

The proposed development provides for a total of 261 no. 2 beds and 3 beds and therefore the proposed development which provides a play space in excess of 100 sqm is appropriately designed. A small children's play area is proposed in line with the Apartment Guidelines for a residential development of this size. This is provided within the main communal open space area. Please refer to the landscape proposal for further information.

The playground areas are located centrally within the apartment development in an area that is overlooked and passively supervised by the adjacent apartments and footpath. The chosen play equipment enables individual play, group play, and social interaction, imaginative play, climbing, spinning and sliding movement. There is adjacent sculptural seating for supervising adults as well picnic tables for social interaction. A play spaces is within 150m of all proposed residences within the proposed development.

3.6.7 Security

The proposed development complies with the requirements set down in respect of security and surveillance in the guidelines. Passive security is designed to provide total surveillance. Appropriate playground facilities and pedestrians' walkways and loops are delivered to enhance connectivity through the area.

In addition, as set out in the Estate Management Report prepared by Aramark, states that the provision of on-site property manager, static security and caretaker during the week and at weekends will ensure ample security and management of the scheme and amenity areas.

It is also envisaged that there will be a centralised location for the monitoring and oversight of security across the development. CCTV will be viewable from this point and it will act as the primary base for the security personnel. Additional security measures include:

- All estate cameras will be monitored from the management office.
- GDPR compliance will be paramount.
- All CCTV recording will take place in the management office.
- All cameras shall be controlled by a central switching matrix to allow any camera and graphical map to be switched to any monitor via a matrix control keyboard and a graphical touch screen system with icons to identify the location of each CCTV camera.
- A centralized CCTV monitor will be installed in the management office to provide CCTV images as required.
- All CCTV cameras will not be required to be monitored simultaneously.
- All electronic access control systems including access control devices that control barriers to car-parks, pedestrian gates, block entrance doors etc. will be repeated to the control room.
- Access control system will encompass security features e.g. anti-pass back.
- Access to each individual building will be managed and controlled through the access control system.

3.6.8 Refuse Storage

The Apartment Guidelines requires that the storage and collection of waste materials be provided in apartment schemes. The Guidelines also state that *"Refuse facilities shall be accessible to each apartment stair/lift core and designed with regard to the projected level of waste generation and types and quantities of receptacles required. Within apartments, there should be adequate provision for the temporary storage of segregated materials prior to deposition in communal waste storage and in-sink macerators are discouraged as they place a burden on drainage systems."*

The refuse storage proposed as part of this application is considered to comply with the requirements under the Apartment Guidelines. Refuse will be stored at allocated spaces at basement level, accessible to lift cores, and at surface level. These storage areas will be secure and easily accessible to residents and other required users. The Operational Waste Management Plan prepared by AWN Consultants provides further detail on how waste will be managed during the operation of the scheme.

Dedicated communal Waste Storage Areas (WSA) have been allocated within the development design for the residents of the apartments. The WSAs have been supplied on basement and ground level for use by the residents. Space will be provided in the residential units to accommodate 3 no. bin types to facilitate waste segregation at source. Each bin/container in the WSAs will be clearly labelled and colour coded to avoid cross contamination of the different waste streams. Signage will be posted above or on the bins to show exactly which waste types can be placed in each bin. Access to the apartment block WSAs will be restricted to authorised residents, facilities management and waste contractors by means of a key or electronic fob access.

For the creche and commercial units the staff will need to store segregated DMR, MNR, glass and organic waste within their own external WSA dedicated areas.

3.6.9 Communal Facilities in Apartments

Section 4.0 of the 2020 Apartment Guidelines set out guidelines and recommendations for communal facilities within apartment. These have been set out below.

Bicycle Parking and Storage

The Apartment Guidelines require that “planning authorities must ensure that new development proposals in central urban and public transport accessible locations and which otherwise feature appropriate reductions in car parking provision are at the same time comprehensively equipped with high quality cycle parking and storage facilities for residents and visitors.”

Section 4.16 of the apartment design guidelines states the following:

“Cycling provides a flexible, efficient and attractive transport option for urban living and these guidelines require that this transport mode is fully integrated into the design and operation of all new apartment development schemes. In particular, planning authorities must ensure that new development proposals in central urban and public transport accessible locations and which otherwise feature appropriate reductions in car parking provision are at the same time comprehensively equipped with high quality cycle parking and storage facilities for residents and visitors.”

The guidelines recommend 1 cycle parking space per bedroom and 1 visitor space for every 2 apartments. The subject proposal provides 968no. cycle parking spaces at basement and surface level to accommodate residents and visitor cycle parking requirements. This will promote cycling trips to and from the development with a number of locations including LUAS, Stillorgan Village and the Sandyford Urban Core being within easy cycling distance. As per Table 3-4 above the proposed development full complies with the bicycle parking standards as per the Apartment Guidelines 2020.

Minimum Requirement	Required	Proposed
1 cycle space per bedroom	737 cycle spaces	968 cycle spaces (in total)
1 visitor cycle space per 2 residential units	231.5 visitor cycle spaces	
Total	968.50 cycle spaces	

Table 5 - Bicycle Parking Requirements and Proposals

Of the 968 spaces delivered across the entirety of the scheme, 816 are located at basement level and 152 no. are located at surface level, which is considered an appropriate provision for this site. Of the 968 spaces delivered, 954 spaces are dedicated to residential use (816 basement and 138 surface) and 14 surface level spaces are dedicated to the use of the creche facility.

Aside from the quantum of parking, the quality of parking is also a key consideration. The guidelines set out that “cycle storage facilities should be directly accessible from the public road or from a shared private area that gives direct access to the public road avoiding unnecessarily long access routes with poor passive security or, slopes that can become hazardous in winter weather.”

The enclosed Traffic and Transport Assessment and Mobility Management Plan report from ITLP sets out the following:

- “The proposed development links the cycle provision to the Greenway and cycle route along Leopardstown Road, giving excellent connectivity to the LUAS stops and major employment areas.
- There are four main external access points for cyclists to the proposed development to further encourage cycle use.
- Internally the site is designed to allow permeability for walkers and cyclists, meaning that these modes of travel can directly access to the wider cycle and pedestrian networks in the area in the desired direction of travel.

- Access to the basement cycle provision is designed to provide a number of access points that will also cater for all ranges of cycle users and abilities. These are summarised as follows:
 - Both the basement and surface cycle parking is appropriately distributed throughout the development to allow for easy access to cycle parking and storage
 - A dedicated cycle lift is provided in the vicinity of Blocks D & F which provides segregated cycle access to the basement cycle facilities.
 - The shallow access ramps provide to the basement can also facilitate cycle access, which will be shared with a very low level of slow-moving traffic.
 - The main lift cores to the development can also provide cycle access for smaller (child) or foldable bikes.”

The access strategy for basement parking is set out below:

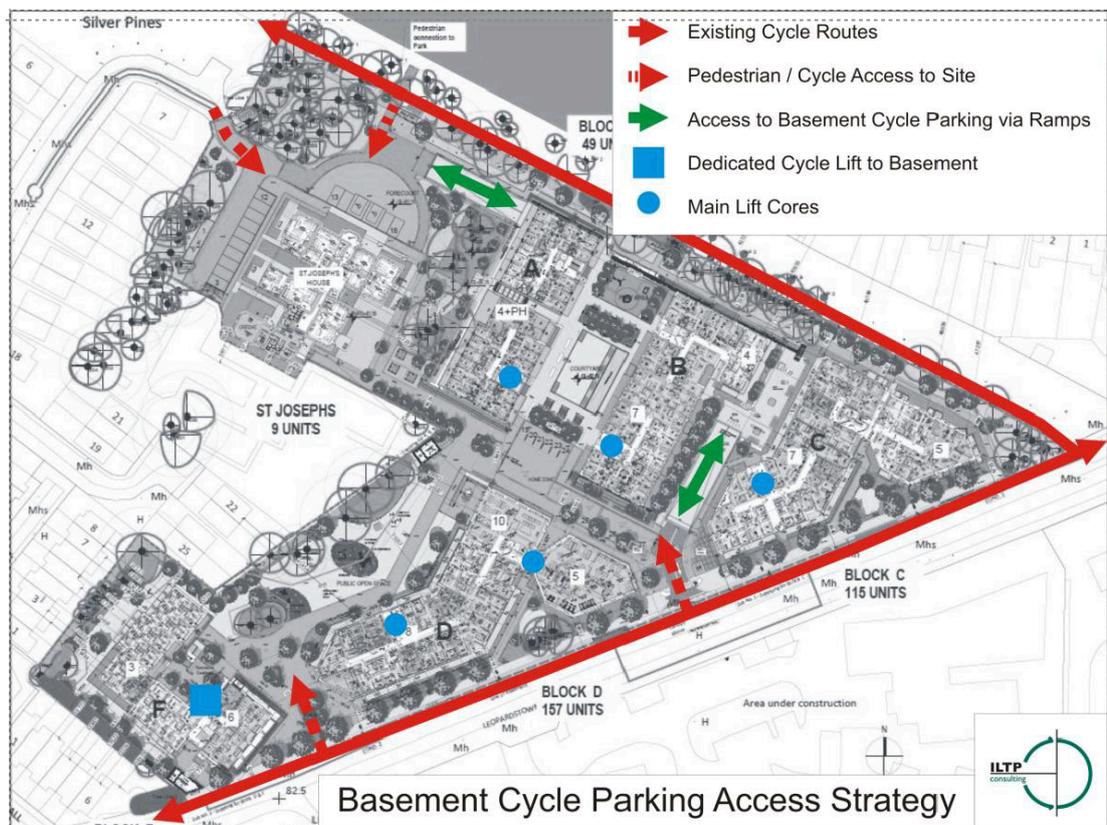


Figure 3 - Basement Cycle Parking Access Strategy

Overall, the cycle and access provisions as illustrated above have been very carefully designed to include excellent cycle parking provision, a range of access options to the basement cycle parking along with internal cycle permeability and accesses to the wider cycle network. In addition the cycle parking, both at surface and in the basement area, is distributed throughout the proposed development to ensure that residents and visitors to the proposed development can find an appropriate and convenient cycle parking location within the development. The cycle parking provision layout and access arrangements thus maximise the promotion of cycle as a desirable and convenient mode of travel.

Car Parking

The Apartment Guidelines generally encourage reduced standards of car parking. The document defines accessible locations as falling into 3 categories:

- Central and/or Accessible Urban Locations
- Intermediate Urban Locations

- Peripheral and/or Less Accessible Urban Locations

Our review of these 3 categories has previously identified that the site can be categorised as a 'Intermediate Urban Location'. This categorisation is made on the basis that the site is "within walking distance (i.e. between 10-15 minutes or 1,000-1,500m) of high capacity urban public transport stops (such as DART, commuter rail or Luas) or within reasonable walking distance (i.e. between 5-10 minutes or up to 1,000m) of high frequency (i.e. min 10 minute peak hour frequency) urban bus services or where such services can be provided".

With regard to car parking, the Apartment Guidelines set out the following requirements for Intermediate Urban Locations:

'Intermediate Urban Locations - In suburban/urban locations served by public transport or close to town centres or employment areas and particularly for housing schemes with more than 45 dwellings per hectare net (18 per acre), **planning authorities must consider a reduced overall car parking standard and apply an appropriate maximum car parking standard'**.

A total of 259 no. car parking spaces are proposed to cater to the residential element of the proposed development (232 spaces at basement level and 27 spaces at surface level). The following allocation is identified by ILTP:

Of the car parking spaces assigned to the proposed development:

- 211 dedicated car parking spaces are allocated to the residents, which equates to a ratio of 0.46 per apartment.
- 9 no. spaces will be assigned for Crèche Staff parking and drop off.
- 26 no. spaces will be reserved for visitor car parking.
- 3 no. spaces for the café.
- 10 no. allocated as spaces for car sharing clubs.
- A minimum 10% of spaces will have electric vehicle charging points assigned as per DLRCC requirements.
- 4% of parking will be reserved as dedicated mobility impaired.
- Motorcycle parking will also be provided within the development.

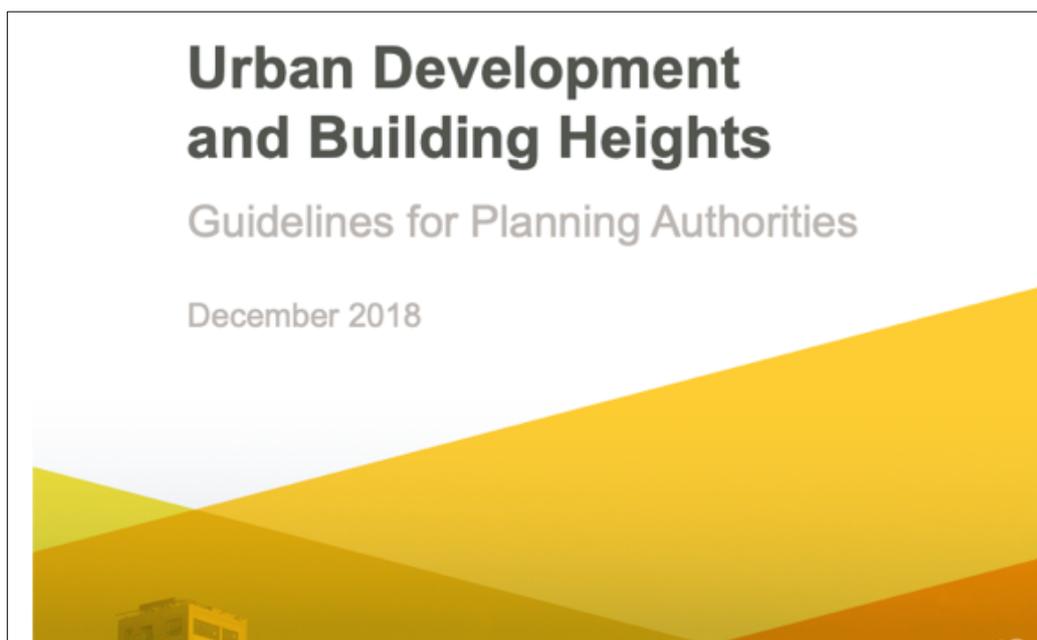
As set out by ILTP, the following should be noted:

- Given the location of the proposed development, adjacent to high intensity employment and the excellent public transport and cycle route serving the development coupled with the Government's Apartment Guidelines a car to apartment ratio of 0.46 is considered appropriate. In addition, visitor car parking, GoCar and disabled car parking will be provided. It is also proposed to provide at surface level 6 no. car parking spaces for staff working in the crèche plus an additional 3 no. drop off spaces. The 6 no. staff spaces meet the CDP car parking standards. However, given the location of the development and its proximity to public transport services this is more than adequate to meet the staff needs of the development.
- Given that the crèche is proposed to mainly facilitate residents of the proposed development most will be dropped off at the crèche on foot. Therefore the 3 no. drop off spaces proposed should be more than adequate to accommodate any external drop off demand.
- The proposed café element is intended to serve local needs only and those who walk or cycle through the proposed development. Two spaces are proposed for the café staff, which will be located in the basement.
- A minimum of 3% of the total parking allocation can be allocated for disabled access parking and this will be allocated by the Management Company on an 'as-needs' basis to ensure that the needs for specialised car parking will be adequately provided for.
- The Development can include provision for an appropriate level of electric car charge points at basement level to enable those residents who own electric cars to charge them overnight.

