

Planning
Application to
An Bord
Pleanála

Planning
Application
Report &
Statement of
Consistency

Proposed Strategic
Housing Development

Project Ironborn,
Sector 3, Aiken's
Village, Stepaside

For Ironborn Real
Estate Limited

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1 INTRODUCTION

We, Stephen Little & Associates, Chartered Town Planners & Development Consultants, 26 / 27 Upper Pembroke Street, Dublin 2 D02 X361, are instructed by Ironborn Real Estate Limited, Rocktwist House, Block 1, Western Business Park, Shannon, Co. Clare (the Applicant) to prepare this Strategic Housing Development (SHD) Planning Application Report.

The development to which this SHD Planning Application relates, involves a proposal for 438no. ‘Build-to-Rent’ (BTR) apartments arranged in two courtyard buildings ranging in height from 2 – 8 storeys, with the majority of the buildings being 3 – 6 storeys, with two focal elements at 7 storey and 8 storeys respectively. Between the two courtyard buildings there is a large area of public open space. The car parking is arranged in a two single level basements, all on a site of c. 3.32 Ha which slopes down from north to south thereby naturally accommodating part of the car parking.

The proposal also includes public utilities infrastructure for Irish Water in the form of a underground wastewater storage tank, including localised detention basin, in distinct parcel of land (0.07 Ha) located to the southeast of the existing Griannan Fidh residential estate (total gross site area c. 3.39 Ha). A Site Location Map, prepared by Ferreira Architects which identifies the lands in question has been prepared and is enclosed with this SHD Planning Application – Dwg. No. 1909-SITE-0500 ‘Site Location Plan’.

The development to which this SHD Planning Application relates is largely the same as that lodged with An Bord Pleanála under ABP Ref. ABP-309828-21. The primary difference is that a floor has been omitted from Block F (reduced from 5 storeys to 4 storeys) resulting in a reduction in the number form units from 445no. to 438no. (A full description of the changes is set out in Section 7 of this Report and in the Design Statement, prepared by Ferreira Architects). An Bord Pleanála granted permission for ABP Ref. ABP-309828-21 on 15 July 2021, subject to Conditions. No conditions were attached to that permission which sought amendments to the no. of units or the building height / form. An application for Judicial Review was lodged with the High Court in September 2021 and the case is on-going and has not yet been determined. As the outcome of the Judicial Review is not yet known, the Applicant considers it prudent to submit a proposal to ensure that the subject site retains the potential to have an implementable planning permission.

This Planning Application Report accompanies an SHD Planning Application to An Bord Pleanála, made under Section 4 of the Planning & Development (Housing) and Residential Tenancies Act 2016, as amended (the “the SHD Act”).

The SHD Planning Application is made following consultation with An Bord Pleanála, undertaken in accordance with the provisions of Sections 5 and 6 of ‘the SHD Act’, and having regard to the Board’s written ‘Pre-Application Consultation Opinion’ dated 19 May 2022.

This Planning Application Report addresses the requirements of ‘the SHD Act’ and associated Planning & Development Regulations 2001 (as amended), to include a written statement to the effect that, in the Applicant’s opinion, the proposed development: -

- Is consistent with the relevant objectives of the Dun Laoghaire-Rathdown County Development Plan 2022 – 2028.
- Is consistent with the relevant Specific Planning Policy Requirements (SPPRs) of the relevant Section 28 Ministerial Guidelines.
- Responds to the Board Opinion issued at the conclusion of Pre-Planning Consultation.

The Planning Application is also accompanied by a separate Statement that addresses: -

- A Justification of Material Contravention of the Development Plan.

The inclusion of the above Report as part of the Planning Application is referenced in the statutory notices, as is the requirement.

This Report addresses the issues that required further consideration and amendment, and the specific information requested, as set out in the Board’s Opinion, dated 19 May 2022. It also addresses the following planning policy context: -

- National Planning Framework, Ireland 2040 (NPF).
- Eastern & Midlands Regional Spatial & Economic Strategy (RSES) and Dublin Metropolitan Area Spatial Plan (DMASP).
- National Sustainable Mobility Policy / National Mobility Policy Action Plan 2022 – 2025.
- Dun Laoghaire-Rathdown County Development Plan 2022 – 2028.

We have also considered the provisions of other strategy documents relevant to the consolidation of development and regeneration in Dun Laoghaire-Rathdown County (DLRCC), as may be noted in the table of contents of this Planning Application Report.

The Planning Application Report & Statement of Consistency should be read in conjunction with the planning application plans and particulars submitted with this application (see Enclosures at the end of this report and individual plan schedules).

Enclosed is a Part V Proposal Letter, prepared by Ironborn Real Estate Limited. The associated Part V layout and detail of unit mix is included within the Design Statement, prepared by Ferreira Architects. These identify how the Applicant proposes to comply with Section 96 of the Planning & Development Act 2000, as amended, as agreed in principle with DLRCC Housing Department. We confirm that the Applicant purchased the application site within the period 1 September 2015 and 31 July 2021. This Application is one that will be determined by An Bord Pleanála, in the period before 31 July 2026. As a result of the above, in line with Section 96(3)(j) of the Planning & Development Act 2000, as amended, the appropriate Part V requirement is 10%. A Part V Validation Letter from DLRCC Housing Department, is also enclosed.

In accordance with the statutory regulations, we confirm that the sum of €60,647.28 as the appropriate fee in this instance. The SHD Application Fee has been paid by Electronic Fund Transfer – remittance is enclosed as proof of payment.

A complete list of application enclosures can be found at the end of this Planning Report. We refer the Board also to the individual plan schedules that accompany consultants plans and particulars.

1.1 Brief Description of Proposed Development

The application site is located at lands in ‘Sector 3’, Aiken’s Village, Stepside, Co. Dublin. The proposed development will generally comprise: -

- The proposed development on a site of approximately 3.39 Ha consists of 438no. ‘Build-to-Rent’ apartment units (154no. 1 bedroom units and 284no. 2 bedroom units) arranged in 9no. blocks ranging in height from 2 – 8 storeys over 2no. independent single level basements. The development also includes: -
 - Public open space (c. 9,799 sq. m).
 - 1no. childcare facility (c. 514.9 sq. m).
 - Resident amenity space / communal areas (c. 1,455.7 sq. m).
 - New vehicular access to Basement 1 from Atkinson Drive and new vehicular access to Basement 2 from Thornberry Road.
 - 350no. car parking spaces.
 - 669no. cycle parking spaces.
 - 14no. motorcycle parking spaces.
 - Provision of an underground wastewater storage tank (c. 500m³) and associated connection to the wastewater networks including ancillary above ground kiosk and appropriate landscape reinstatement .
 - And all associates and ancillary site development and infrastructural works, hard and soft landscaping and boundary treatment works.

1.2 Definition of Strategic Housing Development

We consider the proposed development to be Strategic Housing Development as defined by the Section 3 of the Planning & Development (Housing) and Residential Tenancies Act 2016, as amended.

Section 3 of the Act confirms, *inter alia*, that: -

“ ‘strategic housing development’ means—

(a) **the development of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses,**

...which may include other uses on the land, the zoning of which facilitates such use, but only if —

i) **the cumulative gross floor area of the houses** or student accommodation units, or both, as the case may be, **comprises not less than 85 per cent, or such other percentage as may be prescribed, of the gross floor space of the proposed development** or the number of houses or proposed bed spaces within student accommodation to which the proposed alteration of a planning permission so granted relates, and

ii) **the other uses cumulatively do not exceed —**

I) 15 square metres gross floor space for each house or 7.5 square metres gross floor space for each bed space in student accommodation, or both, as the case may be, in the proposed development or to which the proposed alteration of a planning permission so granted relates, **subject to a maximum of 4,500 square metres gross floor space for such other uses in any development, or**

II) such other area as may be prescribed, by reference to the number of houses or bed spaces in student accommodation within the proposed development or to which the proposed alteration of a planning permission so granted relates, which other area shall be subject to such other maximum area in the development as may be prescribed;”

[Emphasis added by SLA – Identifies qualifying criteria for the proposed development]

The site of the residential accommodation is zoned objective ‘Objective A’, under the Dun Laoghaire-Rathdown County Development Plan 2022 – 2028: -

“**Objective A:** To provide residential development and improve residential amenity while protecting the existing residential amenities.”

While Residential use is ‘Permitted in Principle’ under zoning ‘Objective A’, BTR is ‘Open for Consideration’ under this zoning objective and therefore the proposed development can be considered acceptable in principle and meets the criteria under Section 3(a) of the SHD Act (See Section 7.2.1 of this Report for justification of the land use zoning).

The number of units proposed in this case exceed 100no. units and therefore that criterion is met also.

The proposal includes the provision of a childcare facility (c. 514.9 sq. m gross floor area) and a resident amenity space (c. 1,455.7 sq. m gross floor area). Even if the resident amenity space were to be included in this calculation, which is an ancillary part of the residential development, this amounts to a total of non-residential floorspace amounting to approximately c. 1,970.6 sq. m gross floor area.

The overall residential floorspace proposed in this case amounts to approximately c. 40,475 sq. m gross floor area. As a result, the non-residential floorspace amounts to approximately 4.9% of the overall development. We would note that the strictly speaking that only the childcare facility will be for commercial use (i.e. external operator), the resident amenities will be for the use to the prospective residents only. On the basis, if only the area of the childcare facility is considered as ‘ancillary accommodation’ this amounts to approximately 1.3% of the overall development. In either case, this is significantly below the threshold of 15% of the overall floor area of a development that can be non-residential floorspace. As both scenarios are significantly less than 4,500 sq. m, and less than 15% of the combined development area the development meets the criteria set down in Section 3(a)(i) and 3(a)(ii).

In summary, as the proposed development includes 438no. 'Build-to-Rent' apartments and ancillary resident amenities and mixed uses including childcare facility (c. 514.9 sq. m), on lands zoned for residential use, we are of the professional opinion that the proposed development meets the statutory criteria for Strategic Housing Development as set down in the Act.

1.3 Circulation to Prescribed Bodies

We acknowledge receipt of the Board's Opinion, together with the list of Prescribed Bodies which the Bord have requested be circulated with a copy of the application.

We enclose herewith as part of this SHD Planning Application a copy of the Cover Letters to the relevant Prescribed Bodies in this case, being: -

- Irish Water.
- Dun Laoghaire-Rathdown County Childcare Committee.

2 SITE DESCRIPTION & CONTEXT

2.1 Site Description

The application site is located at lands in ‘Sector 3’, Aiken’s Village, Stepside, Co. Dublin. The application site is split into two distinct parcels of land: -

- The site for proposed residential development is generally bounded by Thornberry Road to the north, by Atkinson Drive and the adjoining open space lands to the west, Sandyford Hall residential development adjacent Ferncarraig Avenue to the east and by Village Road and Griannan Fidh residential development to the south.
- The site for proposed public services infrastructure (underground wastewater storage tank including localised above ground detention area) is on open space lands generally bounded by Griannan Fidh residential development to the north, Sandyford Hall residential development to the east open space lands (including detention basin) to the south and west.

The combined parcels of land (i.e. the site), as shown in Figure 1 below, measures c. 3.39 Ha in area.



Figure 1: Aerial view taken from Google Maps showing the context of the application site with the subject site outlined in red (Overlay by SLA). Schools (blue) and services (red) within approx. 500m and 2no. Luas stops within approx. 900m to 1.25km (green).

The characteristics of the application site are set out in the Design Statement, prepared by Ferreira Architects that accompanies this SHD Planning Application. The site is located between the existing Belarmine and Aiken’s Village developments in Stepside, Co. Dublin.

The site is bound by Atkinson Drive and the partially implemented open space lands adjoining to the west, by Thornberry Road and existing 2 – 3 storey houses to the north, by the predominantly two storey Sandyford Hall residential development to the east (separated by the linear open space within Sandyford Hall) and to the south by Village Road and the east west linear park that passes through this part of Stepside and which connects with the adjoining Sandyford Hall scheme further east.

It is also worth highlighting that the land in the wider area falls away from the Enniskerry Road to the centre of the lands (where the linear open space is located), before rising again in the direction of the junction of Kilgobbin Road and Hillcrest Road.

In overall terms, existing building heights in the area range from 2 – 6 storey's at present. There is a wide variety of building heights in the Aiken's Village / Belarmine area already. This is illustrated in the Design Statement, prepared by Ferreira Architects that accompanies this SHD Planning Application.

2.2 Existing & Planned Uses

The subject site currently consists of a vacant brownfield site, surrounded by low density suburban housing.

The proposed development will introduce 438no. new 'Build-to-Rent' apartments into the site at a net density of c. 154no. units per Ha (based on a net site area of 2.84 Ha). This density is in line with national and regional guidelines for an underutilised infill site such as this, in an already well built up area, in an existing community, served by excellent transport links, outlined by the short distance, (c. 900m) to the Glencairn Luas Stop.

This site should be read in conjunction with the remainder of the adjoining development in this part of Stepside. As such, the overall density being achieved on Sectors 1, 2 and 3 combined is now c. 74no. units per Ha, whereas permission was initially granted on the overall area for a residential density of c. 40no. units per Ha. The planning history will be described in more detail below.

2.3 Relevant Planning History

There have been 9no. recent planning applications associated with the application site. The following is the planning history for these lands commencing with the oldest file first.

2.3.1 Application Site

DLRCC Reg. Ref. D02A/1217 (Parcel 3 – Stepside AAP)

On the 13 December 2002 Cannon and Kirk applied for planning permission for a development comprising the construction of 175no. residential dwellings containing 55no. houses and 120no. apartments. The total area of lands that were subject of this application was c. 4.42 Ha, of which c. 3.5 Ha was located within Parcel 3 of the Stepside Action Area Plan.

On the 22 May 2003 DLRCC issued a grant of permission for the subject site. This decision was subject to a third party appeal, by Hillcrest Road Residents Association, to An Bord Pleanála. In November 2003 An Bord Pleanála issued a grant of permission for the proposed development. The permitted density of this scheme was 50no. dwellings per Ha (net).

This permission was not implemented and has since withered.

DLRCC Reg. Ref. D03A/0942

On the 6 October 2003, Cannon and Kirk applied for planning permission for a residential development consisting of 264no. dwellings, comprising 69no. houses, 195no. apartments, restaurant, minimarket and commercial / retail space.

DLRCC issued a grant of permission for the proposed development on the 27 November 2003. Following an appeal, An Bord Pleanála issued a grant of permission. The gross density permitted was approximately 40no. dwellings per Ha.

This permission was not implemented and has since withered.

DLRCC Reg. Ref. D06A/1591 (Parcel 3 & 5 – Stepside AAP)

P. Elliott and Co. Limited applied for planning permission on the 7 November 2006. The proposed development comprised of the construction of 749no. residential units with 616no. apartment units in a total of 28no. blocks and 133no. housing units on a 12 Ha site. The density that was proposed under this scheme was approximately 62no. dwellings per Ha (gross).

Following a decision to grant permission on the 14 August 2010, a Third Party appeal was made to An Bord Pleanála by Belarmine Residents. Permission was granted for this development by An Bord Pleanála on the 2 May 2008.

This permission was not implemented and has since withered.

DLRCC Reg. Ref. D10A/0440 (Parcel 3 & 5 – Stepside AAP)

On the 6 August 2010, P. Elliot and Co. Limited applied for a 10 year planning permission comprising 410no. residential units containing 206no. houses and 204no. apartment units. The residential density proposed by this scheme was approximately 34no. units per Ha (gross). There were 121no. units permitted in Sector 3 (the current application site) as part of that development.

Contained within the application pack for that proposal was a planning report prepared by McGill Planning. This report provides a discussion with regard to the residential density of the scheme and how it accords with the Residential Density Guidelines for Planning Authorities 1999 and the residential density policy of the Dun Laoghaire-Rathdown Development Plan 2010 – 2016. With regard to the Residential Density Guidelines the report notes the following standards: -

“...the greatest efficiency in land usage on such lands will be achieved by providing net residential densities in the general range of 35-50 dwellings per hectare and such densities should be encouraged generally.”

and

“...on lands proximate to existing or proposed public transport corridors, densities in excess of 50 dwellings per hectare should be permitted, subject to appropriate qualitative safeguards.”

In response to these standards the Applicant’s agent put forward that the proposed density of 40.6no. units per Ha was in accordance with the Residential Density Guidelines for Planning Authorities. This stance was taken due to the fact that the scheme was in close proximity to high quality public transport routes, but also adjoined low to medium density developments.

With regard the Dun Laoghaire-Rathdown Development Plan 2010 – 2016, the Report notes that the proposed development has been designed to deliver an appropriate density of development, having regard to the established character of the adjacent land uses. Therefore, McGill Planning puts forward that the proposed density of approximately 40.6no. units Per Ha (net) was in accordance with local and national plans and policies at that time.

It is worth noting that the proposal made provision for a pedestrian and cycle link through to the Sandyford Hall residential scheme. The effect of this would be to bring the scheme within Aikens Village more proximate to the Luas stops in the area.

On the 30 June 2011, DLRCC issued a decision to grant permission for the proposed development. Following the decision to grant permission by DLRCC, a third party appeal was made to An Bord Pleanála. On 5 December 2011 An Bord Pleanála issued a decision to grant permission for the proposed development under DLRCC Reg. Ref. D10A/0440. This decision was subject to 29no. conditions, including a Condition confirming that the permission has a life of 10 years.

To date 289no. dwellings have been built and occupied on these lands. In other words, all of the dwellings within this site, save for the 121no. units in Parcel 3 have been completed. In addition, the pedestrian and cycle link through open space lands immediately to the south of Parcel 3 have been provided and is currently in use by people from the Belarmine and Aiken’s Village area to get to the Glencairn Luas Stop. During site visits to these lands, officials of the Council’s Parks Department requested that our Clients move the temporary security boundary fences being erected to the edge of this open space as it was owned by the Council.

The remaining open space lands under this permission remain hoarded off. The Council's Stepside High Level Reservoir is located in the middle of that open space.

Following a review of the Enforcement Register at the Planning Authority we can confirm that there are no currently active Enforcement Actions pertaining to this permission. It would appear from this that the Planning Authority, who are charged with ensuring compliance with permissions, are satisfied that the provision of this area of public open space will be provided.

We note in the past that the Planning Authority did in fact serve Warning Letters on the Applicant in that case (who is not the Applicant here) and that one of these pertained to landscaping matters. We can see from the Enforcement Register that this file is now closed.

Our Client's legal advisors, Maples & Calder Solicitors, having investigated matters, wrote a letter dated 11 August 2022 to An Bord Pleanála (enclosed herewith) which clarifies the ownership and control of various lands, including that the areas of open space associated with this development rests with DLRCC. As such, the areas of open space committed under this permission are now in the control of the Council.

DLRCC Reg. Ref. D16A/0511 (Parcel 3 – Stepside AAP)

Permission was sought on 12 July 2016 for development of a revised scheme within the development Belmont as granted under DLRCC Reg. Ref. D10A/0440 / ABP Ref. PL06D.239332 (10 year permission). The revised scheme for Sector 3 (the site subject of this application) consisting of the following: 11no. residential blocks comprising 243no. apartments and duplexes (74no. 1 bed, 143no. 2 bed and 26no. 3 bed units) ranging in height from 3 – 6 storeys; Provision of a 1 – 2 storey community building providing a crèche, residents sports hall and community rooms (total gross floor area c. 1,017 sq. m); Provision of 2no. single level basements comprising residential car parking/bicycle parking/storage/plant. Additional car parking provided at surface level. A total of 342no. car parking spaces; Bicycle and bin storage at surface and basement level; Provision of an ESB substation (c. 24 sq. m); All site development works, services provision, open space, landscaping and boundary treatment works.

That proposal represented a significant increase in the number of dwellings that was previously permitted under DLRCC Reg. Ref. D10A/0440 of 121 units in Sector 3. This gives the overall proposed development (including the areas developed under the first two phases of development) a density of 52no. units per Ha. Whilst the density of this development in isolation was higher, the Planning Authority were satisfied to consider the density in terms of how this site (Sector 3), was read in conjunction with Sector 1 – 3 inclusive of Parcel 5.

The Planning Authority granted permission for the development on 16 December 2016 subject to 37no. conditions. This permission has set a precedent at this location for density above 50no. units per Ha. and buildings of 6 storeys which is taller than the prevailing height.

This permission has not been implemented and is currently subject to an Extension of Duration application (see below).

Extension of Duration DLRCC Reg. Ref. D10A/0440/E1 & DLRCC Reg. Ref. D16A/0511/E1

An Extension of Duration application was made to DLRCC on 6 December 2021 for the development permitted under DLRCC Reg. Ref. D10A/0440 and as amended by DLRCC Reg. Ref. D16A/0511.

An Extension of Duration application was submitted for both DLRCC Reg. Ref. D10A/0440 and DLRCC Reg. Ref. D16A/0511 on the basis that if the parent permission withers so too does the amending permission.

The decision for both Extension of Duration applications have been delayed, as per correspondence received from DLRCC, dated 29 March 2022. The Applicant is currently awaiting the outcome of these Extension of Duration applications.

ABP Ref. ABP-306471-20 (Project Ironborn)

Permission was sought on 21 January 2020 for a Strategic Housing Development. This development consisted of 444no. apartment units (120no. 1 bedroom units, 310no. 2 bedroom units and 14no. 3 bedroom units) arranged in 9no. blocks ranging in height from 2 – 8 storeys over 2no. independent single level basements. Private patios/ terraces and balconies are provided for all apartment units. Upper level balconies are proposed on elevations of all multi-aspect apartment buildings.

Blocks A-D are located above Basement 1 (7,085 sq. m gross floor area) and Blocks F -J are above Basement 2 (6,669 sq. m gross floor area). Provision 1 no. childcare facility (c. 527 sq. m gross floor area) in Block K. Provision of resident amenity space/ communal areas (c. 1,389 sq. m gross floor area) in Block C and Block K. And all associated and ancillary site development, infrastructural, landscaping and boundary treatment works including: - New vehicular access to Basement 1 from Atkinson Drive and new vehicular access to Basement 2 from Thornberry Road. Provision of approximately 3,857 sq. m public open space, including a public plaza onto Village Road. Provision of 455no. car parking spaces including basement parking, set down spaces for proposed childcare facility and repositioning of set down area on Atkinson Drive. Provision of 594no. bicycle parking spaces. Communal bin storage and plant provided at basement level and additional plant provided at roof level.

An Bord Pleanála refused permission for the development on 28 April 2020.

Reasons for refusal were broadly as follows: -

- The lack of certainty in relation to upgrades that are necessary to the wastewater network in order to accommodate the proposed development without eliminating the risk of flooding was the primary concern for the proposed development.
- The planning authority highlighted issues with the lack of compliance with both local development plan policy and national policy with respect to a number of apartment units and the resultant quality of residential amenity standards which suggested the layout and design of the proposed development would result in a substandard level of residential amenity for future occupants.

ABP Ref. ABP-309828-21 (Project Ironborn 2)

Permission was sought on 29 March 2021 for a Strategic Housing Development. The development consisted of 445no. 'Build-to-Rent' apartment units (158no. 1 bedroom units and 287no. 2 bedroom units) arranged in 9no. blocks ranging in height from 2 – 8 storeys over 2no. independent single level basements. Private patios / terraces and balconies are provided for all apartment units. Upper level balconies are proposed on elevations of all multi-aspect apartment buildings; Blocks A – D are located above Basement 1 (5,949 sq. m gross floor area) and Blocks F – J are above Basement 2 (5,058 sq. m gross floor area); Provision 1no. childcare facility (c. 514.9 sq. m gross floor area) in Block D; Provision of resident amenity space / communal areas (c. 1,455.7 sq. m gross floor area) in Block C and Block G; And all associated and ancillary site development, infrastructural, landscaping and boundary treatment works including: - New vehicular access to / from Basement 1 from Atkinson Drive and new vehicular access to / from Basement 2 from Thornberry Road; Provision of c. 9,799 sq. m public open space, including a public plaza onto Village Road and improvement works to existing open space area to the north of existing Griannan Fidh residential development; Provision of 354no. car parking spaces including basement parking, set down spaces for proposed childcare facility and repositioning of set down area on Atkinson Drive; Provision of 638no. bicycle parking spaces; Provision of 14no. motorcycle parking spaces; Communal bin storage and plant provided at basement level and additional plant provided at roof level; Provision of below ground wastewater storage tank (c. 500m³) and associated connection to the wastewater networks including ancillary above ground kiosk and appropriate landscaping on open space lands to the south of Griannan Fidh residential development.

The Board granted permission for the development on 15 July 2021.

An application for Judicial Review was lodged with the High Court in September 2021 and the case has not yet been determined.

As the outcome of the Judicial Review is not yet known, the Applicant considers it prudent to submit a proposal to ensure that the subject site retains the potential to have an implementable planning permission.

2.4 Stepside Action Area Plan

The Stepside Action Area Plan (SAAP) 2000 is a non-statutory plan which is aimed at coordinating and guiding development on the Stepside Area.

Whilst this Plan was prepared in 2000, was non-statutory at that time, and significant changes in planning context have arisen in the meantime (including 4no. Development Plans) it is nevertheless worth highlighting some of the key aspects of this plan as it is relevant to the immediate context of the lands in question.

2.4.1 Increased Residential Density

The SAAP seeks increased residential density in the interests of sustainable development: -

“Having regard to both the current Development plan and the thrust of the Residential Density Guidelines it is proposed that a minimum density of 20 dwellings per hectare (8 per acre) will be applied across the entire Stepside Plan Area....In recognition of Government policy there will, nevertheless, be a general presumption in favour of densities higher than the stated minimum.” (SAAP S. 24.4)

The AAP does not purport to be prescriptive, it can generally be inferred that densities in the range of 20 – 50no. units per Ha (8 – 20no. units per Acre) represent the broad range that is preferable to the Local Authority in the SAAP.

The greenway spine crosses the subject site and continues through to the other side of the Kilgobbin Road in the SAAP map. As such, this indicates the need to provide public open space in this general location, and to provide for interconnectivity with adjacent areas that the Plan envisages as part of the greenway spine.

The permitted development under DLRC Reg. Ref. D10A/0440 has implemented this greenway to the west of the subject lands.

Since that time, the Council have acquired Fernhill Gardens on the Enniskerry Road and this is now a new additional major public amenity serving the local and wider community.

2.4.2 Sustainable Transport

Section 29 of the SAAP expresses appreciation for the critical importance of an adequate public transport system in the promotion of higher residential densities. The plan recognises that on lands proximate to existing or proposed public transport corridors that: -

“...densities in excess of 50 dwellings per hectare should be permitted.”

However, the SAAP does not specify quantitative density parameters on a parcel-by-parcel basis. Instead the plan states that planning applications in the area will be considered on the basis of their individual merits, having regard to the location and characteristics of each site. Therefore, it can be considered that the context of the site and its surroundings can have an impact on the density that can be provided in individual planning applications. The SAAP does however break the area in to net site areas, as depicted below: -

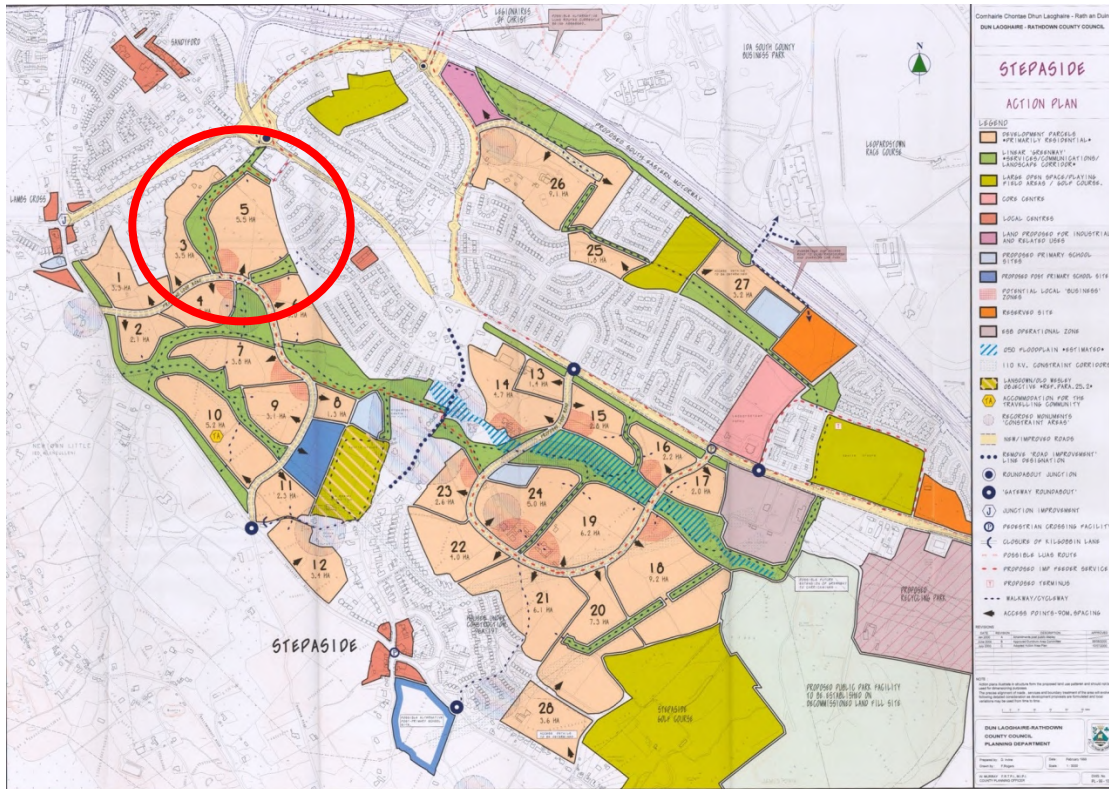


Figure 2: Stepaside Area Action Plan – location of site shown in red circle – see Figure 3 also.



Figure 3: Plot 3 & 5 from the Stepaside Area Action Plan.

2.4.3 Site Specific Objectives

A number of comments are worth making at this point concerning Plot Nos. 5 at this point. Firstly, there are a number of objectives for pedestrian / cycle linkages that are worth noting. These are depicted via the blue diamond shapes. It is evident from the drawing above that there is a link to be provided through the linear open space running roughly north south through the site. In addition, there is an east west link shown which links to the adjoining Sandyford Hall scheme. As such, this indicates the need to provide public open space in this general location, and to provide for interconnectivity with adjacent areas that the Plan envisages as part of the greenway spine.

The permitted development under DLRCC Reg. Ref. D10A/0440 has implemented this greenway to the west of the subject lands.

In addition, it is evident that there is an objective for a local centre (red hatched area) within Parcel No. 5.

It should be noted that in previous planning applications on site, there was no proposal to include a local centre as part of the development.

It is also worth noting, that the Stepside Area Action Plan was made in the year 2000, which is almost twenty years ago now. New national and regional guidelines take precedence over this non-statutory plan. However it can be seen that we are seeking to implement the sustainable objectives of the AAP by introducing higher density of over 50no. units per Ha in close proximity to quality high frequency public transport, given the subject site is c. 900m from the Glencairn Luas Stop.

2.5 Planning History Summary

The above planning histories confirm that the development of the site for residential purposes is acceptable in principle. The subject site forms a parcel of land, Sector 3 that was granted permission under DLRCC Reg. Ref. D10A/0440 for 410no. residential units on a larger overall site of 12 Ha.

The first two sectors of this permission have taken place. A further application was made in relation to the subject site, Sector 3 under DLRCC Reg. Ref. D16A/0511, which received a grant of permission to develop 243no. residential units on site.

The first SHD proposal for the site was refused permission by An Bord Pleanála for reasons relating to wastewater infrastructure and design / amenity issues.

The most recent SHD proposal for the site was granted permission by An Bord Pleanála having addressed the previous reasons for refusal most notably providing a solution to the wastewater infrastructure issues. This SHD proposal is subject to on-going Judicial Review proceedings.

The development to which this SHD Planning Application relates is largely the same as that lodged with An Bord Pleanála under ABP Ref. ABP-309828-21. The primary difference is that a floor has been omitted from Block F (reduced from 5 storeys to 4 storeys) resulting in a reduction in the number form units from 445no. to 438no. (A full description of the changes is set out in Section 7 of this Report and in the Design Statement, prepared by Ferreira Architects). We continue to submit that the new proposed net density of c. 154no. units per Ha is justifiable given prevailing national and regional guidelines put forward by the Minister regarding seeking to accommodate higher densities at sites which are in close proximity to high quality public transport, such as the subject site.

3 THE APPLICANT

We wish to confirm that the Applicant in this case is Ironborn Real Estate Limited, the required details of which are as follows: -

Name: Ironborn Real Estate Limited.
Address: Rocktwist House, Block 1, Western Business Park, Shannon, Co. Clare.
Telephone: (01) 827 3662.
Email: planning@twinlite.com.

4 APPLICANTS LEGAL INTEREST

The Applicant own the majority of the lands being proposed for the application site in this instance.

However, there are 2no. areas of these proposed application lands which are currently controlled by a Third Party; Dun Laoghaire-Rathdown County Council. These areas are as follows: -

- These lands are generally located to the east of Village Road, west of Ferncarrig Avenue and north of Griannan Fidh Estate. These lands are required to provide further connectivity between the application site and the surrounding area. The existing eastern boundary wall will also be reduced in height as part of the proposed development at the Applicant s expense. Further details of these works are set out in Section 8 of this Report.
- These lands are generally located north of Belarmine Vale and south of Griannan Fidh Estate. These lands are required to provide an underground wastewater storage tank to reduce the volume of storm surge contributing to foul discharge during storm events and reduce the risk of downstream flooding from the wider Aiken’s Village area. Further details of these works are set out in Section 8 of this Report.

4.1 Letter of Consent

A Letter of Consent has been obtained from DLRCC to include the lands and works outlined broadly above as part of this SHD Planning Application.

Enclosed with this SHD Planning Application is the Letter from DLRCC, that consents to the making of the planning application on these lands insofar as they relate to lands in their control. These areas are identified in the Site Plan, prepared by Ferreira Architects appended to the Letter of Consent.

5 AGENT

This SHD Planning Application has been co-ordinated by Stephen Little & Associates, Chartered Town Planners and Development Consultants under a Design Team led by Ferreira Architects.

For the purposes of this SHD Planning Application, details of the agent are set out below for the convenience of the Board: -

Name: Stephen Little & Associates, Chartered Town Planners & Development Consultants.
Address: 26 / 27 Upper Pembroke Street, Dublin 2, D02 X361.
Telephone: 01 676 65 07.
Email: info@sla-pdc.com.

The Board are invited to rely upon the email address supplied for communications relating to this project as Stephen Little & Associates employ a hybrid working model.

The following consultants have been involved in the preparation of the proposal to date: -

- **Stephen Little & Associates, Chartered Town Planners & Development Consultants** – Preparation and co-ordination of the SHD Planning Application to An Bord Pleanála. Providing guidance from a planning perspective, and consultation with the DLRCC Planning Department.
- **Ferreira Architects** – Preparation of Architectural Design Statement setting out the detailed design rationale for the proposed development, architectural plans and drawings (including Part V Layout), technical documents (including Schedules of Accommodation and Housing Quality Assessment).
- **Kavanagh Burke Consulting Engineers** – Provision of guidance on road and drainage design, flooding and other infrastructural requirements of the proposed development including liaising with Irish Water and DLRCC (Roads and Water Services Department) as appropriate.
- **JBA Consulting Engineers** – Preparation of the Flood Risk Assessment, and Storm Water Audit for the application site.
- **Mitchell & Associates Landscape Architects** – Preparation of the landscape masterplan and landscape design statement including liaising with DLRCC Parks Department.
- **Aecom Consulting Engineers** – Provide guidance in relation to traffic, access and transportation issues on the subject site, including Traffic & Transportation Assessment and Quality Audit.
- **Doyle + O’Troithigh Landscape Architects** – Preparation of the Landscape and Visual Impact Assessment.
- **GNet 3D** – Preparation of the Computer Generated Images and Verified Views of the proposed development.
- **Chris Shackleton Consulting** – Provision of advice in relation to daylight and sunlight standards and preparation of Daylight and Sunlight Assessment of the proposed development.
- **Scott Cawley Ltd.** – Provide guidance in relation to ecological issue on site, including preparation of Appropriate Assessment Screening and Ecological Impact Assessment Report.
- **AWN Consulting** – Preparation of Environmental Impact Assessment Screening Report, Section 299B Statement, Hydrological & Hydrogeological Qualitative Risk Assessment and Water Frameworks Directive Assessment.
- **Shanarc Archaeology** – Provide guidance in relation to archaeology of the subject site, including preparation of Archaeological Assessment Report and Method Statement.
- **CMK Horticulture & Arboriculture Ltd.** – Provide guidance in relation to trees within proximity to the site.
- **SEHA Consulting Engineers** – Preparation of a Lighting Plan and Report and Sustainability Report for the subject site.
- **AWN Consulting** – Preparation of Construction Environmental Management Plan, Construction & Demolition Waste Management Plan and Operational Waste Management Plan and input to the design of waste storage facilities.
- **ISM – Independent Site Management** – Preparation of Telecommunications Report.
- **B-Fluid Ltd.** – Preparation of the Wind Microclimate Modelling Report.

6 PRIOR CONSULTATION IN RESPECT OF PROPOSED STRATEGIC HOUSING DEVELOPMENT

6.1 An Bord Pleanála Pre-Application Consultation

A Pre-Application Consultation meeting was held on the 4 May 2022 under Section 6 of the SHD Act. This was attended by representatives from An Bord Pleanála, DLRCC, the Applicant and Design Team.

At the outset the Applicant fully acknowledges the ‘without prejudice’ nature of pre-planning consultation. The following sections are provided for the Board’s information only. Broadly, the following issues were discussed: -

- Compliance with current Development Plan (2022 – 2028) policies (including suitability of the site for BTR Scheme and Unit Mix).
- Previous permission on this site (DLRCC Reg. Ref. D10A/0440), as amended by subsequent permissions.
- Transportation, access, connectivity and car parking.
- Impact on existing and future residential amenities (height, overlooking, overshadowing, overbearing, quality and quantum of open space).
- Supporting community infrastructure, location and layout of non-residential uses.

The Board issued its formal Opinion on 19 May 2022, stating that it was of the opinion that the documents submitted with the request to enter into consultations constituted a reasonable basis for an application for SHD.

The Board’s Opinion listed specific information that should be submitted with this SHD Planning Application.

A response to the Board Opinion is included at Section 7 of this Report. This includes cross reference to the relevant plans and particulars submitted with the SHD Planning Application that further describe, illustrate and / or analyse the revised scheme.

We refer the Board otherwise to the plans and particulars submitted with the SHD Planning Application which are set out in the Enclosures List at the end of this Report, which detail all relevant material submitted and relevant to the consideration of the scheme subject of this SHD Planning Application.

6.2 Section 247 Consultations with DLRCC

DLRCC were not in a position to facilitate a Section 247 consultation meeting. Following discussion with An Bord Pleanála this office was advised to present evidence of the engagement with DLRCC to seek a Section 247 consultation meeting. The following sets out a chronology of events: -

- Formal request for a Section 247 consultation meeting was issued to DLRCC on 27 October 2021.
- An acknowledgement of the request for a Section 247 consultation was received on 27 October 2021. A reference number was assigned to the request; PAC/SHD/266/21.
- On 29 November 2021 (4 weeks after the initial request was made) DLRCC Planning Department contacted this office by email to confirm that DLRCC would not be in a position to facilitate to Section 247 due to high volume of planning applications received and stretched resources.
- DLRCC advised that under Section 5(4) of the SHD Act failure by the Planning Authority to hold a Section 247 meeting does not preclude the Prospective Applicant from seeking a ‘Stage 2’ tripartite pre-planning meeting with An Bord Pleanála under Section 5 of the SHD Act.
- This approach was subsequently verified with the Strategic Housing Section of An Bord Pleanála by email on 1 December 2021. The advice provided to this office was that a Pre-Planning Application request can be made to An Bord Pleanála once evidence is provided of the request made to DLRCC for a Section 247 consultation meeting and the subsequent response outlining that DLRCC are not in a position to facilitate same.

By way of presenting evidence to show our intentions to seek a Section 247 consultation meeting with DLRCC, the following is enclosed with this submission: -

- Email to DLRCC requesting a Section 247 consultation meeting and subsequent acknowledgement from DLRCC.
- Email from DLRCC confirming that they would not be in a position to facilitate a Section 247 consultation meeting.
- Email from ABP confirming that evidence must be presented that DLRCC were not in a position to facilitate a Section 247 consultation meeting.

Notwithstanding, a valid request for a Pre-Application Consultation was made to An Bord Pleanála under Section 4 of the SHD Act and as set out above a Pre-Application Consultation meeting was held on the 4 May 2022 under Section 6 of the SHD Act.

We note in DLRCC email correspondence, dated 29 November 2021, that the Planning Authority advised regard should be given to the previous engagement with DLRCC for this site. In doing so, the Planning Authority have provided the Prospective Applicant with sufficient feedback on the proposals as those previous comments are known to us and the Bord. The following section sets out the main comments made by DLRCC during the previous Section 247 consultation meeting (as part of ABP Ref. ABP-309828-21 – Project Ironborn 2).

S. 247 Meeting – 27 May 2020

A meeting was held remotely on Microsoft Teams on 27 May 2020 and was attended by the following officials of the Planning Authority: -

- Ger Ryan, Senior Executive Planner, Planning Department.
- Niamh Fleming, Planning Department.
- Julianne Prendiville, Planning Department.
- Bernard Egan, Drainage Department.
- Elaine O’Carroll, Drainage Department.
- Donal Kearney, Parks Department.
- Claire Casey, Transportation Department.
- Dermot Fennell, Transportation Department.

At the S. 247 consultation, the Planning Authority provided its recommendations of the key planning and design issues that it considered should be taken into account in the SHD Planning Application to the Board. Broadly, the following issues were raised: -

- Building height, massing height and density. DLRCC Planning Department’s concern whether proposed buildings are appropriate to the adjoining properties. Further detail required for the rationale for the change to the unit mix.
- DLRCC Planning requested an assessment of daylight / shadow on open space.
- DLRCC Planning welcomed creche movement to front of development, concerned how drop-off will work.
- DLRCC Parks seeking a better mix of age appropriate play areas into the scheme. Clarification needed of where play areas are to be provided.
- DLRCC Transport seeking 1no. car parking space per unit – A ratio of 0.8no. spaces is proposed.
- DLRCC Transport requested consideration to be given to connections to the north and east of the proposed development.

- General discussion on the provision of the additional attenuation area to be provided. All subject to further discussion with Irish Water.
- Drainage Dept. requested that items which were conditioned as part of Report on the previous scheme need to be addressed as part of the proposed development (i.e. Sector D attenuation).

The Applicant has had full regard to the general guidance provided at the S. 247 Pre-Planning Meeting with DLRC (as part of ABP Ref. ABP-309828-21 – Project Ironborn 2).

6.3 Other Consultation with DLRC Departments

In addition to the above formal Pre-Planning Meeting, there were a number of meetings held with officials from the individual Departments throughout this process.

6.3.1 DLRC Drainage Department

Kavanagh Burke Consulting Engineers have been in detailed dialogue with DLRC Drainage Department with regard the proposal for the proposal with regard storm water management and foul drainage.

A meeting was held with DLRC Drainage Department on 15 January 2021 at which the detail of the proposed underground wastewater storage tank was agreed in principle.

6.3.2 DLRC Parks Department

A meeting was held on site with the DLRC Senior Parks Superintendent (Ruairi O’Dulaing) on 27 May 2020 to advise him of our proposals and the intention to add value with landscaping works as part of the proposed development. These lands are located to the south of the application site.

6.3.3 DLRC Housing Department

Preliminary consultation between the Applicant and DLRC has identified how the Applicant intends to meet its Part V obligations. The Applicant proposed, without prejudice to final grant of permission and Part V agreement, to meet its Part V obligations through provision of units for long term lease within the development.

A Part V Validation Letter from DLRC Housing Department, is enclosed with this SHD Planning Application.

6.4 Prescribed Bodies

In addition to discussions with the Planning Authority, consultation with other authorities took place as necessary.

6.4.1 Irish Water

A Confirmation of Feasibility (CoF) from Irish Water, dated 19 July 2022 is enclosed with this SHD Planning Application. This CoF confirms that there is sufficient capacity for water connection and sufficient capacity for waste water connection subject to certain upgrade works. The CoF is enclosed as part of this SHD Planning Application.

Finally, we refer the Board further to the Statement of Design Acceptance, dated 2 August 2022, in respect of the proposed development, which demonstrates compliance with Irish Water Standards and confirms that connection to the Irish Water network is feasible.

6.4.2 Irish Aviation Authority

Stephen Little and Associates Chartered Planners & Development Consultants consulted the Irish Aviation Authority (IAA) on the development proposals by letter dated 8 July 2022. The IAA responded on 26 July 2022 (enclosed) confirming the Authority have no observations in relation to the development.

6.4.3 Other prescribed Bodies

We note that the Prescribed Bodies identified in the Board’s Opinion, dated 19 May 2022, and in Section 1.3 of this Report, will otherwise be notified of the SHD Planning Application and invited to make submissions.

7 APPLICANTS RESPONSE TO AN BORD PLEANÁLA OPINION

The following sets out a response to the Board’s Pre-Planning Application Consultation Opinion, dated 19 May 2022.

Pursuant to Article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017 the Board has set out in its Opinion the specific information necessary to accompany the Planning Application. Section 7.2 (below) sets out how the Applicant has responded to the specific information requested.

7.1 Amendment to Proposed Scheme Following An Bord Pleanála Pre-Planning Consultation

We refer the Board in the first instance to the Architectural Design Statement and planning drawings, prepared by Ferreira Architects.

The Architectural Design Statement identify the key design changes to the proposed scheme made on foot of the Pre-Application Consultation with An Bord Pleanála and the Board’s Opinion. The proposed development is revised to now include: -

- Reduction in height of Block F (onto Thornberry Road) from 5 storeys to 4 storeys and associated adjustments to elevation treatment.
- Omission of 74no. balconies and associated changes to elevational treatment.
- Amendment to window opening heights from 2.25m to 2.4m and associated changes to elevational treatment.

Note: The changes outlines above (omission of balconies and increase of window sizes) have been implemented to improve the daylight and sunlight conditions across the scheme and not utilised as part of compensatory measures for an apartment which does not meet the relevant standards – please refer to the Daylight, Sunlight and Shadow Assessment, prepared by Chris Shackleton Consulting for further detail).

- Amendments to the basements including: -
 - Inclusion of bicycle lane on basement access ramps.
 - Improved pedestrian access / circulation.
 - Provision of spaces for cargo bicycles (31no. in total).
 - 2no. bulky storage area for residential use (1no. per basement).
 - Minor increase in size of Basement 1 to accommodate 4no. car parking spaces.
 - Overall net loss of 4no. car parking spaces in total arising from the above changes.
- Minor increase in the size of the surface water attenuation tank located between Block D and Block H and associate adjustments to the landscaping proposals.

The Design Statement, prepared by Ferreira Architects provides further detail in relation to the changes which have occurred to the proposed development between Pre-Planning Consultation and the SHD Planning Application now in front of An Bord Pleanála.

The holistic design response to the planning design issues raised by DLRCC (DLRCC Opinion issued to An Bord Pleanála on 24 January 2022) and information requested as part of the An Bord Pleanála Opinion have been addressed with input from the core design team including Chris Shackleton Consulting, Kavanagh Burke Consulting Engineers, Mitchell + Associates Landscape Architects and Stephen Little & Associates, Chartered Town Planners & Development Consultants.

7.2 Response to Information Requested

7.2.1 Item 1 – Land Use Zoning

In accordance with section 5(5)(b) of the Act of 2016, as amended, any application made on foot of this opinion should be accompanied by a statement that in the prospective applicant’s opinion the proposal is consistent with the relevant zoning objectives of the development plan for the area. Such statement should have regard to the development plan in place, at the date of the decision of the Board in respect of any application for permission under section 4 of the Act.

Applicant’s Response

Under the Dun Laoghaire Rathdown County Council Development Plan 2022 – 2028 (“the Development Plan”), the lands where the BTR apartments and childcare facility are proposed are subject to Zoning Objective A. Objective A is – *“To provide residential development and improve residential amenity while protecting the existing residential amenities.”*

Under the Development Plan, the proposed underground wastewater storage tank is located in lands subject to Zoning Objective F. Objective F is – *“To preserve and provide for open space with ancillary active recreational amenities”*.



Figure 4: Land use Zoning Map outlining subject site in red, taken from Dun Laoghaire Rathdown County Development Plan 2022 – 2028, Sheet 6 (Overlay by SLA). The larger ‘residential site’ is located to the north and the smaller parcel of land will accommodate the underground wastewater storage tank in open space lands to the south of the existing Griannan Fidh residential estate.

The Development Plan lists a range of ‘Permitted in Principle’ uses and uses that are ‘Open for Consideration’ (see below).

Objective A – Residential	
Permitted in Principle	Open for Consideration
Assisted Living Accommodation, Community Facility ^a , Childcare Service ^a , Doctor / Dentist etc. ^a , Education ^a , Health Centre / Healthcare Facility ^a , Open Space, Public Services, Residential , Residential Institution, Travellers Accommodation.	Allotments, Aparthotel, Bring Banks / Bring Centres, Carpark, Caravan / Camping Park-Holiday, Caravan Park-Residential, Cemetery, Cultural Use, Embassy, Enterprise Centre, Funeral Home, Garden Centre / Plant Nursery, Guest House, Home Based Economic Activities, Hotel / Motel, Household Fuel Depot, Industry-Light, Part Off-License, Office Based Industry, Offices less than 200 sq. m., Offices in excess of 200 sq. m., Service Station, Place of Public Worship, Public House, Residential – Build to Rent , Restaurant, Service Garage, Shop Neighbourhood, Student Accommodation, Sports Facility, Tea Room / Café, Veterinary Surgery

Residential – Build to Rent on lands zoned Objective A – Residential is discussed further in Section 7.2.1.1 of this Report.

Further detail is provided with regard to development on lands zoned Objective A – Residential in Table 13.1.2 where note ‘a’ states: -

“Where the use will not have adverse effects on the ‘A’ zoning objective, ‘to provide residential development and improve and improve residential amenity while protecting existing residential amenities’.”

This note relates to a ‘Childcare Service’. A Childcare Facility (514.9 sq. m) with and outdoor play area (c. 204 sq. m) forms part of the proposed development. The childcare facility on lands zoned Objective A – Residential is discussed further in Section 7.2.1.2 of this Report.

The remainder of the application site is zoned Objective F, which has the following permitted in principle and open for consideration uses.

Objective F – Open Space	
Permitted in Principle	Open for Consideration
Community Facility ^a , Cultural Use ^a , Open Space ^a , Sports Facility ^a , Travellers Accommodation.	Allotments, Carpark ^a , Cemetery, Craft Centre / Craft Shop, Childcare Service, Crematorium ^a , Education ^a , Garden Centre / Plant Nursery ^a , Golf Facility ^a , Guest House, Place of Public Worship ^a , Public Services , Tea Room / Café ^a

The proposed underground wastewater storage tank which is required to be provided for Irish Water is located on lands zoned Objective F – Open Space located south of the Griannan Fidh Estate in Belarmine Park (refer to the Site Location Map, prepared by Ferreira Architects) – See Section 7.2.1.3 of this Report for further discussion.

Further detail is provided with regard to development on lands zoned Objective F – Open Space in Table 13.1.9 where note ‘a’ states: -

“Where lands zoned F are to be developed then: Not more than 40% of the land in terms of the built form and surface car parking combined shall be developed upon. Any built form to be developed shall be of a high standard of design including quality finishes and materials. The owner shall enter into agreement with the Planning Authority pursuant to Section 47 of the Planning and Development Act 2000, as amended, or some alternative legally binding agreement restricting the further development of the remaining area (i.e. 60% of the site) which shall be set aside for publicly accessible passive open space or playing fields. Said space shall be provided and laid out in a manner designed to optimise public patronage of the residual open space and/or to protect existing sporting and recreational facilities which may be available for community use.”

For avoidance of doubt, note ‘a’ is **not associated with public services** as can be seen in Table 13.1.9 of the County Development Plan.

The Development Plan defines ‘public services’ as: -

*“A building or part thereof, a roadway or land used for the provision of ‘Public Services’. ‘Public Services’ include **all service installations necessarily required by** electricity, gas, telephone, radio, telecommunications, television, data transmission, **water, drainage and other statutory undertakers**; it includes public lavatories, public telephone boxes, bus shelters, bring centres, green waste composting facilities, etc.”*

[Emphasis added by SLA]

Furthermore, the Development Plan states with regard conditioned open space that: -

“Irrespective of zoning, if land is conditioned open space, no development shall be permitted, except where it enhances the recreational amenity of the area.”

With regard uses which are ‘Open for Consideration’, the Development Plan states that: -

“Uses shown as ‘Open for Consideration’ are uses which may be permitted where the Planning Authority is satisfied that the proposed development would be compatible with the overall policies and objectives for the zone, would not have undesirable effects, and would otherwise be consistent with the proper planning and sustainable development of the area.”

7.2.1.1 Zoning Objective A – Residential

Applicant’s Response

Residential (Build-to-Rent) development is ‘Open for Consideration’ on lands zoned Objective A – Residential. With regard to BTR residential schemes, page 91 of the Development Plan states: -

“BTR shall be located within a 10 minute walking time from high frequency public transport routes. BTR will be considered as a component part of achieving an appropriate mix of housing, however, a proliferation of Build to Rent in any one area shall be avoided.”

Additionally, Policy Objective PHP 28 states: -

“It is a Policy Objective to facilitate the provision of Build-to-Rent in suitable locations across the County and accord with the provisions of ‘Sustainable Urban Housing: Design Standards for New Apartments’, 2020 (and any amendment thereof). Proliferation of Built to rent should be avoided in any one area. As the HNDA does not support provision of shared accommodation there shall be a presumption against granting planning permission for shared accommodation / co-living development.”

The proposed development is assessed against this criteria, as follows: -

- The application site is located approx. 10 minutes walking distance from the Glencairn Luas Stop which is located 900m from the site to the east. This primary link is via a pathway linking to Ferrincarrig Avenue, Sandyford Hall Avenue and which ultimately reaches Murphystown Way where the Glencairn Luas Stop. The average walking distance covered by an average pedestrian in 10 minutes is approx. 1km making the Glencairn Luas Stop within walking distance of the proposed development – See extract from the Traffic & Transport Assessment, prepared by Aecom Consulting Engineers below.

The pedestrian access to the southeast of the application site allows pedestrian access east directly towards the Glencairn Luas stop.

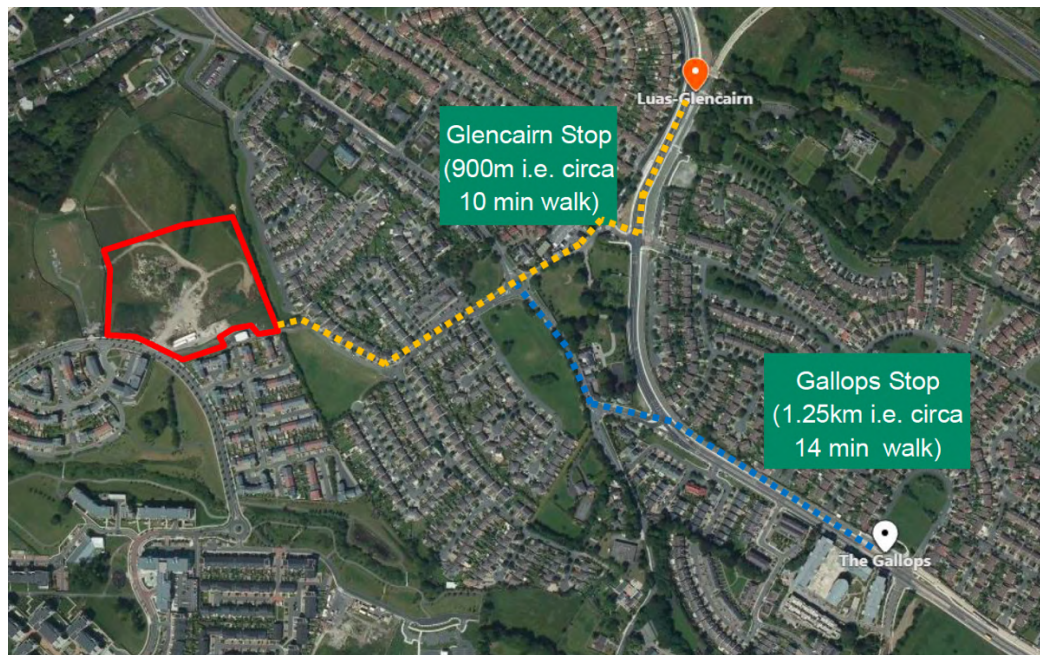


Figure 5: Extract from the Traffic & Transport Assessment, prepared by Aecom Consulting Engineers showing the location of the application site in proximity to Glencairn Luas stop.

- The site is also within easy walking distance of a range of daily services including Belarmine Local Services (childcare facility, local shop, pharmacy, medical centre etc.) and Sandyford Hall Local Services (childcare facility, local shop, pharmacy etc.) which are both within 500m walking distance of the application site. We refer the Board to the Social Infrastructure Audit, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants which demonstrates the extensive range of community and social facilities within 1.5km of the application site.
- As set out in the Apartment Guidelines (2020) the Luas is considered a form of high capacity / frequency public transport. We refer the Board to the Traffic & Transport Assessment, prepared by Aecom Consulting Engineers which provide an assessment of the capacity of the Luas adjacent the site. It has been determined that there is existing capacity in the current service and that the anticipated demand created by the proposed development and other committed developments in the immediate area can be more than adequately absorbed.
- From a review of planning applications, we can advise that there are no other BTR developments located within approximately 1km of the application site. While there has been a densification of the Stepside area since the lands were first zoned in the late 1990's with the development of higher density apartment schemes (Woodside DLRCC Scheme, Belarmine Village etc.) it is not the case that there is an over proliferation of BTR schemes in this particular area.

In the context of the site on Village Road in Stepside, this is located in the Glencullen ED.

Within the Glencullen Electoral Division (5057) there are a total of 6,445no. households. Under the CSO, there is direct data sheet for the number of bedrooms in an area, rather the number of rooms. The CSO defines a 'room' as either a Kitchen, Living room and bedroom. For the purposes of demonstrating the number of mix of unit types in the area, it is assumed that 3 rooms or less represents a 1-bed unit. A 4 room household represents a 2-bed unit, and so on.

On this basis, the total number of bedrooms for Glencullen Electoral Division (Census 2016) is outlined below: -

Bedrooms	No. of Units (CSO 2016)	CSO 2016 + Proposed Scheme
1 Bed / Studio unit	1,720 (27.64%)	1,720 (+154) = 1,874 (28.15%)
2 Bed unit	803 (12.90%)	803 (+284) = 1,087 (16.32%)
3 Bed unit	1,264 (20.31%)	1,264 (18.98%)
4 Bed units	972 (15.62%)	972 (14.59%)
5+ Bed unit	1,462 (23.50%)	1,462 (21.96%)
Total	6,221	6,659

It is submitted that the proposed development will greatly improve the mix of 1 and 2 bedroom units within the Stepside area.

As such, it is considered that the application site is more than suitable for the development of a BTR residential scheme on the basis that: -

- The site is approx. 10 minutes walking distance of the Glencairn Luas Stop.
- The application site is well served by a range of community and social facilities being at both Sandyford Hall and Belarmine local centres.
- The site is served by high capacity / frequency public transport and it has been demonstrated that the anticipated demand created by the proposed development can be more than adequately absorbed.
- There are no other BTR schemes within approx. 1km of the application site. It is submitted that the proposed development will greatly increase the mix of unit typology within the immediate area. As such, the proposed development will not result in a proliferation of BTR development.

Having regard for Policy Objective PHP 28 of the Development Plan, the scheme has been designed in accordance with the Sustainable Urban Housing: Design Standards for New Apartments (2020). In accordance with Special Planning Policy Requirement (SPPR) 7: -

- The public notices include specifically state that the proposed development is BTR.
- A Build-to-Rent Deed of Covenant has been submitted with the SHD Planning Application confirming that the BTR status will remain in place for not less than a period of 15no. years and that no units will be bought or rented separately.
- The proposed development include Resident Support Facilities and Resident Services and Amenities.
- The design of the scheme is in accordance with the parameters set out in SPPR 8.

As such, the proposed development is fully in accordance with Policy Objective PHP 28 of the Development Plan. A full overview of how the proposed development meets the requirements of Special Planning Policy Requirement 7 & 8 is set out in Section 10 of this Report.

Notwithstanding, the Development Plan states that use which are 'Open for Consideration' are uses which "may be permitted where the Planning Authority is satisfied that the proposed development would be compatible with the overall policies and objectives for the zone, would not have undesirable effects, and would otherwise be consistent with the proper planning and sustainable development of the area." The proposed development has been designed to ensure the residential amenity of adjoining properties has not been impacted upon, having regard for: -

Density

The proposed development seeks to provide 438no. BTR apartment units on a site area of 3.39 Ha. The net site area is 2.84 Ha when the open space lands under the control of DLRCC are omitted. This is in accordance with Appendix A of the Sustainable Residential Guidelines in Urban Areas (Cities, Towns, Villages) (2009) with regard to calculation of net density which confirm that open spaces serving a wider area should be omitted for the purposes of calculating net density.

The resulting is a net density of c. 154no. units per Ha. We refer the Board to the enclosed Architectural Design Statement, provided by Ferreira Architects which provide the calculation for these figures.

We submit that this density is appropriate given that the Apartment Guidelines (2020), NPF and RSES provide for increased densities within existing built up areas of Metropolitan Dublin in close proximity to high quality transport connections. The Glencairn Luas Stop is c. 900m away, approx. 10 minute walk, providing fast and regular connections with Dublin City Centre and the rest of the Metropolitan Area. There are also excellent Bus connections available in the area, as follows: -

- The No.47 Bus is available from Belarmine Plaza, which travels into the City Centre as far as Poolbeg Street.
- The No.47 to Poolbeg Street and 118 from Kiltiernan to Eden Quay are also available from the Murphystown Way Bus Stop.
- The No.44 Bus is available from the Kilgobbin Road and travels from Enniskerry to Dublin City University every half hour.
- To the north-west at Lamb's Cross there are further routes available, No.44B which serves Dundrum to Glencullen to the south near the county bounds.
- The No.114 from Simon's Ridge to Blackrock is also available from Lamb's Cross. This route enables easy Public Transport links to the Dart and Coastal Dublin Towns and Villages and their associated amenities.

We refer the Board to the Traffic & Transport Assessment, prepared by Aecom Consulting Engineers which provide an assessment of the capacity of the Luas and bus services adjacent the site. It has been determined that there is existing capacity in the current service and that the anticipated demand created by the proposed development and other committed developments in the immediate area can be more than adequately absorbed.

The Apartment Guidelines (2020) outline that the scale, density and extent of apartment development should generally increase in relation to proximity to core urban centres and other relevant factors. *Intermediate Urban Locations*, such as the subject site are suitable for small to large scale and higher density development, and includes sites: -

- *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.*

[Emphasis added by SLA]

There is an existing link for pedestrians and cyclists from the application site directly to the Glencairn Luas Stop. This route can be travelled in approx. 10 minutes and is c. 900m in distance. As a result, the site is considered an *Intermediate Urban Location* in the context of these Guidelines.

In line with Sustainable Residential Development in Urban Areas Guidelines (2009), a minimum density of 50no. units per Ha should therefore be achieved on the subject lands and this principle has been accepted under the most recent planning history on the subject lands. The Guidelines do not prescribe an upper limit in terms of residential density. The ultimate density achieved will take account of the prevailing density in the area also.

The initial 2010 / 2011 Permission was for 355no. units on 9.1 Ha. Of this, there were 121no. units permitted in Sector 3 (the application site). That equated to just c. 39no. units per Ha. The 2016 Permission (243no. units in lieu of 121no. units) increased the residential density to just over c. 52no. units per Ha (over, but only just over the minimum required having regard to the proximity and accessibility to the Luas). The Luas was not present in 2010. The Planning Authority accepted that as a cumulative density that was appropriate. Using that same approach, the same 2010 / 2011 plot with (i.e. Parcel 5, Sectors 1 – 3 inclusive of the Stepside AAP) will now provide a density of c. 74no. units per Ha.

We note the commentary of the An Bord Pleanála Inspector with regard to density as part of the previously permitted SHD scheme on the site (ABP Ref. ABP-309828-21 – Project Ironborn 2). The Inspector was of the opinion that the density was acceptable on the basis that the residential amenity of adjoining development was not impacted: -

“In conclusion therefore, a higher density, such as that proposed here, is supported by National and Regional Policy, Relevant Section 28 Guidelines and, in principle, is supported by the Development Plan, subject to the proposal meeting certain criteria including the need to provide high quality development and the protection of surrounding residential amenity.”

[Emphasis added by SLA]

The proceeding sections set out how the proposed development will not result in a diminution of the residential amenity of adjoining development. In the context of the proposed development the existing dwelling on the northern side of Thornberry Road, the existing dwelling in Cluain Shee and Griannan Fidh estate to the south and the existing dwelling in Ferncarraig estate to the west are considered the most sensitive receptors. The existing dwelling in Belmont Drive by virtue of separation distance and local topography are considered less sensitive.

Design / Scale

We refer the Board in the first instance to the Site Sections and Elevations, prepared by Ferreira Architects and the Computer Generated Images (CGIs) / Photomontages, prepared by GNet 3D which provide detail in relation of the scale, height, massing and material finishes associated with the proposed development.

Massing and scale strategy are proposed to respond to the topography of the land and surrounding context. The following approach been utilised: -

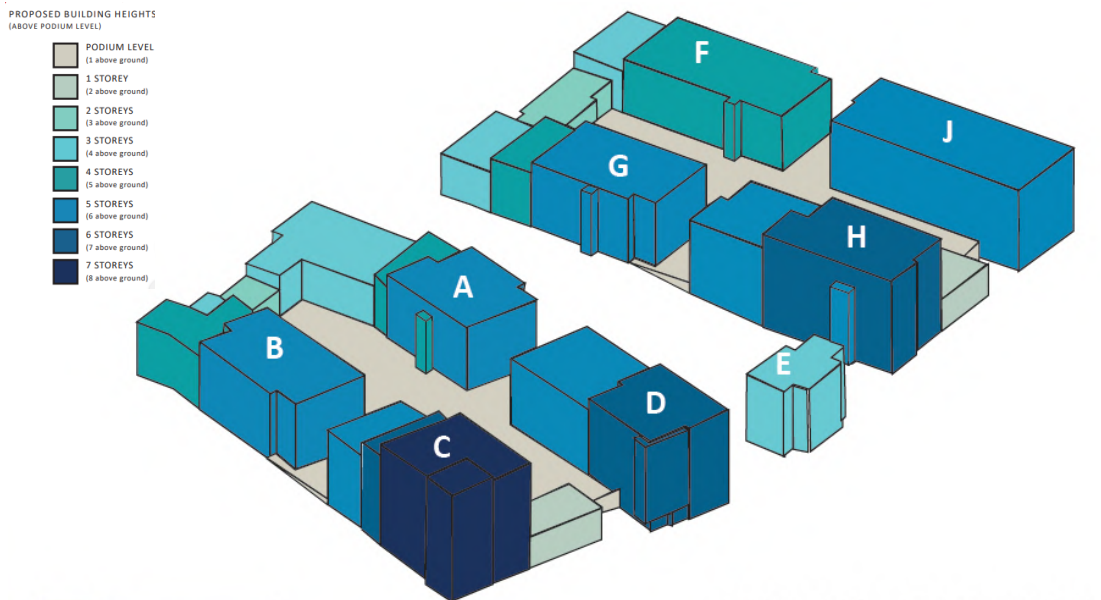
- The site is rectangular in shape and the ground slopes up from the south-eastern corner (+121m) to the north-western corner (+129m) and generally slopes up from south to north across the site.
- The proposed apartment blocks sit across the contours, taking advantage of the significant level change to incorporate undercroft car parking.

Apartment blocks ranging in height from 2 – 8 floors are proposed. These are comprised of predominantly 3 – 6 storey buildings in height with landmark elements at 7 and 8 floors located to the south (there is one element only at 8 floors). The apartment buildings are arranged around two main courtyard areas over podium level. The two main courtyard areas define the edge of the main central public open space of the proposal, which falls gently from the northern boundary by Thornberry Road to the southern boundary by the Village Road. Blocks of 3 & 5 storey height enclose the main open space at both ends, with visual and pedestrian permeability through it.



Figure 6: Extract from the Design Statement, prepared by Ferreira Architects showing the general slopes associated with the site.

Overall, the building height proposed work with the existing contour on the site. Block C provides a focal point for the development and sites within the lowest part of the site which result in the overall height OD that is not substantially in excess of the existing dwelling to the north of the proposed development. Further to this, Ferreira Architects has demonstrated that the scheme in general is consistent with other schemes built within the Stepside area (generally 2 – 6 storeys).



01 CONTEXT
URBAN DESIGN MANUAL

PROPOSED BUILDING HEIGHTS - DIAGRAM

Figure 7: Extract from the Design Statement, prepared by Ferreira Architects showing the general arrangement of building height across the site.

We refer the Board to the Landscape & Visual Impact Assessment (LVIA), prepared by Doyle + O’Troithigh Landscape Architects along with the Verified Photomontages & CGI’s, prepared by GNet 3D.

This Report includes an assessment of 19no. views from key locations in the surrounding area. Generally the impact on views are considered slight to moderate negative in the short term at construction stage and slight to moderate neutral in the long term at operational stage. The LVIA generally concludes that: -

*“The site is one of the last areas for development in the general Belarmine / Aikens Village area that commenced in the early 2000s. **The general landscape character of the area is one that is undergoing significant residential development** and the landscape character of the area will suffer some level of negative visual intrusion during the construction stage but **as the landscape matures around the site the negative visual impacts will tend towards imperceptible.** Given the fact that the site has been zoned for development for some time **there would be an expectation of construction taking place on the site.** Given the recent publication of the Guidelines for Planning Authorities on Urban Development and Building Heights there would be an expectation that the site would be developed in a sustainable manner with the level of the existing local infrastructure of public transport, roads, educational facilities and retail. The requirement to reduce the heights of the blocks at the northern end to match the Thornberry development heights results in the increased heights at the Village Road end of the development where the site contours benefit increased building heights.*

*The residual visual impacts of the development will impact mainly on the existing development of Cluain Shee, Grianan Fidh and Ferncarrig Avenue that face onto the site given the height difference of the proposed and the existing 2 to 4 storeys heights but **the proposed blocks have been set away from the existing housing to reduce the visual impacts and a landscaped open space provides separation between proposed and existing.**”*

[Emphasis added by SLA]

It is worth noting that the proposed heights along Thornberry Road are not dissimilar to that of the permitted development on site (DLRCC Reg. Ref. D16A/0511 – 3 to 6 storey development) where the permitted scheme is 3 – 4 storeys directly onto the existing houses. The proposed scheme proposed 2 – 3 storeys stepping away from Thornberry Road with heights increasing moving south.

Furthermore, we note the commentary of the An Bord Pleanála Inspector with regard to building height as part of the previously permitted SHD scheme on the site (ABP Ref. ABP-309828-21 – Project Ironborn 2). In the interim, a new Development Plan has come into effect (April 2022), however, the national planning policy context remains the same (promotion of higher densities in proximity to high capacity / frequency public transport). We acknowledge that this current proposal will be assessed on its merits, however, the comments made by the Inspector on the previous scheme (ABP Ref. ABP-309828-21 – Project Ironborn 2) are of note in so far that it was highlighted that the application site had capacity to absorb increased density and building height, stating that: -

*“I am of the view that the **proposal has responded well to its context. The height strategy pursued is one that pays sufficient heed to the surrounding developments.** The heights drop to three and four storeys (above ground/car park level) to the north-east of the site, which is cognisant the prevailing heights of the development to the immediate north. The apparent height of the proposal will two and three storeys, given the proposed ground level will be at a lower elevation than Thornberry Road. The heights generally increase as one moves south across the site. On the eastern boundary, the heights rise from 4 to 5 to 6 storeys (above ground/car park level). I note that there is a considerable setback from the proposed 6 storey elements to the 2 storey dwelling houses at Ferncarrig (c40m), reducing any visual impact from same.”*

And

*“**These increase heights are reflective of the relatively higher existing prevailing heights in the wider area, to the south and south-east, where there are developments of up to 6 storeys in height.** ... While I note that the site has a higher elevation than the majority of surrounding sites, I am also cognisant of the curved nature of Village Road, which tends to limit long views towards the site, therefore limiting views towards the higher elements of the proposal. The existing street trees, too, provide a significant level of screening. While the 8 storey element will be most visible from the Cluain Shee development to the south-west of the site, this is set back some 42.3m from the nearest residential unit at Cluain Shee and I am not of the view that it will be overbearing in nature. **The 8 storey element is limited to a small portion of the site, with lower heights prevailing on the remainder of the site.**”*

[Emphasis added by SLA]

The building heights proposed as part of the current proposal do not exceed the height proposed as part of the previously permitted SHD scheme on the site. Adjustments have been made to Block F to omit a floor to reduce perceived impact on adjoining existing development. This reduces the height of the block facing Ferncarraig Avenue from 5 storeys to 4 storeys. As such, it is generally submitted that in this instance, the proposed development is consistent with emerging development trends in the area and so not a significant impact.

Boundary Treatments / Edge Conditions

We refer the Board to Landscape Section Drawing, prepared by Mitchell + Associates Landscape Architects & Urban Design which details the various treatment around the perimeter of the blocks including the landscaping which forms the privacy strips between the edge of the blocks and the public paths. All the units proposed at ground floor have active frontage onto the public spaces and streets to ensure maximum passives surveillance.

We refer Board to the Design Statement, prepared by Ferreira Architects which sets out further detail in relation to relationship between the ground floor of the building and the street. Broadly the following is illustrated: -

- **Village Road Treatment**

Blocks C, D and E sit along the southern boundary of the site at the Village Road side. This area is south-facing and overlooking the existing public park. Block C forms the arrival and focal point of the scheme expressed with height at the south-western corner.

We refer the Board to the Landscape Masterplan, prepared by Mitchell + Associates Landscape Architects & Urban Design for further detail in relation to the treatment of the public plaza proposed in front of Block C. Tree planting has been introduced in conjunction with an improved public realm to provide a focal point as the proposed development is approached along Village Road from both directions.

A series of localised sections are show through each Block overlooking the southern public space. This detail is set out in the Design Statement, prepared by Ferreira Architects. The Sections clearly demonstrate the level of overlooking and activation fronting onto this public space, avoiding large expanses of blank walls.

- **Atkinson Drive Treatment**

The Blocks step up from Thornberry Road junction at the north-east, from four to five storeys in Block B (AB) and from five to seven storeys in Block C. The basement / undercroft level becomes evident as a stone clad base to Block C as the ground slopes down towards Village Road. The short section of façade contains a number of balconies which provide activation of this area.

Tree and shrub planting is proposed as part of the landscape design along the length of Atkinson Drive, creating a pleasant street while also offering a privacy buffer to the lower floor apartments. Furthermore, this landscape buffer assist in softening the stone clad base of Block C to Atkinsons Drive.

- **Thornberry Road Treatment**

The northern elevations of the two courtyard Blocks AB and FG, as well as the childcare facility and resident's facilities in Blocks C and G, form the new southern edge to Thornberry Road. The proposed building heights along the street are two to three to four storeys at various locations along the street which provides an appropriate transition to the existing 2 storey houses on the northern side of Thornberry Road.

The houses on the north side of Thornberry Road address the application site in a variety of ways, including facing and gabling. The separation distance between the buildings here (existing and proposed) together with the relative relationships afford the possibility to modulate the height of the new buildings along this edge.

The access to the undercroft car parking area forms a small opening in the façade along Thornberry Road. The variety of building height, opening and landscaping along this street ensure that the opening to the car parking is well integrated and does not dominate the new streetscape.

We also refer the Board to the Site Elevation Drawings and Design Statement, prepared by Ferreira Architects which provide details in relation to the full suite of material finishes proposed. The elevational treatment provide variety across the facades that provides distinction and visual interest. Furthermore, the proposed landscaping adds further texture at street level and provides an improved public realm for both prospective residents and existing residents of the adjoining residential estates.

Separation Distances / Overlooking

In term of separation distances to adjoining residential development, the following is noted: -

- The proposed development is approximately 53m between the building edge and the neighbouring Griannan Fidh development to the south.
- Separation distances of between 52.5 and 39.2m are found along the eastern boundary with Ferncarraig Avenue.

These separation distances are significantly in excess of the Development Plan minimum.

The proposed BTR apartment blocks are set back between 8 and 26m from the residential units on Thornberry Road to the north. It is submitted that this is acceptable on the basis of the design measure implemented (no balconies, opaque glazing) and the scheme steps down to 2 / 3 storey along this edge to reflect the existing scale of development.

Block F which is located in the northeast of the site includes recessed private amenity space on the eastern elevation to avoid overlooking of the unit directly north on Thornberry Road.

The blocks which are closest to dwelling on Thornberry Road face toward the gable ends of these properties with no widows to habitable rooms which avoids direct overlooking. As such, there no opposing windows where the separation distance is below 22m.

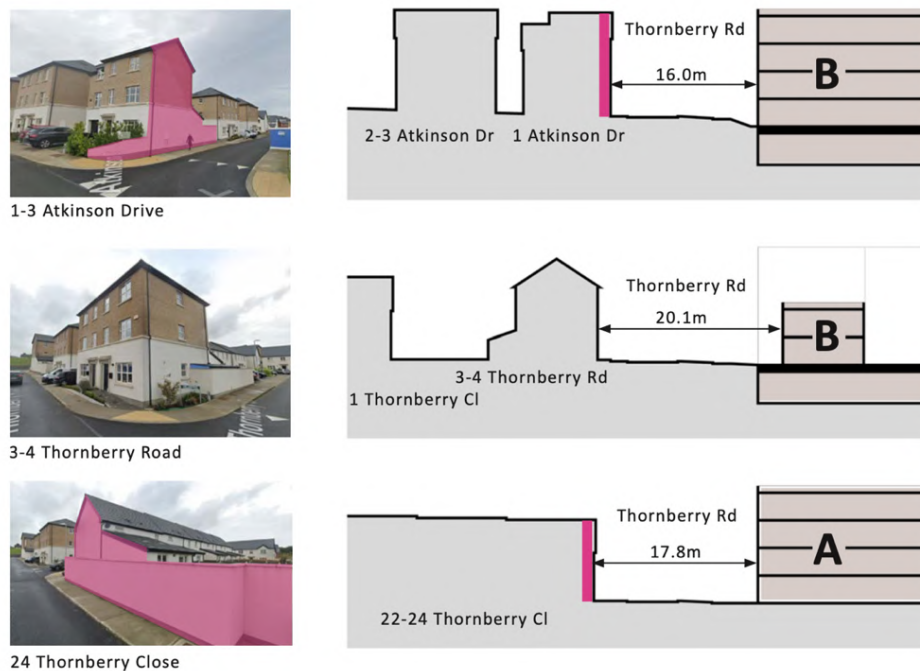


Figure 8: Extract from the Design Statement, prepared by Ferreira Architects which shows the relationship with dwellings on Thornberry and various elevation conditions.



Figure 9: Photomontage prepared by GNet 3D – View from Hyde Road facing south illustrating the height of the proposed blocks in the context of the existing dwelling on Thornberry Road.

Sunlight, Daylight & Shadow Assessment, prepared by Chris Shackleton Consulting accompanies this SHD Planning Application the detail of which is set out below. Generally, the assessment confirms that there is no significant impact on adjoining properties in terms of daylight / sunlight arising from the proposed development.

Within the scheme the blocks are between 9.7 and 57.3m from each other. Again, it is submitted that this is acceptable on the basis of the design measure implemented (no balconies, orientation of units, opaque glazing where relevant).

The proposed development remains broadly the same in terms of scale, mass, separation distances as the previously permitted SHD scheme on the site (ABP Ref. ABP-309828-21 – Project Ironborn 2). We note that the An Bord Pleanála Inspector considered the separation distance to be acceptable given the design measures implemented.

We refer the Board to the enclosed Site Layout Plans and Design Statement, prepared by Ferreira Architects which elaborates further in relation to separation distances.

Having regard for Section 12.3.5.2 – Separation Between Blocks of the Development Plan which states that *“in certain instances, depending on orientation and location in built-up areas, **reduced separation distances may be acceptable.**”* [Emphasis added by SLA]

It is submitted that the proposed development is an intensification of underutilised infill site in close proximity to existing high capacity / frequency public transport which is wholly in accordance in with prevailing national and regional planning policy. Furthermore this is consistent with Policy PHP18 of the Development Plan which encourage higher densities subject to appropriate design to protect existing residential amenities.

Please see the Material Contravention Statement, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants for justification of the proposed separation distances between buildings within the scheme and adjoining the scheme, should the Board consider the separation distances to constitute a material contravention.

Daylight / Sunlight

The properties directly to the north (Thornberry Road), east (Ferncarraig Estate) and south (Griannan Fidh) have been tested for completeness. All windows which face the proposed development and gardens in proximity to the proposed development have been tested. We refer the Board to the Sunlight, Daylight & Shadow Assessment, prepared by Chris Shackleton Consulting in which the following is broadly set out: -

- **Daylight**

All windows facing the development were tested. When tested with the new development in place, the Vertical Sky Component (VSC) for all tested windows was greater than 27%, or not breaching the 0.8 times its former value limit for habitable rooms. The proposed development complies with the requirements of the BRE Guidelines in relation to maintaining skylight (daylight) availability for neighbours.

- **Sunlight**

Tests for the amount of sunlight that windows to living room and / or conservatory can receive over both annual and winter periods. While not all windows relate to living rooms, all windows have, for completeness, been tested. All tested windows comply with the Annual Probable Sunlight Hours (APSH) and Winter Probable Sunlight Hour (WPSH) requirements for sunlight. The proposed development complies with the requirements of the BRE Guidelines in relation to both annual and winter sunlight availability to neighbours as it applies to living rooms and conservatories.

- **Shadow / Sunlight – Gardens and Open Spaces**

All rear garden of adjoining properties which are directly north of the proposed development have been tested. All tested neighbouring amenity spaces pass the BRE requirement relating to the area receiving 2 hours of sunlight on the 21st March > 50% or not breaching the 0.8 times its former value limit.

Appendix 5 of the Sunlight, Daylight & Shadow Assessment, prepared by Chris Shackleton Consulting contains a supplementary assessment of garden of adjoining properties. A month by month assessment shows little or no impact on the spaces between March and September in terms of daylight or sunlight. The analysis notes that, as expected, in the winter months the some impact is expected. Overall, the supplemental assessment supports the BRE analysis that impact caused by the proposed development will be minimal.

In summary, neighbouring properties will generally not be affected by the proposed development and the impacts on Daylight, Sunlight and Shadow have been tested in accordance with the best practice guidelines (BRE 209 Guidelines, Version 3, 2022).

Pedestrian / Cyclist Comfort

We refer the Board to the Wind Microclimate Modelling, prepared by B-Fluid Dynamics Consultants which provides analysis of the wind conditions arising from the proposed development. The Report goes on to generally concludes that: -

“The development is designed to be a high-quality environment for the scope of use intended of each areas / building (i.e. comfortable and pleasant for potential pedestrian) and the development does not introduce any critical impact on the surrounding buildings, or nearby adjacent roads.”

As such, it can be demonstrated that the proposed development can be considered compatible with the overall policies and objectives for the zone, and would not have undesirable effects on adjoining development, and would otherwise be consistent with the proper planning and sustainable development of the area. Therefore, it is our professional planning opinion that the proposed BTR development are acceptable on lands zone lands zoned Objective A – Residential.

7.2.1.2 Zoning Objective A – Childcare Facility

As can be seen from the table above the inclusion of a childcare facility is a permissible use on lands zoned Objective A – Residential.

As set out above, further detail is provided with regard to development on lands zoned Objective A – Residential in Table 13.1.2 where note ‘a’ states: -

“Where the use will not have adverse effects on the ‘A’ zoning objective, ‘to provide residential development and improve and improve residential amenity while protecting existing residential amenities’.”

This note relates to a ‘Childcare Service’. A purpose built childcare facility (c. 514.9 sq. m) and associate outdoor play area (c. 204 sq. m) is proposed in Block D to cater for the childcare demand likely to arise from the proposed development.

The childcare facility is designed into Block D at ground floor level to ensure it fully integrated with the proposed development. The outdoor play area is orientated south toward Village Road which reduces the potential noise impact on the communal courtyards / central public open space.

Operating hours will be agreed with the Planning Authority, subject to a successful grant of planning permission to ensure the amenity of the proposed and adjoining development are protected.

We refer the Board to the Social Infrastructure Audit, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants which includes a Childcare Needs Assessment which concludes that the proposed childcare facility in tandem with existing childcare facilities in the immediate area will comfortably meet the demand likely to arise from the implementation of the proposed development. The Childcare Needs Assessment (carried out as part of the Social Infrastructure Audit) has full regard for Section 12.3.2.4 – Childcare Facilities of the Development Plan.

7.2.1.3 Zoning Objective F – Open Space

It is proposed to make provision for additional footpaths and landscaping in the area of public open space (Objective F – Open Space) located immediately to the south of the proposed apartments. These are on lands controlled by DLRCC. The footpath(s) will enhance the permeability of the area generally and afford residents to the north of the application site, as well as residents of the development itself with enhanced access to the route to the Glencairn Luas stop. As noted above, ‘open space’ is noted as being Permitted in Principle in Objective F – Open Space lands.

An underground wastewater storage tank (“the tank”), plus above ground detention area, reinstated landscaping, and a small above ground kiosk are proposed on lands zoned Objective F – Open Space in the area to the south of Griannan Fidh residential estate. It should be noted that existing drainage traverses the open space areas, both of which are under the control of DLRCC. Any public services proposed in this area will be required for connection to the existing network. As noted above, ‘public services’ are noted as being ‘Open for Consideration’ in Objective F – Open Space lands.

As part of the first SHD Planning Application for this site (ABP Ref. ABP-306471-19 – Project Ironborn) an issue was raised by Irish Water following completion of the Shanganagh Drainage Area Plan (DAP). This related to the results of the hydraulic modelling of the network indicating that upgrade works are necessary to avoid the risk of flooding downstream from the Aiken’s Village area caused by stormwater entering the foul system. An Bord Pleanála cited the deficiency in the foul water network as a reason not to grant permission.

At the time, Irish Water raised issues with the capacity of the foul network and awaited the results of a Shanganagh DAP. The results of the hydraulic modelling by Irish Water of the network indicated that upgrade works are necessary to avoid the risk of flooding downstream from the Aiken’s Village area generally caused by stormwater entering the foul system.

Subsequently, our Client (the Applicant) engaged in extensive dialogue with Irish Water and the Drainage Department of DLRCC to provide a solution to the capacity issues in the network. It appears that this issue exists in the wider area, but it was our Client’s Pre-Connection Enquiry that has caused this development to be asked to address this area wide issue.

Through this extensive dialogue, Kavanagh Burke Consulting Engineers (on behalf of the Applicant), agreed a solution to alleviate the risk of flooding downstream from the Aiken's Village area. As part of the second SHD Panning Application for this site (ABP Ref. ABP-309828-21 – Project Ironborn 2) Irish Water agreed to the provision of the tank (500 m³) and provided a Confirmation of Feasibility to this effect at the time of making that SHD Panning Application. Permission was subsequently granted by An Bord Pleanála on 15 July 2021 with **no condition attached** seeking modification to the provision of the tank.

As part of the current SHD Planning Application the exact same underground wastewater storage tank (500m³) is being proposed which was previously permitted under ABP Ref. ABP-309828-21 (Project Ironborn 2). Irish Water have provided an updated Confirmation of Feasibility, dated 19 July 2022 which re-confirms the requirement for the tank. For the clarity and the avoidance of doubt the Applicant has been requested by Irish Water to provide the tank at their own expense.

The proposed location for the tank remains on public open space south of the subject site owned by DLRCC. DLRCC have given consent to include these lands in the SHD Planning Application and to carry out the necessary works if permission is granted. Details of the proposed location and proposed detail of the tank are shown on Dwg. Nos. D1000 'IW Foul Overflow Tank' and D18 'IW Overflow Tank Details', prepared by Kavanagh Burke, Consulting Engineers.

With regard the requirement by Irish Water to include the tank as part of the development, for the convenience of the Board the following sets out how these works are compatible in lands use zoning terms.

Irish Water provided a Confirmation of Feasibility, dated 19 July 2022 which states that in order to accommodate a wastewater connection "... *upgrade works are required to increase the capacity of wastewater network. **A storage tank (c. 500m³) to mitigate the impact of storm water in the network is required.** The storage tank will be required to cater for future development in the area arising from modelling carried out of the potential future zoned development lands within the collection catchment over a 10 – 15 year time horizon. These upgrade works are not currently on the Irish Water investment plan therefore, the applicant will be required to fund these upgrades.*" **[Emphasis added by SLA]**

The tank is included as part of this SHD Planning Application as required by Irish Water in the Confirmation of Feasibility. The lands to accommodate the tank are located to the south east of the existing Griannan Fidh residential estate. We refer the Board to the Site Location Map, prepared by Ferreira Architects which identifies these lands. A Letter of Consent has been provided by DLRCC to include these lands as part of the proposed development to provide the tank.

On that basis of the above, the tank can be considered a 'public service' within the meaning of the definition of same in the Development Plan. The infrastructure proposed is necessarily required by Irish Water, a statutory undertaker, to facilitate the proposed development albeit that it will be delivered by the Applicant as set out in the Confirmation of Feasibility issued by Irish Water.

It is perhaps also noteworthy that the small scale nature of the tank is one that could be undertaken by Irish Water as exempted development in normal circumstances. Class 58(c) of the Planning & Development Regulations 2001, as amended, refers. The proposals are being included in this planning application in order to provide planning certainty for the Board that no infrastructural constraint exists that could create an issue for this development.

Note 'a' in Table 13.1.9 as set out above does not specifically relate to 'public services'. Notwithstanding, we note that the provision states that "*not more than 40% of the land in terms of the built form and surface car parking combined shall be developed upon.*"

Details of the tank are provided on Engineering Drawings, prepared by Kavanagh Burke Consulting Engineers. Broadly the works for the tank area are as follows: -

- The volume of the tank is 500m³. This caters for the proposed development and future development in the area as agreed with Irish Water.
- The dimensions of the tank are c. 14.5m x 12.5m x 2.75m.
- The incoming pipe is at a depth of c. 0.95m with the depth of the tank being c. 3.75m.

- Ancillary works include a kiosk and appropriate landscaping.
- The provision the tank (i.e. 500m³) ensures that the open space where the tank is proposed is only excavated once. All works are carried out in one go to avoid having to disrupt the open space lands on another occasion which is in accordance in proper and sustainable development.

All the works proposed to provide the storage tank are underground with the exception of a small kiosk for maintenance and management purposes. The footprint of the tank, including the kiosk is c. 181 sq. m, which represents c. 26% of the area of the site within the red line in this immediate vicinity (c. 693 sq. m) which is significantly less than 40% of the lands as set out in the Development Plan.