However, it is also intended to allow for the future upgrading of all car parking to be Electric Vehicle (EV) powered to accommodate the growing numbers of EVs over time.

- In addition, a Car Club or 'Go Car' type facility is also included in order to reduce the need for car ownership whilst making cars available for residents to meet periodic car needs. The Car Share Club facility, exclusively be for residential use would be operated and controlled by the Management Company.
- It is considered that given the specified uses within the proposed development this is appropriate car parking provision and is consistent with current housing policy and standards.

3.7 Urban Development and Building Height Guidelines (2018)



The 'Urban Development and Building Heights, Guidelines for Planning Authorities (2018)' which were issued in December 2018 under Section 28 of the 2000 Act set out national planning policy guidelines on building heights in relation to urban areas. These guidelines post-date the adoption of the Dún Laoghaire Rathdown County Development Plan 2016-2022.

The guidelines reinforce that *"a key objective of the National Planning Framework is to see that greatly increased levels of residential development in our urban centres and significant increases in the building heights and overall density of development is not only facilitated but actively sought out and brought forward by our planning processes and particularly so at local authority and An Bord Pleanála levels"*.

The document states that it is critically important that development plans identify and provide policy support for specific geographic locations or precincts where increased building height is not only desirable but a fundamental policy requirement. Locations with the potential for comprehensive urban development or redevelopment (e.g. brownfield former industrial districts, dockland locations, etc.) should be identified where, for example, a cluster of higher buildings can be accommodated as a new neighbourhood or urban district or precinct.

Under section 3.1 of the Guidelines, three following broad principles or criteria must be applied in considering development proposals for buildings taller than prevailing building heights in urban areas in pursuit of these guidelines:

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

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

As set out in the Planning Report and Material Contravention Statement enclosed herewith, the proposal secures the relevant objectives of the National Planning Framework. The location of the proposed development is on a brownfield infill site and is considered a unique opportunity for the delivery of strategic housing and the delivery of compact growth in accordance with national strategic planning policy.

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

This Statement of Consistency has also set out how the current proposal complies with the provisions of the Dún Laoghaire Rathdown County Development Plan (DLRCC)2016-2022. The current DLRCC development plan was prepared and adopted before the 2018 guidelines came into effect. Whilst, the Development Plan is currently the subject of a review process, the plan has not yet been formally adopted or amended with a view to implementing the requirements of Chapter 2 of the Building Height Guidelines.

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

With regard to exiting policies and objectives of the Dún Laoghaire Rathdown County Development Plan 2016-2022, there is a clear misalignment with the National Planning Framework with to height. We note specifically that the National Planning Framework provides for an increased residential density in settlements through a range of measures including increased building heights. National Policy Objective 35 refers. Development Plan policy and objectives on height by comparison are restrictive in that there are particular locations ear marked for building height and blanket limits are set for all other areas unless a set of exceptional circumstances in the form of upward and downward modifiers are met.

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

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

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

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

As part of these guidelines, it is proposed to introduce a number of Strategic Planning Policy Requirements including:

Specific Planning Policy Requirements

SPPR 3A

SPPR 3A of the Urban Development and Building Heights Guidelines 2018 requires applicants for planning permission to set out how the proposal complies with the “*criteria above*”. This refers to the Development Management criteria at Section 3.2 of the Guidelines, which are discussed below.

If the Board is satisfied that the criteria under section 3.2 have been met, it “*may approve such a development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise*”. The paragraph introducing SPPR 3 itself is set out below for ease of reference, following which, each of the criteria (denoted by italics) are considered in turn:

“Where the relevant planning authority or An Bord Pleanála considers that such criteria are appropriately incorporated into development proposals, the relevant authority shall apply the following Strategic Planning Policy Requirement under Section 28 (1C) of the Planning and Development Act 2000 (as amended).

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

The performance of the proposal vis a vis the building height criteria is further assessed below in sub-section ‘Development Management Criteria’. The consistency of the proposal with the National Planning Framework has been considered in accompanying documentation. The site is zoned for residential development and has been clearly identified for such development. It is an appropriate location for buildings of increased height and density.

This planning application has taken into consideration and outlined through appropriate documentation and plans, how the proposed development accords with the assessment criteria outlined in SPPR3, including daylight/shadow studies, ecological assessments, Housing Quality Assessments, DMURS and also with national planning policy including that of the NPF.

Development Management Criteria

The Guidelines clearly set out that in the event of making a planning application, the applicant shall demonstrate to the satisfaction of the Planning Authority/An Bord Pleanála, that the proposed development satisfies a number of criteria. The relevant criteria are set out in bold below, followed by the applicant’s response:

At the scale of the relevant city/town:

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

As stated previously, the site is well served by public transport with the site located 600m from the Sandyford Luas stop, which in turn provides a direct connection north to Dublin City Centre and beyond. This stop is on the Green Luas line and journey time to St. Stephen’s Green is 26 minutes with services running every 3-5 minutes during peak times (7-10am and 4-7pm Monday – Friday; 11am – 8pm Saturday, Sunday and Bank Holiday Mondays) and 10-15 minutes at off peak times (operating hours other than peak times set out). With covid restrictions in place (at the time of writing), the Luas is currently operating at 50% capacity.

In addition, the site is located in close proximity to the N11 public transport corridor, which is a quality bus corridor/bus priority route. Travel time to St. Stephen’s Green is 25 mins. There are a number of regular bus services on the R113 Leopardstown Road, N31 Brewery Road and N11 Stillorgan Road.

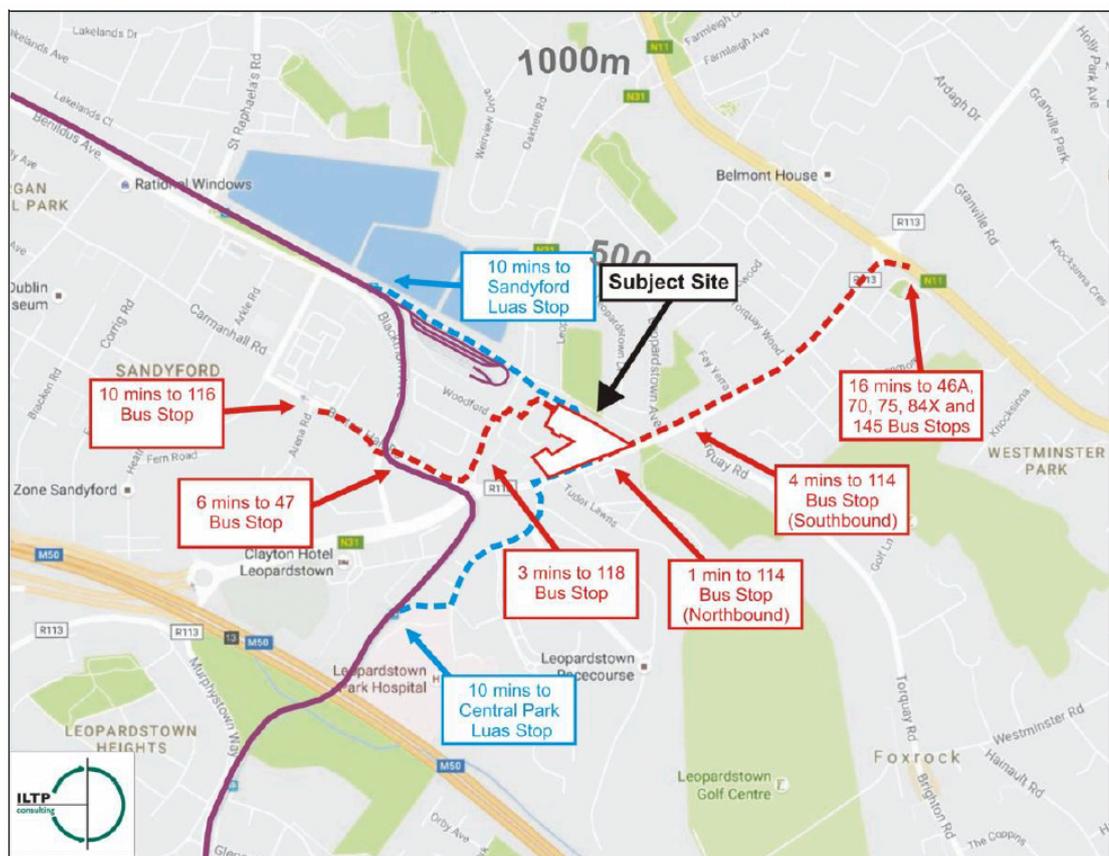


Figure 6 - Bus Stops

The closest bus stop is located on Leopardstown Road immediately adjacent to the proposed entrance to the development, which is on the 114 routes connecting Ticknock and Blackrock Rail Station. The bus stop to the immediate northwest of the site on Brewery Road, which is approximately 3 minutes' walk, is served by the 118 bus route travelling between Kiltiernan and D'Olier St.

The N11 is a primary arterial route connecting the suburbs of south Dublin with the city center. The closest bus stop on the N11 is approximately 16 minute walk away from the centre of the subject site, and is served by the 46A, 70, 75, 84X and 145 bus routes with services between the city centre at 10 minute intervals at peak periods.

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

An understanding of the existing site and its constraints has steered the design of this proposal. The presence of the Protected Structure (St. Joseph's), and its proximal location to Arkle Square which is an Architectural Conservation Area (ACA) south west of the subject site has been a key consideration for the layout of the proposal and appropriate setbacks and heights around this building are applied.

We note that the benefits offered by the proposal to the public realm have been identified as follows:

- A new active street frontage along Leopardstown Road including the delivery of a new café unit and residential amenity facilities at ground level within Block D;
- New pedestrian connections from Leopardstown Road to the adjacent Leopardstown Park and Brewery Road;
- The opening up of the site to allow for views to and from the protected structure, St. Joseph's House;

- The delivery of a network of new open space areas including courtyards and play areas etc.
- The amalgamation of a number of existing vehicular access points along Leopardstown Road to provide for one central vehicle access point to the overall site.

Careful consideration has been given to the successful integration of the scheme into the existing character and topography of the site and area. We note the following excerpt from the Townscape and Visual Impact Analysis prepared by Modelworks in review of the proposal which looks at the topography and cultural context elements of the above request:

“Of the 18 no. viewpoints assessed, it was found that visual amenity would be improved at eight locations. These include (a) the views along Leopardstown Road approaching and passing by the site from both directions, and (b) the view from the Leopardstown Park open space to the north of the site across the greenway. In these views the development would create enclosure to the street and open space, introducing buildings and landscaping of appreciably high design and material quality, their character appropriate to the location. A positive visual effect was also predicted for the close-up views of St Joseph's House, in which the improvements to the building and its immediate setting would be visible.

Importantly, it was found that none of the Key Views identified in the Arkle Square ACA Character Appraisal and Policy Framework would be affected by the development. Neither would any views of the ACA from the wider public realm be affected; Arkle Square is effectively hidden from the surrounding roads by vegetation which the ACA designation also specifically protects.

The potential visual effects on only one representative view were found to be negative. This is the view representing the six houses on Sir Ivor Mall, which back onto the site's south west boundary. In these views Block F would be a prominent addition, increasing visual enclosure substantially. The visual effects on the other viewpoints representing the residential neighbourhood to the west and south west of the site, including the Silver Pines estate and the Chase, were found to be of moderate significance at most, and neutral. The protrusion of the development into these views would not be substantial, and such change is not inappropriate in the context.”

Some visual effects can be expected through the implementation of compact growth policies in proximity to public transport and well serviced urban centres to maximise the use of available infill land. The proposal results in a high level of planning gain through the improvement of the public realm at Leopardstown Road, pedestrian and cycle connections through the site and critical mass of population to support existing and future public transport services including bus connects and Metrolink.

On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape.”

The proposed development is considered to make a positive contribution in terms of place-making through the provision of new public open spaces including play areas and the opening up of the site to Leopardstown Road and with it, increasing the visibility of St. Joseph's House - a Protected Structure. The delivery of a new café element along Leopardstown Road will provide increased activity at street level and will ensure an enhanced public realm and streetscape is delivered at this location.

Sufficient variety in scale, height, massing and form of the Blocks has been incorporated into the design. Care has been given at height sensitive areas to ensure that there is no undue impact on the existing built form in the surrounding area including existing properties surrounding the site. Heights are reduced along adjoining boundaries as appropriate to ensure that there is a clear transition from lower 3 storey development at the boundary of the site with 'The Chase' to higher development at the centre of the site and along Leopardstown Road. The design of the scheme has ensured that there is appropriate scale and massing alongside adjacent residential development while also maximising the use of this zoned land.

There is an array of greenway networks, public and community open spaces that run north, south, east and west of the site. Consideration has been given to permeability within the surrounding context

and the protection of existing levels of residential amenities. The proposal will provide for a key connection to the adjoining green network to the north (Leopardstown Park).

At the scale of district/ neighbourhood/ street:

The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape.

The proposal responds to the natural and built environment for the reasons set out under the response to 'at the scale of the relevant city/town' above. Careful consideration has been given to the proposal in regard to how it addresses the existing surrounding development and local topography. The high-quality design submitted provides an appropriate transition between the neighbouring sites, whilst delivering on appropriate street frontage along Leopardstown Road and Brewery Road.

The proposal will be 2 - 10 storeys in height overall, which is considered appropriate and in line with the requirements of "Urban Development and Building Heights" December 2018. The current scheme responds with sensitivity to the existing built fabric of the surrounding area including the ACA to the west. The design approach has been to maximise the use of the site around a central open space with pedestrian/cycle shared path that connects the surrounding green network enhancements to the public realm.

It is worth noting that within the context of the subject site there are a number of buildings in the surrounding area that vary in height from 4-7 storeys and 8-12 storeys. To the south and south west of the subject site there are a series of commercial and apartment buildings that rise from 6 to 12 storeys, for example the headquarters for Vodafone Ireland (7 storey), Clayton Hotel (8 Storey) and Bank Of America(7 storey), also Microsoft Ireland (6storey) and Central Park Apartment Complex (8-12 storeys).

Also to the north of the subject site, an example would be the Grange Apartments (7-10 Storey) and to the west, South Central Apartments (8-10 storeys).

The design of the scheme has ensured that there is appropriate scale and massing alongside adjacent residential development while also maximising the use of this land.

The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered.

Careful consideration has been given to ensure that a monolithic appearance is avoided. Appropriate use of materials and fenestration details as proposed by OMP Architects has ensured that the building fabric is well considered. We refer An Bord Pleanala to the OMP drawings and sample materials provided in the Architectural Design Statement enclosed herewith for further details. The concept of Blocks A and B have been maintained from the previous permission with additional Blocks provided to allow an increase in density.