On completion of the infrastructure works, the landscape is to be reinstated and revert to public open space. For anyone using the park, or the footpaths through the park, only the small kiosk will be visible, with the remaining area being under grass. The detail of the landscaping have been agreed in principle with DLRCC Parks Department as part of dialogue in obtaining a Letter of Consent for these works from DLRCC.

It is acknowledged that the provision set out in Table 13.1.9 of the Development Plan does not specifically relate to the provision of public services. Notwithstanding, it can be clearly shown that development of the open space lands is all underground with the exception of small kiosk and would comply with the Open Space zoning note 'a' even were it to apply. When the footprint of the works are considered it amounts to c. 26% of the site area which is significantly less than the 40% maximum limit. The Board is also reminded that the lands in question are already under the control of DLRCC, as evidenced by the Letter of Consent accompanying this application. Furthermore, the lands above the tank will remain as accessible public open space as is currently the case. In that regard, the Board will note from the relevant drawings that there are no proposals to erect fencing / a boundary around the area of the tank. As such, the requirement for any such agreement is unclear, or unnecessary. Without prejudice to the above, having regard to the zoning of these lands, should the Board consider it necessary, the Applicant is willing to enter into agreement under Section 47 of the Planning & Development Act 2000, as amended, or some alternative legally binding agreement with regard to the works proposed to implement the tank.

The Development Plan states that use are which are 'Open for Consideration' are uses which *"may be permitted where the Planning Authority is satisfied that the proposed development would be compatible with the overall policies and objectives for the zone, would not have undesirable effects, and would otherwise be consistent with the proper planning and sustainable development of the area."*

As set out in the Development Plan, Objective F sets out the intention *"to preserve and provide for open space with ancillary active recreational amenities"*. The proposed works will not impact the use of the existing public space. The works will include the reinstatement of the open space once the tank is installed. Therefore, the requirement of Objective F *'to provide for open space'* is achieved. The following policies within the Development Plan are also relevant: -

- **Policy Objective GIB1 – Green Infrastructure Strategy:** It is a Policy Objective to continue to implement, and update, the DLR Green Infrastructure (GI) Strategy, **to protect existing green infrastructure** and encourage and facilitate, in consultation with relevant stakeholders, the development, design and management of high quality natural and semi-natural areas. This recognises the ecosystems approach and the synergies that can be achieved with regard to sustainable transport, provision of open space, sustainable management of water, protection and enhancement of biodiversity.
- **Policy OSR2 – Hierarchy of Parks and Public Open Space:** It is a Policy Objective to provide a **hierarchy of attractive parks and public open spaces**, which vary in size and nature, are all inclusive, by being readily accessible and at a convenient distance from people's home and / or places of work.

The provision of the tank in this location is not considered incompatible with the objectives outlined above. The works will include the full reinstatement of the public open space therefore maintaining the existing provision of public open space (Policy Objective GIB1) and not negatively impact on the existing hierarchy of parks and public open spaces (Policy Objective OSR2). A full overview of how the proposed development adheres to Development Plan Policies Objectives is set out in Section 10 of this Report.

The tank will result in the loss of a limited number trees (4no. total). These trees are described as being Category B – Moderate Quality and Category C – Low quality. The Arboricultural Assessment Report, prepared by CMK Horticulture & Arboriculture Ltd. provides an assessment of the existing trees within the area proposed to the tank required by Irish Water (Arboricultural Assessment, Arboricultural Impact and Tree Protection Strategy Report – Belarmine Park). The assessment notes that “a *potential benefit of the removal these four trees will be increased light for the remaining specimens; the larger and more developed of which remain along the northmost edge of the group.*”

The tank is located in its optimum position following detailed dialogue between Kavanagh Burke Consulting Engineers and Irish Water. The Applicant is more than satisfied to accept a condition which requires the relocation of trees or replacement of any lost trees within the lands under the control of DLRC as part of grant of planning permission. As such, the replacement trees will negate the loss of any trees as part of the implementation of the tank required by Irish Water.

Potential undesirable effects which may arise include risk of pollution, risk of flooding and incompatibility in term of integrating the works. The following sets out how any such risks will be mitigated by the proposed works: -

- **Risk of Pollution**

The tank has been designed by Kavanagh Burke Consulting Engineers to ensure that no adverse impacts arise in line with Irish Water standards. A localised depression will be landscaped to provide a detention area in the unlikely event that the pump fails (Refer to Dwg. Nos. D1000 ‘IW Foul Overflow Tank’ and D18 ‘IW Overflow Tank Details’, prepared by Kavanagh Burke Consulting Engineers). The final construction detailing of the tank and pumps will be undertaken by Irish Water following the Applicant entering in to a Connection Agreement and the works to construct the tank will be undertaken by Irish Water to their standards so as to ensure no undesirable effects will arise.

- **Risk of Flooding**

A Flood Risk Assessment, prepared by JBA Consulting Engineers sets out that the area where the tank is proposed is fully within Flood Zone C. This indicates a low risk of fluvial, pluvial, groundwater and coastal flooding (less than 0.1% AEP or 1 in 1000 chance of flooding in a given year). There was previously a risk of flooding identified from the foul water system due to the insufficient capacity of the network. Mitigation measures will be incorporated into the proposed design to minimise the potential risk presented by pluvial flooding.

- **Integration of the Works**

As set out above, on completion of the infrastructure works, the lands are to be landscaped and revert to public open space. The detail of the landscaping have been agreed in principle with DLRC Parks Department as part of dialogue in obtaining a Letter of Consent for these works from DLRC. The amenity value of the public open space will not be negatively impacted in the long term as the lands will be returned to open space use.

On that basis of the above, the tank can be considered compatible with the overall policies and objectives of the zone and would not result in any likely negative or undesirable effects and would otherwise be consistent with the proper planning and sustainable development of the area.

Furthermore, we can confirm that the detail of the overflow storage has been discussed and agreed in principle with DLRC Drainage Department. .

We are of the professional planning opinion that the proposals to include an underground wastewater storage tank is consistent with the proper planning and sustainable development of this area and is consistent with the provisions of the Development Plan relating to this aspect. As outlined above, Irish Water has identified an issue with regard the wastewater network in the area and require the solution (the tank) to be implemented by the Applicant. This was highlighted by Irish Water as part of the reason for refusal for the first SHD Planning Application for this site (ABP Ref. ABP-306471-19). Following completion of the Shanganagh DAP, the results of hydraulic modelling of the network indicate that upgrade works are necessary to avoid the risk of flooding downstream from the Aiken’s Village area caused by stormwater entering the foul system.

Our Client (the Applicant) has engaged in extensive dialogue with Irish Water and the Drainage Department of DLRCC to provide a solution to the capacity issues in the wider network. It appears that this issue exists in the wider area, but it was our Client's Pre-Connection Enquiry that has caused this development as being asked to address this area wide issue. The tank (c. 500m³) is required to facilitate the development and to future proof and provide additional capacity for other developments in the area over the next 10 – 15 years. This solution formed part of the second SHD Panning Application for this site (ABP Ref. ABP-309828-21) which was granted planning permission by An Bord Pleanála on 15 July 2021 with no condition attached seeking modification to the provision of the tank.

The provision of the tank will also ensure that development in the wider area can also be facilitated in the future by including additional capacity in the wastewater networks. This will result in additional lands being serviceable for future incremental expansion of the area. This is considered wholly in accordance with the National Planning Framework in a broader context where the intention is to support sustainable compact growth / intensification of existing urban area in proximity to public transport. While it is acknowledged that the wastewater tank is required for the proposed development in the immediate future there is clearly a need for the same infrastructure to facilitate future sustainable growth of the immediate area, as identified by Irish Water.

The proposed infrastructural works are required by Irish Water and on that basis they can be categorised as 'public services' as defined in the Development Plan. Irish Water require the Applicant to deliver the tank at their own expense. Furthermore, it can be demonstrated that the works proposed can be considered compatible with the overall policies and objectives for the zone, and would not have undesirable effects, and would otherwise be consistent with the proper planning and sustainable development of the area. Therefore, it is our professional planning opinion that the proposed infrastructural works are acceptable on lands zone Objective F – Open Space and the context has not changed since An Bord Pleanála considered same acceptable in land use zoning terms under ABP Ref. ABP-309828-21.

7.2.1.4 Summary

It is our professional planning opinion, for all the reasons outlined above, that the proposed development is consistent with the relevant land use zoning requirement of the Development Plan, including: -

- Residential (BTR) on land zoned Objective A – Residential.
- Childcare Facility on land zoned Objective A – Residential.
- Underground wastewater storage tank (Public Service) on land zoned Objective F – Open Space.

7.2.2 Item 2 – Development Plan Objectives

In accordance with section 5(5)(b) of the Act of 2016, as amended, any application made on foot of this opinion should be accompanied by a statement that in the prospective applicant's opinion the proposal is consistent with specific objectives of the Dun Laoghaire Rathdown Development Plan 2022 – 2028.

Applicant's Response

We refer the Board Section 10 of this Report which provides an outline of how the proposed development is consistent with specific objectives of the Development Plan.

7.2.3 Item 3 – Material Contravention Statement

A detailed statement, which should provide adequate identification of all such elements and justification as applicable, where / if the proposed development materially contravenes the statutory Dun Laoghaire Rathdown Development Plan 2022 – 2028, other than in relation to the zoning of the land, indicating why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.

Applicant's Response

We refer the Board Section 12 of this Report and to the accompanying Material Contravention Statement, prepared by Stephen Little & Associates Chartered Planners & Development Consultants, which provides justification for any material contraventions of the Development Plan where the Board forms the opinion that the proposed development will give rise to such a material contravention.

7.2.4 Item 4 – Planning Permission History

A detailed statement demonstrating how the proposed development ties in with the wider development strategy for the landholding and the overall Aiken Village / Belarmine area, with regard to live permissions on the site and adjoining lands and an overall phasing strategy.

Applicant's Response

For context, the application site is the one of very few areas within Aikens Village / Belarmine area which remains undeveloped. The application site or the immediate lands (Aikens Village / Belarmine) are not subject of a Local Area Plan, Masterplan or other such frameworks. There is no particular phasing requirement to develop the lands in a particular fashion with the exception that the remaining infill sites are appropriately developed.

A detailed planning history is set out in Section 2 above. The following is a summary of the key permissions pertaining to the subject site and immediate adjoining lands: -

- **DLRCC Reg. Ref. D10A/0440 (Parcel 3 & 5 – Stepside AAP)**

On the 6 August 2010, P. Elliot and Co. Limited applied for a 10 year planning permission comprising 410no. residential units containing 206no. houses and 204no. apartment units.

On 5 December 2011 An Bord Pleanála issued a decision to grant permission for the proposed development under DLRCC Reg. Ref. D10A/0440.

To date 289no. dwellings have been built and occupied on these lands. In other words, all of the dwellings within this site, save for the 121no. units in Parcel 3 have been completed.

- **DLRCC Reg. Ref. D16A/0511 (Parcel 3 – Stepside AAP)**

Permission was sought on 12 July 2016 for development of a revised scheme within the development Belmont as granted under DLRCC Reg. Ref. D10A/0440 / ABP Ref. PLO6D.239332 (10 year permission). This permission relate to the Sector 3 (i.e. the same site as the subject SHD Planning Application).

DLRCC granted permission for the development on 16 December 2016 subject to 37no. conditions. To date, this permission has not been implemented.

- **Extension of Duration DLRCC Reg. Ref. D10A/0440/E1 & DLRCC Reg. Ref. D16A/0511/E1**

An Extension of Duration application was made to DLRCC on 6 December 2021 for the development permitted under DLRCC Reg. Ref. D10A/0440 and as amended by DLRCC Reg. Ref. D16A/0511. An Extension of Duration application was submitted for both DLRCC Reg. Ref. D10A/0440 and DLRCC Reg. Ref. D16A/0511 on the basis that if the parent permission withers so too does the amending permission.

The decision for both Extension of Duration applications have been delayed, as per correspondence received from DLRCC, dated 29 March 2022. The Applicant is currently awaiting the outcome of these Extension of Duration applications.

- **ABP Ref. ABP-306471-20 (Project Ironborn)**

Permission was sought on 21 January 2020 for a Strategic Housing Development. This development consisted of 444no. apartment units (120no. 1 bedroom units, 310no. 2 bedroom units and 14no. 3 bedroom units) arranged in 9no. blocks ranging in height from 2 – 8 storeys over 2no. independent single level basements.

An Bord Pleanála refused permission for the development on 28 April 2020.

- **ABP Ref. ABP-309828-21 (Project Ironborn 2)**

Permission was sought on 29 March 2021 for a Strategic Housing Development. The development consisted of 445no. 'Build-to-Rent' apartment units (158no. 1 bedroom units and 287no. 2 bedroom units) arranged in 9no. blocks ranging in height from 2 – 8 storeys over 2no. independent single level basements.

The Board granted permission for the development on 15 July 2021. An application for Judicial Review was lodged with the High Court in September 2021 and the case is on-going and has not yet been determined. As the outcome of the Judicial Review is not yet known, the Applicant considers it prudent to submit a proposal to ensure that the subject site retains the potential to have an implementable planning permission.

Other Planning Permissions in the Immediate Area

A review of existing planning permissions surrounding the application was conducted. A number of remaining infill sites were identified in proximity, as follows: -

Map No.	Reg. Ref.	Grant Date	No. Units	Commenced?
1	D16A/0393 as amended by D18A/0509 & D20A/0698	25/03/2021	56	Yes
2	DLRCC Part 8 Scheme	2019	155	Complete
3	D18A/0074 / ABP-303695-19	16/07/2019	42	No
4	ABP-307415-20	06/10/2020	200	No
5	ABP-302580-18	19/12/2018	341	Yes – Infrastructure works only
6	ABP-308227-20	14/01/2020	249	Yes – Infrastructure works only
7	ABP-311669-21	10/02/2022	112	No

Having reviewed the Building Control Management System (nbco.localgov.ie) we note that only 3no. these permissions have commenced with 2no. of those permissions only at infrastructure works stage. The DLRCC Part 8 Scheme (located 500m west of the application site) was completed in Q2 2022.



Figure 10: Extract from Google Earth showing the application site in the context of the remaining undeveloped plots in the Aikens Village / Belarmine area (Overlay by SLA).

The site identified above are the remaining parcels of underutilised lands in proximity to the Luas Green Line adjacent the application site.

The application site remains the final parcel within Aiken Village to be development noting that Belmont and Belarmine have now been fully developed. As noted above, the lands are not subject of Local Area Plan, Masterplan or other such frameworks. There is no particular phasing requirement to develop the lands in a particular fashion with the exception that the remaining infill sites are appropriately developed.

As such, it had been our Client's (the Applicant) intention to implement ABP Ref. ABP-309828-21 (Project Ironborn 2). As outlined above, this application is now subject to Judicial Review.

As the outcome of the Judicial Review is not yet known, the Applicant considers it prudent to re-submit a scheme to ensure that the subject site retains the potential to have an implementable planning permission. Our Clients have received advice that confirms there is nothing preventing this approach being taken.

Notwithstanding, also arising from the application for Judicial Review of ABP Ref. ABP-309828-21 (Project Ironborn 2) it was decided to ensure that the live permissions pertaining to the site (i.e. DLRCC Reg. Ref. D10A/0440 and as amended by DLRCC Reg. Ref. D16A/0511) did not wither. Again, this was to ensure that the subject site retains the potential to have an implementable planning permission should the current SHD Planning Application not be successful.

As noted above, the decision for both Extension of Duration applications have been delayed, as per correspondence received from DLRCC, dated 29 March 2022. At the time of making this SHD Planning Application a decision on the Extension of Duration applications has not been made. Therefore, there remains significant uncertainty in relation to these permissions also.

Ultimately, the Applicant will, subject to a grant of planning permission, implement the proposed development (subject of this SHD Planning Application) which includes design amendments to further integrate with adjoining development and continue to provide a suitably dense development in close proximity to high capacity / frequency public transport (See Section 7.2.1 of this Report). The development is considered wholly in accordance with national (See Section 9 of this Report) and local planning policy (See Section 10 of this Report).

7.2.5 Item 5 – Residential Standards

A detailed schedule of accommodation which indicates consistency with relevant standards and SPPRs in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’ (2020) including a report (Site Specific Management Plan) which addresses the use of the residential support facilities and amenity areas.

Applicant’s Response

We refer the Board to the Housing Quality Assessment, prepared by Ferreira Architects which demonstrates how the proposed apartment complies with the relevant standards.

We also refer the Board to the Statement of Consistency with the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’ (2020) which also addresses the relevant standards and SPPRs relating to the development now proposed (See Section 9 of this Report).

We refer the Board to the Site Specific & Operational Management Plan Report, prepared by the Ferreira Architects which demonstrates how the proposed resident amenity facilities within the BTR development are to be managed.

7.2.6 Item 6 – Childcare Facility

A childcare demand analysis, including but not restricted to the justification for size of the proposed crèche, the likely demand and use for childcare places resulting from the proposed development.

Applicant’s Response

Section 2.4 of the Childcare Facilities, Guidelines for Planning Authorities (2001) set out general standards for the land use planning issues related to childcare provision in Ireland. In relation to ‘New Communities / Larger New Housing Developments’, it is noted that: -

“Planning authorities should require the provision of at least one childcare facility for new housing areas unless there are significant reasons to the contrary or where there are adequate childcare facilities in adjoining developments.”

The Guidelines outline that childcare facility provision should be made on the basis of 20no. childcare spaces for every 75no. dwellings permitted in a scheme.

Within the Apartments Guidelines (2020), provision for 1 bed and studio apartments in relation to the requirement for childcare facilities is outlined as follows: -

*“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.”*

Having regard for the New Apartment Guidelines (2020) the 154no. 1 bed apartment units have been discounted on the basis that these typologies are less likely to attract families.

Therefore, 284no. units of the proposed development are likely to create childcare demand. The proposed childcare facility will have a gross floor area of 514.9 sq. m and will have the capacity for c. 60no. of children. It is intended that the purpose built childcare facility will serve the future needs of the entirety of the proposed development, in a permanent capacity, once fully completed.

We refer the Board to the Social Infrastructure Audit, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants which contains an assessment of childcare needs in the area. There is flexibility provided in the Guidelines on the provision of new childcare facilities, rather than a rigid blanket approach. It is possible to demonstrate in accordance with the relevant policy, whether a childcare facility is required, based on an analysis of the existing and proposed level of childcare provision and the demographic structure of the area. Essentially, the delivery of childcare facilities needs to be balanced on the specific circumstances within a geographical area.

In general, the assessment finds that the proposed purpose built childcare facility (c. 514.9 sq. m) in combination with existing and permitted childcare facilities in the area is more than sufficient to cater for the demand created by the proposed development.

7.2.7 Item 7 – Community & School Infrastructure

Inclusion of a Social and Community Audit of the schools in the vicinity in particular school going children and the accommodation of additional requirement resulting from the proposed development.

Applicant's Response

We refer the Board to the Social Infrastructure Audit, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants which contains an assessment of school capacity in the area. In general, it is concluded that the proposed development will not create additional demand on existing Primary and Post-Primary within the catchment area having regard for the scale of the development and the cycle of students enrolling on a yearly basis. Furthermore, the Department of Education is investing in schools infrastructure including building extensions to existing schools. This will further assist in absorbing the demand created by the proposed development.

Notwithstanding, as part of the Stepside Action Area Plan (2000), the provision of supporting school infrastructure was identified within the plan lands specifically to cater for these lands, including the application site. 2no. schools (2no. Primary Schools) have been developed in a cluster approximately 500m southeast of the proposed development. These schools have been developed to cater for the demand generated in the local area which the site forms part of within Stepside. These schools are located a short walking distance from the application site (500m / 6 – 8 minute walk). The future school going population would be expected to attend these schools.

7.2.8 Item 8 – Landscaping

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

Applicant's Response

In the first instance, we refer the Board the Landscape Drawings and Landscape Report, prepared by Mitchell + Associates Landscape Architects for further details in relation to the landscape proposals.

High Quality Layout

- The proposed central open space provides a large usable public amenity which is passively overlooked from the Apartment Blocks located to the east and west of the space. The space includes an area for 'kick-about', natural play areas and outdoor gym equipment.
- The proposed central open space includes additional north / south pedestrian and cycle connections which provides additional permeability though this part of Aikens Village.

- It creates a direct connection to the residents north of the proposed development toward the Luas and Sandyford Local services (east).
- The landscaping proposal shows how the lands located to the south of the application site are included to integrate the development with the surrounding green network and provide additional connectivity. This area will be fully landscaped for the benefit of the wider surrounding area and will also provide enhanced connectivity through the site and surrounding areas.
- The communal courtyards are located centrally between the Apartment Blocks and provide exceptional semi-private amenity space for future residents. The spaces will be designed to encourage social interaction with ample passive supervision. Ground floor apartments are suitably screened (privacy strip) from the communal space.



Figure 11: Photomontage prepared by GNet 3D – View from the proposed central open space facing south.

Materials and Finishes / Boundary Treatments / Play Equipment

- The Landscape Drawings and Landscape Report, prepared by Mitchell + Associates Landscape Architects provide a details of the high-quality hard and soft landscaping (including street furniture) proposed as part of the landscaping strategy.
- Detail in relation the various boundary treatments is illustrated on Dwg. No. 103 'Boundary Details', prepared by Mitchell + Associates Landscape Architects. Furthermore, the ground floor street conditions / interfaces are illustrated on Dwg. No. 106 'Groundfloor Landscape Sections', prepared by Mitchell + Associates Landscape Architects. It is clearly demonstrated that the boundary treatments proposed provide appropriate screening / privacy for ground floor units while also creating a permeable layout to encourage footfall, in particular through the central open space, to create a sense of vibrancy.
- A 'Play Strategy' is included in the Landscape Report, prepared by Mitchell + Associates Landscape Architects. Details of the play equipment are illustrated on Dwg. No. 105 'Play Plan', prepared by Mitchell + Associates Landscape Architects which identifies the locations and detail of the play equipment provided.

Public Lighting

- We refer the Board to the Public Lighting Layout Plan, prepared by SEHA Technical Services Ltd. This should be read in conjunction with the Site Lighting Report, also prepared by SEHA Technical Services Ltd. The public lighting proposals have been designed to fully integrate with the landscaping proposals with due regard to public safety and the creation of welcoming streets and spaces.
- The public lighting layout has been considered in terms of potential impact on ecology also. The Ecological Impact Assessment, prepared by Scott Cawley Limited confirmed that the proposed public lighting will not impact on ecology (predominantly bat foraging due to the limited existing foraging suitability).

Quality Audit

- A Quality Audit, prepared by Aecom Consulting Engineers considered accessibility requirements (including walking and cycling audit), movement and place function requirements and road safety. The recommendation proposed have been considered and implemented as required to ensure the layout of the proposed scheme is in accordance the Design Manual for Urban Roads and Streets.
- Overall, the Quality Audit, prepared by Aecom Consulting Engineers considers the proposed layout highly accessible for pedestrians and cyclists.

Wind Assessment

- The Wind Microclimate Modelling Report, prepared by B-Fluid Consultants accompanies this SHD Planning Application and has been used to refine aspects of the proposals to ensure that the apartments, pedestrians and balconies enjoy a good microclimate. The Report concludes that the proposed development will produce a high-quality environment that is attractive and comfortable for pedestrians of all categories.

7.2.9 Item 9 – Daylight / Sunlight

<p><i>A Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to:</i></p> <ul style="list-style-type: none"> • <i>Impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.</i> • <i>Impact to any neighbouring properties devoid of proposed and existing landscaping and trees.</i>

Applicant's Response

We refer the Board in the first instance to the Sunlight, Daylight & Shadow Assessment, prepared by Chris Shackleton Consulting.

Proposed Development

From a daylight and sunlight perspective, for completeness, all rooms of the proposed development have been tested in term of daylight and sunlight access based on the guidance set out in BRE 209 Guidelines, Version 3, 2022.

- **Daylight (Target Illuminance E_T)**
95% of all habitable rooms are compliant with Target Illuminance E_T of BS/EN 17037 Annex NA (i.e. daylight). This pass rate increases to 99% if we include those results which are just marginal. Overall, 95% pass rate is an exceptionally high level of pass rate under these guidelines.

In total, from the entire development of 438no. apartments, only 14no. rooms do not meet the BRE requirements fully in terms of Target Illuminance E_T of BS/EN 17037 Annex NA. They only just fall below the pass rate. Compensatory measures have been implemented in the design of the apartments which do not meet the relevant standards as follows: -

Apt. No.	Room Type	Aspect	Min. Apt. Standard (sq. m)	Apt. Area (% above Standard)	Room Area (sq. m)	Room Area (% above Standard)
B1.05	Bedroom	E – CC	55.3	18	15.6	37
B1.07	Living	Dual – CC	61.2	36	25.4	10
B1.08	Living	Dual – CC	86.3	18	30.6	2
B1.09	Living	Dual – EPOS	90.5	24	33.7	12
C1.02	Bedroom	Dual – EPOS	87	19	11.4	-
C1.06	Bedroom	Dual – EPOS	87	19	11.4	-
C1.11	Living	W – EPOS	68.8	53	31.7	38
C1.14	Bedroom	Dual – EPOS	61.2	36	11.4	-
D1.18	Living	E – CC	86.8	19	31.4	5
F1.05	Bedroom	W – CC	61.3	38	14.8	30
G1.09	Living	Dual – PPOS	84.2	15	32.4	8
G1.11	Living	W – PPOS	87.4	20	34.4	15
H1.03	Living	W – PPOS	52.8	17	25.2	10
H1.04	Living	W – PPOS	59.2	32	31.3	36

Table 1: Table showing the units where compensation measures are required under the Apartment Guidelines (2020).

Note: Existing Public Open Space (EPOS), Planned Public Open Space (PPOS), Communal Courtyard (CC).

- **Sunlight to Living Rooms**

In terms of sunlight access to Living Rooms, 95% of living rooms are compliant with the 1.5hr BRE test on the 21st March. Sunlight access increases to 97% if we include those results which are just marginal. The Sunlight, Daylight & Shadow Assessment, prepared by Chris Shackleton Consulting notes that: -

“The BRE guidelines accept that it is not possible for all living spaces to face the sun and are pragmatic in this regard. The guidelines provide guidance in this regard with a 4/5 or 80% compliance being considered as “careful layout design”.

These results are consistent with the BRE guidelines recommend pass rate for apartment developments of 80%.”

In total, from the entire development of 438no. apartments, only 14no. living rooms do not meet the BRE requirements fully in terms of sunlight. They only just fall below the pass rate. Compensatory measures have been implemented in the design of the apartments which do not meet the relevant standards as follows: -

Apt. No.	Aspect	Min. Apt. Standard (sq. m)	Apt. Area (% above Standard)	Room Area (sq. m)	Room Area (% above Standard)	Living Room Width (m)	Living Room Width (% above Standard)
B1.03	Dual – CC	86	18	30.6	2	6	67

B1.14	Dual – CC	86	18	30.6	2	6	67
B1.25	Dual – CC	86.1	18	30.6	2	6	67
B1.32	W – EPOS	53.3	23	25.4	10	3.4	3
C1.10	Dual – EPOS	93.2	28	36.1	20	7	94
F1.31	Dual – CC	88.4	21	31.4	5	3.7	3
F2.02	Dual – CC	46.7	4	23.3	1	3.6	9
G1.01	W – PPOS	55.3	23	25.7	12	3.4	3
G1.03	Dual – CC	86.3	18	31.7	6	3.7	3
G1.04	E – CC	53.2	18	25.6	11	3.4	3
G1.15	Dual – CC	88.3	21	31.5	5	3.7	3
H1.08	E – CC	49.6	10	23	-	3.4	3
H1.18	E – CC	55.3	23	23.4	2	3.4	3
J1.10	Dual – EPOS	85.1	17	30	-	5	39

Table 2: Table showing the units where compensation measures are required under the Apartment Guidelines (2020).

Note: Existing Public Open Space (EPOS), Planned Public Open Space (PPOS), Communal Courtyard (CC).

The proposed development has been carefully designed to ensure maximum daylight and sunlight can be achieved. The development comfortably exceeds the standards for good design in the BRE Guidelines. In the very small number of units (6%) have certain rooms which not meet the standards (see table above) where compensation by way of an attractive aspect and significantly larger than minimum requirements have been proposed.

- **Shadow / Sunlight to Open Spaces / Balconies**

The new 2no. communal courtyards and the central public open space pass the BRE requirement relating to the area which can receive 2 hours of sunlight on the 21st March. The courtyards achieve a pass rate of c. 86 – 90% and the central public open space has a pass rate of c. 91%.

Appendix 6 of the Sunlight, Daylight & Shadow Assessment, prepared by Chris Shackleton Consulting contains an supplementary assessment of public and communal open spaces. A month by month assessment shows little or no impact on these spaces between March and September in terms of daylight or sunlight. The analysis notes that, as expected, in the winter months the some impact is expected. Overall, the supplemental assessment supports the BRE analysis that open spaces receive an excellent level of daylight and sunlight.

It can be seen from assessment that the Spring Equinox and the Autumn Equinox provide the same results with improved results expected in the Summer Equinox due to the higher angle of the sun. The winter Equinox is expected to show poorer results but this typical with the angle of the sun lower in the sky. Notwithstanding, the proposal provides public open spaces which meet the requirements of the BRE Guidelines and will result in usable and attractive amenities for prospective residents and visitors alike.

North Facing Single Aspect Units

All balconies proposed in the development have also been assessed in terms of sunlight access. 95% of the balconies pass the BRE requirement which is well in excess of the 80% compliance considered as “careful layout design” in the BRE 209 Guidelines.

We note that a number of the balconies which do not pass are on northern aspects. The proposed development does not include single aspect north facing apartments. These units onto Thornberry Road (facing north) in particular have dual aspect. Furthermore, the living rooms and balconies provide a degree of passive surveillance along this road and are well set back from those existing neighbours.

Overall, the proposed development achieves appropriate levels of daylight and sunlight for both the proposed units and open spaces and does not impact negatively on access to daylight and sunlight of adjoining properties.

Adjoining Residential Properties

The properties directly to the north (Thornberry Road), east (Ferntarraig Estate) and south (Griannan Fìdh) have been tested for completeness. All windows which face the proposed development and gardens in proximity to the proposed development have been tested. Broadly the following is set out in the Sunlight, Daylight & Shadow Assessment, prepared by Chris Shackleton Consulting: -

- **Daylight**

All windows facing the development were tested. When tested with the new development in place, the Vertical Sky Component (VSC) for all tested windows was greater than 27%, or not breaching the 0.8 times its former value limit for habitable rooms. The proposed development complies with the requirements of the BRE Guidelines in relation to maintaining skylight (daylight) availability for neighbours.

- **Sunlight**

Tests for the amount of sunlight that windows to living room and / or conservatory can receive over both annual and winter periods. While not all windows relate to living rooms, all windows have, for completeness, been tested. All tested windows comply with the Annual Probable Sunlight Hours (APSH) and Winter Probable Sunlight Hour (WPSH) requirements for sunlight. The proposed development complies with the requirements of the BRE Guidelines in relation to both annual and winter sunlight availability to neighbours as it applies to living rooms and conservatories.

- **Shadow / Sunlight – Gardens and Open spaces**

All rear gardens of adjoining properties which are directly north of the proposed development have been tested. All tested neighbouring amenity spaces pass the BRE requirement relating to the area receiving 2 hours of sunlight on the 21st March > 50% or not breaching the 0.8 times its former value limit.

Appendix 5 of the Sunlight, Daylight & Shadow Assessment, prepared by Chris Shackleton Consulting contains an supplementary assessment of garden of adjoining properties. A month by month assessment shows little or no impact on the spaces between March and September in terms of daylight or sunlight. The analysis notes that, as expected, in the winter months the some impact is expected. Overall, the supplemental assessment supports the BRE analysis that impact caused by the proposed development will be minimal.

In summary, neighbouring properties will generally not be affected by the proposed development and the impacts on Daylight, Sunlight and Shadow have been tested in accordance with the best practice guidelines.

7.2.10 Item 10 – Traffic & Transport Assessment

Submission of a Traffic and Transport Assessment to include car parking and cycle parking and access rationale.

Applicant's Response

In the first instance, we refer the Board to the enclosed Traffic & Transport Assessment Report, prepared by Aecom Consulting Engineers.

Car Parking

In total, the proposed development includes 350no. car parking spaces of which 343no. car parking spaces are at basement level and 7no. car parking spaces for visitors at surface level (4no. childcare facility spaces and 3no. drop off / servicing spaces).

The 343no. car parking spaces at basement level will be allocated to residents, with a ratio of 0.8no. space allocated per unit. The Apartment Guidelines (2020) request for planning authorities to “*consider a reduced overall car parking standard and apply an appropriate maximum standard to the car parking provision.*”

It is set out that the quantum of car parking is considered sufficient to cater for the proposed development when considering the following: -

- Accessibility of the site via walking, cycling and public transport namely Bus and Luas.
- Proposed cycle parking infrastructure above the Development Plan.
- The enclosed Outline Mobility Management Plan (included as part of the Traffic & Transport Assessment).
- Proximity to Belarmine Centre village and the number of services in the vicinity of the site.
- Provision of 5no. Car Club spaces.

Access to the basement car parking is from Atkinson Drive (Basement 1) and Thornberry Road (Basement 2). The locations of same are consistent with the previously permitted development DLRCC Reg. Ref. D16A/0511 / ABP Ref. ABP-309828-21 (Project Ironborn 2) and represent the most logical points of entry from the existing road network.

Bicycle Parking

In total, the proposed development includes 669no. bicycle parking spaces to serve the respective development. In total 72no. bicycle spaces will be provided at surface level for visitors and childcare facility spaces, with the 597no. bicycle parking spaces are to be provided at basement level for residents (including 31no. cargo bicycle parking spaces).

Access to the basement cycle parking will be provided via an advisory cycle lane on the access ramps, as well as a segregated pedestrian / cycle entrance into each basement. We refer the Board to Dwg. 1909-SITE-0501 ‘Proposed Ground Level Site Plan’, prepared by Ferreira Architects which illustrates the various access points into the basement where the secure bicycle parking is located.

The proposed cycle parking provision is in excess of the Development Plan requirements for cycle parking, however it is below the standards within the Apartment Guidelines (2020).

It is set out that the proposed cycle parking provision to be appropriate when cognisance is given to the accessibility of the site to the existing and proposed walking and public transport facilities in the surrounding area.

It is proposed within the Mobility Management Plan (part of the Traffic & Transport Assessment) to monitor the usage of the cycle stands following the opening of the proposed development. Should demand meet the proposed level of cycle parking, the future management company will allocate additional cycle parking for the development i.e. increasing the number of cycle stands. The current design of the scheme is premised on finding a balance between providing suitable levels of bicycle parking and meeting DLRCC request to provide higher ratio of car parking for a site which benefits from high levels of accessibility. Additional bicycle parking can be easily incorporate at surface level without diminishing the quality of the public realm.

Notwithstanding, It is noted that the DLRC preference for bicycle parking is to provide Sheffield stands (of which there are 80no. proposed). If the Board are minded, the Applicant would welcome a condition to omit the Sheffield stands and provide all bicycle parking using stackers which would increase provision to 749no. bicycles).

Furthermore, our Client has significant experience in managing similar rental schemes (the most recent example of which is One Three North, Clongriffin) where the take up by resident's of car parking spaces has been significantly less than the parking provided for. This would have the potential to allow a number of the car parking spaces to be converted to additional bike parking spaces should that need arise over time. The car parking provision in the current scheme subject of this planning application is circa 0.8 spaces per unit. It is anticipated that the uptake of car parking will be lower than this, similar to the Applicant's experience elsewhere. In order to cater for future additional demand for bike parking, the Applicant would welcome a condition where bicycle parking can be increased further where it can be demonstrated to the satisfaction of the Planning Authority that there is a low uptake on car parking within the scheme such that additional car parking can be provided in lieu of car parking.

A Quality Audit, prepared by Aecom Consulting Engineers considered accessibility requirements (including walking and cycling audit), movement and place function requirements and road safety. The recommendation proposed have been considered and implemented as required to ensure the layout of the proposed scheme is in accordance the Design Manual for Urban Roads and Streets.

7.2.11 Item 11 – Ecological Assessment

An up to date Ecological Assessment, inclusive of a Bat Survey.

Applicant's Response

Scott Cawley Ltd. have been retained by the Applicant to provide ecological input as part of the preparation of this SHD Planning Application. The Ecological Impact Assessment Report has been informed by bat and bird surveys carried out in June 2022.

We refer the Board to the Ecological Impact Assessment Report, prepared by Scott Cawley Ltd. which concludes that: -

"The proposed development does not have the potential to result in significant negative effects (either directly or indirectly) on the integrity of any European site, whether considered on its own or in combination with any other plans or projects.

The proposed development does not have the potential to result in significant negative effects on nationally designated areas for nature conservation, whether considered on its own or cumulatively with any other plans or projects.

The proposed development has no potential to affect the surface water quality or the ecology of the adjacent waterbodies as the surface water discharge from the site will be zero. The surface water systems are designed in accordance with the principles of SUDS as recommended in the Greater Dublin Strategic Drainage Study.

There will be no works (e.g. piling) which would have the potential to affect groundwater and groundwater dependent terrestrial habitats of European and/or nationally designated sites. Similarly, there will be no works which would have the potential to affect non-designated groundwater dependent terrestrial.

The proposed development will result in habitat loss within the proposed development boundary. Considering the relatively small areas of habitat lost and the proposed landscape plans, this will not be significant at any geographic scale. The landscape design will ensure that the biodiversity value of the habitats to be retained and created as part of the proposed development are maximised in order to compensate for any habitat loss.

The proposed development does not have the potential to affect habitats indirectly as a result of non-native invasive species impacts due to the absence of non-native invasive species from the proposed development site.

The proposed development does not have the potential to result in significant negative effects on fauna at a local or any other geographic level.

A comprehensive suite of mitigation measures is proposed, in addition to the extensive and stringent environmental control measures that have been incorporated into the design of the proposed development. All of the mitigation measures will be implemented in full and are best practice, tried and tested, and effective control measures to protect biodiversity and the receiving environment. It is recommended that all mitigation measures included within this report are committed to and delivered through the planning conditions.

Considering the elements included within the design of the proposed development (as described in Section 4), and the implementation of the mitigation measures proposed in Section 6 to avoid or minimise the effects of the proposed development on the receiving ecological environment, no significant residual ecological effects are predicted. The proposed development complies with relevant biodiversity policies of the Dún Laoghaire-Rathdown County Development Plan 2022-2026 (Dún Laoghaire-Rathdown County Council, 2022) considered in this report. The recommended biodiversity enhancement measures are in line with the Dún Laoghaire-Rathdown Biodiversity Plan 2021-2025 (Dún Laoghaire-Rathdown County Council, 2021)."

7.2.12 Item 12 – Response to DLRCC Opinion

A response to matters raised within the PA Opinion submitted to ABP on the 24th January 2022.

Applicant's Response

We note the issues raised by DLRCC within the Opinion issued to An Bord Pleanála on 24 January 2022. In the interim a new Development Plan has been adopted (April 2022) and consistency with same is set out in Section 10 of this Report.

To avoid unnecessary repetition, the following provide an overview of the substantive issues raised by DLRCC in their Opinion with reference made to the document(s) where the matter has been comprehensively addressed.

Planning Department

- **Suitability of the Location for BTR**

Section 7.2.1 of this Report set out a comprehensive assessment of the suitability of the application site for a BTR scheme. This includes a design approach which does not result in significant impacts on the adjoining existing residential development including: -

- Density.
- Design & Scale.
- Boundary Treatments / Edge Conditions.
- Separation Distances / Overlooking.
- Daylight / Sunlight.
- Pedestrian / Cyclist Comfort.

The proposed development is considered wholly consistent with the land use zoning requirements of the Development Plan.

- **Compliance with the Apartment Guidelines**

We refer the Board to the Housing Quality Assessment, prepared by Ferreira Architects which demonstrates how the proposed apartment complies with the relevant design standards.

We also refer the Board to the Statement of Consistency with the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' (2020) which also addresses the relevant standards and SPPRs relating to the development now proposed (See Section 9 of this Report).

- **Daylight / Sunlight Assessment**

A Daylight, Sunlight and Shadow Assessment, prepared Chris Shackleton Consulting accompanies this SHD Planning Application which demonstrates compliance with BRE 209 Guidelines, Version 3, 2022.

- **Community Infrastructure**

We refer the Board to the Social Infrastructure Audit, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants clearly demonstrates that the site is within proximity to a range of community and social facilities. A majority of the main day-to-day services are located within easy walking distance of the site.

Drainage Planning Department

- **Surface Water Drainage**

We refer the Board to the enclosed Drainage Design Report & Drainage Drawings, prepared by Kavanagh Burke Consulting Engineers which addresses the items raised in relation to surface water drainage.

The Construction Environmental Management Plan (CEMP), prepared by AWN Consulting includes measures to control surface water run-off during construction of the proposed development.

A Storm Water Audit, prepared by JBA Consulting is submitted with this SHD Planning Application. It considers that the surface water drainage design for the proposed development is acceptable and meets the requirements of the Stage 1 Stormwater Audit.

- **Flood Risk Assessment**

We refer the Board to the Flood Risk Assessment, prepared by JBA Consulting Engineers which has been carried out in accordance with the Flood Risk Management Guidelines. This Report concludes that the site is not at risk from flooding.

Transport Planning Department

We refer the Board to the Traffic & Transport Assessment, prepared by Aecom Consulting Engineers which include a response to the issues raised by DLRCC Transport Planning Department.

Housing Department

The Part V proposal is enclosed for the Board's reference and includes for the long-term lease of 44no. units on site. A Part V Proposal, prepared by Ironborn Real Estate Limited, is included with this submission and sets out the outline estimated costs to the Housing Authority to lease these proposed Part V units. A Part V Validation Letter from DLRCC Housing Department, is also enclosed.

The Part V layout and detail of unit mix is included in the Design Statement, prepared by Ferreira Architects.

Parks Department

We note that the Parks Department have recommend a series of conditions to be attached to any grant of permission in their Report within the DLRCC Opinion.

Notwithstanding, we refer the Board to the Landscape Drawings and Landscape Report, prepared by Mitchell + Associates Landscape Architects which demonstrate the high-quality public realm being proposed as part of the development.

Environment Section (Waste)

We refer the Board to the following documents, prepared by AWN Consulting which address the matters raised by the Environment Section (Waste): -

- Construction & Environmental Management Plan.
- Construction & Demolition Waste Management Plan.
- Operational Waste Management Plan.

7.2.13 Item 13 – Building Lifecycle Report

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

Applicant's Response

We refer the Board to the Building Lifecycle Report, prepared by the Applicant which demonstrates how the proposed BTR apartments will be managed and maintained over their lifetime.

7.2.14 Item 14 – Taking in Charge

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

Applicant's Response

We refer the Board to the Dwg. No. 1909-SITE-0505 'Taking in Charge Map Site Plan', prepared by Ferreira Architects which is enclosed with this application. For clarity and avoidance of doubt, the lands which are under the ownership of DL RCC are proposed to be taken in charge even though they are understood to already be in the charge of the Council. The lands under the ownership of the Applicant will be privately managed.

7.2.15 Item 15 – Waste Management

Site Specific Construction and Demolition Waste Management Plan.

Applicant's Response

We refer the Board to the Construction and Demolition Waste Management Plan, prepared by AWN Consulting which is enclosed with this SHD Planning Application.

The plan aims to ensure maximum recycling, reuse and recovery of waste with diversion from landfill, wherever possible. It also seeks to provide guidance on the appropriate collection and transport of waste from the site to prevent issues associated with litter or more serious environmental pollution (e.g. contamination of soil and / or water).

7.2.16 Item 16 – Public Lighting

Details of public lighting.

Applicant's Response

We refer the Board to the Public Lighting Layout Plan, prepared by SEHA Technical Services Ltd. This should be read in conjunction with the Site Lighting Report, also prepared by SEHA Technical Services Ltd. The public lighting proposals have been designed with due regard to public safety and the creation of welcoming streets and spaces.

8 PARTICULARS OF THE PROPOSED STRATEGIC HOUSING DEVELOPMENT

The proposed development on a site of approximately 3.39 Ha (gross site area) consists of 438no. 'Build-to-Rent' apartment units (154no. 1 bedroom units and 284no. 2 bedroom units) arranged in 9no. blocks ranging in height from 2 – 8 storeys over 2no. independent single level basements. The development also includes: -

- Public open space (c. 9,799 sq. m).
- Private communal amenity open space (c. 4,579 sq. m).
- 1no. childcare facility (c. 514.9 sq. m) including and outdoor play area (c. 204 sq. m).
- Resident amenity space / communal areas (c. 1,455.7 sq. m – Block G: c. 537 sq. m and Block C: c. 918.7 sq. m).
- New vehicular access to Basement 1 from Atkinson Drive and new vehicular access to Basement 2 from Thornberry Road.
- 350no. car parking spaces.
- 669no. cycle parking spaces.
- 14no. motorcycle spaces.
- Provision of an underground foul water storage tank and associated connection to the wastewater networks including ancillary above ground kiosk and appropriate landscaping.
- Ancillary site development and infrastructural works, hard and soft landscaping and boundary treatment works, including linkages to adjacent sites.