In summary section 2 of the design statement prepared by OMP states:

- *“Historical mapping indicates the strong presence of an avenue approach from the Leopardstown Road with St. Joseph's House as the focal point at the end which is nestled within the sylvan wooded nature of the site. The approach to the site planning reinforces this connection and visual link and as such the proposed new buildings and approach frame a view to the historical St. Joseph's house in the background.*
- *St. Joseph's House, which is proposed to be converted into residential units is given suitable importance within the overall hierarchy of buildings. Its formal setting is re-established through the reconstruction of a large formal forecourt and green and its curtilage is protected through the retention of existing mature pine trees and landscape features including the introduction of private formal gardens around the house.*
- *Both the existing house and the proposed new apartments enjoy a secluded site which benefits from tall mature Pine trees and dense screening along the site boundary. The buildings height and disposition on the site are such that the resident's will feel that they are living within a large parkland setting whereby levels of privacy and open green amenity value are highly respected.*

- *It is this projects vision to retain the sylvan characteristics of the site while introducing new resident's courtyards and green open spaces to further enhance its landscape and amenity value. It is planned to have a 'Tree walk' and jogging route around the perimeter of the site set amongst the mature trees while the new buildings are set back from the boundary to respect this 'Green' edge. The development will also further enhance pedestrian movement by creating pedestrian linkages between the resident's courtyard spaces and the large public park and playing field to the North."*

The proposed development responds particularly to:

- St Joseph's House and its setting, making the protected structure a signature element of the new neighbourhood;
- The site's strategic location within the Sandyford-Leopardstown urban district, at a gateway to the district where Leopardstown Road crosses the former railway line approaching a key junction/node in the area;
- The opportunity provided by the 270m frontage to Leopardstown Road on the approach to the Leopardstown junction,
- The opportunity to retain as features of the new neighbourhood many of the mature trees that characterise the site.

In consideration of this policy and the site's long north east and south east boundaries (creating potential for 'long slab blocks'), the buildings are well separated, the elevations are folded, their height is stepped, and there are variations in façade treatment and materials. As a result the proposed buildings are not monolithic in appearance. The design achieves visual interest, identity and legibility while also establishing strong building lines around the boundaries.

The urban design/townscape character of Leopardstown Road would be transformed by the built enclosure and animation generated by the development. Please see attached photomontages prepared by Modelworks submitted with this application, and in particular Viewpoints 1-5, which show that the width of the road is such that the buildings can be comfortably accommodated without excessive enclosure.

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

The subject proposal will enhance the streetscape at Leopardstown Road by providing a defined edge to this route and providing appropriate pedestrian/cycle linkages through the site. The current proposal responds with sensitivity to the existing built fabric of the surrounding area including the ACA to the west. The design approach has been to maximise the use of the site around a central open space with pedestrian/cycle shared path that connects the surrounding green network enhancements to the public realm.

There is no inland waterway or marine frontage within the current proposal. We can confirm that Barrett Mahony Consulting have completed a Flood Risk Assessment Report, which confirms that there will be no inappropriate flood risk as a result of the proposal.

In addition, It is this projects vision to retain the sylvan characteristics of the site while introducing new resident's courtyards and green open spaces to further enhance its landscape and amenity value. It is planned to have a 'Tree walk' and jogging route around the perimeter of the site set amongst the mature trees while the new buildings are set back from the boundary to respect this 'Green' edge. The development will also further enhance pedestrian movement by creating pedestrian linkages between the resident's courtyard spaces and the large public park and playing field to the North."

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

The current proposal delivers a scheme that is permeable, well connected and legible. A quality new public realm is proposed, which links Leopardstown Road to the greenway network beyond the northern boundary of the site. The permeability of the site is clearly set out in landscape proposals prepared and submitted by Mitchell and Associates. The landscape report states the following:

'The overall aim of the landscape design is to create a high quality attractive environment with amenity facilities for the surrounding proposed residences and users of the park spaces /green links, taking into account the landscape objectives within the DLRCC Development Plan and National Guidelines to ensure a strong sense of place for the proposed development appropriate within the surrounding landscape context'.

The landscape design objectives which contributed to the improvement of legibility through the site or wider area are as follows:

- To create a high quality attractive environment with amenity facilities for the proposed residences that is robust, accessible, useable, connected and supervised. The open spaces are multifunctional, catering for amenity uses both active and passive but also fulfilling objectives of movement and access, conservation and biodiversity, microclimate/shelter and SUDS requirements.
- The network of open space is designed to connect with the existing surrounding movement/open space networks to access a number of adjacent neighbourhood amenities and facilities.
- To Integrate with the existing and future surrounding context with new physical and visual connections through the public open space. There are open views to St Joseph's House from the adjacent open space and circulation route. The shared surface forecourt and parkland of lawn and trees creates a visually uncluttered setting.
- Interlinked pedestrian and cycle facilities to the green link to the north maximise safe connectivity and permeability within the area and to public transport facilities.

Section 4.1 of the enclosed landscape report prepared by Mitchell and Associates sets out a comprehensive list of landscape design objectives for the site. A cohesive and integrated scheme is delivered and we direct An Bord Pleanála to this document for further detail on the matter of public realm as it relates to the site.

The proposal positively contributes to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood."

An appropriate mix of unit types and sizes are incorporated into the development proposal. Notably, 85 no. studio units (18.4%), 117 no. 1 bed units (25.2%). 248 no. 2 bed (53.5%) and 13 no. 3 bed units (2.87%) are proposed within the current development. The variety in mix will be a welcome addition to the existing housing mix of the local area, which currently consists of housing of varying forms including semi-detached development along the immediately adjoining boundaries. In addition to this a mixture of uses are incorporated into this development with a café, a creche and residential amenity space all included. This mix is compliant with the requirements of the Apartment Guidelines.

In addition, an understanding of the existing site and its constraints has steered the design of this proposal. The presence of the Protected Structure St. Joseph's House and its proximal location to Arkle Square which is an Architectural Conservation Area (ACA) south west of the subject site has been a key consideration for the layout of the proposal and appropriate setbacks and heights around this building are applied. We note that a number of principles including heights and set back distances to St. Joseph's House were established under a previous permission for the site (Reg. Ref. D17A/0334, PLo6D. 249248).

The landscape proposal also aims to improve and open up the setting of this structure for the benefit of the wider community. The proposal also protects the existing residential amenity of adjoining and adjacent residential development through locating height and massing away from these boundaries.

The proposed development specifically responds to the size of the site to allow for a gradual height increase from the site boundaries towards the center of the site.

The proposal has been designed specifically to enhance connections to the surrounding area including the greenway to the north of the site. The proposed development has been designed to respond positively to the existing residential developments to the south, north and west. Open space areas are designed to maximise on passive surveillance and take advantage of the proximity of the surrounding green network. An integrated development is delivered and one which enhances the presence of the natural landscape with high quality materials sympathetic to the surrounding area.

At the scale of the site/building:

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

The Daylight & Sunlight Assessments prepared by ARC, enclosed herewith, confirms that there are acceptable levels of access to natural daylight for both proposed residential units and existing residential units and overshadowing is minimised. A suitable variety of building height and articulation has been purposely designed to maximise access to natural daylight and ventilation as per appropriate design standards. Appropriate views and overshadowing/loss of light were also appropriately considered.

The following analysis in terms of daylight access to adjoining zones is identified on pages 9 and 10 of the EIAR daylight and sunlight chapter:

“ARC’s analysis indicates a potential for the proposed development to result in “imperceptible” to “slight” to “moderate” changes in daylight access within existing buildings facing towards the application site in neighbouring residential estates at The Chase (including Sir Ivor Mall and Minstrel Court), Silver Pines (including the Anne Sullivan Centre), Leopardstown Lawns and Leopardstown Avenue. Under a worst case scenario, it is predicted that the impact of the proposed development on daylight access within existing buildings on lands to the west, north and east will be consistent with emerging trends for development in the area, particularly having regard to the scale of development previously permitted on the site and in the wider Sandyford Area.

Due to the extent of intervening distance, the construction of the proposed development has the potential to result in little or no change in daylight access within residences to the south of Leopardstown Road or to the Children’s Sunshine Home. However, the potential impact of the proposed development on existing buildings at the LauraLynn House Children’s Hospice is likely to range from none to “imperceptible” to “significant”. The proposed development has the potential to result in a “significant” change in daylight access to north-facing rooms within the LauraLynn House Children’s Hospice opposing the proposed Block C, the hospice use of this complex is assumed to be particularly sensitive to impacts on daylight access.

Given that the potential for development to result in impacts on daylight access diminishes with distance, it is the finding of ARC’s analysis that the proposed development will have no undue adverse impact on daylight access within buildings in the wider area surrounding the application site.”

The following analysis in terms of sunlight access to adjoining zones is identified on pages 26 and 27 of the daylight and sunlight chapter:

“During the mornings and early afternoons of the spring, summer and autumn months, shadows cast by the proposed development will extend west and north to The Chase (including Sir Ivor Mall and Minstrel Court) and to Silver Pines (including the Anne Sullivan Centre) resulting in an “imperceptible” to “moderate” impact in sunlight access to a small number of rooms facing towards the application site and rear gardens bounding the application site, with the rear gardens of Nos. 24 and 25 Silver Pines likely to experience potentially “moderate” to “significant” additional overshadowing for a considerable part of the day during the spring and autumn months.

To the north and east, the proposed development is likely to result in “slight” to “moderate” overshadowing of sections of the adjoining greenway route at various times throughout the day over the course of the year. Notwithstanding shadows cast by the proposed development, the section of greenway route between Brewery Road and Leopardstown Road is likely to remain capable of achieving the level of sunlight recommended by the BRE Guide for amenity spaces to appear adequately sunlit throughout the year.

ARC's analysis shows that the construction of the proposed development will result in some additional overshadowing of lands to the east of the site during the afternoons and evenings throughout the year. The impact of additional overshadowing will range from “imperceptible” to “moderate” overshadowing of closest rear gardens and houses at Leopardstown Lawn and Leopardstown Avenue during the afternoons and evenings throughout the year.

While the potential of new development to result in material additional overshadowing of lands to the south is low, it is noted that the proposed development is likely to result in additional overshadowing of north-facing windows at the LauraLynn House Children's Hospice facing towards Leopardstown Road during the late evenings of the summer months. As a hospice is a use, which could be considered particularly sensitive to changes in the sunlight environment, the impact of the proposed development on sunlight access to the LauraLynn Children's Hospice is assessed as none to “moderate” to “significant” under a worst case scenario.

For a time around mid winter, shadows cast by the proposal are predicted to extend as far as the public park at Leopardstown Park, although this additional overshadowing is not predicted to interfere with the capacity of the public park to achieve the amount of sunlight recommended by the BRE Guide for amenity space. As the shadow environment at this time of year is dense, the impact of this additional overshadowing on Leopardstown Park is predicted to range from “imperceptible” to “slight”.

In terms of daylight access within the scheme, the following analysis is identified by ARC on pages 9 and 10 of their report enclosed with the application:

“ARC's analysis predicts that all sample study rooms (a large proportion of which represent a worst case scenario) within the proposed development will achieve levels of daylight access at or above the minimum Average Daylight Factor recommended by the BRE Guide for living rooms (i.e. 1.5% Average Daylight Factor) and for bedrooms (i.e. 1% Average Daylight Factor). ARC's analysis further indicates that all kitchen / living / dining rooms in unit types throughout the proposal are likely to receive a level of daylight access in excess of the recommended 2% Average Daylight Factor for mixed function rooms.

Given that worst case analysis units were included in the assessment sample, ARC's analysis would suggest that all units within the proposed development are likely to achieve Average Daylight Factors in excess of the minimum standards outlined in the BRE Guide.”

In terms of sunlight access within the scheme, the following analysis is identified by ARC on page 14 of their report enclosed with the application:

“Most of the proposed open spaces are predicted to receive a level of sunlight in excess of the level recommended by the BRE Guide for amenity spaces and will appear adequately sunlit throughout the year within the meaning of the BRE Guide. Having regard to the location of open spaces throughout the site, ARC's analysis indicates that open space provision will afford residents a place within the proposed development where residents can go to sit and enjoy the sunshine on a sunny day for a significant portion of the day for most of the year.”

Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like the Building Research Establishment's 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings - Part 2: Code of Practice for Daylighting'.

The Daylight and Sunlight Analysis confirms that there are acceptable levels of access to natural sunlight available to surrounding properties and that overshadowing is minimised. The Vertical Sky Component or VSC percentage is protected as much as possible with some impacts to be expected with the requirements in relation to high density infill development types that are required for sites

such as this. In this regard, appropriate consideration has been given to the relevant guidance documents and specifically 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 - 'Lighting for Buildings - Part 2: Code of Practice for Daylighting'.

Chapter 18 of the accompanying EIAR – Daylight and Sunlight, prepared by ARC states the following:

'The standards for daylight and sunlight access in buildings (and the methodologies for assessment of same) suggested in the BRE Guide have been referenced in preparing this chapter. The BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting' was withdrawn in May 2019, while BS EN 17037: Daylight in Buildings was adopted in the United Kingdom in May 2019. Given this, this Chapter does not refer to BS 8206-2: 2008. In the interests of clarity, it should further be noted that this Chapter does not refer to IS EN 17037: Daylight in Buildings or BS EN 17037: Daylight in Buildings as the recommendations of those documents relate to the design of new buildings. Neither IS EN 17037 nor BS EN 17037 provide any guidance on the assessment of impacts on sunlight and daylight access within existing buildings.'

The BRE Guide does not set out rigid standards or limits, but is preceded by the following very clear warning as to how the design advice contained therein should be used:

"The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design." [Emphasis added.]

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

The scheme was revised following a number of iterations of the sunlight and daylight analysis, with the scheme amended accordingly.

We note specifically in terms of daylight access within the scheme and as set out by ARC on page 11 of their report that ARC engaged in a prolonged iterative process with the design team over a period of months to ensure that all habitable rooms within the proposal are likely to achieve the recommendations of the BRE guide for daylight access, no additional compensatory design solutions are therefore required in terms of daylight access for the scheme.

In terms of sunlight access to open space areas, the subject application proposes 17 no. open spaces and detailed quantitative analysis was carried out (Figure 2 below). As set out in section 3.0 of the accompanying Sunlight and Daylight assessment prepared by ARC.



Figure 7 - Indicative diagram showing location of open spaces assessed. Communal open spaces are shown in red. Public open spaces shown in green, Visual open spaces shown in purple and Creche open spaces shown in yellow

Communal open Space 05 in red above will likely receive less sunlight than the BRE Guide recommendations, ARC's analysis indicated that 7 no. of the proposed 8 no. communal space will achieve at least two sunshine over at least half their respective areas on 21st March. Open space 03 receives sunlight over in excess of half its area between 15:30 and 17:30 on 21st March.

In addition, visual open Space 06 is likely to receive less sunlight than the BRE Guide recommendation. ARC's analysis indicated that three if the proposed four visual amenity space areas will achieve at least two sunshine over at least half their respective areas on 21st March. Finally all public open space areas and both of the creche areas will achieve at least two sunshine over at least half their respective areas on 21st March.

In summary, most of the proposed open spaces are predicted to receive a level of sunlight in excess of the level recommended by the BRE Guide for amenity space and will appear adequately sunlit throughout the year within the meaning on the BRE Guide.

It is worth setting out at this point that visual amenity space is not included in calculations for the quantum of open space. Furthermore, the size of Communal Area 5, is identified as 977 sq m. This removed from the overall quantum of Open Space delivered (9,885 sq m), leaves a figure of 8,908 sq m, which as set out in this Statement of Consistency still meets the requirements for open space provision in terms of quality space that receives the appropriate amount of daylight space. In summary, 8,908 sq m of the open space areas delivered across the scheme are meeting the sunlight requirements.

Specific Assessments

The guidelines set out that in order to support proposals at some or all of these scales, specific assessments may be required and these may include:

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

B-Fluid Consulting have prepared Chapter 11 of the enclosed Environmental Impact Assessment Report, which considers wind and microclimate modelling.

The predicted impact of the proposal has been identified by BFluid as follows:

The existing environment and the proposed development would receive prevailing winds from South-West and South-East. As discussed in the previous sections and demonstrated through this assessment of CFD modelling, all adverse wind impacts have been considered and shows to be suitable to its intended use.

The existing site cumulative assessment has accounted for the modelling and simulation of all the topography and existing developments in the surrounding as the presence of adjacent buildings dictates how the wind will approach the proposed development.

From the wind modelling results, the proposed development will introduce no negative wind effect on adjacent, nearby or future phases developments within its vicinity.

In addition to the above, a summary of the cumulative predicted impact of the proposed development notes the following:

From the simulation results the following observations are pointed out:

- *The proposed development has been designed in order to produce a high quality environment that is attractive and comfortable for pedestrians of all categories. To achieve this objective, throughout the design process, the impact of wind has been considered and analysed, in the areas where critical patterns were found, the appropriate mitigation measures were introduced.*
- *As a result of the final proposed, wind flow speeds at ground floor are shown to be within tenable conditions. Some higher velocity indicating minor funnelling effects are found near the South-West side of the development. However, as it is shown in the Lawson map indicate that the area can be utilised for the intended use.*
- *Due to re-circulation effects between Block D and F, this area is suitable for short term sitting instead of long term sitting. These conditions are not occurring at a frequency that would compromise the pedestrian comfort, according to the Lawson Criteria.*
- *Regarding the balconies, higher velocities can be found for some directions, only on some of the balconies. However, these velocities are below the threshold values defined by the acceptance criteria and therefore are not critical for safety.*
- *Tree planting all around the development has been utilised, with particular attention to the corners of the Blocks has positively mitigated any critical wind effects. Thus, it can be concluded that at ground floor good shielding is achieved everywhere.*
- *The proposed development does not impact or give rise to negative or critical wind speed profiles at the nearby adjacent roads, or nearby buildings. Moreover, in terms of distress, no critical conditions were found for "Frail persons or cyclists" and for members of the "General Public" in the surrounding of the development.*
- *The proposed development does not impact or give rise to negative or critical wind speed profiles at the nearby adjacent roads, or nearby buildings.*

The subject proposal has been subject to a number of design mitigation measures including provision of canopies to provide protection to funnelling and down winds and provision of enhanced landscaping and tree planting to reduce wind impacts.

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

Dr. Gavin Fennessy of Ecology Ireland Wildlife Consultants Ltd was appointed to consider and comment on the prospect of bird collisions within the new buildings especially in the context of any Special Conservation Interest species that may occur locally. The closest Special Protection Area (SPA) to the proposed site is 'Brewery Steam'. Located 3.2km downstream.

The input from Dr. Gavin Fennessy is enclosed with this application and makes the following points:

“At the outset it is acknowledged that any above ground structure, including the proposed buildings pose a potential collision risk to birds. However, this risk needs to be explored and understood in relation to the proposed development site and the ecology of the species of interest in this part of Ireland.

The design of the Berwick Pines SHD has not included features that would increase the risk of attracting and disorienting birds flying overhead. The lighting is low-level and directional and the materials used in the tall structures do not present the glass-wall high-reflective finish that has been shown to increase collision risk for certain bird species. Given the location and scale of the development and the nature of the receiving environment there is no obvious concern in relation to bird collision risk at the proposed development site.”

In addition, the site was examined by means of a dedicated bat survey in two periods of mid to late summer 2019; 10th July and 16th August and again on two separate dates in April 2021 (11th to 12th April and 18th to 19th April) and one further date in June 2021 (10th June) . These dates cover two separate phases in the life cycle of bats. All buildings and trees were examined.

Bats were noted feeding throughout the site at low density while common pipistrelle bats (*Pipistrellus pipistrellus*) were noted to roost within houses (Alhambra and Dalwhinnie) that would be demolished as part of this proposal (under the supervision of a bat specialist as approved by a derogation issued by NPWS) . A single bat was seen to enter and remain in Dalwhinnie. Neither these nor any other buildings examined showed evidence of large numbers of bats and usage by bats is very low and attributable to individual bats rather than a breeding roost.

The bat species roosting within the buildings were common pipistrelle in two buildings and Leisler's bat in one building (St. Joseph's House). Other species noted to feed but not roost here include soprano pipistrelle and a single brown long-eared bat signal over the two periods of survey (2019 and 2021). No bats emerged from or returned to trees within the site. Mitigation proposed for these potential impacts include the following:

- Derogation for buildings known to be bat roosts,
- Examination of all buildings for bat potential prior to removal,
- Examination of all mature trees for bat potential prior to felling,
- Tree felling outside of the bird nesting period,
- Bio-security: All equipment should be checked and washed before introduction to the site to prevent alien species invasion,
- Planting of native species,
- Staged removal of vegetation to provide cover for birds and other species,
- Introduction and incorporation of bat and bird boxes, .
- Visual signs on glass surfaces to avoid bird-strike,
- Lighting design will be in accordance with guidelines proposed for bat conservation,
- Surface water drainage system following Council-approved design

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

Independent Site Management Limited have been appointed to carry out an assessment that the proposal allows for the retention of important telecommunication channels such as microwave links.

The executive summary of this report concludes as follows:

“... ISM reviewed the height and scale of the applicants development together with their proposal allowances to retain relevant telecommunication channels in the context of the immediate surrounding registered and documented telecommunication sites.

... Ism can conclude that the proposal being made by the applicant within its submission to An Bord Pleanala allows for the retention of important telecommunication channels such as microwave links, and therefore satisfied the criteria of Section 3.2. of the Building Height Guidelines.”

An assessment that the proposal maintains safe air navigation.

In preparation of this planning application, the applicant has entered into discussions with the IAA who had no significant comment to make on the proposal. As identified in the appendix to the rear of this report, the IAA in their review dated 24th June 2021 concluded that:

“Based on the information provided, it is likely that only general observations would be issued during the planning process relating to the construction process and the notification of proposed crane operations with at least 30 days notification to the Authority.”

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

A comprehensive Design Statement has been prepared by O' Mahony Pike Architects and is enclosed. This statement addresses the site context and proposed design in urban design terms and sets out in clear detail the design rationale for the current proposal submitted.

The impact of the proposed development on the historic built environment has been specifically assessed in Chapter 17 Architectural and Built Heritage of the EIAR prepared by David Slattery Conservation Architects Ltd.

The following key points are drawn from the Chapter:

The significance of St. Joseph's House (a Protected Structure) and the proximity of the Arkle Square Architectural Conservation Area have been carefully considered from the early design stages of this proposed scheme, and the scheme has been designed so as to mitigate and minimise any negative impacts on the architectural heritage of the site and its context.

The visual impact of the proposed development was also considered during the early design stages of the proposed scheme, and these considerations guided design decisions. The siting of the new blocks at a distance from the Protected Structure, the landscape design and use of trees as visual screening and the stepping down in height of the various blocks mitigate the potential visual impact of the proposed scheme on the character of the setting of the Protected Structure.

It should further be noted that the setting of St. Joseph's House has been transformed from its original form in modern times, with the development of the neighbouring residential estates. Within the site, later blocks and a modern tarmac carpark also detract from the character of the setting.

In addition, the chapter states that there will be no physical impact on the Arkle Square ACA at all with the proposed new blocks located some distance to the north east of Arkle Square beyond the existing house 'Sir Ivor Mall'. The proposed development does not have the potential to affect views in this area. However, it should be noted that views of Arkle Square are extremely limited due to the suburban development which tightly surrounds it. A number of close-in views of Arkle Square are identified within the ACA as being of note although it is recognised in the ACA that the internal elevations have been altered irrevocably by extensions and alterations. The identified views include a number from outside the block to the west and south as well as from within the much-altered central courtyard.

The visual impact of the proposed development was considered during the early design stages of the proposed scheme, and these considerations guided design decisions. The siting of the new blocks at a distance from the ACA and the stepping down in height of the various blocks mitigate the potential visual impact of the proposed scheme on the character of the ACA.

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

The relevant environmental assessments have been considered. Wildlife Surveys have prepared an Appropriate Assessment Screening Report, which is enclosed herewith. In addition, an Environmental Impact Assessment Report (EIAR) has also been prepared and is enclosed herewith to assist An Bord Pleanála in their review of environmental impact assessment associated with the development.

It is in consideration of the above that the current proposal for 2 to 10 storeys in height can be positively considered by the competent authority. Specifically, the proposal has addressed the specific development criteria requirements of the Guidelines and is in compliance with SPPR 3. Most notably the site's location is considered to address the very spirit and intent of the Guidelines that being one proximate to public transport with high frequency services. The current site is therefore appropriate for increased building height and residential densities.

3.8 Design Manual for Urban Road and Streets (DMURS) 2013



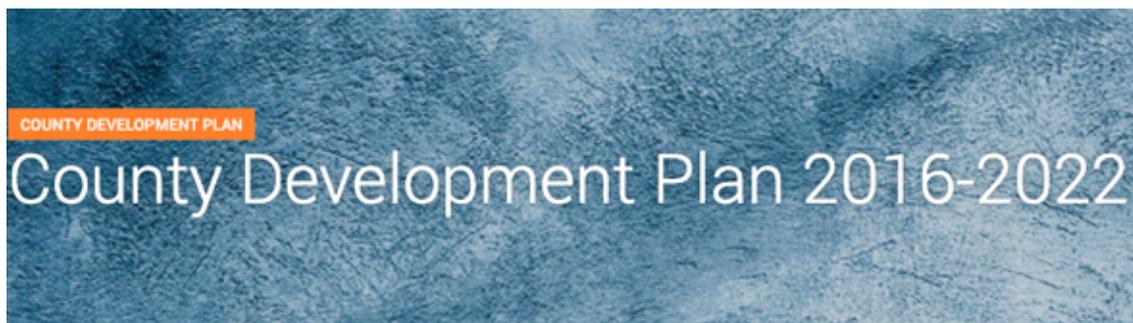
The 'Design Manual for Urban Roads and Streets' (DMURS) 2013 and as updated in 2019, sets out design guidance and standards for constructing new and reconfigured existing urban roads and streets. It also outlines practical design measures to encourage more sustainable travel patterns in urban areas. The documentation prepared by ILTP provide further details in respect of the compliance of the proposed development with the provisions of DMURS.

A key element of the DMURS is the need to design roads and streets as destinations rather than traffic corridors. As such a focus is placed upon the needs of pedestrians, cyclists, public transport users and enhancement of the public realm.

The proposed development creates a transport hierarchy providing primacy to pedestrians and cyclists through the introduction of shared surfaces, pedestrian-only areas and traffic-calming in accordance with DMURS and current best practice. Vehicular movements are designed to be indirect so as to reduce speed and give primacy to cyclists, pedestrians and the communal activity.

The subject application is accompanied by a number of additional documentations, including for a DMURS Statement of Compliance and Traffic and Transportation Assessment prepared by ILTP, which detail the scheme's compliance with DMURS – for full details please refer to same.

4 DUN LAOGHAIRE RATHDOWN DEVELOPMENT PLAN 2016-2022



The Dun Laoghaire Rathdown County Development Plan 2016-2022 is the relevant statutory planning context for the subject site. This Plan will remain valid for 6 years, subject to any review, variations, extensions or alterations made during the lifetime of the permission.

4.1 The Core Strategy

The core strategy of this plan aims to create a coherent settlement strategy based on National and Regional population targets and associated requirements for housing land, alongside appropriate employment and retail development. A key strand of the overall settlement strategy focuses on the continued *“promotion of sustainable development through positively encouraging consolidation and densification of the existing urban/ suburban built form.”* The subject site fulfils this requirement given its infill development within a serviced existing urban area.

It is set out in the strategy that between 2016 and 2022, the regional planning guidelines have allocated approximately 19,850 housing units to be built in the Dun Laoghaire Rathdown area. That is roughly 3,300 a year. However, due to a lack of housing provisions between 2006 and 2013 there is a deficit of housing which now requires 3,800 units per annum.

The subject development aims to meet some of this deficit housing demand, while providing housing through densification of serviced land within existing settlements.

4.2 Planning Policy

This section of the report reviews the compliance of the scheme with Development Plan policy as per the table set out below.

Policy Ref.	Policy	Applicant Response
Res 2	<i>“It is Council policy to facilitate the implementation and delivery of the Interim Housing Strategy 2016 - 2022.”</i>	The proposed development is in line with the Housing Strategy as it provides Social housing under Part V (45 no. units in Block C). The residential mix provided overall is energy efficient, good mix of good quality housing and is accessible for those with specific needs. This has been demonstrated in the objectives addressed below.
Res 3	<i>“It is Council policy to promote higher residential densities provided that proposals ensure a balance between the reasonable protection of existing residential amenities and the established character of areas, with the need to provide for sustainable residential</i>	The gross residential density in this case is identified as 179 units per ha, which is considered appropriate given proximity of the site to an existing Bus Priority Route along the Leopardstown Road, 600m from Sandyford Luas Line Stop and given that Stillorgan Village and

	<p>development. In promoting more compact, good quality, higher density forms of residential development it is Council policy to have regard to the policies and objectives contained in the following Guidelines:</p> <ul style="list-style-type: none"> • 'Sustainable Residential Development in Urban Areas' (DoEHLG 2009). • 'Urban Design Manual- A Best Practice Guide' (DoEHLG 2009). • 'Quality Housing for Sustainable Communities' (DoEHLG 2007). • 'Irish Design Manual for Urban Roads and Streets' (DTTaS and DoECLG, 2013). • 'National Climate Change Adaptation Framework: Building Resilience to Climate Change' (DoECLG, 2013)." 	<p>Sandyford Business park are within 2km and 1km of the site respectively. This is considered an efficient and sustainable use of a key infill site along the Leopardstown Road with a variety of amenities and facilities.</p> <p>Furthermore, it is our view that this proposed residential density is supported by national policy and guidance and can be favourably considered at this time. This is particularly the case given the quality of the proposal submitted. Notably, the proposal successfully delivers on all relevant development management and provides for an exceptional level of residential amenity.</p> <p>The proposed residential development is in compliance with 'Sustainable Residential Development in Urban Areas', 'Urban Design Manual- A Best Practice Guide', and 'Quality Housing for Sustainable Communities' as has been demonstrated above. The proposal also complies with the 'Irish Design Manual for Urban Roads and Streets.' as outlined in the DMURS Compliance Statement prepared by Barrett Mahony Consulting.</p>
<p>Res 7</p>	<p>"It is Council policy to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided within the County in accordance with the provisions of the Interim Housing Strategy."</p>	<p>The proposed development provides a variety of housing mixes which support a range of households. We refer the Planning Authority to the proposed residential mix enclosed herewith, which is outlined in the development summary section at the rear of the OMP Brochure.</p> <p>This mix is considered appropriate and in line with ministerial guidance contained within the 2020 apartment Guidelines. Given the specific requirements of the development plan in relation to mix, the Material Contravention Statement enclosed herewith outlines further details on the mix proposed vis a vis the Development Plan requirements. We note that the 2020 Apartment Guidelines are the overriding document in terms of guidance on development mix and the current proposal, as set out in the preceding sections of this document, complies in full of these guideline requirements.</p> <p>Furthermore, there is a large provision of residential amenity space as part of this development, along with a creche, which helps to establish a sustainable community.</p>
<p>Res 8</p>	<p>"It is Council policy to promote the provision of social housing in accordance with the projects outlined in the Council's Interim Housing Strategy and Government policy as outlined in the DoECLG 'Social Housing Strategy 2020'."</p>	<p>The Part V proposal is based on the provision of 9.7% of the units. These units are identified on plan and schedules submitted herewith. Block C specifically delivers 45 Part V residential units. These units are identified in Part V booklet prepared by O'Mahony Pike Architects. There are 5 no. studios, 15 no. 1 bed and 25 no. 2 bed proposal for allocation of Part V.</p>
<p>Res 9</p>	<p>"It is Council policy to support the concept of independent and/or assisted living for older people and people with disabilities/mental</p>	<p>We note that the proposal provides for studio's, 1 bed, 2 bed and 3 bed apartments on a site that is proximate to Sandyford Urban Core and public</p>