8.1 Key Site Statistics

In summary, the key statistics for the proposed development is outlined below: -

Key Site Statistics	
Total Number of Units	438
Gross Floor Area (Residential only)	40,475 sq. m
Gross Floor Area (Residential, resident amenity and ancillary uses)	53,505.8 sq. m
Gross Site Area	c. 3.39 Ha (includes open space lands under the control of DLRCC)
Net Site Area	c. 2.84 Ha (residential site only)
Net Density	c. 154no. units per Ha
Unit Mix	1 Bed: 154 (35.2% of total units) 2 Bed: 284 (64.8% of total units)
Public Open Space	c. 4,930 sq. m (c. 17.4% of total Site Area without DLRCC owned open space lands) c. 9,799 sq. m (c. 34.5% of total Site Area with DLRCC owned open space lands)
Part V	10% (43no. Units)
Plot Ratio	1.9
Site Coverage	57%

8.2 Proposed Ancillary Development

The following table identifies the extent of ancillary accommodation envisaged within the scheme.

Class of Development	Gross Floor Space in m ²
Childcare Facility	514.9 sq. m

8.3 Proposed Residential Development

Within the 438no. 'Build-to-Rent' units being proposed in this case, there are a range from 1 bed apartments and 2 bed apartments. The following table identifies the extent of apartment accommodation envisaged within the scheme.

Unit Type	No. of Units	GFA (m ²) / Unit	Min. Size – Guidelines 2020
1 Bed Apartment	154	46.7 – 68.8 sqm	45 sq. m
2 Bed Apartment	284	83.3 – 93.2 sqm	73 sq. m
Total	438		

These details can also be found in the Design Statement and Housing Quality Assessment, together with the Floor Plan drawings prepared by Ferreira Architects enclosed with this submission.

The proposed development provides for a high standard of residential amenity for the future residents of the subject proposal and mitigates against any possible effects such as overlooking, protection of privacy and access to sunlight and daylight.

8.4 Proposals to Integrate with Surrounding Land Uses

The proposed development has been arrived through a careful design process, seeking to maximise connectivity and permeability for the residents and wider members of the public. The layout of the site will encourage walking and cycling through the open space areas, providing easier access to the Glencairn Luas stop, local bus connections and local shops and services for residents of the proposed development, as well as existing residents in the area. For further details in relation to this, please refer to the enclosed Architectural Design Statement, prepared by Ferreira Architects and Landscape Masterplan, prepared by Mitchell + Associates Landscape Architects.

8.5 Landscape Proposals

The Landscape proposals will include analysis of the wider area to integrate the site into its existing surroundings to develop an integrated design that strengthens the objectives of the DLRCC Development Plan and the Stepside Area Action Plan.

The area benefits from a strong network of pedestrian and cycle routes. The connection between these routes can be reinforced through landscape design benefitting the wider community.

There are a number of existing open spaces within the immediate context of the application site including Belarmine Park located south of the application site.

The Development Plan highlights the hierarchy of open spaces within walking distance of the site and aims to provide a variety of quality open spaces within walking distance of every home. The landscape proposals will reflect this and create multiple spaces such as wider open grassed spaces, intimate pocket parks, local equipped area of play, hardscaped landscaped plazas and sheltered seating. This will maximise the flexibility of the public space to cater towards multiple users and a variety of activities.

A planting strategy will be developed which will incorporate native species. These will be selected to create a long season of interest for pollination, seed, berries and potential habitat. Consideration will also be given to this in the maintenance specifications proposed. The landscaping to the south of the site opens up the development by way of connectivity and permeability. Further, the east of the site is bounded by a solid wall.

Furthermore, the landscaping proposal shows how the lands located to the south of the application site are included to integrate the development with the surrounding green network and provide additional connectivity. This area will be fully landscaped for the benefit of the wider surrounding area and will also provide enhanced connectivity through the site and surrounding areas.



Figure 12: Photomontage prepared by GNet 3D – View across the enhance public open space which is to be integrated with the proposed development.

Provision have also been made to facilitate future pedestrian / cycle connection to the east of the site towards Ferncarraig Estate. The eastern boundary will also be amended to introduce a railing to provide added passive surveillance of the open space immediately east of the site in Ferncarraig Estate (where houses there present gable ends resulting in poor passive supervision of the space).

We refer the Board the Landscape Masterplan, and Landscape Report, prepared by Mitchell + Associates Landscape Architects for further details in relation to the landscape proposals.

8.6 Public Lighting

We refer the Board to the Public Lighting Layout Plan, prepared by SEHA Technical Services Ltd. This should be read in conjunction with the Site Lighting Report, also prepared by SEHA Technical Services Ltd. The public lighting proposals have been designed with due regard to public safety and the creation of welcoming streets and spaces.

8.7 Water Services

In the first instance, we refer the Board to the enclosed Drainage Design Report, prepared by Kavanagh Burke Consulting Engineers which provides more detail regarding water and drainage infrastructure requirements for the development. A Confirmation of Feasibility enclosed herewith, has been provided by Irish Water to show that the proposed connection to the Irish Water network can be facilitated. A Statement of Design Acceptance from Irish Water has also been obtained.

Foul Sewer

The proposed foul sewer works will include new foul sewer network and the relocation of the existing foul sewer serving the existing occupied development to the north. The existing foul sewer is traversing the site in the location of proposed apartment blocks F, G, H and J. It is proposed to relocate the existing foul sewer to the perimeter of the site.

A Confirmation of Feasibility from Irish Water was received by Kavanagh Burke on 19 July 2022. It confirmed that the wastewater connection is feasible subject to upgrades.

With regard to the wastewater connection the Confirmation of Feasibility confirms that an online storage facility is required downstream of the proposed development. This location is identified in the open space to the south Griannan Fidh residential development. The Confirmation of Feasibility confirms that the underground wastewater storage tank needs to be 500m³ in size / volume and must be included as part of the SHD Planning Application. Furthermore, the underground wastewater storage tank must be provided by the Applicant at their expense.

We refer the Bord to the accompanying Drainage Design Report and Drainage Drawings, prepared by Kavanagh Burke Consulting Engineers, which outlines the design of the foul sewer is in compliance with the relevant design codes. This also provides copies of the relevant correspondence from Irish Water.

Surface Water Drainage

A sustainable approach to urban drainage is being applied. Surface water attenuation incorporating interception storage in the proposed extensive green roof (on top of blue roof storage system), attenuation storage and temporary flood storage volume in the underground storage tanks is proposed for this development.

The surface water runoff generated from the proposed development will discharge from site through an existing storm water drainage network and through an existing flow control device (limiting the site runoff to QBAR = 53.3l/s) using an existing connection to the Local Authority storm water drainage network along Village Road.

Water Supply

It is proposed that the development will be serviced by a 200mm watermain which will be connected to an existing spur from the 450mm diameter Local Authority watermain located south of the proposed Block D as shown on the county council drainage records.

Site Specific Flood Risk Assessment

We refer the Board to the Flood Risk Assessment, carried out in accordance with the Flood Risk Management Guidelines, prepared by JBA Consulting Engineers. This report concludes that the site is not at risk from flooding.

A Storm Water Audit has also been prepared by JBA Consulting Engineers. It considers that the surface water drainage design for the proposed development is acceptable and meets the requirements of the Stage 1 Stormwater Audit.

8.8 Transportation

In the first instance, we refer the Board to the enclosed Traffic & Transport Assessment Report, prepared by Aecom Consulting Engineers. This Report sets out the context of the subject site and addresses traffic and transportation related aspects of the development, including road infrastructure, traffic generation, pedestrian and cyclist linkages and safety, public transport availability and capacity in the context of the proposed strategic housing development subject of this submission.

Access / Layout

There will be two site accesses as part of this development. Vehicular access into the application site is located to the north of the site via Thornberry Road, and to the west off Atkinson Drive. The entrances will provide access to a basement level car and cycle parking area. The entrance locations are broadly as per the permitted locations (DLRCC Reg. Ref. D16A/0511 and ABP Ref. ABP-309828-21 – Project Ironborn 2).

As part of the proposed development, it is proposed to provide a north south link for pedestrians and cyclists through the subject site, increasing connectivity and permeability for new and existing residents in Aiken's Village. Provision are also made for potential connections to the east of the site also.

The layout of the proposed development has been designed in accordance with the Design Manual for Urban Roads and Streets (2013). In general, the layout will improve permeable and encourages walkability in the area.

Car Parking

There are a total of 350no. carparking spaces to serve the proposed development. The proposed development provides 343no. car parking spaces within the basement for residential car parking with 7no. surface car parking spaces for the childcare facility, visitors and servicing. The basement car park also provides 5no. car club spaces and 2no. childcare facility / staff car parking. It is proposed to provide 17no. mobility impaired parking bays and 70no. electric vehicle spaces within the basement car parking, which are inclusive of the 350no. car parking spaces.

Car parking provisions for apartments are in accordance with maximum parking standards of the Department of Planning, Housing and Local Governments Design Standards for New Apartments (2020) which seek reduced overall car parking standards having regard to its location in close proximity to the Glencairn Luas stop (c. 900m).

Traffic & Transportation Assessment, prepared by Aecom Consulting Engineers provides further detail in relation to car parking for the proposed development accompanies this SHD Planning Application.

Motorcycle Parking

14no. motorcycle parking stands are proposed to be located within the basement level car park. We refer the Board to Dwg. No. 1909-SITE-0501 'Proposed Ground Level Site Plan', prepared by Ferreira Architects which shows the motorcycle parking within the basement layout.

Bicycle Parking

The development proposes 669no. bicycle parking spaces to serve the apartment's residential and visitor requirements under the Development Plan. A Traffic & Transportation Assessment, prepared by Aecom Consulting Engineers provides further detail in relation to bicycle parking for the proposed development accompanies this SHD Planning Application.

8.9 Building Lifecycle Report

A Building Life Cycle Report has been prepared by the Applicant and is enclosed in this SHD Planning Application. This Report contains an assessment of long term running and maintenance costs of the development.

8.10 Sunlight & Daylight Analysis

We refer the Board to the accompanying Sunlight & Daylight Analysis, prepared by Chris Shackleton Consulting, which provides an analysis of daylight and sunlight that would be available to the proposed development. Compensatory design measures have been introduced to any apartment which do not meet the relevant standards (See Section 7.2.9 of this Report).

The shadow analysis results indicate no significant shadowing of surrounding buildings and where shadowing occurs it would be for a minimal period of time. The proposed amenity spaces achieve excellent sunlight availability having regard to the BRE 209 Guidelines, Version 3, 2022 recommendations.

Every window of the proposed development has been tested. In terms of daylight, the proposed development has 95% of the rooms tested achieving the recommended minimum average daylight factors.

8.11 Landscape and Visual Impact Assessment

We refer the Board to the Landscape & Visual Impact Assessment (LVIA), prepared by Doyle + O'Troithigh Landscape Architects along with the verified photomontages prepared by GNet 3D.

This report includes an assessment of 19no. views from key locations in the surrounding area. Generally the impact on views are considered slight to moderate negative in the short term at construction stage and slight to moderate neutral in the long term at operational stage.

It is generally submitted that in this instance, the development is consistent with emerging development trends and as such impacts are not considered significant.

8.12 Wind Microclimate Modelling Report

The Wind Microclimate Modelling Report, prepared by B-Fluid Consultants accompanies this SHD P Application and has been used to refine aspects of the proposals to ensure that the apartments, pedestrians and balconies enjoy a good microclimate. The Report concludes that the proposed development will produce a high-quality environment that is attractive and comfortable for pedestrians of all categories.

8.13 Sustainability

A Sustainability Report, prepared by SEHA Technical Services Ltd. is enclosed with this SHD Planning Application. The Report sets out how the proposed development will be designed in an environmentally sensitive manner while meeting the required comfort conditions of the occupiers.

8.14 Telecommunications

We refer the Board to the accompanying Telecommunications Report, prepared by Independent Site Management (ISM), for details in relation to the anticipated potential for impacts on telecommunication channels arising from the development in this case.

8.15 Construction Environmental Management Plan

A Construction Environmental Management Plan, prepared by AWN Consulting is enclosed with this SHD Planning Application. This details how the construction phase will be managed with minimal impacts on the environment or the surrounding community.

We confirm that a fully comprehensive Construction Environmental Management Plan to implement the requirements of the outline Construction Environmental Management Plan will be submitted to the Planning Authority for its approval in advance of any works commencing on site, should the Board grant permission for the proposed development.

8.16 Waste Management Plans

A Construction and Demolition Waste Management Plan prepared by AWN Consulting is enclosed with this SHD Planning Application. The plan aims to ensure maximum recycling, reuse and recovery of waste with diversion from landfill, wherever possible. It also seeks to provide details on the appropriate collection and transport of waste from the site to prevent issues associated with litter or more serious environmental pollution (e.g. contamination of soil and / or water).

An Operational Waste Management Plan has also been prepared by AWN Consulting and is enclosed with this SHD Planning Application. This provides details of how waste produced during the operation of the proposed development will be disposed of and treated in accordance with the relevant guidance for same.

8.17 Childcare Facility

The proposed childcare facility that is located in Block D (c. 514.9 sq. m gross floor area) Including an outdoor play area (c. 204 sq. m) along Village Road will have the capacity for approximately 60no. children.

We refer the Board to the Social Infrastructure Audit, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants which contains an assessment of childcare needs in the area and justification for the size of the childcare facility proposed.

8.18 Part V

The Part V proposal is enclosed for the Board's reference and includes for the long-term lease of 44no. units on site. A Part V Proposal, prepared by Ironborn Real Estate Limited, is included with this submission and sets out the outline estimated costs to the Housing Authority to lease these proposed Part V units.

We confirm that the Applicant purchased the application site within the period 1 September 2015 and 31 July 2021. This Application is one that will be determined by An Bord Pleanála, in the period before 31 July 2026. As a result of the above, in line with Section 96(3)(j) of the Planning & Development Act 2000, as amended, the appropriate Part V requirement is 10%. A Part V Validation Letter from DLRC Housing Department, is also enclosed.

The Part V layout and detail of unit mix is included in the Design Statement, prepared by Ferreira Architects.

9 STRATEGIC PLANNING CONTEXT – STATEMENT OF CONSISTENCY

9.1 National Planning Framework – Ireland 2040

The National Planning Framework (“the NPF”) recommends the consolidation of City’s development and growth within the M50 and canals to create a more compact urban form. The NPF sees 40% of all new homes nationally being located within the existing built up area of existing settlements. This site is located within the built-up area of Dublin City & Suburbs.

The NPF marks a shift away from allowing urban sprawl, to more brownfield and infill urban development, focussed on integrated investment in and use of quality public transport focussed development and other essential services, to deliver a denser and sustainably compact urban form.

The NPF also sets out a number of National Policy Objectives (NPO) that seek to ensure that the overriding intent of the NPF is delivered. In the context of this proposal, it is considered that the following particular NPOs are worthy of mention: -

National Policy Objective 2a

“A target of half 50% of future population and employment growth will be focused in the existing five Cities and their suburbs.”

National Policy Objective 3a

“Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.”

National Policy Objective 3b

“Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford within their existing built-up footprints.”

National Policy Objective 4

“Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.”

National Policy Objective 11

“In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.”

National Policy Objective 13

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

National Policy Objective 33

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

National Policy Objective 35

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

Applicant’s Response

The consolidation of the Dublin Metropolitan Area is achieved through the identification and use of underdeveloped and underutilised sites, such as the subject lands. The application site is zoned for residential use and therefore can contribute to the consolidation of residential development within a built up, well connected area of Dublin. The proposed development is therefore considered to be in accordance with national policy.

9.2 Eastern and Midlands Regional Spatial & Economic Strategy

The Regional Spatial and Economic Strategy (“the RSES”) for the East and Midlands (including the Dublin Metropolitan Area Strategic Plan – MASP) was adopted on 3 May 2019 by the Eastern & Midlands Regional Assembly. The RSES for the East and Midlands came into effect on 28 June 2019. This will provide regional level strategic planning policy for the eastern and midland region, and Dublin, in line with the NPF. Dublin comprises Dublin City and Metropolitan Area.

The RSES contains the following elements: -

- Spatial Strategy – to manage future growth and ensure the creation of healthy and attractive places to live, work, study, visit and invest in.
- Economic Strategy – that builds on the region’s strengths to sustain a strong economy and support the creation of quality jobs that ensure a good living standard for all.
- Metropolitan Plan – to ensure a supply of strategic development areas for the sustainable growth and continued success and competitiveness of the Dublin Metropolitan Area.
- Investment Framework – to prioritise the delivery of key enabling infrastructure and services by government and state agencies.
- Climate Action Strategy – to accelerate climate action, ensure a clean and healthy environment and to promote sustainable transport and strategic green infrastructure.

The **Dublin Metropolitan Area Strategic Plan (MASP)**, as part of the RSES, seeks to focus development on large scale strategic sites and on the redevelopment of underutilised lands, based on key transport corridors, that will deliver significant development in an integrated and sustainable manner.

Applicant’s Response

The RSES objectives broadly support the development of strategic sites in already established areas with excellent public transport connections (such as the subject site). They promote the consolidation of Dublin City & Suburbs through sustainable and intense urban form.

9.3 National Sustainable Mobility Policy / National Mobility Policy Action Plan 2022 – 2025

These policy documents aims to support this modal shift between now and 2030, through infrastructure and service improvements, as well as demand management and behavioural change measures. This is with a view to encouraging healthier mobility choices, relieving traffic congestion, improving urban environments and helping to tackle the climate crisis. The Policy is guided by three key principles which are underpinned by 10 high-level goals: -

- **Safe and Green Mobility**
 1. Improve mobility safety.
 2. Decarbonise public transport.
 3. Expand availability of sustainable mobility in metropolitan areas.
 4. Expand availability of sustainable mobility in regional and rural areas.
 5. Encourage people to choose sustainable mobility over the private car.
- **People Focused Mobility**
 6. Take a whole of journey approach to mobility, promoting inclusive access for all.
 7. Design infrastructure according to Universal Design Principles and the Hierarchy of Road Users model.
 8. Promote sustainable mobility through research and citizen engagement.

- **Better Integrated Mobility**

9. Better integrate land use and transport planning at all levels.
10. Promote smart and integrated mobility through innovative technologies and development of appropriate regulation.

Applicant's Response

In accordance with *High Level Goal 9*, the proposed development represents the suitable integration of land use and transport policy. The intensification of the this underutilised infill site with higher density residential development proximate to high frequency public transport, the Glencairn Luas stop (c. 900m) is wholly in accordance with prevailing national planning policy.

9.4 Section 28 Ministerial Guidelines

The following Statements of Consistency sets out how the proposed development is consistent with the Section 28 Ministerial Guidelines.

9.4.1 Sustainable Residential Guidelines in Urban Areas (Cities, Towns, Villages) (2009)

Chapter 5 of the Guidelines generally sets out that that planning authorities should promote increased residential densities in appropriate locations and the objective should be the achievement of an efficient use of land appropriate to its context, while avoiding the problems of over-development.

Applicant's Response

The proposed development seeks to provide 438no. BTR apartment units on a site area of 3.39 Ha. The net site area is 2.84 Ha when the open space lands under the control of DLRC are omitted. This is in accordance with Appendix A of the Sustainable Residential Guidelines in Urban Areas (Cities, Towns, Villages) (2009) with regard to calculation of net density which confirm that open spaces serving a wider area should be omitted for the purposes of calculating net density.

The resulting is a net density of c. 154no. units per Ha. We refer the Bord to the enclosed Architectural Design Statement, provided by Ferreira Architects which provide the calculation for these figures.

We submit that this density is appropriate given that the Apartment Guidelines (2020), NPF and RSES provide for increased densities within existing built up areas of Metropolitan Dublin in close proximity to high quality transport connections. The Glencairn Luas stop is c. 900m away, approx. 10 minute walk, providing fast and regular connections with Dublin City Centre and the rest of the Metropolitan Area. There are also excellent Bus connections available in the area, as follows: -

- The No.47 Bus is available from Belarmine Plaza, which travels into the City Centre as far as Poolbeg Street.
- The No.47 to Poolbeg Street and 118 from Kiltiernan to Eden Quay are also available from the Murphystown Way Bus Stop.
- The No.44 Bus is available from the Kilgobbin Road and travels from Enniskerry to Dublin City University every half hour.
- To the north-west at Lamb's Cross there are further routes available, No.44B which serves Dundrum to Glencullen to the south near the county bounds.
- The No.114 from Simon's Ridge to Blackrock is also available from Lamb's Cross. This route enables easy Public Transport links to the Dart and Coastal Dublin Towns and Villages and their associated amenities.

We refer the Board to the Traffic & Transport Assessment, prepared by Aecom Consulting Engineers which provide an assessment of the capacity of the Luas and bus services adjacent the site. It has been determined that there is existing capacity in the current service and that the anticipated demand created by the proposed development and other committed developments in the immediate area can be more than adequately absorbed.

We submit that this density is appropriate noting the proximity to such easily accessible transport connections and taking note of the Apartments Guidelines (2020) and new National and Regional Guidelines which provide for increased densities within existing built up areas of Metropolitan Dublin.

9.4.2 Urban Design Manual – A Best Practice Guide (2009)

The Urban Design Manual sets out 12 criteria that encapsulates the range of design consideration that must be taken into consideration for residential developments. This Design manual accompanies the Sustainable Residential Development in Urban Area Guidelines, with the two documents intended to be read in conjunction with each other.

Applicant's Response

The following table provides an overview of the '12 Design Criteria' contained within the Urban Design Manual (2009), which are relevant to the proposed development. A response as to how the proposed development adheres to each of the criteria is also set out.

Criteria	Applicant's Response
1. Context	<ul style="list-style-type: none"> The new design will create a high quality residential development which will respect the existing surrounding area. The question of density plays an important part in ensuring that the best use is made of land intended for development. The Development Plan seeks to maximise the use of zoned and serviced residential land. Consolidation through sustainable higher densities allows for a more compact urban form that more readily supports an integrated public transport system. This has the potential to reduce urban and carbon footprint. The built form appears as a series of 9no. Blocks of apartments, arranged around two courtyards, with a large area of open space provided between the two, increasing residential amenity and permeability on site.
2. Connections	<ul style="list-style-type: none"> The layout of the proposed development provides increased connectivity through the site and open space to the existing surrounding housing estates. This will also provide further permeability through the site providing easier access to the Glencairn Luas stop and local amenities. Further connectivity will be provided through dedicated cycle / walking routes. Additionally, the internal configuration of the cycle / walking routes ensures that connection through the site is safe and legible The site is located within easy walking distance of the Aiken's Village and Belarmine Local Centres and the amenities and services offered there. The internal cycle / walking routes will encourage and facilitate more walking and cycling within the proposed development. The new development benefits from existing routes and transport. The proximity to the transport connections to Dublin City Centre allows for walking or cycling as an alternative to vehicle use.
3. Inclusivity	<ul style="list-style-type: none"> The proposed units are designed to provide high quality homes and choice to the full range of prospective residents. The development is also focused on providing homes in the immediate future to match the aspirations set out in 'Rebuilding Ireland' to increase provision. The scheme is fully compliant with Part M of the Building Regulations. Please refer to the Universal Design Approach Section of the Design Statement, prepared by Ferreira Architects.

	<ul style="list-style-type: none"> The overall landscape approach is to provide a variety of hard and soft landscaped spaces that create a high quality public realm. The public spaces are legible which is further assisted by the connectivity of the linear spaces which allows the user to intuitively navigate the entire scheme.
4. Variety	<ul style="list-style-type: none"> Please refer to accompanying area schedule and Housing Quality Assessment for an accurate breakdown of sizes and apartment types. The proposed development promotes social integration and provides for a diverse range of apartment types. 1 Bed and 2 Bed apartment types are provided that differ in size and layout offering a variety of solutions to people of all ages and family size. The landscape is designed to be an active space ideal for children to play in a safe environment. This residential proposal is compatible with its neighbouring residential use and activity. As there will be no commercial activity, noise level will not be a major impact on surrounding houses. All dwellings will comply with Part E and be constructed with sound insulation that exceeds the minimum standards. The apartments have been designed in conjunction and in compliance with the Apartments Guidelines (2020). Please refer to the Housing Quality Assessment, prepared by Ferreira Architects.
5. Efficiency	<ul style="list-style-type: none"> The proposed development will be fully compliant with Part L. The apartment buildings have been carefully sited to exploit solar orientation with 52% of apartments in the scheme enjoying a dual aspect orientation. The layout of the proposed development will optimise orientation to minimise north facing balconies thus optimising the benefits of passive solar gain for individual units. The Scheme is landscaped to ensure that the public open spaces benefit from the best solar orientation. Recycling and bin store facilities are provided for all apartments in the basement.
6. Distinctiveness	<ul style="list-style-type: none"> The proposed residential development will include a number of 'Character Areas' which will introduce differentiation in building form, materials finishes and landscape layout to provide interest and variety.
7. Layout	<ul style="list-style-type: none"> The scheme encourages walkability and provides the necessary desire lines within the site to allow users ease of access through the proposed development. The orientation and layouts of residential units ensures that all roads and public spaces benefit from passive surveillance. The street network is designed to adhere to the provisions set out in the Design Manual for Urban Roads and Streets (2013). It is intended that the road layout supports a reduction in traffic congestion, making it more conducive for those who wish to walk or cycle.
8. Public Realm	<ul style="list-style-type: none"> The proposed new public space is entirely overlooked by the proposed development. It forms a usable space and a complimentary addition to existing local amenities. The proposed children's playscape is well overlooked by the proposed apartments. All public and communal spaces within the scheme are more than adequately overlooked The layout of the proposed development maximises the use of passive surveillance. Public open space and dedicated cycle / walking routes benefit from passive surveillance which will encourage their use and provide an effective deterrent for anti- social behaviour.
9. Adaptability	<ul style="list-style-type: none"> The proposed units meet appropriate accessibility standards and are capable of internal modification to meet the changing household needs. The scheme includes a range of energy efficient measures that assist in reducing the overall carbon footprint of the scheme over its lifetime. All units within the proposed development have been designed to meet Part L energy efficiency standards. All private open spaces including communal spaces and private balconies meet the requirements of the Development Plan.
10. Privacy & Amenity	<ul style="list-style-type: none"> Each unit will have access to dedicated private open space that meets the standards of the Apartment Guidelines (2020).

	<ul style="list-style-type: none"> • 52% of the proposed units within the proposal are dual aspect. • Private and communal open space will meet the requirements of the Development Plan. • Units will be laid out and orientated toward all major open spaces area to ensure that passive surveillance is maximised. • Storage space will be provided within all units and will meet the requirements of the Development Plan and the appropriate Guidelines.
11. Parking	<ul style="list-style-type: none"> • Car parking is provided for residents at basement level. 20% of spaces will be provided with EV charging points with ducting provided to facilitate future charging points as demand arises. • 5no. club car spaces will also be provided at basement level. • Bicycle storage will be provided for all apartments meet the requirements of the Development Plan. • Bicycle storage has been provided within the basement parking areas and at grade in the immediate vicinity for visitors. • We refer the Board to the Traffic and Transportation Assessment, provided by Aecom Consulting Engineers for further detail in relation to parking provision on site.
12. Detailed Design	<ul style="list-style-type: none"> • The overall layout is permeable and improves walkability and connectivity. • The open spaces are designed to be accessible, encourage active use and positive visual amenity within the overall scheme. • A high quality landscape approach using a mixture of paving, textured finishes and planting to provide a public realm that is aesthetically pleasing, functional and practical in terms of facilitating maintenance.

9.4.3 Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020)

The Guidelines contain a number of ‘Specific Planning Policy Requirements’ (SPPR). These specific planning policy requirements contained in these new Guidelines take precedence over policies and objectives of development plans, local area plans and strategic development zone planning schemes.

At the outset we consider that these lands can be described as being *Intermediate Urban Locations* in the line with the definition contained in the Apartment Guidelines (2020). *Intermediate Urban Locations*, such as the subject site are suitable for small to large scale and higher density development that may wholly comprise apartments, and includes sites: -

- *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.*

[Emphasis added by SLA]

The site is located c. 900m of the Glencairn Luas Stop and is marginally farther from the Gallops Luas Stop. The Glencairn Luas Stop is approximately a 10 minute walk from the site via the existing pedestrian route through the adjoining Sandyford Hall scheme. We refer to the Traffic & Transport Assessment, prepared by Aecom Consulting Engineers for further discussion.

Apartment Mix

Specific Planning Policy Requirement 1 of the Apartment Guidelines (2020), states as follows: -

“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’s Response

The proposed development is declared BTR and as such provisions in relation to unit mix set out in SPPR 8 of the Apartment Guidelines (2020) take precedence. SPPR 8 is discussed further below.

Apartment Mix – Building Refurbishment

Specific Planning Policy Requirement 2 of the Apartment Guidelines, states as follows: -

“For all building refurbishment schemes on sites of any size, or urban infill schemes on sites of up to 0.25ha: -

Where up to 9 residential units are proposed, notwithstanding SPPR 1, there shall be no restriction on dwelling mix, provided no more than 50% of the development (i.e. up to 4 units) comprises studio-type units;

Where between 10 to 49 residential units are proposed, the flexible dwelling mix provision for the first 9 units may be carried forward and the parameters set out in SPPR 1, shall apply from the 10th residential unit to the 49th;

For schemes of 50 or more units, SPPR 1 shall apply to the entire development.”

Applicant’s Response

The proposed development does not include the refurbishment of any buildings, therefore, this SPPR does not apply in this instance.

Apartment Floor Area

Specific Planning Policy Requirement 3 that the following minimum floor areas are achieved for apartments: -

Minimum Apartment Floor Areas	
Studio	37 sq. m
One bedroom	45 sq. m
Two bedroom (3 Person)	63 sq. m
Two bedroom (4 Person)	73 sq. m
Three bedroom	90 sq. m

Applicant’s Response

All apartments in the proposed development will meet the minimum floor area requirements set out the Apartment Guidelines (2020). A Housing Quality Assessment (HQA), prepared by Ferreira Architects, confirms this. The Table below highlights the difference in size of the units when compared to the minimum standards.

Unit Type	No. of Units	GFA (m ²) / Unit	Min. Size – Guidelines 2020
1 Bed Apartment	154	46.7 – 68.8 sq. m	45
2 Bed Apartment	284	83.3 – 93.2 sq. m	73
Total	438		

Safeguarding Higher Standards

It is a policy requirement of the Guidelines that the majority of all apartments in any proposed scheme of 10 or more apartments shall exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3 bedroom unit types, by a minimum of 10% (any studio apartments must be included in the total, but are not calculable as units that exceed the minimum by at least 10%).

Applicant's Response

All apartments in the proposed development will meet the floor area requirements set out the Guidelines. A HQA, prepared by Ferreira Architects, is contained in this submission for reference which shows the vast majority of the units are +10% or greater than the minimum size required and are therefore significant in excess of the minimum standards.

We would highlight at this point that SPPR 8 (iv) notes that in the context of a designated BTR scheme such as this one, the requirement to provide 10% additional floor area across the majority of the units does not apply. As such, SPPR 8 would take precedence in this regard.

Dual Aspect

Specific Planning Policy Requirement 4 sets out that: -

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

(i) 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.

(ii) 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.

(iii) 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."

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. In urban or more central locations the Guidelines note that 33% is the minimum.

Applicant's Response

The site is considered a suburban or intermediate location in the context of the Apartment Guidelines (2020). Of the 438no. BTR apartments, approximately 52% are dual aspect. A HQA, prepared by Ferreira Architects, confirms this.

Floor to Ceiling Heights

Specific Planning Policy Requirement 5 sets out that ground level apartment floor to ceiling heights shall be a minimum of 2.7m. The Guidelines advise that the minimum floor to ceiling height must otherwise accord with the Building Regulations requirement of 2.4m.

Applicant's Response

In line with the requirements of SPPR 5, the ground floor apartments have a floor to ceiling height of at least 2.7m.

Lift and Stair Core

As per the Guidelines, up to 12no. apartments per floor per individual stair / lift core may be provided in apartment schemes under *Specific Planning Policy Requirement 6*.

We would highlight at this point that SPPR 8 (v) notes that in the context of a designated BTR scheme such as this one, the restriction to 12no. units per core does not apply. As such, SPPR 8 would take precedence in that regard.

Applicant's Response

In line with the requirements of SPPR 6, these BTR apartments have been designed to a maximum of 12no. units per core.

Private & Communal Open Space

As per the Guidelines, the minimum requirement for private amenity space is as follows: -

Minimum Floor Areas for Private Amenity Space	
Studio	4 sq. m
One bedroom	5 sq. m
Two bedroom (3 person)	6 sq. m
Two bedroom (4 person)	7 sq. m
Three bedroom	9 sq. m

Applicant's Response

Each apartment is provided with a private balcony / terrace which exceeds the above requirements, as demonstrated in the apartment Floor Plans and HQA, prepared by Ferreira Architects that accompany this SHD Planning Application.

Based on the above, the 438no. apartments proposed requires c. 2,758 sq. m of communal amenity space. The communal amenity space provided as part of the proposed development provided in 2no. courtyards between apartment block. The total amount of communal open space provided as part of the proposed development amounts to 4,579 sq. m.

We refer the Board to the Site Layout Plans, prepared by Ferreira Architects and the Landscape Plans, prepared by Mitchell + Associates Landscape Architects for further details on the layout and treatment of these spaces.

Car Parking

The Guidelines set out the following broad proximity and accessibility considerations for Apartments are generally defined under the following categories: -

- Central and / or Accessible Urban Locations.
- Intermediate Urban Locations.
- Peripheral and / or Less Accessible Urban Locations.

Applicant's Response

“Intermediate Urban Location: -

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.”

The proposed development seeks to provide 350no. car parking spaces. This equates to a parking provision of just under 0.8 spaces per unit. Given the site location and close proximity to the Glencairn Luas stop, we submit that the parking proposed is appropriate given the new national and regional guidelines which seek to reduce car parking in accessible areas, despite this being lower than that specified in the Development Plan. Car parking provision is discussed in further detail below in address SPPR 8.

Bicycle Parking

The Guidelines set out with regard to bicycle parking 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.

Applicant's Response

Bicycle parking is provided for all apartment units and for associated visitors in accordance with the cycle parking standards set out in the DLRCC Standards for Cycle Parking and Associated Cycling Facilities for New Developments. The DLRCC standard requires the following provision: -

- 1 long stay (Resident) space per unit.
- 1 long stay (Visitor) space per 5 unit.

Bicycle parking is provided for all apartment units and for associated visitors in accordance with the cycle parking standards set out in the Apartments Guidelines (2020). The Guidelines requires the following provision: -

- 1 long stay (Resident) space per bedroom.
- 1 long stay (Visitor) space per 2 unit.

669no. bicycle parking spaces are to serve the respective development. In total, 72no. cycle spaces will be provided at surface level for visitors and childcare facility spaces, with 597no. cycle spaces being provided at basement level for residents. All cycle spaces are covered and secure.

The Traffic & Transport Assessment, prepared by Aecom Consulting Engineers considers that the proposed cycle parking provision is appropriate when cognisance is given to the accessibility of the site to the existing and proposed walking and public transport facilities in the surrounding area.

It is proposed within the Mobility Management Plan (part of the Traffic & Transport Assessment) to monitor the usage of the cycle stands following the opening of the proposed development. Should demand meet the proposed level of cycle parking, the future management company will allocate additional cycle parking for the development i.e. increasing the number of cycle stands. The current design of the scheme is premised on finding a balance between providing suitable levels of bicycle parking and meeting DLRCC request to provide higher ratio of car parking for a site which benefits from high levels of accessibility. Additional bicycle parking can be easily incorporate at surface level without diminishing the quality of the public realm.

Notwithstanding, It is noted that the DLRCC preference for bicycle parking is to provide Sheffield stands (of which there are 80no. proposed). If the Board are minded, the Applicant would welcome a condition to omit the Sheffield stands and provide all bicycle parking using stackers which would increase provision to 749no. bicycles).

Furthermore, our Client has significant experience in managing similar rental schemes (the most recent example of which is One Three North, Clongriffen) where the take up by resident's of car parking spaces has been significantly less than the parking provided for. This would have the potential to allow a number of the car parking spaces to be converted to additional bike parking spaces should that need arise over time. The car parking provision in the current scheme subject of this planning application is circa 0.8 spaces per unit. It is anticipated that the uptake of car parking will be lower than this, similar to the Applicant's experience elsewhere. In order to cater for future additional demand for bike parking, the Applicant would welcome a condition where bicycle parking can be increased further where it can be demonstrated to the satisfaction of the Planning Authority that there is a low uptake on car parking within the scheme such that additional car parking can be provided in lieu of car parking.

Building Life Cycle Report

As per paragraph 6.13 of the Apartment Guidelines (2020), a Building Lifecycle Report is required for all apartment schemes.

Applicant's Response

In line with the requirements of paragraph 6.13 of the Apartment Guidelines (2020), a Building Lifecycle Report accompanies this SHD Planning Application.

Build-to-Rent

Under the Guidelines, there are two categories of apartment units: -

- Apartment.
- Build-to-Rent.

There are different standards applying to each of these types of units. Section 5 of the Apartments Guidelines (2020) specifically support and address BTR developments. It defines BTR as: -

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

Applicant's Response

The location of the proposed development is considered to be highly appropriate for a BTR scheme, due to its high accessibility to public transport. See Section 7.2 of this Report (above) which outlines how the proposed development is in accordance with the relevant land use zoning objective.

The proposed development is consistent with strategic national planning policy and Ministerial Guidelines which promotes the sustainable regeneration underutilised sites that are highly accessible to quality public transport.

Build-to-Rent Requirements

Specific Planning Policy Requirement 7 of the Apartment Guidelines, states as follows: -

'Build-to-Rent' development must be: -

(a) Described in the public notices associated with a planning application specifically as a 'Build-To-Rent' housing development that unambiguously categorises the project (or part of thereof) as a long-term rental housing scheme, to be accompanied by a proposed covenant or legal agreement further to which appropriate planning conditions may be attached to any grant of permission to ensure that the development remains as such. Such conditions include a requirement that the development remains owned and operated by an institutional entity and that this status will continue to apply for a minimum period of not less than 15 years and that similarly no individual residential units are sold or rented separately for that period.

(b) Accompanied by detailed proposals for supporting communal and recreational amenities to be provided as part of the BTR development. These facilities to be categorised as: -

(i) Resident Support Facilities - comprising of facilities related to the operation of the development for residents such as laundry facilities, concierge and management facilities, maintenance/repair services, waste management facilities, etc.

(ii) Resident Services and Amenities – comprising of facilities for communal recreational and other activities by residents including sports facilities, shared TV/lounge areas, work/study spaces, function rooms for use as private dining and kitchen facilities, etc.”

Applicant's Response

In accordance with SPPR 7(a), the public notices explicitly identify the proposal as comprising a BTR scheme. The BTR units will be subject to a long-term covenant or legal agreement that the BTR status will be in place for a period of not less than 15 years and that no individual units will be sold or rented separately within that period.

We refer the Board to the Build-to-Rent Deed of Covenant for the operation of the BTR scheme as required by SPPR 7 that accompanies the SHD Planning Application.

In accordance with SPPR 7(b) and Section 5.5 of the Apartment Guidelines (2020) the Guidelines, the proposed BTR units are being suitably provided with both Resident Support Facilities and also Resident Services and Amenities as follows: -

Resident Services and Amenities

- Resident Services and Amenities are provided in Blocks F & G including the following: -
 - Resident Lounge.
 - Postal Deliveries.
 - Games Room.
 - Cinema.
 - Gym.
 - Yoga Room.

Resident Support Facilities

- On-site Management Team.
- A Reception.
- Please see the Operational Waste Management Plan, prepared by AWN Consulting in respect of waste management facilities which are at basement level and provide for segregation and compaction of waste and recyclables.

- The management of the development is set out in the Site Specific & Operational Management Plan Report, prepared by Ferreira Architects, included with this application.

We refer the Board to the Design Statement and Site Specific Management & Operation Management Plan, prepared by Ferreira Architects for full details of the Resident Services / Amenities and Resident Support Facilities included as part of the proposed development.

Build-to-Rent Design Requirements

Specific Planning Policy Requirement 8 of the Apartment Guidelines (2020), states as follows: -

For proposals that qualify as specific BTR development in accordance with SPPR 7: -

(i) No restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise.

(ii) Flexibility shall apply in relation to the provision of a proportion of the storage and private amenity space associated with individual units as set out in Appendix 1 and in relation to the provision of all of the communal amenity space as set out in Appendix 1, on the basis of the provision of alternative, compensatory communal support facilities and amenities within the development. This shall be at the discretion of the planning authority. In all cases the obligation will be on the project proposer to demonstrate the overall quality of the facilities provided and that residents will enjoy an enhanced overall standard of amenity.

(iii) There shall be a default of minimal or significantly reduced car parking provision on the basis of BTR development being more suitable for central locations and/or proximity to public transport services. The requirement for a BTR scheme to have a strong central management regime is intended to contribute to the capacity to establish and operate shared mobility measures.

(iv) The requirement that the majority of all apartments in a proposed scheme exceed the minimum floor area standards by a minimum of 10% shall not apply to BTR schemes.

(v) The requirement for a maximum of 12 apartments per floor per core shall not apply to BTR schemes, subject to overall design quality and compliance with building regulations.”

Applicant’s Response

(i) Dwelling Mix

The proposed BTR units provides for a mix of unit types with 154no. 1-Bed apartments and 284no. 2-Bed apartments. This provides for approximately 35.2% one bed units and 64.6% standard and larger two bedroom units. It is considered that this is an appropriate mix for the proposed ‘Build-to-Rent’ units, being in accordance with the Guidelines and national strategic planning policy to address the shortage of smaller residential dwellings for 1-4 person households.

(ii) Storage & Private Amenity

All of the ‘Build-to-Rent’ units have been provided with storage in excess / meeting the minimum requirement. The majority of the ‘Build-to-Rent’ units are provided with private amenity space in the form of balconies and/or terraces / patios meeting the minimum floor areas set out in Appendix 1 of the Apartment Guidelines (2020).

In addition, communal open space is also provided in accordance with the standards. Please refer to the Design Statement and detailed HQA, prepared by Ferreira Architects which accompanies this SHD Planning Application.

Compensation for Omitted Balconies

74no. balconies have been omitted from the scheme to improve daylight / sunlight standards of the apartments effects as well as assist in improving the elevations treatment of the scheme which under the provision of BTR is permissible on the basis that adequate compensatory measures are provided.

This arrangement is provided for under SPPR 8 (ii). Compensation for the loss of these private amenity spaces have been provided by way of excess communal open space within the proposed courtyards.

Based on the above, the proposed 438no. BTR apartment units, require c. 2,758 sq. m of communal amenity space. This is the minimum required to provide for all the residential units under the Apartment Guidelines (2020).

The communal amenity space provided as part of the proposed development is provided in 2no. high-quality landscaped courtyards including: -

- **Courtyard 1:** c. 2,377 sq. m.
- **Courtyard 2:** c. 2,202 sq. m.
- **Total Communal Amenity space proposed c. 4,579 sq. m.**

The above shows that the communal space provided comfortably exceeds the minimum requirement set out in the Apartment Guidelines (2020). The omission of private terraces / patios of 74no. units would result in the loss of c. 440 sq. m of private amenity space (based on minimum standards). The communal space is provided results in approximately 1.4 sq. m per person. As noted above, the additional communal amenity space is further augmented by high quality residential services and amenities provided in Blocks C & G also.

In terms of usability, the courtyards will high-quality landscaping (hard and soft) with places to sit and relax, socialises as well as children’s play areas. We refer the Board to the Landscape Drawings and Landscape Report, prepared by Mitchell + Associates Landscape Architects which demonstrate the high-quality public realm being proposed as part of the development.

We refer the Board to the Wind Microclimate Modelling, prepared by B-Fluid Dynamics Consultants which provides analysis of the wind conditions and usability of the public realm (public and semi-private). The Report states in relation to the courtyards that *“these areas are appropriate for long-term or short term-sittings.”* The Report goes on to generally concludes that: -

“The development is designed to be a high-quality environment for the scope of use intended of each areas/building (i.e. comfortable and pleasant for potential pedestrian)”

Furthermore, with regard to the usability and comfort levels of the courtyards, a Daylight & Sunlight Assessment, prepared by Chris Shackleton Consulting generally confirms that the new 2no. communal courtyards and the central public open space pass the BRE requirement relating to the area which can receive 2 hours of sunlight on the 21st March. The courtyards achieve a pass rate of c. 86 – 90% and the central public open space has a pass rate of c. 91%.

Compensatory Design Solutions

We refer the Board in the first instance to the Sunlight, Daylight & Shadow Assessment, prepared by Chris Shackleton Consulting.

- **Daylight (Target Illuminance E_T)**

95% of all habitable rooms are compliant with Target Illuminance E_T of BS/EN 17037 Annex NA (i.e. daylight). This pass rate increases to 99% if we include those results which are just marginal. Overall, 95% pass rate is an exceptionally high level of pass rate under these guidelines.

In total, from the entire development of 438no. apartments, only 14no. rooms do not meet the BRE requirements fully in terms of Target Illuminance E_T of BS/EN 17037 Annex NA. They only just fall below the pass rate. Compensatory measures have been implemented in the design of the apartments which do not meet the relevant standards as follows: -

Apt. No.	Room Type	Aspect	Min. Apt. Standard (sq. m)	Apt. Area (% above Standard)	Room Area (sq. m)	Room Area (% above Standard)
B1.05	Bedroom	E – CC	55.3	18	15.6	37
B1.07	Living	Dual – CC	61.2	36	25.4	10
B1.08	Living	Dual – CC	86.3	18	30.6	2
B1.09	Living	Dual – EPOS	90.5	24	33.7	12
C1.02	Bedroom	Dual – EPOS	87	19	11.4	-
C1.06	Bedroom	Dual – EPOS	87	19	11.4	-
C1.11	Living	W – EPOS	68.8	53	31.7	38
C1.14	Bedroom	Dual – EPOS	61.2	36	11.4	-
D1.18	Living	E – CC	86.8	19	31.4	5
F1.05	Bedroom	W – CC	61.3	38	14.8	30
G1.09	Living	Dual – PPOS	84.2	15	32.4	8
G1.11	Living	W – PPOS	87.4	20	34.4	15
H1.03	Living	W – PPOS	52.8	17	25.2	10
H1.04	Living	W – PPOS	59.2	32	31.3	36

Table 3: Table showing the units where compensation measures are required under the Apartment Guidelines (2020).