	<i>health issues. In this regard the Council will support the provision of specific purpose-built accommodation, or adaptation of existing properties, and will promote opportunities for elderly householders to avail of the option of 'downsizing' within their community."</i>	transport facilities. It is therefore submitted that the proposal is appropriate for an ageing population. The development now proposed has incorporated easily accessible, secure ground floor units and social units within the scheme. The design of these units is appropriate for use by any ageing population associated with the site.
Res 14	<i>"It is Council policy to plan for communities in accordance with the aims, objectives and principles of 'Sustainable Residential Development in Urban Areas' and the accompanying 'Urban Design Manual – A Best Practice Guide'. In all new development growth areas, and in existing residential communities it is policy to ensure that proper community and neighbourhood facilities are provided in conjunction with, and as an integral component of, major new residential developments and proposed renewal/redevelopment areas, in accordance with the concept of sustainable urban villages outlined under Policy RES15."</i>	<p>Community facilities will be provided in the form of a childcare facility, café, a gym, and residential support facilities such as a residential tenant amenity area, storage and bicycle storage.</p> <p>A childcare facility and residential amenity spaces are proposed to service the future needs of the residents. The details of residential amenities are further set out in the planning report enclosed herewith.</p> <p>These facilities are considered to be of a high quality and will be accessible to residents and to the wider community where appropriate. The proposed facilities are further set out in the Resident Services Report enclosed herewith.</p>
UD 1	<i>"It is Council policy to ensure that all development is of high quality design that assists in promoting a 'sense of place'. The Council will promote the guidance principles set out in the 'Urban Design Manual – A Best Practice Guide' (2009), and in the 'Design Manual for Urban Roads and Streets' (2013) and will seek to ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design."</i>	<p>The proposed development takes into account the Urban Design Manual and Design Manual for urban roads and streets in order to help develop a sense of place.</p> <p>We note specifically that Section 3.1. of this report reviews in detail the requirements of the Urban Design Manual, with a clear compliance of the scheme with same identified.</p> <p>We refer also to the Design Statement submitted by O'Mahony Pike Architecture for further details on matters of context, connectivity, inclusivity, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design items.</p> <p>The development takes the context of its surrounding developments into account to develop a high-density design in keeping with its surroundings. The layout and public realm elements of the development prioritise pedestrian linkages and amenity in order to best utilise the transport amenities in the immediate facility. This is carried out by placing parking at a basement level in order to yield priority to people-friendly spaces and providing significant enhancements to the streetscape and public realm at Leopardstown Road.</p>
UD 2	<i>"It is Council policy that, for all medium-to-large scale and complex planning applications (30 + residential units, commercial development over 1,000 sq.m. or as required by the Planning Authority) a 'Design Statement' shall be required to demonstrate how the proposed development addresses or responds to the design criteria set out in the 'Urban Design Manual - A Best Practice Guide' (DoEHLG, 2009)."</i>	A Design Statement has been prepared and submitted by O'Mahony Pike Architecture. How the proposal responds to the design criteria of the 2009 Urban Design Manual is set out.

UD3	<i>“It is Council policy that all development proposals, whether in established areas or in new growth nodes, should contribute positively to an enhanced public realm and should demonstrate that the highest quality in public realm design is achieved.”</i>	<p>The proposed development would reinstate a strong edge to the site, creating passive surveillance along the through route provided and on to Leopardstown Road. This would help to develop a sense of place along the road and better define the area as being an area of landmark height and high-quality residential development along a transport corridor.</p> <p>We refer An Bord Pleanála to the Design Statement prepared by O’Mahony Pike Architects and the Landscape Design Booklet prepared by Mitchell Associates, both submitted herewith, for further details on how the proposal enhances the local public realm.</p>
UD 6	<i>“It is Council policy to adhere to the recommendations and guidance set out within the Building Height Strategy for the County.”</i>	<p>The proposal is in keeping with the National Planning Framework and the provisions of the Urban Development and Building Height, Guidelines for Planning Authorities (2018). This is the predominant context under which the matter of building heights should be considered.</p> <p>The compliance of the proposal with the Building Height Strategy is examined further in the Brock McClure Planning Report enclosed herewith.</p> <p>We note that the Material Contravention Statement enclosed herewith has addressed the matter of height as a potential material contravention of the Development Plan. We refer An Bord Pleanála to this document for further details.</p> <p>An analysis of the impact of building height and positioning of buildings has been carried out through specific assessment criteria in the form of sunlight and daylight access analysis, Conservation Assessment and landscape visual impact assessment, all of which demonstrate that the design proposals are appropriately considered to ensure that no adverse or negative impact arises. These assessments are submitted as part of this application.</p>
SIC 3	<i>“It is Council policy to promote and support universal design whereby all environments can be used to the greatest extent possible by all people, regardless of age, ability or disability.”</i>	<p>We confirm that the scheme has considered housing for the elderly by way of easily accessible and secure ground floor and smaller units within the scheme where appropriate. The development is also accessible for those with disabilities through ground floor units and the provision of elevators.</p>
SIC 5	<i>“It is Council policy to support, as resources allow, the continued delivery of Estate Management structures and programmes in areas identified with a high proportion of Council-owned properties.”</i>	<p>We refer An Bord Pleanála to the Building Lifecycle Report and Estate Management Report (prepared by Aramark) included herewith for further detail on management matters for the residential proposal.</p>
SIC 6	<i>“It is Council policy to support the development, improvement and provision of a wide range of community facilities distributed in an equitable manner throughout the County.”</i>	<p>The broad needs of the community, including the proposed development, have been outlined. A range of indoor and outdoor amenities are proposed that will enhance the local community</p>

SIC 7	<p><i>“It is Council policy to ensure that proper community infrastructure and complementary neighbourhood facilities are provided concurrently with the development of new residential growth nodes in the County.”</i></p>	<p>through improved connections and an enhanced build environment.</p> <p>Facilities will be provided in the form of a childcare facility, café, a gym, and residential support facilities such as a concierge, storage and bicycle storage. These facilities will cater to the future residents and, where appropriate, the wider community.</p>
SIC 11	<p><i>“It is Council policy to encourage the provision of affordable and appropriate childcare facilities as an integral part of proposals for new residential developments and to improve/expand existing childcare facilities across the County. In general at least one childcare facility should be provided for all new residential developments subject to demographic and geographic needs. The Council will encourage the provision of childcare facilities in a sustainable manner to encourage local economic development and to assist in addressing disadvantage.”</i></p>	<p>The current scheme delivers on a childcare facility of 282 sq m located in Block E. The creche proposed is contained within a smaller residential block that is part of the existing St. Josephs House. There are also 6 no. surface car parking spaces in relation to this facility.</p>
ST 5	<p><i>“It is Council Policy to secure the development of a high quality walking and cycling network across the County in accordance with relevant Council and National policy and guidelines.”</i></p>	<p>There are pedestrian and cycle links through the site towards Sandyford Urban Core and to the surrounding green network along the park to the north. This includes footpaths, landscaping and planting, connectivity and generally improved permeability through the provision of pedestrian access points.</p> <p>The permeability of the surrounding green network is enhanced through this development due to the additional routes and connections which provide access via a new pedestrian route through the site.</p> <p>The applicant in this case has made provision for appropriate future access to public lands to the north. Appropriate provision is made for pedestrian and cyclist facilities within the lands controlled by the applicant in this case. We refer An Bord Pleanála to material submitted by Barrett Mahony Consulting Engineers and Mitchell & Associates Landscape Architects for further details on pedestrian and cyclist permeability across the site.</p>
ST 7	<p><i>“It is Council policy to secure improvements to the County Cycle Network in accordance with the Dún Laoghaire-Rathdown Cycle Network Review whilst supporting the NTA on the development and implementation of the Cycle Network Plan for the Greater Dublin Area.”</i></p>	<p>Notable cycle network improvements are proposed as part of this development. The proposed layout of the development is highly permeable for both pedestrians and cyclists through the delivery of connectivity for pedestrian and cycle pathways through the site linking to the green network to the north and to the residential estates to the west, which allows for a wider network of cycle and pedestrian routes to be provided. We refer An Bord Pleanála to material enclosed from Mitchell Associates which sets out further detail on permeability and connectivity of the site.</p>
ST 20	<p><i>“It is Council policy to require the submission of Travel Plans for developments that</i></p>	<p>A Traffic and Transport Assessment has been submitted by ILTP Consulting as part of this</p>

	<i>generate significant trip demand. Plans should seek to reduce reliance on car based travel and encourage more sustainable modes of transportation over the lifetime of a development."</i>	application. In addition, the site is located in proximity to the Sandyford LUAS and bus connections at Brewery Road and Leopardstown Road.
ST 27	<i>"It is Council policy to require Traffic and Transportation Assessments and/or Road Safety Audits for major developments – in accordance with the TII Traffic and Transport Assessment Guidelines 2014 - to assess the traffic impacts on the surrounding road network and provide measures to mitigate any adverse impacts - all in accordance with best practice guidelines."</i>	A comprehensive Traffic and Transport Assessment has been submitted with this application.
ST 28	<i>"It is Council policy to ensure that traffic noise levels are considered as part of new developments along major roads/rail lines in accordance with best practice guidelines."</i>	A Noise Impact Assessment has been prepared for this application by AWN Acoustic Consultant and is included as part of Chapter 9 Noise and Vibration in the accompanying EIAR. The level of road noise is not expected to be significant from the subject site due to low traffic speeds and vehicles being removed to ground level within a short time of entering the site.
EI 18	<i>"It is Council policy to co-operate with other agencies, to plan, organise, authorise and supervise the disposal of hazardous waste."</i>	An Operational Waste Management Report has been provided as part of this application by AWN that will include management of waste.
LHB 20	<i>"It is Council policy to ensure the protection of natural heritage and biodiversity, including European sites that form part of the Natura 2000 network, in accordance with relevant EU Environmental Directives and applicable National Legislation, Policies, Plans and Guidelines."</i>	An Environmental Impact Assessment Report has been co-ordinated by Brock McClure Planning and Development consultants as part of this application. In addition, an Appropriate Assessment Screening Report prepared by Scott Cawley is submitted herewith to address the requirements of this policy.
AH 1	<i>"It is Council policy to protect archaeological sites, National Monuments (and their settings), which have been identified in the Record of Monuments and Places (RMP) and, where feasible, appropriate and applicable to promote access to and signposting of such sites and monuments."</i>	St. Josephs House is a protected structure and there is an ACA located to the south of the site. A conservation assessment has been prepared by David Slattery Conservation Architects, which is attached to this planning application and indicates there are no significant conservation impacts expected from the proposed development. We refer the Board to the attached report for full details.
AR 1	<p>It is Council policy to:</p> <ul style="list-style-type: none"> • Include those structures that are considered in the opinion of the Planning Authority to be of special architectural, historical, archaeological, artistic, cultural, scientific, technical or social interest in the Record of Protected Structures (RPS). • Protect structures included on the RPS from any works that would negatively impact their special character and appearance. • Ensure that any development proposals to Protected Structures, their curtilage and setting shall have regard to the Department of the Arts, Heritage and the Gaeltacht 'Architectural Heritage Protection Guidelines for Planning Authorities' (2011). 	<p>The protection of the existing heritage of the site has been a key objective from the outset of the design. From the outset of the project, we have sought the services and expertise of David Slattery Conservation Architects to advise on conservation matters. We refer An Bord Pleanála to the accompanying documentation enclosed herewith for further review on matters of conservation.</p> <p>In summary, the documents submitted illustrate that the development proposed would not negatively impact the Protected Structure on site.</p>

	<ul style="list-style-type: none"> • Ensure that new and adapted uses are compatible with the character and special interest of the Protected Structure. 	
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Table 6 - DLRCC Policy Compliance

4.3 Zoning

The site is zoned **Objective A** “To protect and/or improve residential amenity”, as identified in the figure below. Uses permitted in principle under this zoning include:

“Assisted Living Accommodation, Open Space, Public Services, Residential, Residential Institution, Traveler’s Accommodation.”

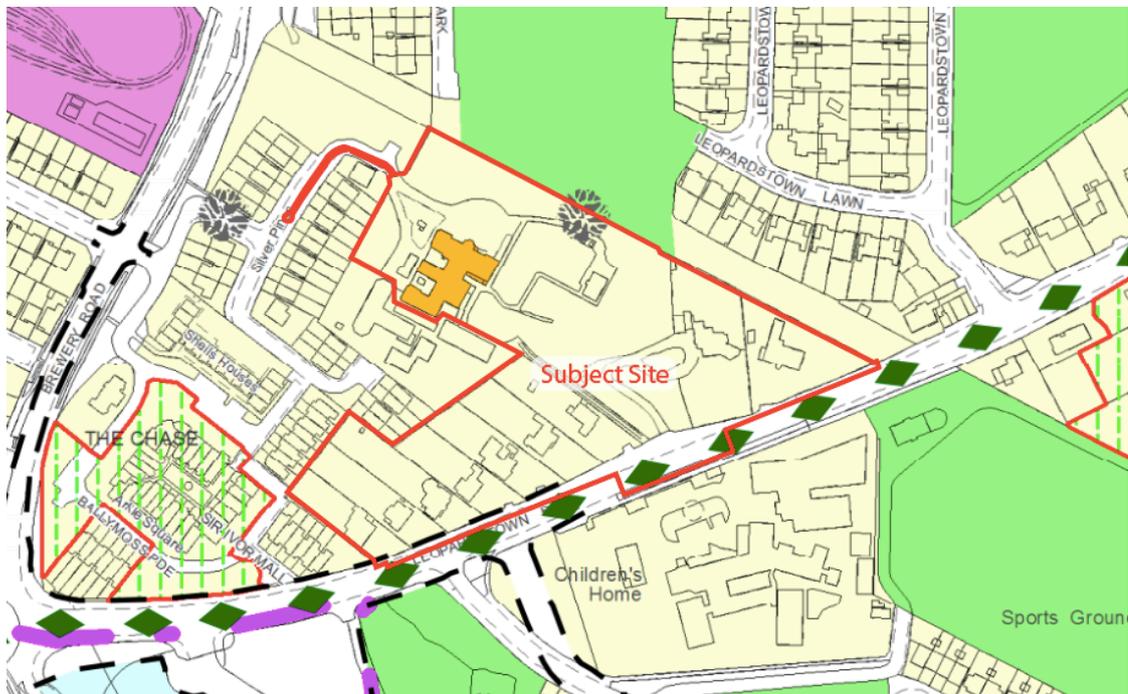


Figure 8 - Zoning Map with site outlined in Red

The above uses are considered the most appropriate to the subject site as they are permitted in principle under the zoning. Creche and Café/Tea rooms are also open for consideration under zoning objective A. The principle of a residential development is therefore acceptable under the zoning.

In addition, there are other zoning objectives within the subject site which include:

- A protected structure (St. Joseph’s) highlighted in orange,
- A Tree Preservation Objective is displayed by a tree symbol,
- A proposed quality bus corridor displayed by the linear green triangles, and
- A 6 - year road proposal delineated by a black hatched line.

Consideration has been given to all of these provisions both within the design evolution of the scheme and within the material submitted.

4.4 Protected Structure

The proposed development site contains a Protected Structure. The following designation is made in the Development Plan:

- Structure name - Saint Joseph’s House
- Location - Silver Pines, Brewery Road, Stillorgan, Co. Dublin

- Description - House
- RPS No. 1548

Consideration has been given to Development Plan requirements for Development in proximity of a Protected Structure in this proposal. Notably, Section 8.2.11.2 (iii) of the Development Plan requires that any proposal for development in proximity to a Protected Structure should be assessed in terms of the following:

- The proximity and potential impact in terms of scale, height, massing and alignment on the Protected Structure, to ensure that harmony produced by particular grouping of buildings and the quality of spaces and views between them is not adversely affected.
- The quality and palette of materials and finishes proposed.
- Works to the Protected Structures should take place in tandem with the proposed development to ensure a holistic approach to the site.
- Impact on existing features and important landscape elements including trees, hedgerows and boundary treatments.
- Impact of associated works including street furniture, car parking, hard landscaping finishes, lighting and services.

We refer the Planning Authority to the inputs submitted herewith from Slattery Conservation and specifically the Architectural Heritage Impact Assessment and the relevant chapter of the Environmental Impact Assessment Report enclosed herewith.

4.5 Tree Preservation

Under the Development Plan, there is an objective identified on the Development Plan zoning map along the northern and eastern boundary of the site **“To protect and preserve Trees and Woodlands”**. The level of protection is as denoted by the tree symbol on the map.



Figure 9 – Tree Objective

Section 8.2.8.6 of the Development outlines that **“New developments shall be designed to incorporate, as far as practicable, the amenities offered by existing trees and hedgerow and new developments shall have regard to objectives to protect and preserve trees and woodlands as identified on the County Development Plan Maps.”**

In this case, the tree protection and preservation symbol is identified along the northern and eastern boundary of the site, the full extent of which provides for significant mature tree cover. It is unclear if this symbol relates to the full extent of the boundary/site, or if it can be assumed that it is specific to the immediate surrounds of its location.

In this case, the tree protection and preservation symbol is identified along the north eastern boundary of the site, the full extent of which provides for significant mature tree cover. It is unclear if this symbol relates to the full extent of the boundary/site, or if it can be assumed that it is specific to the immediate surrounds of its location.

Regardless, it should be highlighted that at this location, there are 3 no. Category U trees (no.s 279, 280 and 281 categorised as dead or dying); 3 Category C trees (no.s 264, 270 and 275 categorised as Mediocre to Poor Trees); and 2 Category B Trees (no.s 268 and 274 categorised as Good Trees) identified in the area proximate to the tree objective symbol proposed for removal as part of the current development proposal. Importantly, there are no Category A trees (excellent trees) either identified for this site or proposed for removal. It is also clear from material submitted that the majority of trees at this location are proposed for retention. The proposal for this is set out below with trees (identified by pink hatch) removed:



Figure 10 – Tree Impact Plan

The objective **“To protect and preserve Trees and Woodlands”**, must also be considered in the context of the other provisions of the Development Plan, which do not require all trees to be retained. Section 8.2.8.6 provides:

“New developments shall be designed to incorporate, as far as practicable, the amenities offered by existing trees and hedgerow and new developments shall have regard to objectives to protect and preserve trees and woodlands as identified on the County Development Plan Maps.”

The Plan further states in Section 8.2.8.6 that:

“Where it proves necessary to remove trees to facilitate development, the Council will require the commensurate planting or replacement trees and other plant material. This will be implemented by way of condition”.

The proposal in this case has been the subject of significant arboricultural input and design revision to ensure the retention of as many trees as possible from the outset of the design. The Design Team has sought to maximise opportunities for tree retention as part of the subject scheme to aid in the

assimilation of the scheme into its context, whilst also accepting that a number of trees must be removed to facilitate the current strategic housing development.

At this point, it is important to set out that under a separate permission for a smaller portion of the current site (Reg Ref D17A/0337 and ABP Ref. PL06D.249248), there was provision made for the removal of a number of trees to accommodate the development permitted under that application. We confirm that initial tree clearance works were carried out under that permission and these works related solely to trees permitted for removal under that permission. The current application and proposals have incorporated these works into the current arboricultural survey to ensure that the current arboricultural information is reflective of the present on-site condition for trees.

Overall, 141 no. trees are required to be removed to accommodate the proposed development across the entire site and thus a planting plan, which involves the planting of approx. 200 No. trees is proposed, resulting in a net gain of 59 no. trees upon completion of the proposed development. This accords with the requirements of the Development Plan in that commensurate planting and replacement trees are delivered within the proposal.

It is also worth highlighting that of the 141 trees proposed for removal across the entire site, 55 are Category B Trees (Good Trees) and 66 are Category C Trees (Mediocre to Poor Trees) and 21 are Category U trees (dead, dying or otherwise compromised trees that are unsustainable). There are no Category A trees (excellent trees) located on this site or proposed for removal, which is a key factor for consideration.

All considered, it is evident that the requirements of the Development Plan are met, where the retention of trees, as far as practicable, has been provided for. As set out above, it should be highlighted that there are 3 no. Category U trees (no.s 279, 280 and 281 categorised as dead or dying); 3 Category C trees (no.s 264, 270 and 275 categorised as Mediocre to Poor Trees); and 2 Category B Trees (no.s 268 and 274 categorised as Good Trees) identified in the area proximate to the tree objective symbol proposed for removal as part of the current development proposal. However, it is clear from material submitted that the majority of trees at this location are proposed for retention. In addition, where it is necessary to remove trees to facilitate development, a commensurate programme for replacement planting has been delivered.

It is worthwhile to draw the attention of An Bord Pleanála to the enclosed Arboricultural Input from The Tree File, which provides for a comprehensive review and assessment of the matter of trees at this site.

We refer the Board to the Material Contravention Statement enclosed herewith further considering this 'trees' issue.

In addition to the above, we note that the Landscape Plan prepared by Mitchell & Associates fully considers the Tree Preservation Objective and will provide an enhanced landscaped setting for both the existing and proposed development.

4.6 Proposed Quality Bus / Bus Priority Route

It is the policy of DLRCC to implement Quality Bus Networks measures. The overall aim is to achieve a strategic mesh of radial and orbital Quality Bus Corridors (QBC) linking the suburbs with each other and with the city centre. As per figure 8 above, the site is located adjacent to a proposed quality bus corridor along Leopardstown Road. The site is also located in close proximity to the N11 public transport corridor, which is a quality bus corridor/bus priority route. Distances to the nearest bus stops are 900m or 11 minutes walking time. Travel time to St. Stephen's Green is 25 mins.

4.7 6 Year Road Proposal

It is a Council objective to facilitate the provision of the roads as part of a six year programme. These schemes are dependent on the necessary finance being available. The Council may, at its discretion, introduce roads objectives at any time within the currency of the Plan by way of a variation to the Plan.

The 6 year road proposal identified adjacent to the site was considered during the design evolution of the site. We note specifically that the potential to provide a four-armed signalised junction on Leopardstown Road, which provides access to the proposed development and the Tudor Lawns estate on the opposite side of the road, was examined. This proposal, however, proved to be problematic due to the proximity of any new signalised junction to the existing signalised junction to South County Business Park. The planning authority accepted that the previously permitted access arrangements would still be workable with the increased loading.

4.8 Transitional Zoning

The subject site (zoned Objective A) is located proximate to an area of zoned open space (Zoning Objective F) to the north known as Leopardstown Park. It may be considered that the site is therefore situated in a Transitional Zone.

The following provisions of the Development Plan (Section 8.3.2.) as they relate to the site are set out below:

Section 8.3.2 of the Development Plan sets out that:

“The maps of the County Development Plan show the boundaries between zones. While the zoning objectives and development management standards indicate the different uses and densities, etc. permitted in each zone, it is important to avoid abrupt transitions in scale and use in the boundary areas of adjoining land use zones. In dealing with development proposals in these contiguous transitional zonal areas, it is necessary to avoid developments which would be detrimental to the amenities of the more environmentally sensitive zone. For instance, in zones abutting ‘residential areas’ or abutting residential development within mixed-use zones, particular attention must be paid to the use, scale and density of development proposals in order to protect the amenities of these residential properties.”

In consideration of the above provision, we are of the view that the current proposal for residential development along the shared boundary is an appropriate land use with no perceived negative impact on the area of open space to the south. We note specifically that any new block form associated with the new strategic development proposal is sufficiently removed from this shared boundary with Leopardstown Park. Furthermore, the existing boundary treatment is for the most part retained, which ensures there is no undue visual impact associated with the proposal at this location. We note the following comment from Modelworks in terms of View 9 (from Leopardstown Park to the site)

“Blocks A, B and C would protrude above the tree line along the greenway at the edge of the park – an appropriate change in the urban context, with the development marking the line of transition between the low density suburban area to the north, and the new urban district to the south. The articulated facades and variations in height would add visual interest to the composition. There would be no sense of excessive enclosure, and no valued feature of the view would be compromised. A development of appreciable design and material quality would be introduced to the view.”

The magnitude of change is identified as medium and the significance of effects is identified as ‘moderate positive. All considered, the current proposal is considered a positive contribution to this particular transitional zone.

4.9 Residential Mix

Section 8.2.3.3 (iii) of the County Development Plan sets out the requirements in relation to the mix of units provided as part of new apartment development as follows:

“Apartment developments should provide a mix of units to cater for different size households, such that larger schemes over 30 units should generally comprise of no more than 20% 1-bed units and a minimum of 20% of units over 80 sq.m.....”

The following statement contained on the cover page of Chapter 8 of the Development Plan appears to exclude **Section 8.2.3.3.(iii)** as referred to above.

*“ADVISORY NOTE - Sustainable Urban Housing – Design Standards for New Apartments’ DoECLG(2015) - Users of this Dún Laoghaire-Rathdown County Development Plan 2016-2022 are advised that the standards and specifications in respect of Apartment Development- as set out in **Section 8.2.3.3. (i), (ii), (v), (vii) and (viii)** of the Development Plan Written Statement –have been superseded by Ministerial Guidelines ‘Sustainable Urban Housing – Design Standards for New Apartments’ published by the Department of Environment, Community and Local Government (DoECLG) on 21st December 2015.”*

In consideration of this matter, we note that the proposed development provides for the following mix of units:

- 85 no. studio units (18.4%)
- 117 no. one bed units (25.2%)
- 248 no. two bed units (53.5%)
- 13 no. three bed units (2.8%)

In addition, as part of the overall residential mix, the proposed development is in line with the Housing Strategy as it provides Social housing under Part V (45 no.).

4.10 Height

The Development Plan contains a Building Height Strategy (Appendix 9), which has been considered in the context of the subject site. However, the ‘Urban Development and Building Heights - Guidelines for Planning Authorities December (2018)’ supersede the requirements of the Building Height Strategy. Section 34(2)(ba) of the 2000 Act, provides in effect that the requirements of an SPPR will take precedence over any conflicting provisions of the Development Plan:

“(b) where specific planning policy requirements of Guidelines referred to in sub-section 2(a) differ from the provisions of the Development Plan of a planning authority, then those requirements shall, to the extent that they so differ, apply instead of the provisions of the Development Plan.”

We note also that this is reflected in the terms of section 1.14 of the Building Height Guidelines specifically states:

*“1.14 Accordingly, where SPPRs are stated in this document, **they take precedence over any conflicting, policies and objectives of development plans, local area plans and strategic development zone planning schemes.** Where such conflicts arise, such plans/ schemes need to be amended by the relevant planning authority to reflect the content and requirements of these guidelines and properly inform the public of the relevant SPPR requirements.”*

In consideration of the above, we consider the Building Height Guidelines to be the predominant context for assessment of building heights in this case.

Notwithstanding the above, it is considered appropriate to consider the development vis a vis the objectives and general principles of the Building Height Strategy under the current Statement of Consistency. The sections below deliver this review.

The Proposal

As a summary, we note the following proposals for height across the scheme submitted to An Bord Pleanála:

Block	Heights Proposed
Block A	5 Storeys
Block B	4 - 7 storeys
Block C	5 - 7 Storeys
Block D	5 - 10 Storeys
Block E	2 Storey refurbishment of Existing St. Joseph's House (Protected Structure)
Block F	3 - 6 Storeys

Table 7 - Proposed Building Heights

Building Height Strategy Requirements and Compliance

In terms of context and how the site is defined under the 'Building Height Strategy', we note that the site is situated between Brewery Road and Leopardstown Road, Dublin 18 in a largely residential suburban area and is located in close proximity to high quality public transport, that being, 600m from the Central Park Luas Stop and 700m from the Sandyford Luas stop. In this regard, the subject site may be considered to fit into the category of 'Residual Suburban Areas not included within Cumulative Areas of Control' under the Height Strategy, i.e. there is no Local Area Plan or Masterplan to provide guidance on appropriate height governing this site.

In such areas the 'Building Height Strategy' states:

"Apartment or town-house type developments or commercial developments in the established commercial core of these areas to a maximum of 3-4 storeys may be permitted in appropriate locations - for example on prominent corner sites, on large redevelopment sites or adjacent to key public transport nodes - providing they have no detrimental effect on existing character and residential amenity."

The Height Strategy goes on to state that "this maximum height (3-4 storeys) for certain developments clearly cannot apply in every circumstance. There will be situations where a minor modification up or down in height could be considered. The factors that may allow for this are known as 'Upward or Downward Modifiers'".

In addition, the Height Strategy sets out that where these modifiers apply, heights shall be increased or decreased by 1 or possibly 2 floors of development.