Note: Existing Public Open Space (EPOS), Planned Public Open Space (PPOS), Communal Courtyard (CC).

- **Sunlight to Living Rooms**

In terms of sunlight access to Living Rooms, 95% of living rooms are compliant with the 1.5hr BRE test on the 21st March. Sunlight access increases to 97% if we include those results which are just marginal. The Sunlight, Daylight & Shadow Assessment, prepared by Chris Shackleton Consulting notes that: -

“The BRE guidelines accept that it is not possible for all living spaces to face the sun and are pragmatic in this regard. The guidelines provide guidance in this regard with a 4/5 or 80% compliance being considered as “careful layout design”.

These results are consistent with the BRE guidelines recommend pass rate for apartment developments of 80%.”

In total, from the entire development of 438no. apartments, only 14no. living rooms do not meet the BRE requirements fully in terms of sunlight. They only just fall below the pass rate. Compensatory measures have been implemented in the design of the apartments which do not meet the relevant standards as follows: -

Apt. No.	Aspect	Min. Apt. Standard (sq. m)	Apt. Area (% above Standard)	Room Area (sq. m)	Room Area (% above Standard)	Living Room Width (m)	Living Room Width (% above Standard)
B1.03	Dual – CC	86	18	30.6	2	6	67
B1.14	Dual – CC	86	18	30.6	2	6	67
B1.25	Dual – CC	86.1	18	30.6	2	6	67
B1.32	W – EPOS	53.3	23	25.4	10	3.4	3
C1.10	Dual – EPOS	93.2	28	36.1	20	7	94

F1.31	Dual – CC	88.4	21	31.4	5	3.7	3
F2.02	Dual – CC	46.7	4	23.3	1	3.6	9
G1.01	W – PPOS	55.3	23	25.7	12	3.4	3
G1.03	Dual – CC	86.3	18	31.7	6	3.7	3
G1.04	E – CC	53.2	18	25.6	11	3.4	3
G1.15	Dual – CC	88.3	21	31.5	5	3.7	3
H1.08	E – CC	49.6	10	23	-	3.4	3
H1.18	E – CC	55.3	23	23.4	2	3.4	3
J1.10	Dual – EPOS	85.1	17	30	-	5	39

Table 4: Table showing the units where compensation measures are required under the Apartment Guidelines (2020).

Note: Existing Public Open Space (EPOS), Planned Public Open Space (PPOS), Communal Courtyard (CC).

The proposed development has been carefully designed to ensure maximum daylight and sunlight can be achieved. The development comfortably exceeds the standards for good design in the BRE Guidelines. In the very small number of units (6%) have certain rooms which do not meet the standards (see table above) where compensation by way of an attractive aspect and significantly larger than minimum requirements have been proposed.

(iii) Car and Bicycle Parking

SPPR 8 (iii) confirms that it is a default that Build to Rent schemes provide minimal or significantly reduced car parking provision. This position is further justified having regard to the proximity to public transport and local services as addressed in the Transportation Assessment prepared by Aecom accompanying this application. This development proposes a significantly reduced level of car parking from that set out in the County Development Plan. The car parking provision in this case, whilst acknowledging its proximity to the Luas stop at Glencairn, and bus services generally, also takes account of the intermediate urban context of this site.

In relation to bicycle parking requirements, the Guidelines state that it must be ensured that new development proposals in close proximity to public transport, 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 prospective residents.

See response above in relation to car and bicycle Parking which demonstrates that having regard for the connectivity of the site that the car parking ratio and provision of bicycle parking will assist in facilitating a modal shift to public transport.

(iv) Apartment Sizes

The apartments proposed are generously sized and thoughtfully laid out, to provide a high standard of residential amenity overall. It should be noted that all but one (i.e. 99.8%) of the BTR apartments proposed exceed 10% of the minimum apartment size required notwithstanding SPPR 8(v) provides for otherwise.

We refer the Board to the HQA, prepared by Ferreira Architects which demonstrates how the proposed apartment complies with the relevant standards in the Apartment Guidelines (2020).

(v) Stair Cores

The proposed 'Build-to-Rent' units are laid out in 12no. or less units per core as per the architectural drawings submitted with this application.

9.4.4 Urban Development & Building Heights Guidelines for Planning Authorities (2018)

The Guidelines note that increasing prevailing building heights has a critical role to play in addressing the delivery of more compact urban growth which is a key objective of the NPF.

The Board may consider that a material contravention does not arise and that the provisions of Section 9(3) of the SHD Act applies. In relation to building heights, SPPR3 can be applied for the purpose of Section 9(3) of the SHD Act and in accordance with that provision SPPR3 takes precedence over any conflicting provisions of the Development Plan. It is respectfully submitted that the Board should expressly treat SPPR3 in the context of the legal provisions in Section 9(3) of the SHD Act, and a justification of same is set out below. However, should the Board also consider that there is a material contravention of the building heights in the Development Plan, it is respectfully submitted that the development meets the criteria in the Building Height Guidelines which the Board may have regard to pursuant to Section 9(6) of the SHD Act (and in turn Section 28 of the Planning and Development Act 2000, as amended). This is addressed in the Material Contravention Statement, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants.

Appendix 5 of the Development Plan sets out a Building Heights Strategy for the County and Table 5.1 of Appendix 5 sets out the performance-based criteria for assessing proposals for increased height. Proposals must demonstrate satisfaction with a number of criteria and the criteria set out are generally aligned with SPPR 3 of the Building Height Guidelines which requires assessment of building height at the scale of the relevant town / city, at the scale of district / neighbourhood / street and at the scale of a site / building. A justification under each heading is set out below. We note that the contents of Table 5.1 of the Development Plan are reflect the requirements of Section 3.2 of the Urban Development & Building Heights Guidelines for Planning Authorities (2018).

However, in assessing the proposed scheme in the context of the Development Plan, should the Board be of the view that the proposed heights contravene the height limits in the Development Plan, then this section provides a justification for a proposed material contravention having regard to SPPR 3 of the Building Height Guidelines, thereby allowing the Board to grant permission for the proposed heights under S. 9(6) of the SHD Act. This is addressed in the Material Contravention Statement, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants.

Section 3.1 of the Building Height Guidelines states that: -

“Planning authorities must apply the following broad principles in considering development proposals for buildings taller than prevailing building heights in urban areas in pursuit of these guidelines: ...”

In this, the Guidelines acknowledge that there is a presumption in favour of buildings of increased height in our town / city cores and in other urban locations with good public transport links. Section 3.1 requires Planning Authority’s / An Bord Pleanála to apply the following broad principles in considering development proposals for buildings taller than prevailing building heights in urban areas: -

“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?”

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?”

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?”

Applicant's Response

In response, we submit that the proposed development is wholly in accordance with the provision of the NPF in securing compact development on underutilised lands within close proximity to high quality public transport, and located on lands within the existing built-up area of Stepside and within the area of Dublin City & Suburbs. The current Development Plan Building Height Strategy has been prepared having regard to the Building Height Guidelines.

The Applicant must show that proposals satisfy the Development Management Criteria set out in Section 3.2 of these Guidelines, these are as follows: -

“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 the following criteria: -

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.*
- *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.*
- *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.*

At the scale of the 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 is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered.*
- *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 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 proposal positively contributes to the mix of uses and/or building/ dwelling typologies available in the neighbourhood.*

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.*
- *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’.*
- *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.*

Specific Assessments

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.*
- *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.*
- *An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links.*
- *An assessment that the proposal maintains safe air navigation.*
- *An urban design statement including, as appropriate, impact on the historic built environment.*
- *Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate.*
- *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)."*

Specific Planning Policy Requirement 3 states in respect of the above that: -

"It is a specific planning policy requirement that where: -

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

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

- (B) *In the case of an adopted planning scheme the Development Agency in conjunction with the relevant planning authority (where different) shall, upon the coming into force of these guidelines, undertake a review of the planning scheme, utilising the relevant mechanisms as set out in the Planning and Development Act 2000 (as amended) to ensure that the criteria above are fully reflected in the planning scheme. In particular the Government policy that building heights be generally increased in appropriate urban locations shall be articulated in any amendment(s) to the planning scheme*
- (C) *In respect of planning schemes approved after the coming into force of these guidelines these are not required to be reviewed."*

Part A of SPPR 3 is of particular relevance in this instance. The Applicant's summary response to the criteria set out in Section 3.2 of the Guidelines is set out below: -

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.

The site benefits from being accessible for walking, cycling and public transport. Excellent pedestrian infrastructure facilities connect the site to an array of existing services and amenities in Sandyford Hall and Belarmine including shops, restaurants and medical facilities.

The Glencairn Luas stop on the Green line is situated c. 900m walking distance from the site, which provides frequent services to and from Dublin City Centre, which will assist to promote accessible travel to and from the site. A large majority of the trams have been introduced with new increased lengths from 40m to 55m in recent times, thereby increasing the capacity of the Luas.

The site is situated within relatively close proximity to a number of bus stops (between c. 375m and 730m walking distance). These stops are operated by Dublin Bus and include the No. 44, 44b, 47 and 114 Routes.

We refer the Board to the Traffic & Transport Assessment, prepared by Aecom Consulting Engineers which provide an assessment of the capacity and frequency of the Luas and bus services adjacent the site. It has been determined that there is existing capacity in the current service and that the anticipated demand created by the proposed development and other committed developments in the immediate area can be more than adequately absorbed.

It can be seen from this that the site is well served by high capacity and high frequency public transport at present, with good links to other modes of public transport in the area.

Furthermore the emerging MetroLink proposals will introduce a Metro from 2027 connecting Charlemont to Estuary via Dublin City Centre and Dublin Airport. The Charlemont stop is approximately 25mins journey time from the subject site. In addition, there are further future capacity upgrades scheduled for the LUAS Green line which are set out in the RSES, including further enhancements by the introduction of greater numbers of new extended trams along the Luas Green line. It is acknowledged that these enhancements are not relevant in the context of the existing capacity and frequency of public transport.

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.

The subject site is a greenfield site located approximately 700m south of the M50 in the already established residential area of Aiken's Village, Stepside, Dublin 18. The site is not located within an architecturally sensitive area. The site is situated between two existing open green spaces, to the west and east. The site is well served by local public and private transport links and benefits from access off the existing Village Road. Shops are available nearby at the Sandyford Hall and Belarmine's local facilities; both of which are readily accessible on foot or bicycle.

The existing residential areas surrounding the site to the west, north and east are predominantly made up of two and three storey houses. Immediately south of the site the main spine route of Village Road is populated by higher blocks with four to five storey elements located along this route. This leads on to Belarmine where a mixture in heights is evident with a significant proportion of higher buildings from five to eight storeys.

Apartment blocks of 2, 3, 4, 5 and 6 storey height with a landmark 8 storey element, are arranged around two main courtyard areas over podium level. The two main courtyard areas define the edge of the main central public open space of the proposal, which falls gently from the northern boundary by Thornberry Road to the southern boundary by the Village Road. Blocks of 3 & 5 storey height enclose the main open space at both ends, with visual and pedestrian permeability through it. The taller elements of the development are located to the south, addressing the existing linear park and Village Road itself.

Overall, the building heights proposed work with the existing contour on the site. Block C provides a focal point for the development and sites within the lowest part of the site which result in the overall height OD that is not substantially in excess of the existing dwelling to the north of the proposed development. Further to this, Ferreira Architects has demonstrated that the scheme in general is consistent with other schemes built within the Stepside area (generally 2 – 6 storeys).

In addition, a Landscape and Visual Impact Assessment (LVIA), with accompanying CGIs and verified views from key locations, are enclosed in this SHD Planning Application. The LVIA includes an assessment of 19no. views from key locations in the surrounding area. A majority of the view assessed, the visual impact is not deemed to give rise to any long term negative impacts. Generally the impact on views are considered slight to moderate negative in the short term at construction stage and slight to moderate neutral in the long term at operational stage. The LVIA generally concludes that: -

*“The site is one of the last areas for development in the general Belarmine / Aikens Village area that commenced in the early 2000s. **The general landscape character of the area is one that is undergoing significant residential development** and the landscape character of the area will suffer some level of negative visual intrusion during the construction stage but **as the landscape matures around the site the negative visual impacts will tend towards imperceptible.** Given the fact that the site has been zoned for development for some time **there would be an expectation of construction taking place on the site.** Given the recent publication of the Guidelines for Planning Authorities on Urban Development and Building Heights there would be an expectation that the site would be developed in a sustainable manner with the level of the existing local infrastructure of public transport, roads, educational facilities and retail. The requirement to reduce the heights of the blocks at the northern end to match the Thornberry development heights results in the increased heights at the Village Road end of the development where the site contours benefit increased building heights.*

*The residual visual impacts of the development will impact mainly on the existing development of Cluan Shee, Grianan Fidh and Ferncarraig Avenue that face onto the site given the height difference of the proposed and the existing 2 to 4 storeys heights but **the proposed blocks have been set away from the existing housing to reduce the visual impacts and a landscaped open space provides separation between proposed and existing.**”*

Emphasis added by SLA]

It is generally submitted that in this instance, the development is consistent with emerging development trends in the area and so not a significant impact. Arising from this assessment and the details contained in this SHD Planning Application generally, it can be concluded that the development should successfully integrate into / enhance the character and public realm of the area, whilst having regard to topography, its cultural context, setting of any key landmarks, protection of any key views.

Furthermore, we note the commentary of the An Bord Pleanála Inspector with regard to building height as part of the previously permitted SHD scheme on the site (ABP Ref. ABP-309828-21 – Project Ironborn 2). In the interim, a new Development Plan has come into effect (April 2022). However, the national planning policy context remains the same (promotion of higher densities in proximity to high capacity / frequency public transport). We acknowledge that this current proposal will be assessed on its merits, however, the comments made by the Inspector on the previous scheme (ABP Ref. ABP-309828-21 – Project Ironborn 2) are of note in so far that it was highlighted that the application site had capacity to absorb increased density and building height, stating that: -

*“I am of the view that the **proposal has responded well to its context. The height strategy pursued is one that pays sufficient heed to the surrounding developments.** The heights drop to three and four storeys (above ground/car park level) to the north-east of the site, which is cognisant the prevailing heights of the development to the immediate north. The apparent height of the proposal will two and three storeys, given the proposed ground level will be at a lower elevation than Thornberry Road. The heights generally increase as one moves south across the site. On the eastern boundary, the heights rise from 4 to 5 to 6 storeys (above ground/car park level). I note that there is a considerable setback from the proposed 6 storey elements to the 2 storey dwelling houses at Ferncarraig (c40m), reducing any visual impact from same.”*

And

*“**These increase heights are reflective of the relatively higher existing prevailing heights in the wider area, to the south and south-east, where there are developments of up to 6 storeys in height.** ... While I note that the site has a higher elevation than the majority of surrounding sites, I am also cognisant of the curved nature of Village Road, which tends to limit long views towards the site, therefore limiting views towards the higher elements of the proposal. The existing street trees, too, provide a significant level of screening. While the 8 storey element will be most visible from the Cluain Shee development to the south-west of the site, this is set back some 42.3m from the nearest residential unit at Cluain Shee and I am not of the view that it will be overbearing in nature. **The 8 storey element is limited to a small portion of the site, with lower heights prevailing on the remainder of the site.**”*

[Emphasis added by SLA]

The building heights proposed as part of the current proposal do not exceed the height proposed as part of the previously permitted SHD scheme on the site. Adjustments have been made to Block F to omit a floor to reduce perceived impact on adjoining existing development. This reduces the height of the block facing Ferncarraig Avenue from 5 storeys to 4 storeys. As such, it is generally submitted that in this instance, the proposed development is consistent with emerging development trends in the area and so not a significant impact.

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 creates new, high quality public open spaces which interact with the proposed buildings and integrate well within the existing urban grain and which will make a positive contribution to place-making in this part of Stepside. The proposed built form is varied and also cohesive with the surrounding urban context. Public linkages through the scheme in a north south direction engages with the neighbouring residential area, provides new public realm and an enhanced permeability for residents in the area generally. For further details, we refer the Board to the enclosed Landscape Plans prepared by Mitchell + Associates Landscape Architects, as well as the Design Statement, prepared by Ferreira Architects.

The arrangement of the buildings and the building heights themselves have been arranged to respond to the surrounding context and scale of surrounding developments and will create visual interest in the wider streetscapes it abounds. The variety of massing, height and elevational treatment helps provide a variety of built form and interest in this area and does so working with the existing topography of the locale.

A series of streetscape details have been prepared by both Mitchell + Associates and Ferreira Architects to demonstrate the relationship the existing streets and the existing adjoining development where relevant (Street Section Drawing and Design Statement respectively).

We would again refer to the Landscape and Visual Impact Assessment (LVIA), with accompanying CGIs and verified views from key locations which are enclosed in this SHD Panning Application.

Arising from this assessment and the details contained in this SHD Panning Application generally it is concluded that the development being proposed will make a positive contribution to place-making, incorporates new links/streets and public spaces, uses 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.

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 proposed development responds to the site and the surrounding developments in several ways. The site itself is disturbed ground, having functioned as a construction compound for earlier phases of development in the Aiken's Village area.

The profile of the proposed buildings steps up from Thornberry Road at the north of the site, and is articulated as a series of stepped elements within the blocks themselves as the site slopes down to the open space area at Village Road to the south. The 8 storey building will provide a marker onto the junction of Village Road and Atkinsons Drive providing a distinctive edge to the proposed development.

The arrangement of the buildings and the building heights themselves have been arranged to respond to the surrounding context and scale of surrounding developments and makes a positive contribution to the urban neighbourhood and streetscape as a result. The variety of massing, height and elevational treatment helps provide a variety of built form and interest in this area and does so working with the existing topography of the locale.

The proposed lower-rise buildings of 2, 3 or 4 storeys are located along Thornberry Road next to the existing 2 and 3-storey houses while the taller elements of the blocks sit along Village Road next to the existing open space.

Proposed open spaces are carefully located to maximise visual amenity for neighbouring residents. The proposed development compliments the surrounding built and natural environment through its scale, massing, materiality and open spaces.

A Landscape and Visual Impact Assessment (LVIA), with accompanying CGIs and verified views from key locations, are enclosed in this SHD Panning Application. Arising from this assessment and the details contained in this SHD Panning Application generally it is concluded that the development being proposed does positively respond to its natural and built environment and will make a positive contribution to the urban neighbourhood and streetscape in this particular part of Stepside.

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

Ferreira Architects have ensured that the buildings proposed in each of the courtyards are appropriately modulated and treated elevationally so as to present an attractive high-quality addition to the area. There are breaks within the built form which assist in creating a diverse and interesting built form.

Brickwork is the primary material for most blocks, used in the main body of the buildings and provided in three different brick colours: mottled-red, white and brown. Stone cladding, in two tones: light, sand-coloured and blue-grey, is proposed for important elements in the scheme such as the tall corner element of Block C at the focal point of the site and as secondary cladding at the base of some of the blocks. Also, stone is used to mark entrances and frame elements. Metal cladding appears in two grey tones, light and dark, as the main upper storey material and also as vertical strips helping to break the massing of the blocks. Balcony balustrades are glazed with thin metal frames and rails. Courtyard ground floor or podium level terraces are enclosed with metal railings.

We refer the Board to the Design Statement, prepared by Ferreira Architects which sets out in detail the material palette for the proposed development. It is demonstrated in the Design Statement that a varied palette of materials is proposed for the finishes to be applied to all blocks in the scheme.

We are satisfied that the proposal before the Board is not monolithic and avoids uninterrupted walls of building in the form of slab blocks. On the contrary, the proposal provides for two courtyard blocks comprised of 9no. blocks with varying height and articulation which will provide a positive contribution to the built environment in this area. As noted above, high quality finishes and materials are being proposed for these buildings, which have been carefully considered by Ferreira Architects.

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 proposed development provides a built edge addressing existing public open space to the south, west and east and thereby enhances the urban design context for these spaces and thereby enables additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure of these spaces. The elevations of these buildings will overlook these spaces ensuring that passive surveillance is generally increased. A new central public open space is proposed between the blocks to facilitates increased movement and connection of existing community to wider surrounding area. We refer the Board to the Design Statement, prepared by Ferreira Architects and Landscape Plan, prepared by Mitchell + Associates Landscape Architects for further details.

As noted in the Flood Risk Assessment, prepared by JBA Consulting accompanying this SHD Planning Application, the proposals do not give rise to any flood risk and as such are in line with the requirements of "The Planning System and Flood Risk Management – Guidelines for Planning Authorities" (2009).

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 proposal has been developed using best practice urban design principles including permeability, legibility and connectivity. The proposal consists of a clear and legible streets, routes and spaces accessible by all. Valuable routes are provided for cycle and pedestrian movements throughout the site connecting the open spaces within the scheme to the surrounding context, including the Glencairn Luas stop.

In the main central public open space, a central lawn enables kick about active play, playground facilities cater for individual play, group play and social interaction forms part of a north south public connection between the route to the LUAS and the wider residential population to the north. That link is open, publicly accessible, coherent and improves the greater legibility in the area. In the communal open spaces, the arrangement of the buildings around courtyards spaces allows for communal gardens that serves the immediate residents overlooking the spaces. The proposal provides for direct active frontage onto all public open space within and outside the scheme, with permeable and pedestrian friendly streetscapes.

Further enhancements are proposed as part of this development to the existing public open space to the south of the apartments being proposed. These enhancements are in the form of greater north-south connectivity through this space, so as to link with the connections in the development itself and thereby improving the overall connectivity and legibility for residents in Thornberry to the north to the amenities and facilities of the wider area lying to the south at Belarmine Village, the local schools and the Luas stop.

For all of these reasons and having regard to the content of the SHD Panning Application generally, the proposal will make a positive contribution to the improvement of legibility through the site and wider urban area within which the development is situated and integrates in a cohesive manner with this.

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

The proposed development will provide for a range of one, and two bed apartment units, in a variety of formats that cater for families and individuals. This is at a highly accessible location adjacent to established neighbourhood/local centres and frequent Luas and Dublin Bus services. The development also makes provision for a childcare facility. The development thereby will positively contribute to the mix of uses and dwelling typologies available in the neighbourhood.

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.

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

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

The massing and height are designed to achieve high density, but with a variety in scale and form to respect and respond to the scale of adjoining existing dwellings, developments and open spaces, while creating visual interest in the streetscape. The scheme is conceived as two main courtyard blocks made up of northern and southern blocks, separated by a new public open space between.

We refer the Board to the Sunlight, Daylight and Shadow Assessment, prepared by Chris Shackleton Consulting. The public spaces within the proposed development pass the BRE requirement relating to the area which can receive 2 hours of sunlight on the 21st March (Spring Equinox) with the pass rate being 86%. All private balconies within the proposed development have been tested with 95% complying with the BRE Requirements.

In terms of daylight (Target Illuminance ET), 95% of all habitable rooms are complaint. This pass rate increases to 99% if we include those results which are just marginal.

Overall, the development achieves a very high level of daylight and sunlight access in accordance with the BRE Guidelines, Version 3, 2022 (“the BRE Guidelines”). There are however a number of apartments that do not pass the standards set out in the BRE Guidelines. In those cases compensatory design solutions have been applied, as set out below: -

Compensatory Design Solutions

We refer the Board in the first instance to the Sunlight, Daylight & Shadow Assessment, prepared by Chris Shackleton Consulting.

- **Daylight (Target Illuminance E_T)**

95% of all habitable rooms are compliant with Target Illuminance E_T of BS/EN 17037 Annex NA (i.e. daylight). This pass rate increases to 99% if we include those results which are just marginal. Overall, 95% pass rate is an exceptionally high level of pass rate under these guidelines.

In total, from the entire development of 438no. apartments, only 14no. rooms do not meet the BRE requirements fully in terms of Target Illuminance E_T of BS/EN 17037 Annex NA. They only just fall below the pass rate. Compensatory measures have been implemented in the design of the apartments which do not meet the relevant standards as follows: -

Apt. No.	Room Type	Aspect	Min. Apt. Standard (sq. m)	Apt. Area (% above Standard)	Room Area (sq. m)	Room Area (% above Standard)
B1.05	Bedroom	E – CC	55.3	18	15.6	37
B1.07	Living	Dual – CC	61.2	36	25.4	10
B1.08	Living	Dual – CC	86.3	18	30.6	2
B1.09	Living	Dual – EPOS	90.5	24	33.7	12
C1.02	Bedroom	Dual – EPOS	87	19	11.4	-
C1.06	Bedroom	Dual – EPOS	87	19	11.4	-
C1.11	Living	W – EPOS	68.8	53	31.7	38
C1.14	Bedroom	Dual – EPOS	61.2	36	11.4	-
D1.18	Living	E – CC	86.8	19	31.4	5
F1.05	Bedroom	W – CC	61.3	38	14.8	30
G1.09	Living	Dual – PPOS	84.2	15	32.4	8
G1.11	Living	W – PPOS	87.4	20	34.4	15
H1.03	Living	W– PPOS	52.8	17	25.2	10
H1.04	Living	W– PPOS	59.2	32	31.3	36

Table 5: Table showing the units where compensation measures are required under the Apartment Guidelines (2020).

Note: Existing Public Open Space (EPOS), Planned Public Open Space (PPOS), Communal Courtyard (CC).

- **Sunlight to Living Rooms**

In terms of sunlight access to Living Rooms, 95% of living rooms are compliant with the 1.5hr BRE test on the 21st March. Sunlight access increases to 97% if we include those results which are just marginal. The Sunlight, Daylight & Shadow Assessment, prepared by Chris Shackleton Consulting notes that: -

“The BRE guidelines accept that it is not possible for all living spaces to face the sun and are pragmatic in this regard. The guidelines provide guidance in this regard with a 4/5 or 80% compliance being considered as “careful layout design”.

These results are consistent with the BRE guidelines recommend pass rate for apartment developments of 80%.”

In total, from the entire development of 438no. apartments, only 14no. living rooms do not meet the BRE requirements fully in terms of sunlight. They only just fall below the pass rate. Compensatory measures have been implemented in the design of the apartments which do not meet the relevant standards as follows: -

Apt. No.	Aspect	Min. Apt. Standard (sq. m)	Apt. Area (% above Standard)	Room Area (sq. m)	Room Area (% above Standard)	Living Room Width (m)	Living Room Width (% above Standard)
B1.03	Dual – CC	86	18	30.6	2	6	67
B1.14	Dual – CC	86	18	30.6	2	6	67
B1.25	Dual – CC	86.1	18	30.6	2	6	67
B1.32	W – EPOS	53.3	23	25.4	10	3.4	3
C1.10	Dual – EPOS	93.2	28	36.1	20	7	94
F1.31	Dual – CC	88.4	21	31.4	5	3.7	3
F2.02	Dual – CC	46.7	4	23.3	1	3.6	9
G1.01	W – PPOS	55.3	23	25.7	12	3.4	3
G1.03	Dual – CC	86.3	18	31.7	6	3.7	3
G1.04	E – CC	53.2	18	25.6	11	3.4	3
G1.15	Dual – CC	88.3	21	31.5	5	3.7	3
H1.08	E – CC	49.6	10	23	-	3.4	3
H1.18	E – CC	55.3	23	23.4	2	3.4	3
J1.10	Dual – EPOS	85.1	17	30	-	5	39

Table 6: Table showing the units where compensation measures are required under the Apartment Guidelines (2020).

Note: Existing Public Open Space (EPOS), Planned Public Open Space (PPOS), Communal Courtyard (CC).

The proposed development has been carefully designed to ensure maximum daylight and sunlight can be achieved. The development comfortably exceeds the standards for good design in the BRE Guidelines. In the very small number of units (6%) have certain rooms which do not meet the standards (see table above) where compensation by way of an attractive aspect and significantly larger than minimum requirements have been proposed.

Specific Assessments

The Guidelines state that at some scales, specific assessments may be required for taller buildings. These include: -

- **Assessment of Micro-Climatic Effects**

A Wind Microclimate Modelling Report, prepared by B-Fluid Ltd. is enclosed with this SHD Planning Application. It demonstrates that the proposed development will produce a high-quality environment that is attractive and comfortable for pedestrians of all categories.

A Sunlight, Daylight and Shadow Assessment, prepared by Chris Shackleton Consulting is enclosed with this SHD Planning Application. As highlighted above, this demonstrates that the development will benefit from excellent levels of sunlight and daylight access.

- **Potential impacts on Birds / Bats**

We refer the Board to the Ecological Impact Assessment, prepared by Scott Cawley Ltd. This demonstrates that the proposed development is not anticipated to have any negative impact on birds / bats.

- **Appropriate Assessment**

An Appropriate Assessment Screening Report, prepared by Scott Cawley Ltd. accompanies this SHD Planning Application. This concludes that the possibility of any significant effects on any European sites, whether arising from this project alone or in combination with other plans and projects, can be excluded.

- **An Assessment that the Proposal allows for the Retention of Important Telecommunication Channels, such As Microwave Links**

We refer the Board to the accompanying Telecommunication Report, prepared by Independent Site Management (ISM). This concludes that no microwave links have been identified as being likely to experience significant impact or diffraction on their Fresnel Zones rendering them ineffective as a consequence of the Sector 3 Aiken's Village development.

- **Impact on Safe Air Navigation**

It is not anticipated that buildings of this height would impact on safe navigation. Stephen Little and Associates Chartered Planners & Development Consultants consulted the Irish Aviation Authority (IAA) on the development proposals by letter dated 8 July 2022. The IAA responded on 26 July 2022 (enclosed) confirming the Authority have no observations in relation to the development.

- **Urban Design Statement**

We refer the Board to the enclosed Design Statement, prepared by Ferreira Architects.

Having regard to the above and the provisions of the Building Height Guidelines and SPPR3, it is respectfully submitted that should the Board consider the heights a contravention of Objective PHP42 and Appendix 5 – Building Height Strategy of the Development Plan (including Policy Objective BHS1 and BHS3), they can approve the proposed development having regard to the material contravention route in Section 9(6) of the SHD Act. This is addressed in the Material Contravention Statement, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants.

9.4.5 The Planning System and Flood Risk Management (2009)

We refer the Board to the Flood Risk Assessment (including Flood Risk Guidelines Statement of Consistency), prepared by JBA Consulting Engineers.

Surface Water

The FRA sets out that area for the proposed residential development is fully within Flood Zone C. This indicates a low risk of fluvial, pluvial, groundwater and coastal flooding (less than 0.1% AEP or 1 in 1000 chance of flooding in a given year). Furthermore, the stormwater management system has been designed in accordance with DLRC and GSDS requirements to manage the risk of direct rainfall within the site.

In terms of surface water management, following dialogue with DLRC Drainage Department additional attenuation volume within the application site to accommodate for an existing occupied development. In response, it is proposed to provide the attenuation and flood storage of all storm water runoff up to 1 in 100-year return period events of all duration on the proposed site as shown on the accompanying drainage layout Dwg. No. D1636-D2, prepared by Kavanagh Burke Consulting Engineers.

Consideration has also been given to an extreme rainfall event for the unlikely event of the failure, collapse or blockage of the stormwater systems. Overland flow routes have been considered and catered for. These routes have been discussed with DLRC Drainage Department and agreed in principle prior to submission of this SHD Planning Application.

Foul Drainage

The overflow storage tank is proposed on existing open space lands to the southeast of Griannan Fidh residential estate. As required by Irish Water, the existing foul water system requires upgrading to mitigate existing problems with the network as well as to facilitate the proposed development. The upgrade works required will consist of the construction of an underground overflow storage tank with a volume of c. 500m³ to avoid further disruption to the facilities and residents in the area. DLRC have given consent to include these lands for the provision of the overflow storage tank as part of this SHD Planning Application.

The FRA sets out that area where the overflow storage tank is proposed is fully within Flood Zone C. This indicates a low risk of fluvial, pluvial, groundwater and coastal flooding (less than 0.1% AEP or 1 in 1000 chance of flooding in a given year). There was previously a risk of flooding identified from the foul water system due to the insufficient capacity of the network. Mitigation measures will be incorporated into the proposed design to minimise the potential risk presented by pluvial flooding. We refer the Board to the Dwg. No. D1636-D18 'IW Overflow Tank Details', prepared by Kavanagh Burke Consulting Engineers which provide further detail with regard design of the of the underground wastewater storage tank.

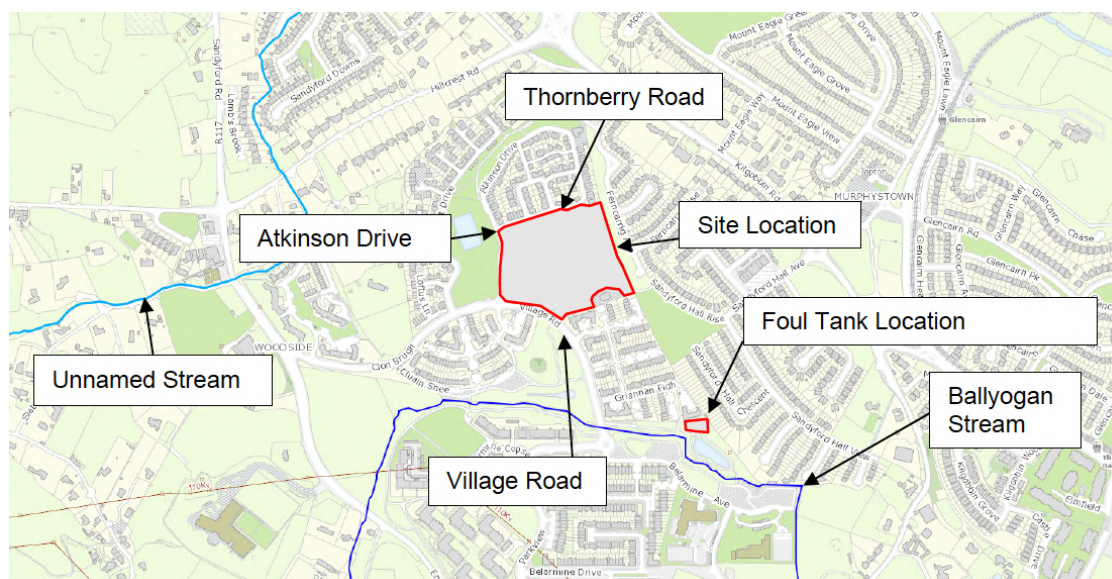


Figure 13: Extract taken from the Flood Risk Assessment prepared by JBA Consulting Engineers.

9.4.6 Design Manual for Urban Roads and Streets (2013)

We refer the Board to the Traffic & Transport Assessment, prepared by Aecom Consulting Engineers which includes a Statement of Consistency with regards the Design Manual for Urban Roads and Streets.

In this Report it is stated that the proposed streets within the development comply with the standards set out in these Guidelines.

9.4.7 Childcare Facilities, Guidelines for Planning Authorities (2001)

Section 2.4 of the Childcare Facilities, Guidelines for Planning Authorities (2001) set out general standards for the land use planning issues related to childcare provision in Ireland. In relation to ‘New Communities / Larger New Housing Developments’, it is noted that: -

“Planning authorities should require the provision of at least one childcare facility for new housing areas unless there are significant reasons to the contrary or where there are adequate childcare facilities in adjoining developments.”

The Guidelines outline that childcare facility provision should be made on the basis of 20no. childcare spaces for every 75no. dwellings permitted in a scheme.

Within the Apartments Guidelines (2020), provision for 1 bed and studio apartments in relation to the requirement for childcare facilities is outlined as follows: -

*“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.”*

Applicant’s Response

We refer the Board to the Social Infrastructure Audit, prepared by Stephen Little & Associates, Chartered Town Planners & Development Consultants which contains an assessment of childcare needs in the area. There is flexibility provided in the Guidelines on the provision of new childcare facilities, rather than a rigid blanket approach. It is possible to demonstrate in accordance with the relevant policy, whether a childcare facility is required, based on an analysis of the existing and proposed level of childcare provision and the demographic structure of the area. Essentially, the delivery of childcare facilities needs to be balanced on the specific circumstances within a geographical area.

The proposed development falls above the threshold as it provides 438no. BTR units, of which 284no. are 2 bedroom units. The proposed childcare facility will have a gross floor area of c. 514.9 sq. m including an outdoor play area of c. 204 sq. m and will have the capacity for c. 60 no. children. It is intended that the purpose built childcare facility will serve the future needs of the entirety of the proposed development, in a permanent capacity, once fully completed.

Notwithstanding, we refer the Board to the Social Infrastructure Audit, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants which contains an assessment of childcare needs in the area. In general, the assessment finds that the proposed purpose built childcare facility (c. 514.9 sq. m) in combination with existing and permitted childcare facilities in the area is more than sufficient to cater for the demand created by the proposed development.

10 DUN LAOGHAIRE RATHDOWN COUNTY DEVELOPMENT PLAN 2022 – 2028

The Dun Laoghaire-Rathdown County Development Plan 2022 – 2028 (“the Development Plan”) came into effect on the 21 April 2022 and is the statutory land-use plan governing the subject lands at this time.

This Statement of Consistency is understood to be intended to provide the Bord with adequate comfort that the provisions of the Statutory Development Plan have been taken in to account in devising the draft proposals. Equally, it is understood that it is not intended to provide the Bord with a detailed assessment of the wide ranging detailed design standards relating to residential development.

In completing this exercise, we have compiled a List of Objectives, quoted the text in italics and provided the Applicant’s Response to this beneath each Objective in turn.

Draft Ministerial Direction

The Development Plan is the subject of a current Ministerial Direction. The following is stated on the Development Plan page of the Dun Laoghaire Rathdown County Council website: -

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

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

- *The 0/0 zone objective “No increase in the number of buildings permissible” as set out on Land Use Zoning Maps 3, 4, 7 and 10.*
- *The policy section on ‘Notable Character Area Exclusions’ under section 4.3.1.1 of Chapter 4 (pg. 84) of the Written Statement.*
- *Section 12.3.7.8 ‘0/0 Zone’ of Chapter 12 (pg. 246-248) of the Written Statement.*
- *The second paragraph of Section 12.3.3 ‘Quantitative Standards for All Residential Development’ of Chapter 12 (pg. 236) of the Written Statement, which states: **“That the requirement for certain percentages of 3-bed units in apartments shall apply to Build To Rent developments to accord with mix on page 237.”***

[Emphasis added by SLA]

10.1 Development Plan Vision and Context

The Development Plan Vision for the 2022 – 2028 Development Plan is: -

“The Vision for Dún Laoghaire-Rathdown is to embrace inclusiveness, champion quality of life through healthy placemaking, grow and attract a diverse innovative economy and deliver this in a manner that enhances our environment for future generations.”

Policy Objective NPF1: National Planning Framework

It is a Policy Objective of the Council to ensure consistency with and support the achievement of the National Strategic Outcomes and National Policy Objectives of the National Planning Framework.

Policy Objective MASP1 – Dublin Metropolitan Area Strategic Plan

It is a Policy Objective of the Council to support the delivery of the Dublin Metropolitan Area Strategic Plan.

Policy Objective RSES1 – Regional Spatial and Economic Strategy

It is a Policy Objective of the Council to ensure consistency with and support the achievement of the Regional Spatial Objectives (RSOs) and Regional Policy Objectives (RPOs) of the Regional Spatial and Economic Strategy.

Applicant’s Response

Increasing the overall number of units provided within serviced lands in existing built up areas of the County is consistent with the Core Strategy for the County by consolidating development in a built-up area served by existing public transport. The development of this infill site at Aiken’s Village for residential purposes is therefore consistent with the Core Strategy for the County.

As already outlined above, the subject site has been identified for residential development by the Development Plan (as far back as the Stepside Action Area Plan in 2000). The proposed site is well served by excellent public transport connections, in particular the Glencairn Luas Stop which is c. 900m away.

As outlined in Section 9 of the Report, the proposed development is considered to be wholly consistent with national policy (NPF & RSES) and assists with the consolidation of Dublin City & Suburbs through sustainable and intense urban form.

10.2 Core Strategy

The Core Strategy articulates the settlement and growth strategy for the County and in doing so demonstrates that the Development Plan and its policies and objectives are entirely consistent with the National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES) for the East and Midlands.

Section 2.3.6.4 of this Core Strategy outlines a requirement for an additional 18,515 residential units in the County based on the high growth scenario of the RSES.

Policy Objective CS11 – Compact Growth

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

Applicant’s Response

As outlined in Section 9 of this Report, the proposed development is considered to be wholly consistent with national policy (NPF & RSES) and assists with the consolidation of Dublin City & Suburbs through sustainable and intense urban form.

10.3 Land Use Zoning

Under the Development Plan the subject lands are subject to Zoning Objective A. Objective A is – “To provide residential development and improve residential amenity while protecting the existing residential amenities.”

Under the Development Plan, the proposed underground storage tank is located in lands subject to Zoning Objective F. Objective F is – “To preserve and provide for open space with ancillary active recreational amenities”.

Applicant’s Response

We refer the Board to Section 7.2.1 of this Report which comprehensively addresses land use zoning in the context of the An Bord Pleanála Opinion, dated 19 May 2022.

10.4 Climate Action

Policy Objective CA5: Energy Performance in Buildings

It is a Policy Objective to support high levels of energy conservation, energy efficiency and the use of renewable energy sources in existing and new buildings, including retro fitting of energy efficiency measures in the existing building stock.

Applicant's Response

All proposed apartments in this development will achieve an A2 BER rating and meet the Carbon Performance Coefficient (CPC) and Energy Performance Coefficient EPC requirements the Building Regulations Part L 2021.

We refer the Board to the Sustainability Report, prepared by SEHA Technical Services Ltd which outlines the sustainability and energy considerations for the proposed development.

We also refer the Board to the Building Lifecycle Report, prepared by the Applicant which demonstrates how the proposed BTR apartments will be managed and maintained over their lifetime.

Policy Objective CA8: Sustainability in Adaptive Design

It is a Policy Objective to promote sustainable approaches to the improvement of standards for habitable accommodation, by allowing dwellings to be flexible, accessible and adaptable in their spatial layout and design.

Applicant's Response

We refer the Board to Section 8 of the Design Statement, prepared by Ferreira Architects which includes a Universal Design Statement for the proposed development.

10.5 Neighbourhood – People, Homes and Place

Chapter 4 – Neighbourhood – People, Homes and Place of the Development Plan sets out the policy objectives which are aimed at creating and maintaining successful neighbourhoods and protecting residential amenities throughout the County.

Overarching Policy Objective PHP1

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

- Align with the provisions of the National Planning Framework and the Eastern and Midlands Regional Spatial and Economic Strategy.*
- Accord with the Core Strategy set out in Chapter 2, the Housing Strategy and Housing Needs Demand Assessment for the County in Appendix 2 and/or the provisions of the future Regional Housing Need Demand Assessment.*
- Embed the concept of neighbourhood and community into the spatial planning of the County by supporting and creating neighbourhoods and ensuring that residential development is delivered in tandem with the appropriate commensurate enabling infrastructure, including access to sustainable neighbourhood infrastructure, sustainable modes of transport, quality open space and recreation, and employment opportunities.*

Applicant's Response

It is considered that the proposed development is in full accordance with this Policy Objective, the subject site is brownfield / underutilised and zoned for residential development located in close proximity to transport links. The proposed residential development is c. 900m of the Glencairn Luas stop, with the Luas Stop at The Gallops marginally farther away which will support the development of

a transport orientated residential development which is a key component of the ‘Sustainable Residential Development in Urban Areas’ Guidelines.

The layout of the proposed development has been designed to incorporate the principles of sustainable communities and having regard for the ‘Urban Design Manual – A Best Practice Guide’. A direct response to the 12 design criteria principles are enclosed with this submission. The proposed development provides a number of dedicated cycle / walkways within the overall layout of the scheme reflecting the preferred hierarchy of movement (i.e. walking > cycling > public transport > cars).

The proposed development will contribute significantly to the provision of new residential units within the County as well as associated residential amenities such as public and communal open space, childcare and pedestrian and cycling linkages.

Section 9 of this Report assesses the proposed development against the NPF and RSES and clearly demonstrates how it is consistent with same.

Policy Objective PHP2: Sustainable Neighbourhood Infrastructure

It is a Policy Objective to:

- *Protect and improve existing sustainable neighbourhood infrastructure as appropriate.*
- *Facilitate the provision of new sustainable neighbourhood infrastructure that is accessible and inclusive for a range of users consistent with RPO 9.13 and RPO 9.14 of the RSES.*
- *Encourage the provision of multi-functional facilities, space and lands in the delivery and/or improvement of sustainable neighbourhood infrastructure.*

Policy Objective PHP3: Planning for Sustainable Communities

It is a Policy Objective 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’ and any amendment thereof.*
- *Ensure that an appropriate level of supporting neighbourhood infrastructure is provided or that lands are reserved for Sustainable Neighbourhood Infrastructure (SNI), in conjunction with, and as an integral component of, residential development in new residential communities as identified in the Core Strategy (see Figure 2.9, Chapter 2).*
- *Identify, provide and/or improve (as appropriate) supporting sustainable neighbourhood infrastructure in tandem with residential development in renewal/redevelopment areas and existing residential neighbourhoods.*
- *Create healthy and attractive places to live consistent with NPO 4 of the NPF and RPO 9.10 of the RSES.*

Applicant’s Response

The proposed development includes a dedicated childcare facility which will expand the range of neighbourhood infrastructure in the area.

The proposed development will provide public open space which will also contribute to the implementation of a sustainable neighbourhood.

We refer the Board to the enclosed Social Infrastructure Audit, prepared by Stephen Little & Associates. This outlines the existing social infrastructure in the surrounding area and demonstrates that the proposed development is served by a broad range of services and is in close proximity to public transport infrastructure to link to a broader range of cultural and social facilities.