Upward and Downward Modifiers are now considered below:

Upward Modifiers

It is stated that a proposal must meet more than 1 Upward Modifier in order to qualify as a suitable location for this additional building height. Our review of these modifiers finds that the proposed development meets the criteria of Upward Modifiers b, d, e and f as set out below:

- **b. The development would provide major planning gain, such as:**
 - **Significant improvements to the public realm,**
 - **The provision or significant enhancement of a public transport interchange,**
 - **The provision of new or improved transport infrastructure.**

The proposal delivers a significant improvement to the public realm by way of:

- A new active street frontage along Leopardstown Road including the delivery of a new café unit and residential amenity space at ground level within Block D;

- The delivery of a new interface along Leopardstown Road that delivers a permeable development with new pedestrian connections from Leopardstown Road to the adjacent Leopardstown Park and Brewery Road;
 - The opening up of the site to allow for views to and from the protected structure, St. Joseph's House;
 - The delivery of a network of new open space areas including courtyards and play areas etc.
 - The amalgamation of a number of existing vehicular access points along Leopardstown Road to provide for one central vehicle access point to the overall site.
- ***d. The built environment or topography would permit higher development without damaging the appearance or character of the area, for example: - In an area where the location or scale of existing buildings would allow the recommended height to be exceeded with little or no demonstrable impact on its surroundings, - In a dip or hollow, behind a rise, or near a large tree screen, where the impact of a higher building would have little or no additional impact on its surroundings***

The context of the subject site is unique in that it is bounded on its western and southern boundaries by residential development at Silverpines, Arkle Square Architectural Conservation Area (ACA), and the Anne Sullivan Centre. The site also has the benefit of an adjoining public park (Leopardstown Park) along the northern boundary and significant site frontage along the full extent of Leopardstown Road to the immediate east of the site. The site also contains a protected structure, St. Joseph's House, which has been considered from the outset of the design as a sensitive receptor. This built environment together with the topography of the site have been considered in detail during the design process to ensure proposals for height are appropriate.

The site is also considered to be of a sufficient size (net 2.58ha) that it can set or propose its own proposed context for height at locations within the site that are located away from any sensitive boundaries or receptors. The approach taken is one where the higher elements of the scheme are focused towards the site frontage along Leopardstown Road and towards the centre of the site. Notably Blocks B and C are 7 storeys in height and Blocks D rises to 10 storeys at the centre of the site.

Lastly, the Tree Impact Plan submitted by The Tree File with this application outlines that 141 no. trees of a total tree population of 277 no. trees are proposed for removal. All trees proposed for removal are fair, poor or unsustainable trees (Category B, C and U trees). There are no good quality trees lost. The important point of note in this context is that the majority of trees along the more sensitive boundaries are retained.

- ***e. A development would contribute to the promotion of higher densities in areas with exceptional public transport accessibility, whilst retaining and enhancing high quality residential environments.***

The site is located within approx. 600 m of the Central Park Luas Stop and 700m of the Sandyford Luas stop, both of which serve the green Luas line - a high frequency transport node. In addition, there are a number of regular bus services on the R113 Leopardstown Road, N31 Brewery Road and N11 Stillorgan Road. The N11 is a primary arterial route connecting the suburbs of south Dublin with the city centre. The closest bus stop on the N11 is approximately 16 minute walk away from the centre of the subject site, and is served by the 46A, 70, 75, 84X and 145 bus routes with services between the city centre at 10 minute intervals at peak periods.

The site is therefore well placed in terms of exceptional public transport accessibility. The current density proposal provides for 179.4 units per ha (based on 463 units on a net site of 2.58ha) and is considered an appropriate residential density for a suburban site proximate to public transport infrastructure. It is our view that the proposal contributes to the promotion of higher densities in areas with exceptional transport accessibility.

- ***f. The size of a site, e.g. 0.5ha or more, could set its own context for development and may have potential for greater building height away from boundaries with existing residential development.***

The net development site area is c.2.58ha and is considered to be of a size sufficient to provide an independent height strategy.

Specifically, care has been given along the boundary with Silverpines and Arkle Square ACA to limit heights to 2 and 3 storeys by way of proposals for the refurbishment of St Joseph's House (2 storeys) and Block F (limited to 3 storeys in height at the more sensitive locations within the site and rising to 6 storeys along Leopardstown Road). Furthermore, Block A has been limited to heights of 5 storeys and is significantly removed from the Protected Structure (separation distances of 25.1-32.2m).

The above considered, we are of the view that upward modifiers b, d, e and f apply to the site and as such additional heights of 1 and 2 floors above the 3-4 storey maximum can be considered for this site. Notwithstanding this, the current proposal provides for heights of up to 10 storeys, which is an increase above that envisioned by the 'Building Height Strategy' governing the site context for height.

Should the Board be of the opinion that the proposed height materially contravenes the key provisions of the Development Plan as they relate to height, it is our view that there is adequate support at national level (by way of ministerial guidelines) to justify the height as currently proposed and a material contravention may be permitted. We refer An Bord Pleanála to the enclosed Material Contravention Statement in this regard.

Downward Modifiers

The applicant is also obliged to consider downward modifiers, where a decrease in height may be required where a proposal would adversely affect:

1. Residential living conditions through overlooking, overshadowing or excessive bulk and scale.
2. An Architectural Conservation Area (or candidate ACA) or the setting of a protected structure.
3. Strategic protected views and prospects.
4. A planning or social objective, such as the need to provide particular types of housing, employment or social facility in an area.
5. An Area of Particular character including a coastal fringe or mountain foothills

As a response, we note the following:

1. The material enclosed here with from O' Mahony Pike, Modelworks and ARC has clearly demonstrated that there is no adverse impact posed by the development by way of overlooking or overshadowing or excessive bulk and scale.
2. Careful consideration has been had in regard to Protected Structure St. Josephs, and the proximate location to the ACA Arkle Square. This refurbishment of St. Joseph's House is restricted to 2 storeys in height.
3. The proposal does not affect any strategic protected views or prospects.
4. The proposal is consistent with national guidance on the types of housing to be delivered.
5. The site is not located within an Area of Particular Character such as the coastal fringe or mountain foothills.

As such, we consider none of the downward modifiers to apply to the subject site.

General Principles

Notwithstanding the consideration given to upward and downward modifiers as they relate to the site, it is our submission that the dominant section of the Building Height Strategy which applies to the subject site is the General Principles section contained in Section 5 of the Strategy.

The general principles should be applied by the competent authority in assessing appropriate building heights throughout the County. The general principles referenced are set out below:

- To protect the residential amenities of the County.
- To protect the County's built heritage and natural areas of exceptional beauty.
- To promote high densities and allow for increased densities around public transport nodes and centres of activity.
- To encourage higher densities and also to allow for increased building heights at appropriate locations along public corridors.
- To promote high density through in-fill development.
- To allow for landmark buildings in the right places.

It is our submission that the current proposal of 2 to 10 storeys in height:

- The proposed buildings will be setback at all boundaries and the upper floors will be further setback where the boundary is shared with existing residential development. The massing of the buildings has been concentrated away from boundaries shared with existing residential development.
- Does not impact on the County's built heritage and natural areas of exceptional beauty, given the proposal's consideration of the neighbouring Protected Structure.
- Promotes an appropriate level of infill development to allow for increased densities in proximity to key public transport. This principle of development is supported in national policy and the site is considered a unique opportunity to deliver appropriate building heights and residential density.

It is our view that the subject site is an ideal candidate for higher building height. The site is located along a main thoroughfare in the area, being Leopardstown Road, and is in close proximity to public transport.

Having regard to the Building Height Strategy we submit that the proposed building height is broadly consistent with the general principles referred to above and is not excessive given its close proximity to public transport and amenities and is of a suitable size for defining its own building height context.

On balance, reference to a Material Contravention in respect of site is considered by the applicant and design team. Details of this as submitted in the Material Contravention Statement prepared by this office and we refer An Bord Pleanála to same.

4.11 Density

Policy RES3 of the County Development Plan refers to Residential Density:

"It is Council policy to promote higher residential densities provided that proposals ensure a balance between the reasonable protection of existing residential amenities and the established character of areas, with the need to provide for sustainable residential development..."

Where a site is located within circa 1 kilometre pedestrian catchment of a rail station, Luas line, BRT, Priority 1 Quality Bus Corridor and/or 500 metres of a Bus Priority Route, and/or 1 kilometre of a Town or District Centre, higher densities at a minimum of 50 units per hectare will be encouraged."

We also note Section 8.2.3.2 states:

“In general, the number of dwellings to be provided on a site should be determined with reference to the Government Guidelines document: ‘Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities’ (2009). As a general principle, and on the grounds of sustainability, the objective is to optimise the density of development in response to type of site, location and accessibility to public transport. However, the overriding concern should be the quality of the proposed residential environment to be created and higher densities will only be acceptable if the criteria which contribute to this environment are satisfied. Higher residential density will not be appropriate in every circumstance and qualitative built form can sometimes be a more important determinant. Higher densities should have regard to surrounding dwellings and should be achieved in tandem with the protection of the amenity of the future residents of the proposed development (Refer also to Policy RES3 in Section 2.1.3.3).

It is clear that Policy RES5 provides that for this particular development site, densities should be in the region of 35-50 units per ha and that higher densities will be allowed where it is demonstrated that the site is located within circa a 1km pedestrian catchment of a Luas Line and where there is (a) quality proposal set out and (b) regard given to surrounding dwellings and future occupants of the proposed development.

A density of 179.4 units per ha is proposed at a rate of 463 units on a net site area of approx. 2.58 ha. This is considered appropriate and achievable at this location given the quality of the scheme proposed; the proximity to public transport (600m to Central Park and 700m to Sandyford Luas stops); and the protection of existing levels of residential amenity for the sites surroundings. We note that particular care and attention has been given to matters of separation and set back distances along shared boundaries and the proposals has been the subject of rigorous testing in terms of daylight and sunlight both within the scheme and to adjoining properties. The open character and residential amenity of the site is retained through a high quality, open landscape design that reflects the existing character.

Given the above, we therefore submit that the proposed residential density is appropriate for the site.

We refer the Board to the Material Contravention Statement enclosed herewith further considering this ‘density’ issue.

4.12 Car Parking

Section 8.2.4.5 of the Dún Laoghaire-Rathdown County Development Plan, 2016-2022 prescribes minimum standards for the quantum of car-parking spaces that are to be provided in new developments. Those quantum’s depend on the land-use proposed within a given development.

Table 8.2.3 of the Dún Laoghaire-Rathdown County Development Plan, 2016-2022 sets out the standards for residential land-use and takes account of both resident and visitor requirements. For apartments, the standards are based on the size of the unit in question. 1 No. car parking space is required for each 1-bedroom unit; 1.5 No. car parking spaces are required for each 2-bedroom unit; and 2 No. car parking spaces are required for each 3-bedroom unit. When those standards are applied to the proposed development, a total 600 No. spaces are required for the residential proposal alone. Additional requirements are identified for both the creche facility and café proposed at 9 spaces (1 space per staff member of which there are 6 staff members; and 1 space per 15 sq m for the café of 49 sq m).

The proposed development provides for 259 no. car parking spaces to cater for the residential and commercial element of the proposed development, which it is acknowledged does not meet the standards set out in the Dun Laoghaire Rathdown Development Plan 2016-2022, requiring c. 609 spaces in total. It is set out that the current proposal provides for 211 car parking spaces for residents (or a ratio of 0.46 per apartment); 9 spaces will be assigned for the creche; and 3 spaces will be allocated to the café. Overall, 4% of spaces will be allocated for car sharing clubs (10 spaces) and 3% will be dedicated to the mobility impaired (7 spaces).

Notwithstanding this, we note that there is provision within the Development Plan within Section 8.2.4.5., which states that reduced car parking standards for any development (residential and non-residential) may be acceptable dependant on a number of factors, which include:

- *The location of the proposed development and specifically its proximity to Town Centres and District Centres and high density commercial/business areas.*
- *The proximity of the proposed development to public transport.*

The site is located immediately adjacent to South County Business Park and Sandyford Business Park to the south and west of the site. In addition, the site is located 600m and 700m walking distance from Central Park and Sandyford Luas stops and adjacent to the Quality Bus Corridor. This considered, it is our view that reduced car parking standards can be applied to the site.

Notwithstanding this, the Board may consider that the proposed development gives rise to a Material Contravention of the Development Plan in respect of parking. We therefore set out a full justification of this matter in the enclosed Material Contravention Statement.

We note however that the DOHPLG Apartment Guidelines (2020) provide for a reduced standard of car parking. Within this document, the site has been classified as an intermediate urban location under the Apartment Guidelines. It is stated in the Guidelines that *“Planning authorities must consider a reduced overall car parking standard and apply an appropriate maximum car parking standard.”*

We would ask that due consideration to the overall provision of 259 as being acceptable in this instance. Preceding sections of this Statement of Consistency has reviewed this matter in detail.

ILTP Consulting has set out a clear and detailed rationale behind the provision of car parking at this site as set out in the Traffic and Transport Assessment, which should be duly considered by An Bord Pleanala. The key points of this rationale are as follows:

The proposed development is ideally suited to facilitate significantly reduced parking from the normal requirements as set out in the Dun Laoghaire Rathdown County Council Development Plan, and in line with the New Apartment Guidelines for the following reasons:

- The proposed development is well located in proximity to high quality public transport; less than 5 minutes walking of a QBC with services direct to the City Centre and less than 10min walk to Sandyford Luas.
- The proposed development is well located within 10min walk and 5min cycle to Sandyford Business Park, a Major Employment Centre.
- The proposed development is well located within 15min walk and 5min cycle to amenities and services in Stillorgan Village.
- There is excellent cycle infrastructure in the area with dedicated cycle lanes along the Leopardstown Road and N31 Brewery Road connecting to the N11.
- The proposed development will provide 968 No. cycle parking spaces, including secure and safe cycle parking.
- Nearby census data suggests that green modes of transit are more popular for commuting among local apartment residents than private cars, which highlights the accessibility to good quality Public Transport.

4.13 Cycle Parking

The Dun Laoghaire Rathdown Standards for ‘Cycle Parking and associated Cycling Facilities for New Developments (January 2018)’ require the following provision for residential use:

- Long Stay: 1 space per unit.
- Short Stay: 1 space per 5 units

As the proposal is for 463 units, therefore 555.6 no. spaces are required under the DLR standards for the residential element of the scheme alone.

Type	DLRCC Requirements	Parking Required	Parking Provided Overall
Long Stay	1 long stay parking space per 1 unit	463	816
Short Stay (Visitor)	1 short stay (visitor) parking space per 5 units	92.6	152
Totals		555.6	968

Table 8 – Cycle Parking

In addition, we note that there are cycle parking requirements for the creche and café elements of the scheme as follows:

Development type	1 short stay (visitor) parking space per: (Minimum of 2 spaces)	1 long stay parking space per: (Minimum of 2 spaces)
Cafés, Restaurants	100m ² PFA	5 staff
Childcare Services	10 children	5 Staff

Figure 11 - Non Residential Use Cycle Requirements

Based on the above, 1.5 cycle spaces are required for the café (49 sq m with no more than 5 staff); and 4.8 spaces are required for the creche (38 children and 6 staff).

Residential and Non residential uses combined a total of 561.9 cycle spaces are required to serve the development. A total of 968 spaces are delivered.

Of the 968 spaces delivered across the entirety of the scheme, 816 are located at basement level and 152 no. are located at surface level, which is considered an appropriate provision for this site. Of the 968 spaces delivered, 954 spaces are dedicated to residential use (816 basement and 138 surface) and 14 surface level spaces are dedicated to the use of the creche facility.