Section 4.3.1 Delivering and Improving Homes states:

The provision of new homes will be encouraged in suitable locations across the County that support sustainable development (consistent with NPO 33 of the NPF). In this regard, housing growth in DLR will occur in either of the following:

- Existing built up areas, promoting compact urban growth through the development in the form of infill development of brownfield sites.

- Creation of new residential communities (refer Core Strategy Map, Figure 2.9, Chapter 2)."

...

"As a general rule the minimum default density for new residential developments in the County (excluding lands on zoning Objectives 'GB', 'G' and 'B') shall be 35 units per hectare (net density¹). This density may not be appropriate in all instances but should be applied particularly in relation to 'greenfield' sites or larger 'A' zoned areas. Higher density schemes should offer an exemplary quality of life for existing and future residents in terms of design and amenity."

Policy Objective PHP18: Residential Density

It is a Policy Objective to:

Increase housing (houses and apartments) supply and promote compact urban growth through the consolidation and re-intensification of infill/brownfield sites having regard to proximity and accessibility considerations, and development management criteria set out in Chapter 12. Encourage higher residential densities provided that proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development.

Policy Objective PHP20: Protection of Existing Residential Amenity

It is a Policy Objective to ensure the residential amenity of existing homes in the Built Up Area is protected where they are adjacent to proposed higher density and greater height infill developments.

Further, Section 4.3.1.3 states:

"On all developments with a units per hectare net density greater than 50, the applicant must provide an assessment of how the density, scale, size and proposed building form does not represent over development of the site. The assessment must address how the transition from low density to a higher density scheme is achieved without it being overbearing, intrusive and without negatively impacting on the amenity value of existing dwellings particularly with regard to the proximity of the structures proposed. The assessment should demonstrate how the proposal respects the form of buildings and landscape around the site's edges and the amenity enjoyed by neighbouring uses. On all developments with height proposals greater than 4 storeys the applicant should provide a height compliance report indicating how the proposal conforms to the relevant Building Height Performance Based Criteria "At District/Neighbourhood/Street level" as set out in Table 5.1 in Appendix 5. On sites abutting low density residential development (less than 35 units per hectare) and where the proposed development is four storeys or more, an obvious buffer must exist from the rear garden boundary lines of existing private dwellings. Where a proposal involves building heights of four storeys or more, a step back design should be considered so as to respect the existing built heights."

Applicant's Response

The application site is in an existing built-up area, and would serve to develop a vacant infill / underutilised site.

This application seeks permission for 438no. residential units on a site with a nett area of 2.84 Ha. As such the net density is 154no. units per Ha. The proposed density is considered to be sustainable on a well-connected, underutilised site in an existing residential area such as this.

It is considered that the proposed scale responds well to the surrounding context with the northern side of the proposals at a similar height to the opposite 2 – 3 storey houses across Thornberry Road. The taller elements of the proposals are to the south of the site at Village Road and look onto open space, providing separation from the residential units located to the south of the site at Griannan Fidh.

We refer the Board to Section 7.2.1 of this Report which comprehensively addresses land use zoning in the context of the An Bord Pleanála Opinion, dated 19 May 2022. It can be clearly demonstrated that the proposed development will integrate with the surrounding built environment and not impact significantly on adjoining residential amenity.

We refer the Board to the enclosed Design Statement prepared by Ferreira Architects and Landscape Design Report, prepared by Mitchell + Associates which demonstrates that this is a well-considered scheme which does not represent overdevelopment whilst also protecting the residential amenity of neighbouring residential units.

We refer to the response to Appendix 5 of the Development Plan above (Section 9 of this Report) to show consistency with the criteria of Table 5.1 of the Development Plan relating to building height.

Policy Objective PHP27: Housing Mix

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

Section 4.3.2.3 of the Development Plan indicates a requirement for a wide variety of residential types and sizes in order to provide a choice of homes and build sustainable neighbourhoods.

Policy Objective PHP28: Build to Rent and Shared Accommodation / Co-living Developments

It is a Policy Objective to facilitate the provision of Build-to-Rent in suitable locations across the County and accord with the provisions of 'Sustainable Urban Housing: Design Standards for New Apartments', 2020 (and any amendment thereof). Proliferation of Built to rent should be avoided in any one area. As the HNDA does not support provision of shared accommodation there shall be a presumption against granting planning permission for shared accommodation / co-living development.

Applicant's Response

The proposed development will provide 438no. build to rent residential units in mix of 1 and 2 bedroom units. This will add a new tenure type to the established residential areas surrounding the site and will complement the mix of predominantly house units in the area to provide greater choice of unit type and tenure.

We refer to Section 9 of this Report which responds to the requirements of Apartment Guidelines (2020), including unit mix, and shows that the proposed Build to Rent development is in accordance with same. The proposed development is not co-living or share accommodation.

Policy Objective PHP31: Provision of Social Housing

It is a Policy Objective to promote the provision of social housing in accordance with the Council's Housing Strategy and Government policy as outlined in the DoHPLG 'Social Housing Strategy 2020'. The Affordable Housing Act 2021 provides for 20% for social and affordable homes

Applicant's Response

The Applicant intends to fully comply with the requirements of Part V. We refer the Board to the enclosed Part V Proposal Letter, prepared by the Applicant and associated the Part V layout and detail of unit mix is included within the Design Statement, prepared by Ferreira Architects. A Part V Validation Letter from DLRC Housing Department, is also enclosed.

Policy Objective PHP42: Building Design & Height

It is a Policy Objective to:

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

Section 4.4.1.8:

The Council policy in relation to building height throughout the County is detailed in three policy objectives as set out in the Building Height Strategy (BHS) (Appendix 5):

- Policy Objective BHS 1 – Increased Height.
- Policy Objective BHS 2 – Building Height in areas covered by an approved Local Area Plan or Urban Framework Plan (UFP must form part of the County Plan).
- Policy Objective BHS 3 – Building Height in Residual Suburban Areas.

The BHS also contains a detailed set of performance based criteria for the assessment of height so as to ensure protection of the unique amenities of the County whilst also allowing increased height.

In accordance with the policies set out in the BHS, where an argument is being made for increased height and/or a taller building and the Applicant is putting forward the argument that SPPR 3 of the ‘Urban Development and Building Height; Guidelines for Planning Authorities’ (2018) applies, the Applicant shall submit documentation to show that compliance with the criteria as set out in Table 5.1 ‘Performance Based Criteria’ of the BHS (see Appendix 5).

Policy Objective BHS 1: Increased Height

It is a policy objective to support the consideration of increased heights and also to consider taller buildings where appropriate in the Major Town Centres of Dún Laoghaire and Dundrum, the District Centres of Nutgrove, Stillorgan, Blackrock, and Cornelscourt, within the Sandyford UFP area, UCD and in suitable areas well served by public transport links (i.e. within 1000 metre/10 minute walk band of LUAS stop, DART Stations or Core/Quality Bus Corridor, 500 metre/5 minute walk band of Bus Priority Route) provided that proposals ensure a balance between the reasonable protection of existing amenities and environmental sensitivities, protection of residential amenity and the established character of the area. (NPO 35, SPPR 1& 3). Having regard to the Building Height Guidelines and more specifically in order to apply SPPR 3 there may be instances where an argument can be made for increased height and/or 27 taller buildings in the areas mentioned above. In those instances, any such proposals must be assessed in accordance with the performance based criteria set out in table 5.1 which is contained in section 5. The onus will be on the applicant to demonstrate compliance with the criteria. Within the built-up area of the County increased height can be defined as buildings taller than prevailing building height in the surrounding area. Taller buildings are defined as those that are significantly taller (more than 2 storeys taller) than the prevailing height for the area.

Policy Objective BHS 3: Building Height in Residual Suburban Areas

It is a policy objective to promote general building height of 3 to 4 storeys, coupled with appropriate density in what are termed the residual suburban areas of the County provided that proposals ensure a balance between the reasonable protection of existing amenities including residential amenity and the established character of the area. Having regard to the Building Height Guidelines and more specifically in order to apply SPPR 3 there may be instances where an argument can be made for increased height and/or taller buildings in the residual suburban areas. Any such proposals must be assessed in accordance with the criteria set out below in table 5.1 as contained in Section 5. The onus will be on the applicant to demonstrate compliance with the criteria. Within the built up area of the County increased height can be defined as buildings taller than prevailing building height in the surrounding area. Taller buildings are defined as those that are significantly taller (more than 2 storeys taller) than the prevailing height for the area.

Page 27 of Appendix 5 of the Development Plan states:

“Areas not covered by an existing or forthcoming Local Area Plan or other guidance/policy as set out in this plan and not falling into objective F, B, G or GB are termed residual suburban areas.”

Criteria for All Such Proposals	DM Requirement
At County Level	
Proposal assists in securing objectives of the NPF, in terms of focusing development in key urban centres, fulfilling targets in relation to brownfield, infill development and delivering compact growth.	
Site must be well served by public transport – i.e. within 1000 metre/10 minute walk band of LUAS stop, DART Stations or Core/Quality Bus Corridor, 500 metre/5 minute walk band of Bus Priority Route - with high capacity, frequent service and good links to other modes of public transport.*	
Proposal must successfully integrate into/enhance the character and public realm of the area, having regard to topography, cultural context, setting of key landmarks.. In relation to character and public realm the proposal may enclose a street or cross roads or public transport interchange to the benefit of the legibility, appearance or character of the area.	Landscape and visual assessment by suitably qualified practitioner. Urban Design Statement. Street Design Audit (DMURS 2019).
Protected Views and Prospects: Proposals should not adversely affect the skyline, or detract from key elements within the view whether in foreground, middle ground or background. A proposal may frame an important view.	
Infrastructural carrying capacity of area as set out in Core Strategy of CDP, relevant Urban Framework Plan or Local Area Plan.	
At District/Neighbourhood/Street Level	
Proposal must respond to its overall natural and built environment and make a positive contribution to the urban neighbourhood and streetscape.	Proposal should demonstrate compliance with the 12 criteria as set out in "Sustainable Residential Development in Urban areas, Guidelines for Planning Authorities" 2009. Street Design Audit (DMURS 2019).
Proposal should not be monolithic and should avoid long, uninterrupted walls of building in the form of slab blocks.	Design Statement.
Proposal must show use of high quality, well considered materials.	Design Statement. Building Life Cycle Report.
Proposal where relevant must enhance urban design context for public spaces and key thoroughfares and marine or river/stream frontage.	Must also meet the requirements of "The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009".
Proposal must make a positive contribution to the improvement of legibility through the site or wider urban area. Where the building meets the street, public realm should be improved.	
Proposal must positively contribute to the mix of uses and /or building/dwelling typologies available in the area.	Design Statement.
Proposal should provide an appropriate level of enclosure of streets or spaces.	Design Statement.
Proposal should be of an urban grain that allows meaningful human contact between all levels of buildings and the street or spaces.	
Proposal must make a positive contribution to the character and identity of the neighbourhood.	
Proposal must respect the form of buildings and landscape around the site's edges and the amenity enjoyed by neighbouring properties.	
At site/building scale	
Proposed design should maximise access to natural daylight, ventilation and views and minimise overshadowing.	Must address impact on adjoining properties/spaces/
Proposal should demonstrate how it complies with quantitative performance standards on daylight and sunlight as set out in BRE guidance "Site Layout Planning for Daylight and Sunlight" (2nd Edition). Where a proposal does not meet all the requirements, this must be clearly identified and the rationale for any alternative, compensatory design solutions must be set out. On relatively unconstrained sites requirements should be met.	
Proposal should ensure no significant adverse impact on adjoining properties by way of overlooking overbearing and/or overshadowing.	
Proposal should not negatively impact on an Architectural Conservation Area (ACA) or the setting of a protected structure.	
Proposals must demonstrate regard to the relative energy cost of and expected embodied and operational carbon emissions over the lifetime of the development. Proposals must demonstrate maximum energy efficiency to align with climate policy. Building height must have regard to the relative energy cost of and expected embodied carbon emissions over the lifetime of the development	
County Specific Criteria	
Having regard to the County's outstanding architectural heritage which is located along the coast, where increased height and/or taller buildings are proposed within the Coastal area from Booterstown to Dalkey the proposal should protect the particular character of the coastline. Any such proposals should relate to the existing coastal towns and villages as opposed to the coastal corridor.	An urban design study and visual impact assessment study should be submitted and should address where appropriate views from the sea and/or piers.
Having regard to the high quality mountain foothill landscape that characterises parts of the County any proposals for increased heights and/or taller building in this area should ensure appropriate scale, height and massing so as to avoid being obtrusive.	An urban design study and visual impact assessment study should be submitted.
Additional specific requirements (Applications are advised that requirement for same should be teased out at pre planning's stage).	
Specific assessments such as assessment of microclimatic impacts such as down draft.	
Potential interaction of building, materials and lighting on flight lines in locations in proximity to sensitive bird/bat areas.	
Assessment that the proposals allows for the retention of telecommunications channels, such as microwave links.	
An assessment that the proposal maintains safe air navigation.	
Relevant environmental assessment requirements, including SEA, EIA (schedule 7 information if required), AA and Ecological Impact Assessment, as appropriate.	
Additional criteria for larger redevelopment sites with taller buildings	
Proposal should make a positive contribution to place making, incorporating new streets where appropriate, using massing and height to achieve densities but with variety and scale and form to respond to scale of adjoining development.	
For larger unconstrained redevelopment sites BRE standard for daylight and sunlight/any forthcoming EU standards on daylight sunlight should be met.	

(Note: Area covered by an approved Planning Scheme are not subject to this policy approach).

*Areas covered under Policy BH53 are not required to meet this criteria.

Applicant's Response

We note that the contents of Table 5.1 as shown above reflect the requirements of Section 3.2 of the Urban Development & Building Heights Guidelines for Planning Authorities (2018).

As such, we refer the Board to Section 9 of this Report where matters relating to building height have been comprehensively addressed in accordance with the Urban Development & Building Heights Guidelines for Planning Authorities (2018).

Policy Objective PHP44: Design Statements

It is a Policy Objective that, all medium to-large scale and complex planning applications (30 + residential units, commercial development over 1,000 sq.m. or as otherwise required by the Planning Authority) submit a 'Design Statement' and 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) and incorporates adaptability of units and/or space within the scheme.

Applicant's Response

We refer the Board to the Design Statement, prepared by Ferreira Architects.

10.6 Transport and Mobility**Policy Objective T17: Travel Plans**

It is a Policy Objective to require the submission of Travel Plans for developments that generate significant trip demand (reference also Appendix 3 for Development Management Thresholds). Travel Plans should seek to reduce reliance on car based travel and encourage more sustainable modes of transport over the lifetime of a development. (Consistent with RPO 8.7 of the RSES)

Applicant's Response

As the proposed development is for over 100no. residential units, it is over the threshold for submission of a Travel Plan in accordance with Appendix 3 of the Development Plan.

We refer the Board to Section 9 – Outline Mobility Management Plan of the enclosed Traffic & Transport Assessment, prepared by Aecom Consulting Engineers for further details.

Policy Objective T18: Car Sharing Schemes

It is a Policy Objective to support the set up and operation of car sharing schemes to facilitate an overall reduction in car journeys and car parking requirements.

Applicant's Response

As part of the proposed development, a total of 5no. car sharing spaces with GoCar confirming that they will provide 2no. shared car club vehicles. The GoCar letter confirming same is appended to the enclosed Traffic & Transport Assessment, prepared by Aecom Consulting Engineers which outlines the details of proposed car share spaces as part of this development.

Policy Objective T26: Traffic and Transport Assessment and Road Safety Audits

It is a Policy Objective to require Traffic and Transport Assessments and/or Road Safety Audits for major developments – in accordance with the TII's '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.

Applicant's Response

A Traffic & Transport Assessment and Quality Audit, prepared by Aecom Consulting Engineers are enclosed as part of this SHD Planning Application.

10.7 Green Infrastructure and Biodiversity

Policy Objective GIB6: Views and Prospects

It is a Policy Objective to preserve, protect and encourage the enjoyment of views and prospects of special amenity value or special interests, and to prevent development, which would block or otherwise interfere with Views and/or Prospects.

Applicant's Response

The Development Plan Zoning Map (Map 6) relevant to this application does not include views or prospects which are to be protected within or in close proximity to the site.

We refer the Board to the Landscape & Visual Impact Assessment (LVIA), prepared by Doyle + O'Troithigh Landscape Architects along with the Verified Photomontages & CGI's, prepared by GNet 3D.

This Report includes an assessment of 19no. views from key locations in the surrounding area. Generally the impact on views are considered slight to moderate negative in the short term at construction stage and slight to moderate neutral in the long term at operational stage. The LVIA generally concludes that: -

*"The site is one of the last areas for development in the general Belarmine / Aikens Village area that commenced in the early 2000s. **The general landscape character of the area is one that is undergoing significant residential development** and the landscape character of the area will suffer some level of negative visual intrusion during the construction stage but **as the landscape matures around the site the negative visual impacts will tend towards imperceptible**. Given the fact that the site has been zoned for development for some time **there would be an expectation of construction taking place on the site**. Given the recent publication of the Guidelines for Planning Authorities on Urban Development and Building Heights there would be an expectation that the site would be developed in a sustainable manner with the level of the existing local infrastructure of public transport, roads, educational facilities and retail. The requirement to reduce the heights of the blocks at the northern end to match the Thornberry development heights results in the increased heights at the Village Road end of the development where the site contours benefit increased building heights.*

*The residual visual impacts of the development will impact mainly on the existing development of Cluain Shee, Grianan Fidh and Ferncarrig Avenue that face onto the site given the height difference of the proposed and the existing 2 to 4 storeys heights but **the proposed blocks have been set away from the existing housing to reduce the visual impacts and a landscaped open space provides separation between proposed and existing.**"*

[Emphasis added by SLA]

Policy Objective GIB18: Protection of Natural Heritage and the Environment

It is a Policy Objective to protect and conserve the environment including, in particular, the natural heritage of the County and to conserve and manage Nationally and Internationally important and EU designated sites - such as Special Protection Areas (SPAs), Special Areas of Conservations (SACs), proposed Natural Heritage Areas (pNHAs) and Ramsar sites (wetlands) - as well as non-designated areas of high nature conservation value known as locally important areas which also serve as 'Stepping Stones' for the purposes of Article 10 of the Habitats Directive.

Policy Objective GIB19: Habitats Directive

It is a Policy Objective 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.

Policy Objective GIB21: Designated Sites

It is a Policy Objective to protect and preserve areas designated as proposed Natural Heritage Areas, Special Areas of Conservation, and Special Protection Areas. It is Council policy to promote the maintenance and as appropriate, delivery of 'favourable' conservation status of habitats and species within these areas.

Policy Objective GIB22: Non-Designated Areas of Biodiversity Importance

It is a Policy Objective to protect and promote the conservation of biodiversity in areas of natural heritage importance outside Designated Areas and to ensure that notable sites, habitats and features of biodiversity importance - including species protected under the Wildlife Acts 1976 and 2000, the Birds Directive 1979, the Habitats Directive 1992, Birds and Habitats Regulations 2011, Flora (Protection) Order, 2015, Annex I habitats, local important areas, wildlife corridors and rare species - are adequately protected. Ecological assessments will be carried out for all developments in areas that support, or have potential to support, features of biodiversity importance or rare and protected species and appropriate mitigation/ avoidance measures will be implemented. In implementing this policy, regard shall be had to the Ecological Network, including the forthcoming DLR Wildlife Corridor Plan, and the recommendations and objectives of the Green City Guidelines (2008) and 'Ecological Guidance Notes for Local Authorities and Developers' (Dún Laoghaire-Rathdown Version 2014).

Applicant's Response

We refer the Board to the specific environmental reports enclosed as part of this SHD planning Application which address the above: -

- Appropriate Assessment Screening Report, prepared by Scott Cawley.
- Ecological Impact Assessment, prepared by Scott Cawley.
- Environmental Impact Assessment Screening Report, prepared by AWN Consulting.
- Section 229B Statement, prepared by AWN Consulting.
- Hydrological & Hydrogeological Qualitative Risk Assessment, prepared by AWN Consulting.
- Water Frameworks Directive (WFD) Assessment, prepared by AWN Consulting.

10.8 Open Space Parks and Recreation

Policy Objective OSR4: Public Open Space Standards

It is a Policy Objective to promote public open space standards generally in accordance with overarching Government guidance documents 'Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities', (2009), the accompanying 'Urban Design Manual - A Best Practice Guide', and the 'Sustainable Urban Housing: Design Standards for new Apartments', (2020).

Applicant's Response

The proposed development includes a significant quantum of high-quality open space (both communal and public). A total of 4,930 sq. m of public open space is proposed (17.4% of the overall site – in excess of the Development Plan requirements). In addition 4,579 sq. m of communal open space is proposed (well in excess of the minimum requirement of 2,758 sq. m as required in the Apartment Guidelines (2020)).

We refer the Board to the Design Statement, prepared by Ferreira Architects and Landscape Design Report, prepared by Mitchell + Associates for further details in relation to the quantum and quality of public open space provided.

10.9 Environmental Infrastructure and Flood Risk

Policy Objective EI3: Wastewater Treatment Systems

It is a Policy Objective that all new developments in areas served by a public foul sewerage network connect to the public sewerage system, either directly or indirectly. It is a Policy Objective to promote the changeover from septic tanks to collection networks where this is feasible and to strongly discourage the provision of individual septic tanks and domestic wastewater treatment systems in order to minimise the risk of groundwater and surface water pollution. It is a Policy Objective to prohibit multiple dwelling units discharging to communal wastewater treatment systems.

Policy Objective EI4: Water Drainage Systems

It is a Policy Objective to require all development proposals to provide a separate foul and surface water drainage system – where practicable. (Consistent with RPO 10.12)

Policy Objective EI6: Sustainable Drainage Systems

It is a Policy Objective to ensure that all development proposals incorporate Sustainable Drainage Systems (SuDS).

Applicant's Response

We refer the Board to the enclosed Drainage Drawings and Drainage Report, prepared by Kavanagh Burke Consulting Engineers which provide full details in relation to water services including SuDS measures.

A Confirmation of Feasibility from Irish Water, dated 19 July 2022 is enclosed with this SHD Planning Application. This Confirmation of Feasibility confirms that there is sufficient capacity for water connection and sufficient capacity for waste water connection subject to certain upgrade works.

Policy Objective EI7: Water Supply and Wastewater treatment and Appropriate Assessment

It is a Policy Objective to require that all developments relating to water supply and wastewater treatment are subject to screening for Appropriate Assessment to ensure there are no likely significant effects on the integrity, defined by the structure and function, of any European sites and that the requirements of Article 6 of the EU Habitats Directive are met. (Consistent with RPO 10.7 of the RSES).

Policy Objective EI8: Groundwater Protection and Appropriate Assessment

It is a Policy Objective to ensure the protection of the groundwater resources in and around the County and associated habitats and species in accordance with the Groundwater Directive 2006/118/EC and the European Communities Environmental Objectives (Groundwater) Regulations, 2010. In this regard, the Council will support the implementation of Irish Water's Water Safety Plans to protect sources of public water supply and their contributing catchment.

Applicant's Response

We refer the Board to the Appropriate Screening Assessment Report and Ecological Impact Assessment, prepared by Scott Cawley. The Appropriate Assessment has is supported by a Hydrological & Hydrogeological Qualitative Risk Assessment, prepared by AWN Consulting and is enclosed with this SHD Planning Application.

Policy Objective EI9: Drainage Impact Assessment

It is a Policy Objective to ensure that all new development proposals include a Drainage Impact Assessment that meets the requirements of the Council's Development Management Thresholds Information Document (see Appendix 3) and the Stormwater Management Policy (See Appendix 7.1).

Applicant's Response

A Stage 1 Stormwater Audit, prepared by JBA Consulting is enclosed as part of this SHD Planning Application.

Policy Objective EI12: Waste Management Infrastructure, Prevention, Reduction, Reuse and Recycling (Circular Economy approach)

It is a Policy Objective:

- To support the principles of the circular economy, good waste management and the implementation of best international practice in relation to waste management in order for the County and the Region to become self-sufficient in terms of resource and waste management and to provide a waste management infrastructure that supports this objective.

- To aim to provide a supporting waste management infrastructure in the County for the processing and recovery of waste streams such as mixed municipal waste in accordance with the proximity principle.
- To provide for civic amenity facilities and bring centres as part of an integrated waste collection system in accessible locations throughout the County and promote the importance of kerbside source segregated collection of household and commercial waste as the best method to ensure the quality of waste presented for recycling is preserved.
- To ensure any waste amenity facilities adhere to the Waste Regional Offices Waste Management Infrastructure siting guidelines.
- To develop a County wide network of multi material recycling centres, bring centres and a re-use centre and to require the provision of adequately-sized recycling facilities in new commercial and large-scale residential developments, where appropriate.
- To require the inclusion of such centres in all large retail developments to maximise access by the public.
- To ensure new developments are designed and constructed in line with the Council's Guidelines for Waste Storage Facilities (an excerpt of which is contained in Appendix 6).

Applicant's Response

We refer the Board to the enclosed Operational Waste Management Plan, Construction and Demolition Waste Management Plan and Construction Environmental Management Plan, prepared by AWN Consulting.

Policy Objective EI15: Light Pollution

It is a Policy Objective to ensure that the design of external lighting schemes minimise the incidence of light spillage or pollution in the immediate surrounding environment and has due regard to the residential amenity of surrounding areas.

Applicant's Response

A Public Lighting Plan and Report, prepared by SEHA Technical Services Ltd. showing compliance with the relevant standards, accompanies this SHD Planning Application.

10.10 Heritage and Conservation

Policy Objective HER1: Protection of Archaeological Heritage

It is a Policy Objective to protect archaeological sites, National Monuments (and their settings), which have been identified in the Record of Monuments and Places and, where feasible, appropriate and applicable to promote access to and signposting of such sites and monuments.

Policy Objective HER2: Protection of Archaeological Material in Situ

It is a Policy Objective to seek the preservation in situ (or where this is not possible or appropriate, as a minimum, preservation by record) of all archaeological monuments included in the Record of Monuments and Places, and of previously unknown sites, features and objects of archaeological interest that become revealed through development activity. In respect of decision making on development proposals affecting sites listed in the Record of Monuments and Places, the Council will have regard to the advice and/ or recommendations of the Department of Culture, Heritage and the Gaeltacht (DCHG).

Applicant's Response

We refer the Board to the enclosed Archaeological Desktop Assessment, prepared by Shanarc Archaeology. The report generally concludes: -

*“As the proposed SHD site in Woodside townland has been previously subjected to extensive archaeological investigation under licence no. 13E0189, which involved archaeological monitoring of topsoil stripping across the entire site as well as archaeological monitoring of drainage related excavation works, producing no evidence of any archaeological remains at the site, **the proposed SHD site is considered to be archaeologically resolved and no further archaeological mitigation measures are recommended for this site.***

*The proposed attenuation tank site in Kilgobbin townland, while subject to prior ground disturbance, partially falls within the Zone of Archaeological Potential/Zone of Notification for a recorded monument, burnt mound DU026-161. As such, **there remains a slight possibility that the site may contain similar archaeological features, finds or deposits. To address the archaeological potential at the site, it is recommended that groundworks at the site be subject to a programme of archaeological monitoring by a suitably qualified archaeologist during construction.** The construction programme should allow time for the resolution of any archaeological remains that may be exposed during monitoring, which will be carried out in consultation with the National Monuments Service (Department of Housing, Local Government and Heritage) and the National Museum of Ireland, and under licence. Adequate funds to cover excavation, fencing (if required), post-excavation analysis, and reporting should be made available.”*

[Emphasis added by SLA]

10.11 Development Management

12.1.1.2 Design Statements

A Design Statement which is an outline of the proposal’s context and aims, and how it responds to Development Plan objectives and surroundings, should be submitted for all applications of 1000+sq.m. commercial development or applications of 30+ residential units (refer also to Policy Objective PHP44 and Section 12.3.1 below).

12.1.1.3 Landscape Plans

Planning applications for 1000+sq.m. commercial development, 10+ residential units, or smaller developments (as deemed appropriate by the Planning Department), should submit a landscape design rationale prepared by a qualified Landscape Architect or other suitably competent landscape professional (as deemed appropriate by the Planning Authority).

Applicant’s Response

We refer the Board to the enclosed Design Statement, prepared by Ferreira Architects and the Landscape Drawing and Landscape Report, prepared by Mitchell + Associates Landscape Architects.

12.1.2.1 Environmental Impact Assessment

Environmental Impact Assessment (EIA) is a key instrument of EU environmental policy. The primary purpose of the EIA Directive (Directive 2011/92/EU as amended by 2014/52/EU) is to ensure that public and private projects, which are likely to have significant effects on the environment are granted permission only after an assessment of the likely significant environmental effects of those projects has been carried.

Environmental Impact Assessment is a process to be undertaken in respect of applications for specified classes of development listed in the Directive before a decision in respect of development consent is made. The process involves the preparation of an Environmental Impact Assessment Report (EIAR) by the applicant, consultations with the public, relevant prescribed bodies and any other affected Member States, and an examination and analysis of the EIAR and other relevant information leading to a reasoned conclusion by the competent authority, on the likely significant effects of the proposed development on the environment.

The Local Authority, (or An Bord Pleanála) may require an EIAR to be prepared if a proposal is likely to have a significant effect on the environment, even if the development is below the threshold. The Planning and Development Regulations 2001, as amended, specify mandatory thresholds above which Environmental Impact Statements (EIAR) are required in relation to types and scale of development proposals). All Planning applications undergo EIAR screening or preliminary assessment.

Applicant's Response

We refer the Board to Environmental Impact Assessment Screening Report, prepared by AWN Consulting which confirms that the proposed development is sub-threshold for the requirement of an EIA and would not necessitate the preparation of a sub-threshold EIA.

AWN Consulting have also prepared a Section 299B Statement which is also enclosed with this SHD Planning Application.

12.1.2.2 Appropriate Assessment

Under Article 6 of the Habitats Directive there is a requirement to establish whether, in relation to Plans and Projects, Appropriate Assessment (AA) is required. If, following screening, it is considered that AA is required, then the proponent of the Plan or Project must prepare a Natura Impact Statement. A Plan or Project will only be authorised after the competent authority has ascertained, based on scientific evidence, Screening for Appropriate Assessment, and a Stage 2 Appropriate Assessment where necessary, that:

The Plan or Project will not give rise to significant adverse direct, indirect, or secondary effects on the integrity of any European site (either individually or in combination with other plans or projects); or

The Plan or Project will have significant adverse effects on the integrity of any European (that does not host a priority natural habitat type and/or a priority species) but there are no alternative solutions and the Plan or Project must nevertheless be carried out for imperative reasons of overriding public interest – including those of a social or economic nature. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of European; or

The Plan or Project will have a significant adverse effect on the integrity of any European site (that hosts a natural habitat type and/or a priority species) but there are no alternative solutions and the Plan or Project must nevertheless be carried out for imperative reasons for overriding public interest - restricted to reasons of human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of European.

12.1.2.3 Ecological Impact Assessment

An Ecological Impact Assessment may be required to be submitted with any proposed development should the Planning Authority consider that there is potential to impact upon an environmentally sensitive area such as a wildlife corridor, a site adjoining or adjacent to a proposed National Heritage Area, along the coastline or a river. The requirement for an ecological impact assessment will be determined on a case by case basis.

Applicant's Response

We refer the Board to the enclosed Appropriate Assessment Screening Report and Ecological Impact Assessment Report prepared by Scott Cawley Ltd.

12.2.1 Built Environment

An Energy Statement should be included for all applications of 1000+ sq.m. commercial development or applications of 30+ residential units to demonstrate what energy efficiency and carbon reduction design measures are being considered.

Applicant's Response

We refer the Board to the enclosed Sustainability Report, prepared by SEHA Technical Services Limited which outlines the energy efficiency measure which form part of the proposed development.

12.2.6 Urban Greening

Applicants should explore the potential for urban greening in developments including:

- High quality landscaping (including tree planting), that make use of a diverse range of species of plants – consistent with the National Pollinator Plan, site appropriate and irrigated by rainwater.
- Incorporating Nature-Based Solutions (NBS) into the design of buildings and layout – living/green walls, living/green and or blue roofs including in the design of small buildings and shelters, other soft Sustainable urban Drainage Systems (SUDS) measures such as swales, rain gardens, using trees for urban cooling and the reduction of wind tunnel effect (Refer also Section 12.8.6). The Council is investigating developing a green factor method through a multi-disciplinary approach as set out in Section 3.4.4 Urban Greening. Data on all surface cover types is required. All applications that submit a stormwater audit shall submit the surface cover types as part of the storm water audit process (see 7.1.5 Storm Water Audit Procedure Appendix 7: Sustainable Drainage Systems).

Applicant's Response

We refer the Board to the Landscape Drawing and Landscape Report, prepared by Mitchell + Associates Landscape Architects which demonstrate the quality of the landscaping proposed.

We also refer the Board to the Drainage Design Report and Engineering Drawings, prepared by Kavanagh Burke Consulting Engineers which outlines the proposed SuDS features.

A Stage 1 Stormwater Audit has been carried out by JBA Consulting and is enclosed with this SHD Planning Application.

12.3.2.2 Sustainable Neighbourhood Infrastructure – Future Provision

(ii) Existing Built Up Area

For residential schemes within the existing built up area, the Council will consider a development contribution under the Council Section 48 Levy Scheme for the provision and/or improvement of community, cultural or civic facility that the residents of the proposed development will benefit from.

Where the Community Audit (See Section 4.2.1.4 Policy Objective PHP5: Community Facilities) has identified a deficit in an area the Council may require the applicant to accommodate an SNI facility to address this deficit.

In both new residential community areas, and the existing built up area where a future school has been identified within or immediately adjoining the subject site, the applicant shall engage with the Department of Education (DoE) in order to ascertain their requirements in relation to site provision.

Where a question arises as to whether a site falls within the built up area or within a new residential community area as set out in the Core Strategy and Figure 2.9 the decision shall be solely at the discretion of the Planning Authority.

12.3.2.3 Community Facilities

As a general principle the location and provision of community facilities is a pre-requisite to the creation and enhancement of viable, enjoyable, sustainable, and attractive local communities.

In assessing planning applications for leisure facilities, sports grounds, playing fields, play areas, community halls, organisational meeting facilities, medical facilities, childcare facilities, new school provision and other community orientated developments, regard will be had to the following:

- Overall need in terms of necessity, deficiency, and opportunity to enhance or develop local or County facilities. Regard shall be had to the findings of a forthcoming Community Audit in this assessment (see Section 4.2.1.4 Policy Objective PHP5: Community Facilities).
- Practicalities of site in terms of site location relating to uses, impact on local amenities, desirability, and accessibility.
- Conformity with the requirements of appropriate legislative guidelines.
- Conformity with land use zoning objectives.

12.3.2.4 Childcare Facilities

With the growing demand for childcare, there is equal recognition that childcare must be of suitably high quality. Childcare provision has also been recognised as one measure to address poverty and social exclusion. The Planning Authority will seek to facilitate the provision of childcare facilities in appropriate locations throughout the County and may require their provision in large residential, public community, commercial and retail developments in accordance with the provisions of the DEHLG 'Childcare Facilities Guidelines for Planning Authorities' (2001) and

the Child Care (Pre-School Services) (No. 2) Regulations (2006) and Child Care (Pre-School Services) (No 2) (Amendment) Regulations (2006) (Department of Health and Children).

Where it is proposed or required to provide a new childcare facility as part of a new residential or commercial development, the facility shall be constructed in tandem with the overall scheme. To address the need for childcare and make childcare more accessible to everybody in the County, the developer shall seek to secure an operator and open the facility at an early stage preferably prior to the occupation of the residential units. In this regard, the developer shall submit phasing details for the development, including the childcare facility and include details of the intended operation of the facility, including details of the intended operator (where feasible) relative to the completion and occupation of dwellings / commercial buildings.

In assessing individual planning applications for childcare facilities, the Planning Authority will have regard to the following:

- Suitability of the site for the type and size of facility proposed.*
- Adequate sleeping/rest facilities.*
- Adequate availability of indoor and outdoor play space.*
- Convenience to public transport nodes.*
- Safe access and convenient off-street car parking and/or suitable drop-off and collection points for customers and staff.*
- Local traffic conditions.*
- Number of such facilities in the area. In this regard, the applicant shall submit a map showing locations of childcare facilities within the vicinity of the subject site and demonstrate the need for an additional facility at that location.*
- Intended hours of operation.*

Applications for childcare facilities in existing residential areas will be treated on their merits, having regard to the likely effect on the amenities of adjoining properties, and compliance with the above criteria.

Detached houses or substantial semi-detached properties are most suitable for the provision of full day care facilities. Properties with childcare should include a residential component within the dwelling, and preferably should be occupied by the operator or a staff member of the childcare facility.

For new residential developments, the most suitable facility for the provision of full day care should be a purpose built, ground floor, standalone property.

In considering applications for new Childcare Facilities the Planning Authority will refer to Section 4.7 of the Design Standards for New Apartments Guidelines for Planning Authorities, (2020), specifically the provision of one childcare facility (equivalent to a minimum of 20 child places) for every 75 dwelling units, as detailed in Section 4.7, with the exception for one-bedroom or studio type units, which 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.

Applicant's Response

A purpose built childcare facility (c. 514.9 sq. m) and associate outdoor play area (c. 204 sq. m) is proposed in Block D to cater for the childcare demand likely to arise from the proposed development.

We refer the Board to the Social Infrastructure Audit, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants which includes a Childcare Needs Assessment which concludes that the proposed childcare facility in tandem with existing childcare facilities in the immediate area will more than meet the demand likely to arise from the implementation of the proposed development.

We refer the Board to the Block Plans and Design Statement, prepared by Ferreira Architects for further detail in relation to the design of the childcare facility.

12.3.3.1 Residential Size and Mix

The finding of the Housing Strategy and HNDA have informed policy PHP27 in relation to mix (refer to Appendix 2 Housing Strategy and HNDA 2022 – 2028).

In order to demonstrate compliance with Policy Objective PHP27 and based on the findings of the Housing Strategy and HNDA, planning applications received for 50+ residential units either individually or cumulatively with lands located within the neighbourhood (10-minute walk) will be required to incorporate a variety and choice of housing units by type and size so as to meet the differing household need in the County. Council Part 8 or Part 10 residential schemes, may propose a different mix having regard to the specific needs of the Council Housing Department.

The proposed provision of residential units (both houses and apartments), shall provide a mix that reflects existing, and emerging household formation, housing demand patterns and housing demand patterns and trends identified locally and/ or within the County. New residential communities (as set out in the Core Strategy and Figure 2.9 of the Core Strategy Map) shall ensure an appropriate mix including a proportion of larger units. Applications received in both new residential communities and within the residual built up area shall include:

Details of existing and permitted unit types within a 10-minute walk of the proposed development.

A detailed breakdown of the proposed unit type and size including a percentage split between 1/2/3+ bed units which in the case of apartments (and duplexes) shall generally be in accordance with Table 12.1.

Table 12.1 Apartment Mix Requirements

Area	Threshold	Mix Studio/1/2 bed Requirement (Apartments and duplexes)	3+ bed Requirement (Apartments)
New Residential Community (See figure 2.9 Core Strategy Map)	Schemes of 50+ units	Apartment Developments may include up to 60% studio, one and two bed units and with no more than 30% of the overall development as a combination of one bed and studios and no more than 20% of the overall development as studios	Minimum 40% 3+ bedroom units
Lands within SUFP	Schemes of 50+ units	Apartment Developments may include up to 60% studio, one and two bed units with no more than 30% of the overall development as a combination of one bed and studios and no more than 20% of the overall development as studios	Minimum 40% 3+ bedroom units
Existing Built up area.	Schemes of 50+ units	Apartment Developments may include up to 80% studio, one and two bed units with no more than 30% of the overall development as a combination of one bed and studios and no more than 20% of the overall development as studios	Minimum 20% 3+ bedroom units

A site and/or floor plans that clearly identify proposed units that:

- Are designed and located having regard to the needs of older people and/or persons with a disability.*
- Are designed having regard to the concept of lifetime adaptable and/or multigenerational homes.*
- A statement outlining how the scheme has been designed for the needs of older people and / or persons with a disability and / or lifetime homes.*
- No more than 10% of the total number of units in any private residential development may comprise of two-bedroom three-person apartment types. Table 12.1 sets out the mix requirements for apartment developments. Duplexes are considered to be apartments for the purposes of mix.*

Applicant's Response

We refer the Board to Section 7.2.1 of this Report which comprehensively addresses land use zoning in the context of the An Bord Pleanála Opinion, dated 19 May 2022 including how the proposed mix of BTR units in appropriate within wider context.

We refer the Board to Section 8 of the Design Statement, prepared by Ferreira Architects which includes a Universal Design Statement for the proposed development.

12.3.3.2 Residential Density

In general, the number of dwellings (houses or apartments) 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).

Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (2020).

As a general principle, and on the grounds of sustainability, the objective is to optimise the density of development in response to type of site, location, and accessibility to public transport. (See policy PHP18, Chapter 4).

Applicant’s Response

We refer the Board to Section 9 of this Report which comprehensively sets out how the proposed development is consistent with the Guidelines set out in Section 12.3.3.2 – Residential Density of the Development Plan.

12.3.4.2 Habitable Rooms

The minimum size of habitable rooms for houses/apartments/and flats shall conform with appropriate National guidelines/ standards in operation at the date of application for planning permission, including the minimum dimensions as set out in ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’ (2018), and ‘Quality Housing for Sustainable Communities: Best Practice Guidelines for Delivering Homes Sustaining Communities’ (2007).

All habitable rooms within new residential units shall have access to appropriate levels of natural /daylight and ventilation. Development shall be guided by the principles of Site Layout Planning for Daylight and Sunlight, A guide to good practice (Building Research Establishment Report, 2011) and/or any updated, or subsequent guidance, in this regard. A daylight analysis will be required for all proposed developments of 50+ units, or as otherwise required by the Planning Authority. The impact of any development on existing habitable rooms should also be considered.

Applicant’s Response

We refer the Board to Section 9 of this Report which sets out how the proposed development adheres to the minimum standards set out in the Apartment Guidelines (2020). The HQA, prepared by Ferreira Architects confirms these standards have been met and exceeded.

The Sunlight, Daylight and Shadow Assessment, prepared by Chris Shackleton Consulting demonstrates that the development will benefit from excellent levels of sunlight and daylight access. Compensatory design measures have been introduced to any apartment which do does not meet the relevant standards (See Section 9 of this Report for further detail).

12.3.4.4 Phased Development

No large developments over 100 residential units shall be permitted unless it can be demonstrated that adequate provisions for specified physical and social infrastructural requirements, including: roads, sewers, water mains, community, recreational and sporting facilities (indoor and outdoor), public transport, first and second level schools and shops are available at completion to support development.

In addition, when considering proposals for development within the curtilage of Protected Structures a proposed phasing agreement should be provided (refer to Section 12.11.2.3).

A phasing schedule for any such development shall be submitted with a planning application.

Applicant’s Response

We refer the Board to the Social Infrastructure Audit, prepared by Stephen Little & Associates, Chartered Town Planners & Development Consultants which includes a Childcare Needs Assessment which concludes that the proposed childcare facility in tandem with existing childcare facilities in the

immediate area will more than meet the demand likely to arise from the implementation of the proposed development.

There are no Protected Structures within the site or within close proximity to the proposed development.

A Confirmation of Feasibility from Irish Water, dated 19 July 2022 is enclosed with this SHD Planning Application. This Confirmation of Feasibility confirms that there is sufficient capacity for water connection and sufficient capacity for waste water connection subject to certain upgrade works.

The Construction & Environmental Management Plan, prepared by AWN Consulting contains a phasing proposal for the construction process of the scheme (Phase 1 – Blocks G, G, J & H followed by Phase 2 – Blocks A, B, C, D & E). We submit that the scale of the development proposed is not such that it merits any phasing restrictions, on the basis that: -

- Direct access to existing road network.
- Feasible to connect to wastewater and water supply network.
- In close proximity to high-quality public transport.
- Area is well served by community / social infrastructure.

12.3.4.5 Management Companies and Taking in Charge

In residential developments, which are not proposed to be Taken in Charge by the Council, evidence will be required that private Management Companies are to be set up by time of completion of the estate, and of which membership shall be compulsory for all purchasers of property.

If a development (or part thereof) is to be Taken in Charge by the Council the applicant shall agree, which areas are to be Taken in Charge, and this shall be clearly indicated on a site layout plan. All areas not to be Taken in Charge by the Council, shall also be clearly indicated on a site layout plan, and shall be maintained and the responsibility of a properly constituted Private Management Company. These details shall be submitted with the planning application.

All roads, footpaths, sewers, drains, lighting columns, mini-pillars, watermains, services and open spaces within the privately managed areas, irrespective of the management and maintenance regime to be put in place for these areas, shall be satisfactorily completed to the standard for development works as set out in the Council's 'Development Works Guidance Document'.

In this regard, the applicant shall have regard to the Department of the Environment, Community and Local Governments document 'Taking in Charge of Residential Developments Circular Letter PD 1/08', and 'Circular Letter PL 5/2014', the Departments 'National Taking in Charge Initiative Report', 2018, and the Council's 'Taking in Charge Policy Document', 'Development Works Guidance Document', and any successor guidance with respect to taking-in-charge.

Applicant's Response

We refer the Board to the enclosed drawing number 1909-SITE-0505 'Taking in Charge Map – Site Plan', prepared by Ferreira Architects which outlines the areas of the proposed development which will be managed by a management company and which are proposed to be taken in charge by the Local Authority.