The enclosed Traffic and Transport Assessment and Mobility Management Plan report from ITLP sets out the following in terms of the cycle parking provision and the accessibility of these spaces:

- *“The proposed development links the cycle provision to the Greenway and cycle route along Leopardstown Road, giving excellent connectivity to the LUAS stops and major employment areas.*
- *There are four main external access points for cyclists to the proposed development to further encourage cycle use.*
- *Internally the site is designed to allow permeability for walkers and cyclists, meaning that these modes of travel can directly access to the wider cycle and pedestrian networks in the area in the desired direction of travel.*
- *Access to the basement cycle provision is designed to provide a number of access points that will also cater for all ranges of cycle users and abilities. These are summarised as follows:*
 - *Both the basement and surface cycle parking is appropriately distributed throughout the development to allow for easy access to cycle parking and storage*
 - *A dedicated cycle lift is provided in the vicinity of Blocks D & F which provides segregated cycle access to the basement cycle facilities.*
 - *The shallow access ramps provide to the basement can also facilitate cycle access, which will be shared with a very low level of slow-moving traffic.*
 - *The main lift cores to the development can also provide cycle access for smaller (child) or foldable bikes.”*

The access strategy for basement parking is set out below:

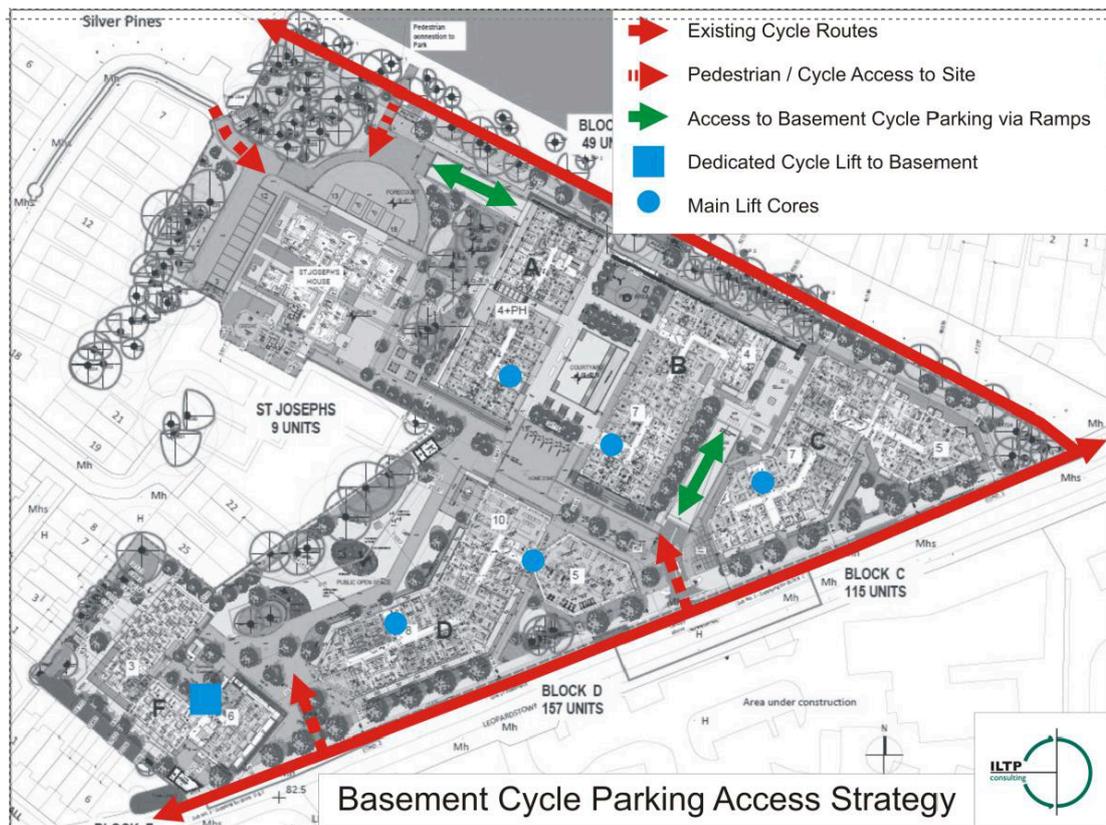


Figure 12 - Basement Cycle Parking Access Strategy

Overall, the cycle and access provisions as illustrated above have been very carefully designed to include excellent cycle parking provision, a range of access options to the basement cycle parking along with internal cycle permeability and accesses to the wider cycle network. In addition the cycle parking, both at surface and in the basement area, is distributed throughout the proposed development to ensure that residents and visitors to the proposed development can find an appropriate and convenient cycle parking location within the development. The cycle parking provision layout and access arrangements thus maximise the promotion of cycle as a desirable and convenient mode of travel.

4.14 Open Space

Section 8.2.8.2 of the Development Plan states that a requirement of **15 sq m - 20 sq m of Open Space per person** shall apply based on the number of residential/housing units. This is assumed on an occupancy rate of 3.5 persons in the case of dwellings with three or more bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms.

The Development Plan however clearly sets out that the Planning Authority shall require **an absolute default minimum of 10% of the overall site** area for all residential developments to be reserved for use as Public Open and/or Communal Space irrespective of the occupancy parameters set out in the previous paragraph.

Notwithstanding the clear Development Plan provisions for public open space requirements, we note that the Apartment Guidelines of 2020 set out standards for communal open space provision as follows:

- 4 sqm for studios
- 5 sq m for 1 beds
- 7 sq m for 2 beds

- 9 sq m for 3 beds

In considering the above, we note the following proposal and calculations for public open space vis - a - vis Development Plan and the Apartment Guidelines standards:

DLR Standards

10% of the site area - Site Area 25,880 sq m (Main Development Site) = 10% Public Open Space requirement is **2,588 sq m.**

Apartment Guidelines Standards

Open Space Requirements:

4 sq m for studios - 85 x 4 sq m = 340 sq m

5 sq m for 1 beds - 117 x 5 sq m = 585 sq m

7 sq m for 2 beds - 248 x 7 sq m = 1,736 sq m

9 sq m for 3 beds - 13 x 9 sq m = 117 sq m

Total Communal Open Space required = 2,778 sq m

A total of 9,885 sq m of open space is proposed in the form of the following

- public open space areas (approx. 6,680 sq m) including a public plaza/court area, a play area, and woodland trail;
- all communal open space areas (approx. 3,205 sq m) including areas adjacent to St. Joseph's House (Block E), Block D and Block F, a courtyard and play area located between Blocks A and B and roof terraces at fifth floor level of Block D; and
- visual amenity open space areas (approx. 1000 sq m) areas located throughout the development. Pedestrian Connections are proposed throughout the site and to the adjoining Leopardstown Park.

The extent of this provision is set out below:

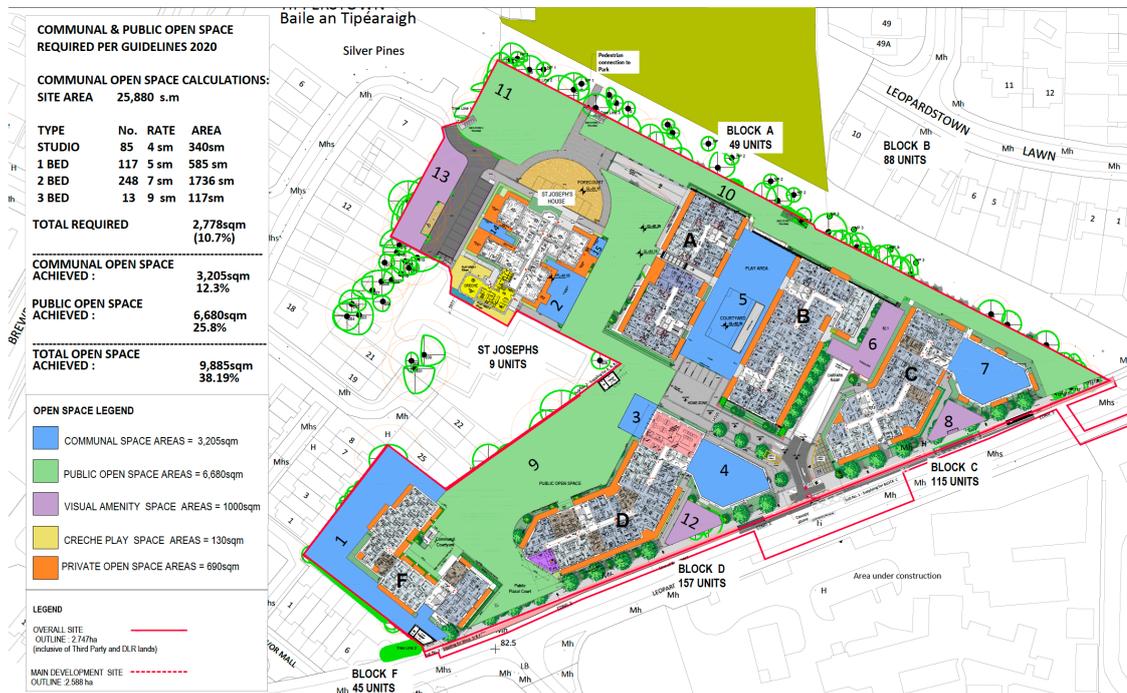


Figure 13 - Open Space Graphic

This provision is over and above requirements of the relevant Development Plan and the Apartment Guidelines. We note specifically that 38.19% of the total site area is dedicated as open space, which is significant for a key suburban location, proximate to public transport nodes. 25.8% of the site area is dedicated to public open space and 12.3% of the site area is dedicated as communal open space.

In terms of the quality of these spaces and the amount of sunlight access to open space areas, the subject application proposes 17 no. open spaces and detailed quantitative analysis was carried out by ARC. As set out in section 3.0 of the accompanying Sunlight and Daylight assessment prepared by ARC, Communal open Space 05 in red above will likely receive less sunlight than the BRE Guide recommendations, ARC's analysis indicated that 7 no. of the proposed 8 no. communal space will achieve at least two sunshine over at least half their respective areas on 21st March. Open space 03 receives sunlight over in excess of half its area between 15:30 and 17:30 on 21st March.



Figure 14 - Indicative diagram showing location of open spaces assessed. Communal open spaces are shown in red. Public open spaces shown in green, Visual open spaces shown in purple and Creche open spaces shown in yellow

In addition, visual open Space 06 is likely to receive less sunlight than the BRE Guide recommendation. ARC's analysis indicated that three if the proposed four visual amenity space areas will achieve at least two sunshine over at least half their respective areas on 21st March. Finally all public open space areas and both of the creche areas will achieve at least two sunshine over at least half their respective areas on 21st March.

In summary, most of the proposed open spaces are predicted to receive a level of sunlight in excess of the level recommended by the BRE Guide for amenity space and will appear adequately sunlit throughout the year within the meaning on the BRE Guide.

It is worth setting out at this point that visual amenity space is not included in calculations for the quantum of open space. Furthermore, the size of Communal Area 5, is identified as 977 sq m. This removed from the overall quantum of Open Space delivered (9,885 sq m), leaves a figure of 8,908 sq m, which still meets the requirements for open space provision in terms of quality space that receives the appropriate amount of daylight space. In summary, 8,908 sq m of the open space areas delivered across the scheme are meeting the sunlight requirements.

It is our view that proposals are therefore sufficient in addressing requirements.

4.15 Private Open Space

The Development Plan requires that all apartments and houses have direct access to private open space and minimum standards are stipulated. 'The Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2020' also sets out minimum floor areas for private amenity space, which take precedent over Development Plan standards in this regard.

We note the following requirements:

- 4 sq m for studios
- 5 sq m for 1 beds
- 6-7 sq m for 2 beds
- 9 sq m for 3 beds

We refer An Bord Pleanála to the Housing Quality Assessment prepared by O'Mahony Pike Architects for full details on private open space provision and other residential amenity requirements set out by the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020)'. An Bord Pleanála will note that all proposals in Blocks A, B C, D and F are consistent with requirements.

Of the 9 no. units proposed for St. Joseph's House, 5. no. units have been allocated communal private amenity space. The remaining 4 no. units will have access to generous provision of communal and public open space areas proposed as part of this scheme.

We note that Section 8.2.8.4 (iv) of the Development Plan provides that:

'In certain circumstances apartments which have limited or no individual private open space - for example where it is proposed to sub-divide an existing building into apartments - public and private open space requirements may be combined (partially or otherwise) to provide for communal amenity areas'.

It is considered that the high quality refurbishment of this Protected Structure should be considered on its own merits with private amenity space provided in the majority of apartments within St. Joseph's House. Protection of the built fabric does not allow private amenity space in every instance and the high quality communal open space provided within the scheme is considered and adequate compensatory provision in this instance. We ask the Planning Authority to consider the high quality of the overall scheme in assessing this proposal and weigh this against the preservation of the existing fabric of the protected structure.

In addition, as per the Apartment Guidelines 2020 for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha , private amenity space requirements may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality.

5 CONCLUSION

This Statement of Consistency is prepared to accompany a formal SHD application to An Bord Pleanála and has identified the compliance of the scheme with relevant section 28 Ministerial Guidelines and we trust that the Bord will now accept that the key objectives of each of the documents cited in this report have been met.

In summary, the proposed development will provide for 463 No. residential units on underutilised serviced residentially zoned urban lands in the southern suburbs of Dublin in an area within reasonable proximity to high quality public transportation services. The proposed development will create a variety of units sizes in a high-quality landscaped setting. As a result of the high-quality design, including generous separation distances and high-quality landscaping and public realm, the scheme will not result in overlooking, overshadowing or overbearing impacts on the existing adjoining residential properties or within the scheme. Furthermore, the high-quality landscape strategy will ensure that the scheme integrates successfully into the existing area and will contribute to the development of Stillorgan as an important emerging residential area.

We direct the attention of the Board to other material submitted herewith for further detail on the context of the site and a clear and concise development description.

6 APPENDIX 1 - CORRESPONDENCE WITH IAA

Irish Aviation Authority
The Times Building
11-12 D'Olier Street
Dublin 2, D02 T449,
Ireland

Údarás Eitfíochta na hÉireann
Foirgneamh na hAmanna
11-12 Sráid D'Olier
Baile Átha Cliath 2, D02 T449,
Éire

T: +353 1 671 8655
F: +353 1 679 2934
www.iaa.ie

Date 24th June 2021

Ms Linda McEllin
Brock McClure
Planning and Development Consultants
63 York Road,
Dun Laoghaire,
Co. Dublin

Development: Strategic Housing Development Planning Application for lodgement to An Bord Pleanála shortly. The proposal is located at a site situated between Brewery Road and Leopardstown Road, Dublin 18 and provides for a new residential development of 463 residential units, residential amenity space, a café and childcare facility etc. Heights of between 2 and 10 storeys are proposed at Brewery Road and Leopardstown Road, Dublin 18

Dear Ms.McEllin

Thank you for your email and the attached drawings relating to the proposed SHD Development at Brewery Road and Leopardstown Road, Dublin 18.

Based on the information provided, it is likely that only general observations would be issued during the planning process relating to the construction process and the notification of proposed crane operations with at least 30 days notification to the Authority.

Yours sincerely

PP: Audrey Rafferty

Deirdre Forrest
Corporate Affairs

Bord Stiúirthóirí/Board of Directors
Rose Hynes (Cathaoirleach/Chairman),
Peter Kearney (Príomhfheidhmeannach/Chief Executive)
Cian Blackwell, Marie Bradley, Ernie Donnelly,
Gerry Lumsden, Joan McGrath, Diarmuid Ó Conghaile,
Eimer O'Rourke

Oifig Chláraithe:
Foirgneamh na hAmanna, 11-12 Sráid D'Olier
Baile Átha Cliath 2, D02 T449, Éire
Uimhir Chláraithe: 211082. Áit Chláraithe: Éire
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