12.3.4.7 Refuse Storage and Services

Adequate refuse storage, recycling and composting areas, and future expansion of separated waste disposal for residential developments shall be adequately catered for. In the case of communal refuse storage provision, the collection point for refuse should be accessible both to the external collector and to the resident and be secured against illegal dumping by non-residents. In the case of individual houses, the applicant shall clearly show within a planning application the proposed location and design of bin storage to serve each dwelling and having regard to the number of individual bins required to serve each dwelling at the time of the application and any possible future requirements for refuse storage/collection. (See also Appendix 6).

Applicant's Response

We refer the Board to the enclosed Operational Waste Management Plan, prepared by AWN Consulting which provides details on how waste generated within the development will be segregated and stored as well as how this is intended to be collected.

12.3.5 Apartment Development

See Section 12.4.5 and Section 12.8 for Car Parking and Open Space Requirements pertaining to apartment developments.

12.3.5.1 Dual Aspect in Apartments

A dual aspect apartment is designed with openable windows on two or more walls, allowing for views in more than just one direction. The windows may be opposite one another, or adjacent around a corner. The use of windows, indents or kinks on single external elevations, in apartment units which are otherwise single aspect apartments, is not considered acceptable and/or sufficient to be considered dual aspect and these units, will be assessed as single aspect units.

Specific Planning Policy Requirement (SPPR) 4 of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' (2018), provides guidance with respect to the minimum number of dual aspect apartments that may be provided in any single apartment schemes. In accordance with this guidance, DLR as a County is classified as a suburban or intermediate location and therefore:

There shall generally be a minimum of 50% dual aspect apartments in a single scheme.

For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, DLR may exercise discretion to consider dual aspect unit provision at a level lower than the 50% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects.

Applicant's Response

We refer the Board to Section 9 of this Report which assesses the proposed development against the Apartment Guidelines Requirements. 52% of the proposed units are dual aspect.

12.3.5.2 Separation Between Blocks

All proposals for residential development, particularly apartment developments and those over three storeys high, shall provide for acceptable separation distances between blocks to avoid negative effects such as excessive overlooking, overbearing and overshadowing effects and provide sustainable residential amenity conditions and open spaces.

A minimum clearance distance of circa 22 metres, in general, is required, between opposing windows in the case of apartments up to three storeys in height. In taller blocks, a greater separation distance may be prescribed having regard to the layout, size, and design. In certain instances, depending on orientation and location in built-up areas, reduced separation distances may be acceptable. In all instances where the minimum separation distances are not met, the applicant shall submit a daylight availability analysis for the proposed development.

Applicant's Response

We refer the Board to Section 7.2.1 of this Report where separation distances have been comprehensively addressed.

Please see the Material Contravention Statement, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants for justification of the proposed separation distances between buildings within the scheme and adjoining the scheme, should the Board consider the separation distances to constitute a material contravention.

12.3.5.3 Internal Storage and External Storage

Internal storage standards for apartments shall accord with, or exceed the levels outlined in Table 12.3 below:

Table 12.3: Minimum Storage Space Requirements

Minimum Requirements	
One Bedroom	3 sq.m.
Two Bedroom (3 person)	5 sq. m.
Two Bedroom (4 person)	6 sq. m.
Three Bedroom	9 sq.m.

Storage should be additional to kitchen presses and bedroom furniture.

Hot press/boiler space will not count as general storage.

No individual storage room should exceed 3.5sq.m. and shall be provided within the apartment unit.

Apartment schemes should provide external storage for bulky items outside individual units (i.e. at ground or basement level), in addition to the minimum apartment storage requirements. These storage units should be secure, at ground floor level, in close proximity to the entrance to the apartment block and allocated to each individual apartment unit.

12.3.5.5 Minimum Apartment Floor Areas

All apartment developments shall accord with or exceed the minimum floor areas indicated in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities', (2018), as set out in the Table 12.4 below. In this regard, the areas listed are minimum standards and should not be taken as the norm for all developments; higher floor areas will be encouraged throughout the County.

Table 12.4: Minimum Overall Apartment Floor Areas

Minimum Overall Floor Areas	
Studio	37 sq. m.
One bedroom	45 sq. m.
Two bedroom (3 persons)	63 sq. m.
Two bedroom (4 persons)	73 sq. m.
Three bedrooms	90 sq. m.

In order to safeguard standards, the majority of apartments in any proposed scheme of 10 or more shall exceed the minimum floor area standard for any combination of 1, 2 or 3 bed, by a minimum of 10%* (excluding studios).

12.3.5.6 Additional Apartment Design Requirements

Ground level apartment floor to ceiling heights shall be a minimum of 2.7 metres 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.

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.

12.3.6 Build-to-Rent Accommodation

Built-to-Rent (BTR) accommodation consists of purpose-built, long-term rental apartment accommodation that incorporates dedicated residential amenities and facilities. BTR accommodation will only be permitted in suitable locations in accordance with Policy Objective PHP28.

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

The proposed ownership and operation by an institutional entity for a minimum period of not less than 15 years and no individual residential unit can be sold or rented separately for that period. A covenant or legal agreement shall be submitted and entered into in this regard.

Proposed residential support facilities such as laundry facilities, concierge and management facilities, maintenance/repair services, waste management facilities, etc.

Proposed resident services and amenities for communal recreational and other activities by residents.

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

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

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

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

Applicant's Response

We refer the Board to Section 9 of this Report which assesses the proposed development against the Apartment Guidelines Requirements, as well as the HQA, prepared by Ferreira Architects.

12.4.1 Traffic Management and Road Safety

The road layout of new residential, commercial, and/or mixed-use developments shall be designed in accordance with DMURS which seeks to create self-enforcing 30km/h zones. This Manual sets out design guidance and standards for constructing new, and reconfiguring existing, urban roads and streets, incorporating a multidisciplinary approach to the design of low speed environments in urban areas. All works carried out shall meet the requirements of the Council's 'Taking in Charge Policy Document', 'Development Works Guidance Document', and any successor guidance with respect to taking-in-charge.

To provide for pedestrians and cyclists as part of the development management process, all new development will be required to maximise permeability and connectivity for pedestrian and cyclists and to create direct links to adjacent roads and public transport networks in accordance with the provisions of the 'Urban Design Manual – A Best Practice Guide' (2009), 'Sustainable Urban Housing: Design Standards for Apartments' (2018) and the 'Design Manual for Urban Roads and Streets' (DMURS, 2019).

On existing roads, traffic management measures may be required to create a pedestrian and cycle friendly environment. Road safety interventions may also be required to create a safe road environment for all road users such as the provision of accessible pedestrian facilities and segregated cycle tracks.

To ensure that the needs of all road's users are considered, a Quality Audit may be required for major developments that impact on the road network and for all new road and traffic schemes. This should be carried out in accordance with DMURS and best UK practice. The Design Manual for Urban Roads and Streets Quality Audits generally consist of a number of individual and overlapping audits that may include: an audit of visual quality; a review of how the street is/may be used by the community; a road safety audit, including a risk assessment; an access audit; a walking audit; a cycle audit; a non-motorised user audit; a community street audit (in existing streets); and a place check audit. A street design audit was added as an additional audit type in the DMURS Guidance in 2019. It can be submitted as a component of a Quality Audit (for larger projects) or as a stand-alone audit process for smaller projects, the emphasis is on placemaking and promoting the multidisciplinary aspects of successful street design. This is an auditing tool that can be used to ensure that the that the four major aspects of street design as set out in DMURS: Connectivity, Self-Regulating Street Environment, Pedestrian and Cycling Environment, and Visual Quality are appropriately taken into account.

Potential applicants for planning permission should engage in pre-planning discussions to ascertain which audits, if any, should be submitted with the application. Further details on the guidance on the audit thresholds can be found within the 'Development Management Thresholds Information Document' in Appendix 3.

12.4.2 Traffic and Transport Assessment

Where new development has significant car trip potential, a detailed assessment of:

- The transportation systems available and
- The impact of the proposed development on the surrounding environment and transportation network, should be appraised through the submission of a Traffic and Transport Assessment (TTA), in accordance with Transport Infrastructure Ireland (TII) 'Traffic and Transport Assessment Guidelines', (2014). The requirements for a TTA should be ascertained at pre-planning stage.
- Traffic and Transport Assessments shall project forward 5 years and 15 years after opening date in accordance with the TII Traffic and Transport Assessment Guidelines and the UK's Institution of Highways and Transportation Guidelines, and shall, in their analysis, consider all major road and traffic schemes and existing and proposed developments in an area (Refer also to Appendix 3 Development Management Thresholds).

12.4.3 Travel Plans

A Travel Plan is an effective instrument used utilising the provision of sustainable travel infrastructure within a development. Travel Plans are applicable to housing developments, workplaces, colleges, schools, and hospitals as Travel Plan initiatives relate not only to residents but also to staff, students or visitors.

Travel Plan measures could include proposals to encourage cycling and walking, cycle parking facilities, car sharing, carpooling, dedicated priority car parking for car-sharers, sustainable delivery solutions, flexible working hours, off-peak shift working, e-working from home, free/subsidised bicycles and public transport promotions.

Preparation of a Travel Plan should be considered at the earliest possible stage of the planning process (pre-planning) with the Travel Plan demonstrating that it is an integral part of the development. A condition will be attached to ensure the Travel Plan features as a central component of the planning permission granted. However, a condition which requires a post decision submission of a Travel Plan will only be used in exceptional circumstances.

In general, a Workplace Travel Plan is required if an existing or proposed development has the potential to employ over 100 persons when fully occupied. Travel Plans are required for all schools (as per Smarter Travel, the National Transport Policy) and for residential developments of 100 dwellings or more (Refer also to Appendix 3). These thresholds do not preclude the submission of a Travel Plan for developments below the prescribed thresholds, e.g. proposed centres of employment, existing town centres, central areas where expansion/ redevelopment is proposed, which the Local Authority considers may have significant travel implications.

The National Transport Authority (NTA) document 'Achieving Effective Workplace Travel Plans Guidance for Local Authorities' (2012), should also be utilised as it contains valuable information on the recommended contents, targets and indicators of a Travel Plan.

The travel mode share target shall at minimum meet the Smarter Travel targets (or any subsequent updated national/regional targets) - peak hour transport mode split of a maximum of 45 % trips by Car Driver and 55% minimum by sustainable modes (walking, cycling and public transport).

Applicant's Response

We refer the Board to the enclosed Roads Drawings and Traffic & Transport Assessment, prepared by Aecom Consulting Engineers for further detail in relation to the above provision of the Development Plan.

12.4.4 Street Lighting

The lighting of roads and public amenity areas shall be provided in accordance with the requirements of Public Lighting Standards BS5489-1 EN 13201:2015 and further updates and also the Council's 'Public Lighting Installations in Residential and Industrial Areas Guidance Document'.

In general, for security and road safety reasons, street lighting may be provided for car and cycle parking areas, new access roads and along cycle/ pedestrian routes within new developments, all as per the Council requirements. Details of the column height and spacing, and lantern type, lighting class and lux levels and energy efficiencies shall be provided. Low pedestrian lighting bollards (1 metre to 2 metre height) are not recommended on electrical safety and maintenance grounds. Where new junctions are created as a result of new developments, additional lighting poles may be required on the public roads opposite the junction. In such cases an assessment of the adequacy of the street lighting should be undertaken with details of light intensity/ lux levels provided.

Applicant's Response

We refer the Board to the enclosed Public Lighting Report and Drawings prepared by SEHA Technical Services Limited for further detail.

12.4.5 Car Parking Standards

Car parking standards provide a guide on the number of required off-street parking spaces for new developments. The principal objective of the application of car parking standards is to ensure that, in assessing development proposals, appropriate consideration is given to the accommodation of vehicles attracted to the site within the context of Smarter Travel, the Government policy aimed at promoting modal shift to more sustainable forms of transport.

The Council's car parking standards have also been informed by the National Planning Framework. The National Planning Framework requires a stronger focus by Planning Authorities on consolidating growth within existing built up areas, strengthening our urban centres and improving public transport, permeability and accessibility. The standards have also been informed by the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities' (2018) including SPPR 8 and SPPR 9. It is in the context of the above policy requirements, changing commuting patterns and investment in walking, cycling and public transport infrastructure that the Council's car parking standards have been developed. In particular, the standards take into account the increasing availability of options for travel other than by car and the need to encourage non car modes by limiting car parking supply, especially at employment and retail destinations and at educational facilities, while at the same time prioritising high standards for cycle parking and requiring appropriate ancillary facilities for cyclists and pedestrians at destination points.

12.4.5.1 Parking Zones

The propensity of people to choose non car modes is to a great extent determined by proximity to quality public transport as well as the range and accessibility, on foot or by bicycle, of services within an area. The County has therefore been divided into four Parking Zones, reflecting the varying degrees to which these criteria are generally met. Car parking within new developments will be in accordance with the standards set out in Table 12.5. The Parking Zones are indicative as set out on Map T2 and described below:

(i) Parking Zone 1

This zone generally comprises the Major Town Centre areas of Dún Laoghaire and Dundrum together with the Blackrock District Centre area. These are areas, which are generally characterised by:

- Access to a high level of existing and planned public transport services (rail and bus) with good interchange potential.*
- A high level of service accessibility, existing and planned, by walking or cycling.*
- A capacity to accommodate high density retail, office and residential developments.*

Within parking zone 1 Maximum car parking standards have been set for all uses including residential.

(ii) Parking Zone 2

This zone generally includes areas, which are within the following walking bands/catchments:

- 10 minute walk of the proposed CBC 13 (Core Bus Corridor) from DCC boundary along the N11 to Kill Lane.*
- 5 minute walk of the N11 proposed CBC from Kill Lane Junction to Bray.*
- 10 minute walk of the proposed CBC 15 from DCC boundary to Blackrock.*
- 5 minute walk of Kill Lane/Avenue/Mounttown bus route.*
- 10 minute walk of Dart and Luas stations.*

Note: The N11 Quality Bus Corridor (QBC) and the Rock Road QBC will be replaced by CBC 13 and 15.

These are areas, which are generally characterised by:

- Access to a good level of existing or planned public transport services.*
- A good level of service accessibility, existing and planned, by walking or cycling.*
- A capacity to accommodate a higher density of development than surrounding areas.*

Within parking zone 2 maximum standards shall apply for all uses except for residential where the standard is required. For residential uses reduced provision may be acceptable dependent on criteria set out in Section 12.4.5.2 below.

(iii) Parking Zone 3

This zone generally comprises the remainder of the County, excluding rural areas. These are areas, which are generally characterised by:

- Access to a level of existing or planned public transport services*
- A reasonable level of service accessibility, existing and planned, by walking or cycling*
- A capacity to accommodate a higher density of development than rural areas.*

Within parking zone 3 maximum standards shall apply to uses other than residential where the parking standard shall apply. In zone 3 additional parking shall be provided for visitors in residential schemes at a rate of 1 per 10. In some instances, in zone 3 reduced provision may be acceptable dependent on the criteria set out in 12.4.5.2 (i) below with particular regard to infill/brownfield developments in neighbourhood or district centres.

(iv) Parking Zone 4 This zone comprises the rural areas within the County.

Within parking zone 4 maximum standards shall apply for all uses except for residential where developments will be assessed on a case by case basis.

Note: The Parking Zone Map is indicative and there may be potential for an area to move from one zone to another during the lifetime of the Plan due to local improvements in pedestrian permeability which would increase the walkability catchment and/or future public transport provision including the Luas extension to Bray.

The onus shall be on the applicant to demonstrate any change in zone. In this regard the applicant shall engage with the Council on the potential to move to another parking zone during the pre-planning stage. It will be at the discretion of the Planning Authority if such a change is merited.

12.4.5.2 Application of Standards

In relation to the maximum standards, any proposals exceeding these standards will be permissible only in exceptional circumstances; such as where the Planning Authority consider that there is a specific requirement for a higher number of spaces. An example of this would be in instances where there are demonstrable benefits for the wider area through regeneration or similar urban and civic improvement initiatives.

In certain instances, within all zones, applicants may be required to provide the maximum number of spaces.

In certain instances, in Zones 1 and 2 the Planning Authority may allow a deviation from the maximum or standard number of car parking spaces specified in Table 12.5 or may consider that no parking spaces are required. Small infill residential schemes (up to 0.25 hectares) or brownfield/refurbishment residential schemes in zones 1 and 2 along with some locations in zone 3 (in neighbourhood or district centres) may be likely to fulfil these criteria. In all instances, where a deviation from the maximum or standard specified in Table 12.5 is being proposed, the level of parking permitted and the acceptability of proposals, will be decided at the discretion of the Planning Authority, having regard to criteria as set out below:

(i) Assessment Criteria for deviation from Car Parking Standards (set out in Table 12.5)

- Proximity to public transport services and level of service and interchange available.*
- Walking and cycling accessibility/permeability and any improvement to same.*
- The need to safeguard investment in sustainable transport and encourage a modal shift.*
- Availability of car sharing and bike / e-bike sharing facilities.*
- Existing availability of parking and its potential for dual use.*
- Particular nature, scale and characteristics of the proposed development (as noted above deviations may be more appropriate for smaller infill proposals).*
- The range of services available within the area.*
- Impact on traffic safety and the amenities of the area.*
- Capacity of the surrounding road network.*
- Urban design, regeneration and civic benefits including street vibrancy.*
- Robustness of Mobility Management Plan to support the development.*
- The availability of on street parking controls in the immediate vicinity.*

Any specific sustainability measures being implemented including but not limited to:

- The provision of bespoke public transport services.*

- The provision of bespoke mobility interventions.

Where a development site is located on the boundary of two or more parking zones, the level of parking provision will be decided at the discretion of the Planning Authority having regard to the criteria set out above. In Zones 1 and 2, where a deviation from the parking standards set out in Table 12.5 is being proposed, the applicant should engage with the Council at pre-planning stage regarding the acceptability of the proposal.

12.4.5.3 Car Parking – General

In instances where Table 12.5 does not specify a parking standard for a particular land use, the Planning Authority shall determine the parking requirements having regard to the assessment criteria for parking provision as set out above. For both residential and non-residential car parking, 4% of car parking provision shall be suitable for use by disabled persons. In certain circumstances the Planning Authority may consider that a higher disabled parking content may be required depending on the nature of development. All disabled parking should be clearly marked and suitably sign posted for convenient access. A minimum of 4% of car parking spaces provided shall be reserved for parent and child parking for commercial, retail, health, childcare, hotels, medical and leisure uses, but a higher number may be required depending on the nature and location of the development.

12.4.5.6 Residential Parking

The Planning Authority recognises that car ownership by itself is unlikely to be the main determining factor in whether or not someone chooses sustainable transport options with proximity to quality public transport, availability of good walking and cycling infrastructure and proximity to services likely to be more relevant. The car ownership levels in the County are high and therefore car storage for residential development is an issue as people may choose to use sustainable modes to travel to work or school but still require car parking/storage for their car.

There is a key distinction between residential parking and destination parking and there is less value in adopting more restrictive residential parking standards for the purposes of encouraging sustainable travel. Notwithstanding this, the proximity of residential developments, within parking zone 1 in particular, to both public transport and services, together with the need to strengthen the sustainability and resilience of our urban centres and make efficient use of land, will see an increasing shift towards densification of development around transport nodes and significant service centres with car travel and car ownership becoming less relevant. Within Zone 1, car parking for residential developments has therefore been set as a maximum. For the purposes of the parking standards set out in Table 12.5 below Built to Rent development are considered to be residential apartments. Where a Built to Rent scheme avails of lower car parking based on the nature of the use a condition should be attached to any grant of permission to state that planning permission shall be sought for a change of tenure to another tenure model following the period specified in the covenant. For apartment developments, car parking spaces should be allocated to residential units and visitor car parking. All visitor car parking is to be for short term use and not to be used by residents. Car parking shall be managed as such by a management company. For apartment developments car parking spaces associated with residential units must be sold in conjunction with the units and not sold separately, or let, to avoid take-up by non-residents and will be conditioned as such in the development management process.

As part of mixed-use developments, parking areas for the residential element must be clearly designated and segregated from other non-residential component parts of the development. There will be circumstances where parking controls may be required to be introduced on access roads and parking areas within new developments. Details in respect of car parking allocation should be submitted with Management Schemes and/ or taking-in-charge maps submitted as part of a planning application. Car parking proposals will be assessed having regard to their impact on place making as well as providing residents with adequate and safe access to their private vehicle. Any surface carparking should be suitably integrated into the site with soft landscaping proposals and have regard to SuDS. The Council are open to innovative carparking solutions for residential development. Car parking may be provided in a multi-storey car parks or in a peripheral location subject to there being environmentally attractive and safe pedestrian linkage between the residential units and the car park and subject to there being a limited amount of parking spaces available in the immediate vicinity for loading / unloading and for residents with disabilities. If multi storey car parks are proposed for a residential scheme, consideration should at design stage be given to their future potential for other uses should the car parking no longer be required. Innovative proposals for individual garages will also be considered which can be used for bike, mobility scooters or car storage. This may be particularly useful for households who have a range of large bicycles such as cargo bikes, tricycles or adapted bicycles for the disabled.

Table 12.5 Car Parking Zones and Standards

Land Use		Zone 1 MTC Areas and Blackrock	Zone 2 Near Public Transport	Zone 3 Remainder of County (non-rural)	Zone 4 Rural
Houses:	Criterion	Maximum	Standard	Standard	Standard
House 1 bed	unit	1	1	1	Case by case
House 2 bed	unit	1	1	1	Case by case
House 3 bed or more	unit	1	2	2	Case by case
Apartments and Sheltered Housing:					
Apt 1 bed	unit	1	1	1*	Case by Case
Apt 2 bed	unit	1	1	1*	Case by Case
Apt 3 bed +	unit	1	2	2*	Case by Case

12.4.5.7 Parking and Loading Bays

In general, parking bays shall be a minimum 2.4 metres in width and 4.8 metres in length - with increased dimensions required for short-stay retail parking spaces and loading/set down parking areas. The configuration whereby double parking bays are placed length to length is discouraged. Carparking dimensions for in curtilage parking is set out in Section 12.4.8.1 (5.5 metres x 3 metres minimum). Parking bay widths suitable for people with disabilities shall be a minimum of 2.4 metres wide – with a 1.2 metres buffer on both sides - and 6.0 metres in depth.

Parking bay widths suitable for parent and child parking shall be a minimum of 3.3 metres wide, or 5.7 metres if paired with 0.9 metres hatching between the parking spaces.

Parking bays for people with disabilities or parent and child shall be located on firm, level ground, preferably at ground floor level, be in close proximity to access points/lifts and avoid potential conflict points such as ramps, steps etc. All parking bays should be in accordance with Part M of the Building Regulations. The location of disability or parent and child parking bays should be highlighted as part of pre-planning discussions.

Where there is a need for loading and unloading in a development, additional parking bays suitable for loading should be provided in addition to the parking requirements set out in Table 12.5. Residential developments of more than 50 units should have at least one loading bay and there shall be a ratio of not less than 1 loading bay per 100 units in larger developments. Loading bays shall be situated so as to minimise traffic hazard, reduce distance to carry goods and encourage its use for home deliveries. This standard may be relaxed if the planning authority consider it is appropriate based on the location and the nature/design of both the street and the residential development.

Applicant's Response

We refer the Board to the enclosed Roads Drawings and Traffic & Transport Assessment, prepared by Aecom Consulting Engineers for further detail in relation car parking provision.

Details of the car parking arrangements are shown on the Site Layout Plans and Basement Plans, prepared by Ferreira Architect.

12.4.6 Cycle Parking

The Council's proactive promotion of cycling has, at its core, the objective of providing the cycling infrastructure necessary to encourage more people to use cycling for their everyday mobility needs. An essential element of this infrastructure is well designed and integrated cycle parking provision within new developments and the purpose of this Section is to ensure that this is properly provided through the development management process. Cycle parking should accord with the Council published – 'Standards for Cycle Parking and Associated Cycling Facilities for New Developments' (2018) or any subsequent review of these standards. These are minimum cycle parking standards. In car parking Zones 1 and 2 these minimum standards should be exceeded. It is intended that the next review of the Council's cycle parking standards would be aligned with the 4 parking zones set out in Section 12.4.5.1 above. It is an objective of the Council to improve the integration of cycle parking and public transport within the County

by working with all the relevant stakeholders, including the NTA and public transport operators, to promote and facilitate an increased level of quality cycle parking provision at or convenient to Dart and Luas stations and at appropriate locations along our main bus corridors. It is considered that the development of these facilities can also help to address the need for increased and improved public cycle parking within our towns, villages and neighbourhood centres, where the provision of appropriately located cycle parking can serve the needs of public transport users as well as visitors, shoppers and workers.

12.4.6.1 Requirements for New Development

With increasing numbers of people cycling and a growing number of options for cycle mobility, including cargo bikes, bike trailers and e-bikes, all of which increase the range of uses and needs, which cycling can respond to, it is essential that well integrated, accessible and secure cycle parking, to cater for all types of cycles, and for cyclists of all ages and abilities is provided within new developments. This will help to encourage the use of new mobility solutions for everyday mobility needs such as shopping, delivery and school drop off / collection.

It is a requirement that, new residential developments of 5 residential units or more or non-residential type developments of 400 sq. m. or over, submit a Cycle Audit as part of the planning application. The Cycle Audit must be prepared by a suitably qualified person and shall clearly demonstrate, in plan format, how all the requirements of Council's Standards for Cycle Parking and Associated Cycling Facilities for New Developments, are met within the development.

For new residential developments of less than 5 units and non-residential developments of under 400 sqm planning applications shall include a Cycle Statement, setting out how it meets the requirements of Council's 'Standards for Cycle Parking and Associated Cycling Facilities for New Developments' (2018).

12.4.6.2 Cycle Parking Assessment Criteria

In general, new residential developments of 5 units or more or non-residential of 400 sq. m. or over will be assessed in accordance with the following criteria:

Is the number of cycle parking spaces and footprint adequate and is there suitable provision for parking of oversized formats (cargo bikes etc)?

Is the location of cycle parking convenient, appropriate and secure with adequate provision for covered parking?

Is the cycle parking area accessible in terms of dedicated access routes with ramps and/or kerb dishing where required?

Do the internal cycle access routes connect well with off-site cycle facilities – existing and proposed?

Is there adequate and appropriately designed and integrated provision for ancillary cycling and pedestrian facilities including showers, locker / changing rooms and drying areas?

Where cycle parking cannot be conveniently provided within the development, a financial contribution of €500 per cycle parking stand will be required to provide alternative on-street cycle parking provision in the vicinity of the development.

Consideration should be given to requiring the provision of cycle parking-related directional signage, in particular for storage and commercial parking facilities. Bike lockers, showers and changing rooms should be available at final destination storage facilities (private).

For short-term cycle parking (e.g. for customers or visitors), cycle parking is required at ground level. This should be located within 25 metres of the destination in an area of good passive surveillance. Weather protected covered facilities should be considered where appropriate. Consideration should be given to using green roofs in the design of standalone cycle parking shelters. Appropriate cycle parking signage may also be required to direct cyclists to the end destination.

For long-term cycle parking (e.g. for more than 3 hours for residents, staff, students), secure covered cycle parking is a requirement. This should be conveniently located within 50 metres of the destination and located near building access points where possible.

In all cases it is a requirement to provide showers, changing facilities, lockers and clothes drying facilities, for use by staff that walk or cycle to work. CCTV cameras or passive surveillance of car parks and cycle parks may be required for personal safety and security considerations.

All cycle facilities in multi-storey car parks shall be at ground floor level and completely segregated from vehicular traffic. Cyclists should also have designated entry and exit routes at the car park and with minimum headroom of 2.4 metres to facilitate access by cyclists.

Within larger new developments cycle routes shall link to the existing cycle network where possible and maintain a high degree of permeability through developments. Cycle Audits may be required in such developments.

Applicant's Response

We refer the Board to the enclosed Roads Drawings and Traffic & Transport Assessment, prepared by Aecom Consulting Engineers for further detail in relation car bicycle parking provision.

Details of the bicycle parking (location and access) are shown on the Site Layout Plans and Basement Plans, prepared by Ferreira Architect and on the Landscape Masterplan, prepared by Mitchell + Associates.

12.4.7 Motorcycle Parking

It is an objective of the Council to require developments to provide motorcycle parking spaces at a minimum of four or more spaces per 100 car parking spaces. The type of motorcycle stand and typical parking layout should be in accordance with the Council's Cycling Policy Guidelines and Standards with a spacing of 1 metre to allow the parking of one motorcycle per stand.

Applicant's Response

We refer the Board to the enclosed Roads Drawings and Traffic & Transport Assessment, prepared by Aecom Consulting Engineers for further detail in relation motorcycle parking provision.

Details of the motorcycle parking arrangements are shown on the Basement Plans, prepared by Ferreira Architect.

12.4.8.4 ACAs/Protected Structures

Boundary features such as walls, railings and gardens contribute to character and setting of Protected Structures and those areas which have been identified as ACAs and cACAs. Poorly designed off-street parking which involves the removal of boundary walls, gate piers, railings and gates can have an effect on the setting and appreciation of the building, groups of buildings and the wider streetscape and will not generally be permitted.

All other criteria for car parking within Section 12.4.8 shall also apply to parking within ACAs/ Protected Structures.

Applicant's Response

The subject site is not within an Architectural Conservation Area and it does not contain or bound any Protected Structures.

12.4.8.5 Financial Contributions

The loss of on street car parking to provide for vehicular entrances shall be considered having regard to overall parking in the general area. Where an existing on-street car parking space requires removal to facilitate a new or widened vehicular entrance, and cannot be conveniently relocated within the public domain, then a financial contribution will be required in accordance with the terms and conditions of the Transportation Section and Water Services Department.

Likewise, where a tree, located on-street, requires removal to facilitate a new or widened vehicular entrance and cannot be conveniently relocated within the public domain then a financial contribution will be required in lieu.

Applicant's Response

The proposed development does not necessitate the removal of on street car parking spaces or trees to facilitate the proposed entrance to the development.

12.4.9 Design of Underground and Multi- Storey Car Parks

Multi-storey or underground basement car parks shall generally meet the requirements set out in the UK's Institution of Structural Engineers booklet entitled 'Design Recommendations for Multi Storey and Underground Car Park Fourth Edition' (2011) and any subsequent updates.

Multi-storey or underground car parks shall be well lit and brightly painted, with CCTV cameras provided to ensure personal safety and security. In general, one- way traffic routing is preferred. A splayed entrance with a 6.0 metres flat area shall be provided at the exit point from a basement car park onto a main road with adequate pedestrian and vehicular sightlines available in each direction. Sufficient headroom clearance (minimum 2.4 metres), should be provided to allow access for cyclists and high mobility vehicles for the mobility impaired. In car parks which include cul-de-sac parking, a maximum length of 6 parking spaces may be considered acceptable.

In larger developments consideration shall be given to specific access and egress routes for cyclists including segregated routes or bicycle lifts. Cycle parking shall generally be at the upper level of any basement car park and located close to lifts or stairwells. Clearly marked well-lit pedestrian routes shall be identified within underground and multistorey car parks.

...

Where an underground car park is provided specifically for a residential development, the car park must be universally accessible by all with the provision of pedestrian ramps and/or lifts into each block located above ground.

Applicant's Response

Details of the car parking arrangements are shown on the Site Layout Plans and Basement Plans, prepared by Ferreira Architect.

12.4.10 Childcare Facilities – Parking/ Access

All pedestrian routes leading to a childcare facility from any parking area, play area, or nearby road and footpath shall be suitably designed to meet specified accessibility requirements in accordance with Part M of the Building Regulations. Car parking and for childcare facilities are set out in the table 12.5 above. Cycle parking standards are set out in the 'Council Cycle Standards' (2018).

For new childcare facilities, the availability of existing on-street car parking spaces and any part-time hours of operation will be considered as part of the Development Management process.

Applicant's Response

Details of the car parking arrangements for the childcare facility are shown on the Site Layout Plans and Basement Plans, prepared by Ferreira Architect.

12.4.11 Electrically Operated Vehicles

Residential multi-unit developments both new buildings and buildings undergoing major renovations (with private car spaces including visitor car parking spaces) - a minimum of one car parking space per five car parking spaces should be equipped with one fully functional EV Charging Point. Ducting for every parking space shall also be provided.

Applicant's Response

Details of the EV Charging arrangements for the basement car parking are described in the Design Statement, prepared by Ferreira Architect.

Further detail in relation to the provision of EV Charging is set out in the Sustainability Report, prepared by SEHA Technical Services Ltd.

12.4.13 Emergency Access

In some circumstances large-scale developments, which could result in a significant level of peak and/ or off-peak travel, and residential developments greater than 300 units shall provide for duplicate access or other means approved by the Planning Authority for emergency use/access. This shall also allow access for pedestrians and cyclists. The Councils Transportation Section will ascertain whether an additional access is required. This will be dealt with on a case-by-case basis through the pre-planning process.

Applicant's Response

We refer the Board to the AutoTrack drawings, prepared by Aecom Consulting Engineers showing fire tender access.

12.7.2 Biodiversity

...

Any development proposals for sites designated as, or immediately adjacent to, a pNHA, SPA or SAC shall be accompanied by an EIS and/or Appropriate Assessment and shall be referred to the NPWS. Regard shall be had to 'Guidance for Local – Authorities Appropriate Assessment of Plans and Projects in Ireland' (DEHLG) (2009).

...

An Ecological Risk Assessment may be required in relevant planning applications for both designated and/or non-designated sites (as appropriate) to ensure that the proposed development does not undermine or impact on the conservation objectives of these sites.

...

In accordance with Policy Objective GIB29 – Nature Based Solutions (NBS), to encourage environmentally friendly solutions, new development proposals shall also incorporate NBS, where relevant, such as landscaping, SuDs, creating permeable green areas, providing green roofs and flood risk management can be included in the NBS approach.

Applicant's Response

We refer the Board to the enclosed Appropriate Assessment Screening Report and Ecological Impact Assessment Report prepared by Scott Cawley Ltd.

The quality of the landscaping proposed is set out in the Landscape Drawing and Landscape Report, prepared by Mitchell + Associates Landscape Architects which accompanies this SHD Planning Application.

We also refer the Board to the Drainage Design Report and Engineering Drawings, prepared by Kavanagh Burke Consulting Engineers which outlines the proposed SuDS features.

12.8.1 Landscape Design Rationale

Planning applications for both residential (10+ units or as required by the Planning Authority) and commercial (1,000 sq.m. or as required by the Planning Authority), including leisure and recreational facilities, should submit a landscape design rationale prepared by a qualified Landscape Architect or other suitably competent landscape professional (as deemed appropriate by the Planning Authority), for the consideration of the Parks and Landscape Services Department. Smaller schemes may also require a Landscape Plan to be submitted. All such requirements should be ascertained at pre-planning stage.

The design rationale shall set out and specifically indicate how the overall approach is ecologically resilient and provides varied landscapes that reflect the character of the area.

The landscape design rationale should also address the following:

- Ecosystems services and carbon capture approach.
- Urban Greening.

- Biodiversity including pollinator friendly approach.
- Sustainable Drainage Systems.
- Maintenance without the use of chemical.
- Nature Based Play.

Such proposals shall include a scaled Landscape Plan(s) including:

- Cross-sections, where applicable, indicating the layout and hard and soft treatments of all boundaries, features, external areas, and green spaces.
- Specifications for materials, workmanship, and maintenance, together with proposed design details.
- Hard landscape details are to include, where applicable, any proposed lighting, seating, kerbing, boundaries, edging, surfacing and water features.
- Soft landscape details are to include, detailed planting plans and planting schedules, stating species/varieties, quantities, sizes, rootball presentation, and spacings.

A Landscape Plan shall be accompanied by a timescale for its implementation, including a minimum 18-month landscape maintenance period and a defects liability clause.

Regard should also be had to Policy Objective OSR14: Play Facilities and Nature Based Play.

Applicant's Response

We refer the Board to the Landscape Drawing and Landscape Report, prepared by Mitchell + Associates Landscape Architects for further details in relation to the landscaping proposals.

12.8.2 Open Space Categories for Residential Development

In relation to Development Management, there are three categories of open space: public open space, communal open space, and private open space. This is provided or conditioned by way of a grant of planning permission, to serve the needs of the local population, and is categorised in the table below. Permeability may be required for pedestrians and cyclist across open space.

Table 12.7 Categories of Open Space for Residential Development

Open Space Category:	Classification:
Public Open Space	Public open space is defined as being generally freely available and accessible to the public, and in the case of certain residential developments has, or is intended to be, 'taken-in-charge' by the Local Authority. In all new residential development schemes, there should be some appropriate provision made for public open space within the site. In all instances where public open space is not provided a contribution under Section 48 will be required for the short fall.
Communal Open Space	Communal open space is for the use of a set group of residents within the development only and would ordinarily be maintained by a Management Company i.e. is privately owned. This would be typical of apartment - type residential developments and can be gated/ located adjacent to one/two specific apartment blocks for their exclusive semi-private use. It can also apply to some housing schemes.
Private Open Space	Private open space normally refers to balconies and/or private gardens, which are the responsibility of, and only accessible to, the individual resident.

The following will not normally be considered as part of any Open Space provision:

- Car/bus parking.
- Bin/fuel stores.
- Bicycle parking structures.

- ESB substations or other service infrastructure.
- Underground flood attenuation tanks.

All applications for residential schemes (including Built to Rent) should include a clear written schedule and colour coded drawing with public, private and communal open space provision identified. The written schedule shall include the County Development Plan requirements, the proposed provision and full details of any short fall.

12.8.3 Open Space Quantity for Residential Development

12.8.3.1 Public Open Space

Table 12.8 Public Open Space Requirements for residential developments

Location:	Public Open Space Standards (minimum):
Residential Development in new residential communities as shown in the Core strategy – figure 2.9.	15% (of site area)
Residential Development in the existing built up area.	15% (of site area)
Institutional and Redevelopment of SNI use	25% (of site area)

All residential schemes must provide a minimum provision of public open space in accordance with the table above, which has regard to the content of the Section 28 Guidelines ‘Sustainable Residential Development in Urban Areas’ (2009).

To qualify as public open space the area must be designed and located to be publicly accessible and useable by all in the County; generally free from attenuation measures; and capable of being taken in charge (i.e. must accord with the Council policy on taking in charge of open spaces).

12.8.3.2 Communal Open Space

Table 12.9 Communal Open Space Standards

Unit Type	Minimum Area per Unit
Studio	4 sq. m
One Bed	5 sq. m
Two bedrooms (3 bed)	6 sq. m
Two bedrooms (4 bed)	7 sq. m
Three bedrooms	9 sq. m
Four +	12 sq. m.

In addition to Public Open Space, provided by the Developer, communal open space must also be provided for apartments and in some instances for houses, in accordance with the minimum standards set out in Table 12.9 above in accordance with the standards in the ‘Sustainable Urban Housing, Design Standards for New Apartments’ Section 28 Guidelines, (2018).

...

Communal open space is for the exclusive use of the residents of the development and should be accessible, secure, and usable outdoor space which is inclusive and suitable for use by those with young children and for less mobile older persons. Whilst an element of roof garden may be acceptable, the full quantum of communal open space should not take the form of being solely roof gardens (See also Section 12.8.5.4). While public and communal open space may adjoin each other, there should generally be a clear distinction with an appropriate boundary treatment and/or a ‘privacy strip’ between the two.

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

The provision and proper future maintenance of well-designed communal open space will contribute to meeting the amenity needs of residents. Communal open space will be privately managed.

12.8.3.3 Private Open Space

(ii) Private Open Space for Apartment Developments:

Table 12.11 below sets out minimum requirements in line with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2018.

Table 12.11: Balconies / Winter Gardens: Minimum Private Open Space Standards for Apartment Developments

Type/No. of bedrooms	Minimum square metres
Studio	4 sq. m.
One	5 sq. m.
Two (3 persons)	6 sq. m.
Two (4 persons)	7 sq. m.
Three	9 sq. m.
Four +	12 sq. m.

Private amenity space for apartments shall accord with the requirements set out in Table 12.11, above.

Every apartment shall have private amenity space in the form of gardens or patios/terraces for ground floor apartments and balconies at upper levels. Where provided at ground level, private amenity space shall incorporate boundary treatment appropriate to ensure privacy and security. Private amenity space should be located to optimise solar orientation and designed to minimise overshadowing and overlooking.

...

Where a Built to Rent scheme avails of lower private amenity space based on the nature of the use a condition should be attached to any grant of permission to state that planning permission shall be sought for a change of tenure to another tenure model following the period specified in the covenant.

12.8.5 Public Open Space – Quality

Open space is fundamental in contributing to a high quality of life for those living, working and visiting the County. It provides a basis for active and passive recreation, creates urban focus, fosters community spirit, and helps mitigate the impacts of climate change.

It can also improve the public realm and urban image, provides for inclusivity, adds to the liveability, sense of identity and define the quality of the area.

For this reason, public open space should be accessible, inclusive, secure, and usable. In accordance with the 'Guidelines on Sustainable Residential Development in Urban Areas', public open space on greenfield sites in the County's new development areas should be in the form of useful open spaces and where appropriate larger neighbourhood parks to serve the wider community.

Where public open space is to be provided on foot of a planning permission, the space in question should be well designed, and located to sympathetically complement the layout of the development.

Public open spaces should be overlooked and designed to ensure that potential for antisocial behaviour is minimised through passive surveillance. The open space should be visible from, and accessible to, the maximum number of dwellings/units within the proposed scheme. Inaccessible, hidden or otherwise backland open space, and narrow linear strips of open space will not be acceptable.

For public open space proposed roof gardens will not be acceptable. Fragmented open spaces within a development layout, which result specifically from the necessity to protect existing site features (for example a stand of mature trees) may not be included in the calculation of open space requirements, as they are necessary to ensure the protection of existing amenities.

Age friendly measures should also be incorporated into the design of public open space, such as the provision of suitable benches at appropriate intervals.

'Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities' provides detailed guidance on the provision of open space for new residential developments while the 'Retail Design Manual' (2012) provides guiding principles on how landscaping and open spaces can assist improved public realm and promote attractive retailing centres.

12.8.5.1 Design

The layout of public open space and its associated facilities/ infrastructure as delivered by the residential development – particularly in larger areas of open space - should be designed to meet a range of user needs,

including both active and the passive recreation to maximise accessibility and should strive to incorporate universal design.

Users of public open space in the County should feel safe with adequate supervision, passive surveillance, boundary treatment and public lighting all contributing to an overall sense of security. Public Open Space should be expansive and suitably proportioned. Accordingly, blocks and buildings should overlook the public realm. Narrow tracts and corridors of open space, which are difficult to manage, will generally not be acceptable.

Public open spaces, within new development should be capable of providing opportunities for play e.g. playgrounds, small pitches, etc. Playgrounds on public open space should be carefully sited within residential areas to ensure they are both easily accessible and overlooked by dwellings, while not causing a nuisance to nearby residences.

In higher density residential schemes (in excess of 100 units per hectare), the quality of the open space becomes of paramount importance.

12.8.5.2 Accessibility, Permeability, Security and Privacy

Permeability and accessibility will be encouraged as part of an integrated approach to the provision of linked open spaces. Where pedestrian and cycleway opportunities are presented, substantial links between developments will be encouraged.

12.8.5.3 Communal Open Space – Quality

Communal amenity space within apartment and/or housing developments should be provided as a garden within the courtyard of a perimeter block or adjoining a linear apartment block. Designers must ensure that the heights and orientation of adjoining blocks permit adequate levels of sunlight to reach communal amenity space throughout the year in accordance with BRE 209 ‘Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice’, (2011). The communal open space should be visible from, and accessible to, the maximum number of units within the proposed scheme. Inaccessible, hidden or otherwise back land communal open space, and narrow linear strips of communal open space will not be acceptable.

Playgrounds in communal open space areas should be carefully sited within residential areas to ensure they are both easily accessible and overlooked by dwellings, while not causing a nuisance to nearby residences.

The provision and proper future maintenance of well-designed communal amenity space will contribute to meeting the amenity needs of residents within the development. In particular, accessible, secure and usable outdoor space is a high priority for families with young children, and for less mobile older people.

Applicant’s Response

Public Open Space

The Development Plan states in Table 12.8 that a public open space standard equivalent to 15% of the site area applies to “residential development in the existing built up area.” Section 12.2.2 – Open Space Categories for Residential Development notes that ‘underground flood attenuation tanks’ are “*not normally be considered as part of any Open Space provision*”

It is proposed to provide 4,930 sq. m of Public Open Space within the proposed development. This amounts to approximately 17.4% of the total site area. An existing and proposed surface water attenuation tanks are located within the central public open space.

The public opens space is fully outlined in the Design Statement, prepared by Ferreira Architects and the Landscaping pack, prepared by Mitchell + Associates Landscape Architects and Urban Design. The quantum of public open space proposed meets the minimum standard set out in the Table 12.8 of the Development Plan.

Notwithstanding, the following table set out the provision of public open space relating to the planning history of the public space associated with Sector 1, 2 and 3 of Aiken Village.

	Reg. Ref. D10A/0440 Sector 1, 2 & 3	Reg. Ref. D16A/0511 Sector 3	Current Proposal Sector 3
Central Public Space	2.08	2.08	2.08
Southern Public Space	0.58	0.58	0.58
On-site Provision per Sector (additional to above primary spaces)	0.26	0.245	0.4930
Total Provided	2.92	2.905	3.15
% of Total Site Area for Sector 1, 2 & 3 *	24.7	24.5	26.6

* Reg. Ref. D10A/0440: Site Area – 11.82 Ha.

As can be seen from the table above the provision of public open space associated with the proposed development and the existing dwellings constructed in Sector 1 and 2 that approximately 2.99 Ha of public open space will ultimately be provided.

We note that the area of 0.58 Ha is already provided and is in use by the public and is subject to improvement works as part of this proposal. The remaining 2.08 Ha open space provided by a different Developer is hoarded off at present, but it remains possible for the Planning Authority to secure the delivery of this through compliance with Conditions under DLRCC Reg. Ref. D10A/0440. We note also that Maples & Calder Solicitors have confirmed that these lands are in any event controlled by the Council.



Figure 14: Extract from Google Earth showing the proximity of adjoining public open space serving the wider Stepside Area.

When the significant provision of public open space is considered in conjunction with the high quality communal open spaces provided for prospective residents it is considered that an exceptional level of open space amenity is provided.

In the wider context (See Figure 14) it can be seen that the proposed development is within walking distance of a significant quantum of public open space to the south in the form of Belarmine Linear Park and Fernhill Park. These are high quality amenity areas that are intended to serve the wider surrounding area.

We note from Appendix 14 – Green Infrastructure Strategy of the Development Plan that a ‘key action’ is set out to develop the existing Fernhill Park as a Gateway / Regional Park. This existing public park is located within c. 800m of the application site to the south and is linked via existing roads with pedestrian and cycle paths. This further demonstrates that there is an exceptional level of open space available to the prospective residential of the proposed development as well as existing residents in the area.

We respectfully submit to the Board that the provision of public open space provided as part of the proposed development in conjunction with the high level of adjoining public amenity space comfortably exceeds the requirements of the Development Plan.

Notwithstanding, should the Planning Authority consider that the open space provided does not meet the requirements of the Section 12.8 of the Development Plan, the applicant accepts that a payment of a contribution in lieu for any shortfall in the quantum of public open space can be applied under Section 48 of the Planning and Development Act 2000, as amended.

Communal Open Space

The communal amenity space provided as part of the proposed development is provided in 2 no. courtyards between apartment blocks. The total amount of communal open space provided as part of the proposed development amounts to 4,579 sq. m which is approximately 40% above the standards set out in the Apartment Guidelines (2020) and provides an exceptional level of residential amenity. As such, the development is compliant with the Development Plan when it comes to the provision of public open space.

In terms of usability, the courtyards will have high-quality landscaping (hard and soft) with places to sit and relax, socialise as well as children’s play areas. We refer the Board to the Landscape Drawings and Landscape Report, prepared by Mitchell + Associates Landscape Architects which demonstrate the high-quality public realm being proposed as part of the development.

12.8.6 Biodiversity and SuDS in both Public and Communal Open Space

12.8.6.1 Biodiversity

Open spaces, especially large ones, can provide for a range of natural habitats and can facilitate the preservation and enhancement of flora and fauna. All proposals should be pollinator friendly, that is providing sufficient year-round diverse flowering plants to address the decline of pollinators. They should generally accord with the planting and maintenance approach set out in the Pollinator Friendly Planting Code of the All-Ireland Pollinator Plan, which is inclusive of best practice in the use of pesticides, herbicides, fungicides, and growth regulators.

12.8.6.2 SuDS (Sustainable Drainage Systems)

SuDS measures, such as attenuation storage systems, including detention basins that come into regular operation after rainfall events, shall not normally be included in the calculation of open space provision. Where a SuDS scheme provides biodiversity and amenity value and is readily accessible for either use or enjoyment in most weather conditions, a proportion of the SuDS area could be incorporated as a component part of the communal or public open space provision.

This proportion will be decided by the Planning Authority on a case-by-case basis. The Council will also encourage the use of bioswales in roadside verges, and open spaces. Further to Section 3.4.4 Urban Greening, data on all surface cover types shall be submitted to the Planning Authority as part of the storm water audit process (see 7.1.5 Storm Water Audit Procedure Appendix 7: Sustainable Drainage Systems). The Council will consult as appropriate

with larnrod Eireann in relation to any development where infiltration proposals will be in proximity to a railway cutting or tunnel.

12.8.6.3 Green Roofs /Blue roofs

The use of green roofs/blue roofs in accordance with the requirements of the Dún Laoghaire Rathdown County Council's Green Roof Policy, (See Appendix 7.2) forms part of an integrated approach to the provision of green infrastructure. This approach takes particular account of the benefits in terms of SuDS provision, nature-based solutions, biodiversity benefits, urban greening, urban cooling, and the potential for additional amenity space, particularly in high density development contexts. The provision of green and blue roofs within any development, however, shall not normally form part of the overall minimum open space (public or communal) provision but should complement the required open space provided within the site. Applications for developments with a roof area \geq 300sq.m. shall provide Green Roofs in accordance with 'Dún Laoghaire – Rathdown County Council's Green Roof Policy' (2020).

Green or living roofs on smaller structures are also encouraged by the Council. These can function as smaller urban greening measures which as well as being a SuDS feature, are a useful wildlife habitat, can trap carbon and contribute to urban cooling. There is good potential for living roofs on bike and bin stores, bus shelters, detached habitable rooms and garages. Living roofs can be designed to incorporate a diverse range of pollinator friendly species which are drought tolerant and therefore do not require supplementary watering. Added features such as insect hotels and bird boxes can be incorporated into the design.

Applicant's Response

We refer the Board to the Landscape Drawing and Landscape Report, prepared by Mitchell + Associates Landscape Architects which demonstrate the quality of the landscaping proposed.

We also refer the Board to the Drainage Design Report and Engineering Drawings, prepared by Kavanagh Burke Consulting Engineers which outlines the proposed SuDS features.

12.8.7 Private Amenity Space – Quality Standards

12.8.7.1 Separation Distances

A minimum standard of 22 metres separation between directly opposing rear first floor windows should usually be observed, for new developments. This normally results in a minimum rear garden depth of 11 metres. However, this required rear garden depth may be prior to any domestic rear extensions, which may require planning permission or be exempted development being carried out. Adequate separation distances, between directly opposing rear first floor windows, should be provided when extending existing dwellings at first floor level, to ensure the retention of adjoining residential amenity. For single storey dwellings, a reduction in the rear garden depth may be considered, subject to the protection of adjoining residential amenity.

However, where sufficient alternative private open space (e.g. to the side) is available, the required separation distance for new developments may be reduced, subject to the maintenance of privacy and protection of adjoining residential amenities.

In all instances, private open space should not be unduly overshadowed and where there is the potential for the proposed development to overshadow or overlook existing/future development adjoining the site, minimum separation distances to boundaries should be increased.

In an exceptionally well-designed scheme providing an otherwise very high-quality living environment and that is in close proximity to existing public open spaces, the above standards may be relaxed.

Any relaxing of standards will be assessed on a case-by-case basis and should not be seen as setting a precedent for future development.

12.8.7.2 Boundaries

In all cases, suitable boundary treatments both around the side and between proposed dwellings shall be provided. In this regard, boundary treatments located to the rear of dwellings should be capable of providing adequate privacy between properties.

Boundaries located to the front of dwellings should generally consist of softer, more open boundary treatments, such as low-level walls/railings and/or hedging/planted treatments.

Provision of ‘defensible’ space, e.g. a planting strip, to the front of dwellings should be provided to contribute towards a sense of security within the home. Bin storage and/or utility meter alone, should not form any proposed defensible space areas.

Details of all existing and proposed boundary treatments, including vehicular entrance details, should be submitted as part of any planning application. These shall include details in relation to proposed materials, finishes, and, in the case of planted boundaries, details in respect of species together with a planting schedule.

Applicant’s Response

We refer the Board to Section 7.2.1 of this Report which comprehensively addresses land use zoning in the context of the An Bord Pleanála Opinion, dated 19 May 2022 including separation distances and quality of the landscape proposals (including boundary / edge treatments).

12.8.9 Play Facilities for Apartments and Residential Developments

In line with the ‘Ready Steady Play! A National Play Policy’, DCYA (2019) provision should be made to include suitable play opportunities for all ages of the child population within new residential developments. Design details relating to play areas shall be submitted as part of any relevant planning application to include a detailed specification of any playground to be provided and incorporate natural play, wherever possible.

Play Facilities should incorporate the Nature-based play philosophy and approach to play provision throughout the County (see Policy Objective OSR14: Play Facilities and Nature Based Play).

Parks and Landscape will review and update the existing 2003 DLR Play Policy during the lifetime of the 2022 – 2028 County Development Plan. The new DLR Play Strategy will incorporate the Nature based Play philosophy and approach.

The Council will endeavour to ensure that all play facilities will be accessible and provide inclusivity. The Council will have regard to changing demographics in how and where it provides for play. Multiple Use Games Areas (MUGA) incorporating, for example basketball and 5-a-side facilities will be considered in any calculation of the ‘Equipped Play Space’ standards.

In terms of play facilities for children regard shall be had to the ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2018’, (or any superseding document), which request consideration of the recreational needs of children in the design of apartment schemes. Safety of children needs to be taken into consideration and protected throughout the entire site, particularly in terms of safe access to larger communal play spaces.

Children’s play needs around the apartment building should include:

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 perimeter block with a central communal open space is particularly appropriate for children’s play, especially if access from the street is controlled. The landscape design and orientation of play areas can contribute significantly to their amenity value. However, the noise from courtyard play areas can diminish residential amenity, particularly in smaller schemes, and this should be designed appropriately.

Applicant’s Response

A ‘Play Strategy’ is included in the Landscape Report, prepared by Mitchell + Associates Landscape Architects. Details of the play equipment are illustrated on Dwg. No. 105 ‘Play Plan’, prepared by Mitchell + Associates Landscape Architects which identifies the locations and detail of the play equipment provided.

12.8.10 Amenity Space in Build-to-Rent

In Built to Rent schemes, flexibility may apply in relation to the provision of a proportion of the private amenity space associated with individual units, and in relation to the provision of all of the communal amenity space, on the basis of the provision of alternative, compensatory communal support facilities and amenities within the development. This, however, shall be at the discretion of the Planning Authority, and shall be assessed on a case by case basis. The obligation will be on the project proposer to demonstrate the overall quality of the facilities provided and to ensure residents enjoy an enhanced overall standard of amenity (consistent with SPPR8 of Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2018’).

Having regard to any residential support structures proposed, where the communal amenity space associated with the Build-to-Rent scheme is still considered substandard, the Council may require a contribution in lieu, to be paid, by the Developer, to enhance and improve the public realm specific to the Build to Rent scheme.

Applicant’s Response

We refer the Board to the Block Plans and Design Statement, prepared by Ferreira Architects which detail the provision of residential amenity / services proposed as part of this BTR development.

The Site Specific & Operational Management Plan Report, prepared by the Ferreira Architects which demonstrates how the proposed resident amenity facilities within the BTR development are to be managed.

12.8.11 Existing Trees and Hedgerows

New developments shall be designed to incorporate, as far as practicable, the amenities offered by existing trees and hedgerows. New developments shall, also have regard to objectives to protect and preserve trees and woodlands (as identified on the County Development Plan Maps). The tree symbols on the maps may represent an individual tree or a cluster of trees and are not an absolute commitment to preservation. Decisions on preservation are made subject to full Arboricultural Assessment and having regard to other objectives of the Plan.

Arboricultural Assessments carried out by an independent, qualified Arborist shall be submitted as part of planning applications for sites that contain trees or other significant vegetation. The assessment shall contain a tree survey, implications assessment and method statement. The assessment of the site in question will inform the proposed layout, in relation to the retention of the maximum number of significant and good quality trees and hedgerows. Tree and hedgerow protection shall be carried out in accordance with BS 5837 (2012) ‘Trees in Relation to Design, Demolition and Construction – Recommendations’, or any subsequent document. All requirements for Arboricultural Assessment should be determined at pre-planning stage.

The retention of existing planted site boundaries will be encouraged within new developments, particularly where it is considered that the existing boundary adds positively to the character/visual amenity of the area. New developments should have regard to the location of new buildings/extensions relative to planted boundaries. Prior to construction, the applicant shall provide details of adequate measures on site to protect all planting/ trees to be retained and this protection shall be maintained throughout the development during the construction period.

An ecological assessment of existing hedgerows shall be required where new developments potentially impact on their ecological importance. This should be carried out by a suitably qualified ecologist, and submitted at pre-planning stage, to inform the design and accompany the planning application. In addition, the approach set out in the ‘How to Guide Hedgerows for Pollinators’ should be followed, as appropriate.

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. A financial bond may be required to ensure protection of existing trees and hedgerows during and post construction.

Applicant’s Response

An Arboricultural Assessment Report, prepared by CMK Horticulture & Arboriculture Ltd. provides an assessment of the existing trees located outside the site extents along the eastern boundary in the adjacent Ferncraiga residential estate (Arboricultural Assessment – ‘Sector 3’) and within the area proposed to located the underground wastewater storage tank required by Irish Water (Arboricultural Assessment, Arboricultural Impact and Tree Protection Strategy Report – Belarmine Park).

With regard the existing trees located outside the site extents along the eastern boundary in the adjacent Ferncarraig residential estate, the Report generally concludes that tree roots are restricted by the existing walls foundations and do not pass beneath the wall into the development site. All tree management works will be undertaken by a suitability qualified arboricultural contractor and supervised by the site arborist. As no tree roots are understood to have travelled beneath the existing wall there will be no need for root protection during the works.

With regard the existing trees within the area proposed to locate the overflow foul tank required by Irish Water, the following is noted: -

“A sycamore (#1252) is recommended for removal due to its potential to undermine a block wall in the near future and its position underneath overhead services.

The loss of four trees will be confined within a group of alder (Alnus spp.) on the northern boundary. These trees provide some screening to the residents in the apartment block directly north. A potential benefit of the removal these four trees will be increased light for the remaining specimens; the larger and more developed of which remain along the northmost edge of the group.”

We refer the Board to the Tree Impacts Drawings and Tree Protection Drawings, prepared by CMK Horticulture & Arboriculture Ltd. for further detail of the very limited tree removal proposed.

It is acknowledged that the Letter of Consent, provided by DLRCC states that the letter is provided on the basis that there is “no loss of tree in the area where the tank is to be located.” The tank is located in its optimum position following detailed dialogue between Kavanagh Burke Consulting Engineers and Irish Water.

The Applicant is more than satisfied to accept a condition which requires the replacement of any lost trees within the lands under the control of DLRCC as part of grant of planning permission. As such, the replacement trees will negate the loss of any trees as part of the implementation of the tank required by Irish Water.

Additional tree planting will be undertaken as part of the development proposal in accordance with the Landscape Plan, prepared by Mitchell + Associates Landscape Architects.

12.9 Environmental Infrastructure

12.9.4 Construction Management Plans

Construction Management Plans (CMP) for developments generating construction activity - containing measures to mitigate against the effects of the construction - shall accompany planning applications for development of 3 residential units or more and for all other developments measuring more than 500 sq.m. gross floor area. The requirement to submit a CMP is very much dependent on the location, scale, nature, and characteristics of the proposed development. Consequently, the stated thresholds above may be increased or relaxed at the discretion of the Planning Authority during pre-planning stage discussions.

The CMP will address issues such as traffic management, hours of working, delivery times, prevention of noise and dust, reinstatement of roadway lining and signing, repair of damage to footways and grass verges and the accommodation of worker parking within the development curtilage. Hours of construction and deliveries should normally be in accordance with the guidance set out in Section 12.9.5 below. Refer to Section 12.9.6 below for more detailed requirements of the CMP. Construction in the vicinity of the Luas needs to appropriately take the light rail infrastructure into consideration. In this regard construction management should be guided by the TII’s ‘Light Rail Environment – Technical Guidelines for Development PE-PDV-00001’, December 2020 and any subsequent updates of same.

12.9.5 Hours of Construction

In the absence of a Construction Management Plan approved by the Planning Authority hours of construction shall be as follows:

Site development and building works shall be restricted to 7.00am to 7.00pm Monday to Friday and 8.00am to 2.00pm Saturdays. Deviations from these times will only be allowed in exceptional circumstances. No works shall take place on site on Sundays or Bank Holidays.

There shall be no access onto the site before 7am or after 7pm in the absence of an approved deviation.

In certain instances, in order to address site specific issues of impact on residential or other sensitive amenity a later start time and/or different hours may be conditioned.

12.9.6 New Development/Change of Use - Environmental Impacts

The Development Management Thresholds Information Document 2022 - 2028 (Appendix 3), a tool to assist in the preparation of Planning Applications, identifies thresholds for both residential and commercial development and outlines the package of environmental information that will be required at application stage.

Applications for developments with a site area measuring 0.5ha, or greater and above 50+residential units shall include a Stormwater Audit in accordance with the Council's Stormwater Management Policy. (See Appendix 7.1 Stormwater Management Policy)

Applications for developments of 10+ residential units or <500 sq. m commercial shall include:

- A Construction Management Plan that includes the following elements:

- A Construction Waste Management Plan.

- A Construction Environmental Management Plan.

- A Construction Traffic Management Plan.

- An Operational Waste Management Plan.

The formulation of the above plans shall take account of the following:

- DLR Guidance Notes for Environmental Management of Construction Projects.

- DLR Guidance Notes for Waste Management in Residential and Commercial Development (see relevant excerpt in Appendix 6).

Applications for developments of 20+ residential units or ≥500sq.m. commercial shall (in addition to the above):

- Submit, prior to commencement of development, details of a Sediment and Water Pollution Control Plan in relation to the construction phase of such developments.

- Implement an appropriate rodent/pest control plan.

- Applications for developments of 50+ residential units or ≥1000sq.m. commercial shall (in addition to the above):

- Incorporate where appropriate land for the development of local 'Bring Centres' for recyclable materials, accessible to the general public. The location of "bring centres" shall have regard to the impact on surrounding residential areas.

- Include an assessment of the impacts of climate change on their development and make provision for these impacts - particularly relating to drainage design, waste management, and energy use.

- Be designed and constructed in accordance with the provisions of the Greater Dublin Strategic Drainage Study policy document titled 'New Development'.

All developments shall incorporate:

- Designs and layouts for basements and underground car parks that do not result in any potential for them to flood from within or without with particular emphasis on venting arrangements and access ramps.

- Sustainable Drainage Systems (SuDS) that balances the impact of urban drainage through the achievement of control of run-off quantity and quality and enhances amenity and habitat. The requirements of the UK's Construction Industry Research and Information Association (CIRIA) 'SuDS Manual', shall be followed unless specifically exempted by the Planning Authority.

- Waste storage facilities that are suitably located and designed and shall meet accessibility requirements in accordance with Part M of the Building Regulations and the provisions of Appendix 6 Waste Storage Facilities.

The Planning Authority will:

- Not permit culverting of streams unless considered absolutely necessary by the Council's Water Services Section.

- Encourage the opening up of existing culverts where practicable (in accordance with the recommendations of the GSDSDS).

- Require in developments adjacent to watercourses, that any structure be set back a minimum distance of 10 metres from the top of the bank to allow access for channel cleaning and maintenance, unless otherwise agreed with the Planning Authority.

- Only permit development when satisfied that new and existing developments are not exposed to increased risk of flooding and that any loss of flood storage is compensated for elsewhere in the catchment. Where required, a site-specific Flood Risk Assessment and Management Plan, shall be prepared for the site. This shall be carried out appropriately qualified engineers with significant experience in flood modelling and mapping.

When considering planning applications which include significant hard surfacing, attach conditions which seek to minimise and limit the extent of hard surfacing and paving as well as requiring the use of sustainable drainage techniques, including in particular permeable paving or surfaces such as gravel or slate chippings. The aim generally being to reduce run-off rates and flow volumes from parking areas as well as access roads. For all developments where existing grass or planted areas are being removed to install hard surfacing (for parking or other uses), compensatory soft surfacing shall be provided, or a reinforced grass area used instead of a hard surface.

Ensure that the ongoing development of the County is undertaken in such a way in order not to compromise the quality of surface water (and associated habitats and species) and groundwater. Developments shall not give rise to the pollution of ground or surface waters both during construction and subsequent operation. This shall be achieved through the adherence to best practice in the design, installation, and management of systems for the interception, collection and appropriate disposal or treatment of all surface water and effluents.

Where brownfield redevelopment is proposed, require adequate and appropriate investigations to be carried out into the nature and extent of any soil and groundwater contamination and the risks associated with site development work.

Applicant's Response

The above provisions of the Development Plan are addressed in the following documents submitted with this SHD Planning Application: -

- Construction & Environmental Management Plan, prepared by AWN Consulting.
- Construction & Demolition Waste Management Plan, prepared by AWN Consulting.
- Operational Waste Management Plan, prepared by AWN Consulting.
- Traffic & Transport Assessment (including Outline Construction Management Plan), Aecom Consulting Engineers.

12.9.10 Public Lighting

12.9.10.1 Light Pollution

Lighting columns and other fixtures can have a significant effect on the appearance of buildings and the environment and where proposals for new lighting require planning permission, the Planning Authority will ensure that they are carefully and sensitively designed. Lighting fixtures should provide only the amount of light necessary for the task in hand and shield the light given out in order to avoid creating glare or emitting light above a horizontal plane. (Refer also to Section 8.2.4.4 and Section 5.1.3.2) For further guidance refer to the Institution of Lighting Professions (ILP) 'Guidance Notes for the Reduction of Obtrusive Light'.

12.9.10.2 Street Lighting

The lighting of roads and public amenity areas shall be provided in accordance with the requirements of Public Lighting Standards BS5489-1 EN 13201:2015, and further updates.

In general, for security and road safety reasons, street lighting may be provided for car and cycle parking areas, new access roads and along cycle/ pedestrian routes within new developments, all as per the Council requirements. Details of the column height and spacing, and lantern type, lighting class and lux levels and energy efficiencies shall be provided. Low pedestrian lighting bollards (1 metre to 2 metre height), under rail lighting and low-level wall mounted lighting (below 4m) are not recommended along pedestrian routes on electrical safety and maintenance grounds. Where new junctions are created as a result of new developments, additional lighting poles may be required on the public roads opposite the junction. In such cases an assessment of the adequacy of the street lighting should be undertaken with details of light intensity/ lux levels provided.

Street Lighting shall also be considered having regard to any signage, associated lighting or any other structure along roads running parallel to or buildings alongside the railways. In this regard reference, to and requirements of TII's 'Code of engineering practice for works on, near, or adjacent the Luas light rail system' and TII's Light Rail

Environment - Technical Guidelines for Development PE-PDV-00001 December 2020 (or any superseding document) should be made.

Applicant's Response

We refer the Board to the Public Lighting Layout Plan, prepared by SEHA Technical Services Ltd. This should be read in conjunction with the Site Lighting Report, also prepared by SEHA Technical Services Ltd. The public lighting proposals have been designed to fully integrate with the landscaping proposals with due regard to public safety and the creation of welcoming streets and spaces.

12.10 Drainage, Flood Risk and Coastal Erosion

All planning applications submitted shall clearly show existing and proposed water supply arrangements and surface and wastewater drainage proposals having due regard to SuDS (Refer also to Section 10.2.2.6).

12.10.1 Flood Risk Management

Applications shall adhere to the policies and objectives set out in Appendix 15 Strategic Flood Risk Assessment and Section 10.7 Flood Risk while having regard to 'the 'Planning System and Flood Risk Management' Guidelines for Planning Authorities' DEHLG (2009) and DECLG Circular PL2/2014.

The Flood Zone maps accompanying this Plan and Appendix 15 should be consulted at pre-planning stage and/or prior to lodgement of planning applications.

Applicant's Response

We refer the Board to the Flood Risk Assessment (including Flood Risk Guidelines Statement of Consistency), prepared by JBA Consulting Engineers.

12.11 Heritage

12.11.1 Archaeological Heritage

All development proposals that may (due to their location, size, or nature) have implications for archaeological heritage shall be accompanied by an Archaeological Impact Assessment and Method Statement. This assessment will require the applicant to:

Clarify the significance of the site - in accordance with Section 3.6 of the Government's 'Framework and Principles for the Protection of the Archaeological Heritage'.

Define the buffer area or area contiguous with the monument which will preserve the setting and visual amenity of the site.

Address measures that will be taken to protect the significance of the site.

Identify the likely impact of the proposed development on any archaeological fabric and suggested mitigation measures to address these impacts.

Pre-development archaeological testing, surveying, monitoring and recording, where appropriate, shall be carried out and submitted by a qualified archaeologist. In addition to the Government's 'Frameworks and Principles for the Protection of the Archaeological Heritage', regard should be had to the Heritage Council's guidance document 'Archaeology and Development: Guidelines for Good Practice for Developers', (2000).

If a monument included in the Record of Monuments and Places (RMP) lies within the open space requirement of any development, a Conservation Plan for that monument may be requested as part of the overall Landscape Plan for that proposed open space.

All planning applications and other development proposals which are in, or might affect, sites and features of historical and archaeological interest, shall be referred to the Minister through the Department of Arts, Heritage and the Gaeltacht and to the Heritage Council. In considering such planning applications, the Planning Authority will have regard to the views and recommendations of the National Monuments Service, Department of Arts, Heritage and the Gaeltacht and other interested bodies.

Applicant's Response

We refer the Board to the enclosed Archaeological Desktop Assessment, prepared by Shanarc Archaeology. The report generally concludes: -

*“As the proposed SHD site in Woodside townland has been previously subjected to extensive archaeological investigation under licence no. 13E0189, which involved archaeological monitoring of topsoil stripping across the entire site as well as archaeological monitoring of drainage related excavation works, producing no evidence of any archaeological remains at the site, **the proposed SHD site is considered to be archaeologically resolved and no further archaeological mitigation measures are recommended for this site.**”*

*The proposed attenuation tank site in Kilgobbin townland, while subject to prior ground disturbance, partially falls within the Zone of Archaeological Potential/Zone of Notification for a recorded monument, burnt mound DU026-161. As such, **there remains a slight possibility that the site may contain similar archaeological features, finds or deposits. To address the archaeological potential at the site, it is recommended that groundworks at the site be subject to a programme of archaeological monitoring by a suitably qualified archaeologist during construction.** The construction programme should allow time for the resolution of any archaeological remains that may be exposed during monitoring, which will be carried out in consultation with the National Monuments Service (Department of Housing, Local Government and Heritage) and the National Museum of Ireland, and under licence. Adequate funds to cover excavation, fencing (if required), post-excavation analysis, and reporting should be made available.”*

[Emphasis added by SLA]

11 ADDITIONAL SUPPORTIVE PLANNING POLICY

We wish to highlight to the Board that the below guidelines do not require a Statement of Consistency response. However they have been included in this report to further support the proposed development.

11.1 Rebuilding Ireland

The overarching aim of this Action Plan is to ramp up delivery of housing from its current undersupply across all tenures to help individuals and families meet their housing needs. It sets ambitious targets to double the annual level of residential construction to 25,000 homes and deliver 47,000 units of social housing in the period to 2021, while at the same time making the best use of the existing housing stock and laying the foundations for a more vibrant and responsive private rented sector.

The plan has 5 key pillars: Pillar 1 – Address homelessness; Pillar 2 – Accelerate social housing; Pillar 3 – Build more homes; Pillar 4 – Improve the rental sector and; Pillar 5 – Utilise existing housing. Pillars 3 & 4 are particularly relevant in terms of the subject site, as they seek to increase the output of private housing to meet demand and to address the obstacles to greater private rented sector delivery, to improve the supply of units at affordable rents.

An action related to Pillar 3 set out to deliver 25,000 units per annum in the period until 2021. The supply of housing units continues to fall far short of this target. Notwithstanding, the proposed development supports the delivery of this action.

11.2 National Development Plan

The National Development Plan (NDP) sets out the investment priorities that will underpin the implementation of the NPF. This will guide national, regional and local planning and investment decisions in Ireland until 2040 in order to cater for an increasing population. The plan sets out the government's commitment to invest €116 Billion over this period.

Ten National Strategic Outcomes are outlined in the NPF. In alignment with the NPF, the NDP sets out the new configuration for public capital investment over the next ten years to secure the realisation of each of the National Strategic Outcomes. This is to improve the way public capital investment is planned and co-ordinated in a modern and growing society, leading to improved public services and quality of life. The 10 National Strategic Outcomes of the NPF & NDP are: -

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

Of the ten National Strategic Outcomes, the most relevant to the proposed development are Compact Growth and Sustainable Mobility.

Compact Growth aims to secure the sustainable growth of more compact urban and rural settlements supported by jobs, houses, services and amenities, rather than continued sprawl and unplanned, uneconomic growth. This requires streamlined and co-ordinated investment in urban, rural and regional infrastructure by public authorities to realise the potential of infill development areas within our cities, towns and villages. This will give scope for greater development densities in areas that are centrally located.

To help achieve compact growth the government is establishing an Urban Regeneration and Development fund, aimed at among other things, docklands and quays regeneration, city centre renewal and brownfield development facilitation.

To achieve the National Strategic Outcome of Sustainable Mobility, the NDP envisages investment of €8.6 billion in key transport projects up until 2027. Included in these transport projects are MetroLink Dublin, Bus Connects Dublin and the electrification and expansion of the DART.

A high density scheme at this location, as proposed, is supported by the NDP objective for Compact Growth. It is also supported by the objective for Sustainable Mobility, in that it is served by excellent public transport, cycle and pedestrian infrastructure.

12 JUSTIFICATION OF MATERIAL CONTRAVENTION

As confirmed in Section 10 of this Report, the lands are zoned in the Development Plan as ‘Objective A – Residential’. The zoning of the site promotes residential (BTR) use in circumstance where it can be demonstrated that there will be no significant impact on adjoining residential amenity. An underground wastewater storage tank is proposed on lands zoned ‘Objective F – Open Space’ which is required by Irish Water to assist in addressing capacity issues in the network in the area. The zoning of this area allows for the development of services required by a Statutory Body.

Thereafter, the Housing & Residential Tenancies Act 2016, provides that the Board may grant permission for an SHD proposal even where it would materially contravene the relevant development plan, other than in relation to the zoning of land, subject to meeting certain criteria. In addition, where Specific Planning Policy Requirements of the relevant Development Plan differ from those set out in Section 28 Guidelines, then the Section 28 Guidelines shall, to the extent that they so differ, apply instead of the provisions of the Development Plan.

In the case of the proposed development at the Sector 3, Aikens Village site, there have arisen some inconsistencies between the objectives of the current County Development Plan 2022 – 2028 and the more recent national and regional planning policy published since the local statutory plans were adopted. Notably, this relates to the following aspects of the proposed development: -

- Objective PHP42 and Appendix 5 – Building Height Strategy of the Development Plan (including Policy Objective BHS1 / Objective BHS3) as it relates to building height.
- Section 12.3.5.2 of the Development Plan as it relates to separation between adjoining development and between apartment blocks.
- Section 12.8 of the Development Plan as it relates to Public Open Space.
- Section 12.3.3 of the Development Plan as it relates to unit mix (in the event that the provision regarding units mix within the current Ministerial Direction is reversed).

In this regard, we refer the Board to the accompanying Material Contravention Statement, prepared by Stephen Little & Associates, Chartered Planners & Development Consultants, which provides justification for any material contraventions of the Development Plan where the Board forms the opinion that the proposed development will give rise to such a material contravention.

13 ENVIRONMENTAL STUDIES

13.1 Appropriate Assessment

This SHD Planning Application is accompanied by a Screening for Appropriate Assessment, prepared by Scott Cawley Ltd. which generally concludes the following: -

“Following an examination, analysis and evaluation of the best available information, and applying the precautionary principle, it can be concluded that the possibility of any significant effects on any European sites, whether arising from the project alone or in combination with other plans and projects, can be excluded, for the reasons set out in Section 3.3 above. In reaching this conclusion, the nature of the project and its potential relationship with all European sites within the zone of influence, and their conservation objectives, have been fully considered.

Therefore, it is the professional opinion of the authors of this report that the proposed development does not require an Appropriate Assessment and therefore the preparation of a Natura Impact Statement (NIS) is not required.”

13.2 Ecological Impact Assessment

This SHD Planning Application is accompanied by an Ecological Impact Assessment Report, prepared by Scott Cawley Ltd. which generally concludes the following: -

“The proposed development does not have the potential to result in significant negative effects (either directly or indirectly) on the integrity of any European site, whether considered on its own or in combination with any other plans or projects.

The proposed development does not have the potential to result in significant negative effects on nationally designated areas for nature conservation, whether considered on its own or cumulatively with any other plans or projects.

The proposed development has no potential to affect the surface water quality or the ecology of the adjacent waterbodies as the surface water discharge from the site will be zero. The surface water systems are designed in accordance with the principles of SUDS as recommended in the Greater Dublin Strategic Drainage Study.

There will be no works (e.g. piling) which would have the potential to affect groundwater and groundwater dependent terrestrial habitats of European and/or nationally designated sites. Similarly, there will be no works which would have the potential to affect non-designated groundwater dependent terrestrial.

The proposed development will result in habitat loss within the proposed development boundary. Considering the relatively small areas of habitat lost and the proposed landscape plans, this will not be significant at any geographic scale. The landscape design will ensure that the biodiversity value of the habitats to be retained and created as part of the proposed development are maximised in order to compensate for any habitat loss.

The proposed development does not have the potential to affect habitats indirectly as a result of non-native invasive species impacts due to the absence of non-native invasive species from the proposed development site.

The proposed development does not have the potential to result in significant negative effects on fauna at a local or any other geographic level.

A comprehensive suite of mitigation measures is proposed, in addition to the extensive and stringent environmental control measures that have been incorporated into the design of the proposed development. All of the mitigation measures will be implemented in full and are best practice, tried and tested, and effective control measures to protect biodiversity and the receiving environment. It is recommended that all mitigation measures included within this report are committed to and delivered through the planning conditions.

Considering the elements included within the design of the proposed development (as described in Section 4), and the implementation of the mitigation measures proposed in Section 6 to avoid or minimise the effects of the proposed development on the receiving ecological environment, no significant residual ecological effects are predicted. The proposed development complies with relevant biodiversity policies of the Dún Laoghaire-Rathdown County Development Plan 2022-2026 (Dún Laoghaire-Rathdown County Council, 2022) considered in this report. The recommended biodiversity enhancement measures are in line

with the Dún Laoghaire-Rathdown Biodiversity Plan 2021-2025 (Dún Laoghaire-Rathdown County Council, 2021)."

13.3 Environmental Impact Assessment Screening Report

This SHD Planning Application is accompanied by an Environmental Impact Assessment Screening Report, prepared by AWN Consulting which generally concludes the following: -

"It is concluded having regard to the nature, scale and location of the subject site, that there is no likelihood of significant effects as a result of the proposed development on the environment (direct, indirect or cumulatively with other development) and therefore it is considered that an Environmental Impact Assessment Report (EIA) is not required in this instance."

13.4 Regulation 299B Statement

We refer the Board to the accompanying Regulation 299B Statement, prepared by AWN Consulting, which provides a "statement indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account", in accordance with the provisions of Regulation 299B(1)(b)(ii)(II)(C) of the Planning and Development Regulations 2001 (as amended). The Statement concludes that: -

"This statement indicates how the available results of relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account in this proposed Project.

This statement identifies the relevant Directives which have informed the proposed project. The relevant assessments have been identified as they relate to the proposed development, the results of those assessments, and how those results have been taken into account in determining the significance of the proposed development on the environment.

This statement should be read in conjunction with the Environmental Impact Assessment Screening document prepared by AWN Consulting and enclosed with the application.

ABP may complete an examination for the purposes of a screening determination in accordance with Article 299B of the Planning Regulations and, in particular, may have regard to all of the matters prescribed at Article 299B(1)(b) of the Planning Regulations.

*This statement, in particular, is provided so that ABP may have regard to "the available results of other **relevant assessments** of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account" in accordance with Article 299B (1)(b)(ii)(II)(C) of the Planning Regulations.*

This statement supports the conclusion in the EIA Screening document prepared by AWN Consulting that the proposed development is not likely to have any significant impacts on the environment and, therefore, that no EIA is required in respect of the proposed development."

13.5 Water Frameworks Directive Assessment

This SHD Planning Application is accompanied by an Water Frameworks Directives Assessment, prepared by AWN Consulting which generally concludes the following: -

"The WFD assessment indicates that, based on the current understanding of the proposed development, there is no potential for adverse or minor temporary/ long-term or localised effects on the Ballyogan or Carrickmines surface water body. Therefore, it has been assessed that the proposed development will not cause any significant deterioration or change in water body status or prevent attainment, or potential to achieve, future good status or to meet the requirements and/or objectives in the second RBMP 2018-2021 (River Basin Management Plan) and draft third RBMP 2022-2027.

The WFD assessment indicates that there is no potential for adverse or minor temporary or localised effects on the Wicklow groundwater body. Therefore, it has been assessed that it is unlikely that the proposed development will cause any significant deterioration or change in water body status or prevent attainment,

or potential to achieve the WFD objectives or to meet the requirements and/or objectives in the second RBMP 2018-2021 (River Basin Management Plan) and draft third RBMP 2022-2027.

No further assessment of WFD is recommended given that no significant deterioration or change in water body status is expected based on the current understanding of the proposed development during construction and operation.”

13.6 Hydrological & Hydrogeological Qualitative Risk Assessment

This SHD Planning Application is accompanied by an Hydrological & Hydrogeological Qualitative Risk Assessment, prepared by AWN Consulting which generally concludes the following: -

“A conceptual site model (CSM) has been prepared following a desk top review of the site and surrounding environs. Based on this CSM, plausible Source-Pathway-Receptor linkages have been assessed assuming an absence of any measures intended to avoid or reduce harmful effects of the proposed project (i.e. mitigation measures) in place at the proposed development site.

During construction and operation phases there is no direct source pathway linkage between the proposed development site and open waters. There is no direct source pathway linkage between the Proposed Development site and any Natura 2000 sites (i.e. Dalkey Island SAC/SPA and Bray Head SAC). There are indirect source pathway linkage from the Proposed Development through the public stormwater sewer, and the foul sewer which will eventually discharges to the Shanganagh-Bray WWTP and ultimately discharges to Southwestern Irish Sea. The future development has a peak foul discharge that would equate to 1.13% of the licensed discharge at Shanganagh-Bray WWTP (peak hydraulic capacity).

In addition, in the event of a scenario where the underground foul tank fail during an overflow events, the contribution of the development to the potential discharged overflow from the tank is considered to be low, considering that it would occur during heavy rainfall events, indicating significant attenuation and dilution within the river network before reaching the Irish Sea.

Even disregarding the operation of design measures including an attenuation system and petrol interceptors on site, it is concluded that there will be imperceptible impacts from the proposed development to the water bodies due to emissions from the site stormwater drainage infrastructure to the wider drainage network. It should be noted the proposal also includes an attenuation system and petrol interceptors as part of best practice project design, and these features will provide additional filtration from the site to the drainage network.

It is concluded that there are no pollutant linkages as a result of the construction or operation of the Proposed Development which could result in a water quality impact which could alter the habitat requirements of the Natura 2000 sites within Southwestern Irish Sea and Killiney Bay.

Finally, and in line with good practice, appropriate and effective mitigation measures will be included in the construction design, management of construction programme and during the operational phase of the proposed development. With regard the construction phase, adequate mitigation measures will be incorporated in the Construction Environmental Management Plan (CEMP). These specific measures will provide further protection to the receiving soil and water environments. However, the protection of downstream European sites is in no way reliant on these measures and they have not been taken into account in this assessment.”

14 CONCLUSION

It is our considered professional planning opinion that the proposed development which is the subject of this SHD Planning Application complies with the proper planning and development of the area in the context of the relevant strategic and local planning policy, as primarily expressed in: -

- National Planning Framework, Ireland 2040.
- Eastern & Midlands Regional Spatial & Economic Strategy and Dublin Metropolitan Area Spatial Plan (DMASP).
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009).
- Sustainable Urban Housing: Design Standards for New Apartments (2020).
- Urban Development and Building Heights – Guidelines for Planning Authorities (2018).
- Dun Laoghaire-Rathdown County Development Plan 2022 – 2028.
- Other relevant national and regional planning strategies, objectives and planning design guidelines for achieving sustainable urban residential development in the Dublin area.

The proposed development which is the subject of this SHD Planning Application should be supported by the Board as an appropriate proposal for Strategic Housing Development, on the grounds that: -

- It is in line with the aspirations of the Core Strategy for Dun Laoghaire-Rathdown.
- The design of apartments within the scheme generally exceed the standards set out in the relevant Section 28 Ministerial Guidelines.
- The proposed scheme involves the construction of a high quality development that would be in keeping with the character and scale of the surrounding properties and it is considered that the development will be respectful to its setting.
- The application includes proposals for high quality public realm in a variety of forms, which will add to the existing provision of open space and amenities in the local area, and which is passively overlooked by the apartments and complies with the standards set out in the Development Plan and other Guidelines.
- The proposed development will provide additional amenities including a dedicated childcare facility and a significant quantum of public open spaces which will support greater connectivity to the surrounding areas.
- The layout of the proposal has been influenced by the natural features on site including the existing townland boundary and incorporate those features to form part of a distinctive high quality public realm.
- There has been extensive dialogue between Kavanagh Burke Consulting Engineers, Irish Water and DLRCC Drainage Department to ensure that an effective SuDs strategy and foul water infrastructure will be implemented to ensure the local networks is improved and the likelihood of adverse impacts ameliorated.

We confirm that we act for the Applicant in this case and would ask that all future correspondence in relation to this planning application be directed to this office.

15 ENCLOSURES

The following are enclosed with this SHD Planning Application: -

1. Planning Application Fee (Electronic Fund Transfer – €60,647.28 – Remittance enclosed).
2. SHD Planning Application Form.
3. Newspaper Notice.
4. Site Notice.
5. Dun Laoghaire-Rathdown County Council Letter of Consent.
6. Confirmation of Feasibility from Irish Water, dated 19 July 2022.
7. Statement of Design Acceptance from Irish Water, dated 2 August 2022.
8. Part V Proposal Letter, prepared by Ironborn Real Estate Limited (Part V Layout and unit mix details included in Design Statement, prepared by Ferreira Architects).
9. Dun Laoghaire-Rathdown County Council Part V Validation Letter.
10. Letter regarding Wayleaves, dated 11 August 2022, prepared by Maples Group Law Firm.
11. Letter from Irish Aviation Authority, dated 26 July 2022.
12. Build-to-Rent Legal Covenant, prepared by the Ironborn Real Estate Limited.
13. Evidence of Engagement with Dun Laoghaire-Rathdown County Council Re: Section 247 Pre-Planning Meeting.
14. Planning Application Planning Report & Statement of Consistency (including Response to An Bord Pleanála Opinion), prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants.
15. Material Contravention Statement, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants.
16. Architect's Drawings, prepared by Ferreira Architects (see schedule attached with each bundle).
17. Design Statement, prepared by Ferreira Architects.
18. Housing Quality Assessment, prepared by Ferreira Architects.
19. Verified Photomontages and CGIs, prepared by GNet 3D.
20. Landscape and Visual Impact Assessment, prepared by Doyle + O'Troithigh Landscape Architects.
21. Landscape Drawings, prepared by Mitchell + Associates Landscape Architecture & Urban Design (see schedule attached with each bundle).
22. Landscape Design Report, prepared by Mitchell + Associates Landscape Architecture & Urban Design.
23. Drainage Infrastructure Drawings, prepared by Kavanagh Burke Consulting Engineers (see schedule attached with each bundle).
24. Drainage Design Report, prepared by Kavanagh Burke Consulting Engineers.
25. Flood Risk Assessment (including Flood Risk Guidelines Statement of Consistency), prepared by JBA Consulting.
26. Stormwater Audit (Stage 1), prepared by JBA Consulting.
27. Road Infrastructure Drawings, prepared by Aecom Consulting Engineers (see schedule attached with each bundle).
28. Traffic & Transport Assessment, prepared by Aecom Consulting Engineers.
29. Quality Audit, prepared by Aecom Consulting Engineers.

30. Appropriate Assessment Screening Report, prepared by Scott Cawley Ltd.
31. Ecological Impact Assessment, prepared by Scott Cawley Ltd.
32. Environmental Impact Assessment Screening Report, prepared by AWN Consulting.
33. Statement in Accordance with Section 299B, prepared by AWN Consulting.
34. Hydrological & Hydrogeological Qualitative Risk Assessment, prepared by AWN Consulting.
35. Water Framework Directive (WFD) Assessment, prepared by AWN Consulting.
36. Sunlight, Daylight & Shadow Assessment, prepared by Chris Shackleton Consulting.
37. Wind Microclimate Modelling Report, prepared by B-Fluid Ltd.
38. Archaeological Desktop Assessment, prepared by Shanarc Archaeology Ltd.
39. Arboricultural Assessment ('Sector 3'), prepared by CMK Horticulture & Arboriculture Ltd.
40. Arboricultural Assessment, Arboricultural Impact and Tree Protection Strategy Report – Belarmine Park, prepared by CMK Horticulture & Arboriculture Ltd.
41. Arborist's Drawings (Belarmine Park), prepared by CMK Horticulture & Arboriculture Ltd. (see schedule attached with each bundle).
42. Site Lighting Drawings, prepared by SEHA Technical Services Ltd. (see schedule attached with each bundle).
43. Site Lighting Report, prepared by SEHA Technical Services Ltd.
44. Sustainability Report, prepared by SEHA Technical Services Ltd.
45. Building Lifecycle Report, prepared by Twinlite (a subsidiary company of the applicant Ironborn Real Estate Limited).
46. Construction Environmental Management Plan, prepared by AWN Consulting.
47. Construction & Demolition Waste Management Plan, prepared by AWN Consulting.
48. Operational Waste Management Plan, prepared by AWN Consulting.
49. Telecommunications Impact Assessment Report, prepared by Independent Site Management Limited (ISM).
50. Site Specific and Operational Management Plan Report, prepared by Ferreira Architects.
51. Social Infrastructure Audit, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants.
52. Copy of Cover Letter sent to Prescribed Bodies with copy of Strategic Housing Development Planning Application.
53. Copy of Cover Letter sent to Dun Laoghaire-Rathdown County Council with copy of Strategic Housing Development Planning Application.