



HUGHES
PLANNING
& DEVELOPMENT CONSULTANTS

STATEMENT OF CONSISTENCY & PLANNING REPORT

Royal Oak SHD

**Site at the former Royal Oak Public House,
Finglas Road & Old Finglas Road,
Glasnevin,
Dublin 11**

APRIL 2022

SUBMITTED ON BEHALF OF:
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1.0 Introduction

Hughes Planning and Development Consultants, 85 Merrion Square, Dublin 2, have prepared this statement of consistency and planning report on behalf of our client, Three Castle Investments Ltd., to accompany a planning application to An Bord Pleanála for a proposed Strategic Housing Development at Site at the Former Royal Oak Public House, Finglas Road & Old Finglas Road, Glasnevin, Dublin 11.

The proposed development, as per the description contained within the statutory planning notices, provides for:

‘(i) removal of existing carpark, associated areas of hard-standing surface and construction materials on site; (ii) construction of a Build-To-Rent residential development within a new part six, part seven, part eight, part nine storey over basement level plant room apartment building comprising 103 no. apartments (10 no. studio, 33 no. one-bedroom & 60 no. two-bedroom) all of which have direct access to private amenity space, in the form of a balcony or terrace, and shared access to 450.9sq.m of internal resident’s amenities, 1,061sq.m of external communal amenity space (1st floor & 7th floor roof terraces) and 365sq.m of public open space (public terrace and landscaped area at ground level); (iii) provision of 48 no. vehicular parking spaces (including 3 no. mobility parking spaces and 5 no. electric charging spaces), 2 no. motorcycle parking spaces, 222 no. bicycle parking spaces, bin stores, switch room and ESB substation at ground floor/undercroft level; (iv) provision of 1 no. new vehicular entrance and 7 no. new pedestrian entrances to the development and associated public amenity areas from Old Finglas & Finglas Road, 3 no. pedestrian entrances will provide access to the provided public open space, 2 no. pedestrian entrances will provide direct access to 2 no. ground floor level apartments and 2 no. pedestrian entrances will provide direct access to the apartment building; and, (v) all ancillary works including landscaping, boundary treatments, provision of internal footpaths, provision of foul and surface water drainage, green roofs and all site services, site infrastructure and associated site development works necessary to facilitate the development. A Natura Impact Statement has been prepared in respect of the proposed development.’

The purpose of this report is to provide background information on the site, a description of the proposal, the planning rationale and justification for the proposal and the required information set out in the Strategic Housing Development Application Form. This report has been prepared in accordance with the requirements of the Planning and Development (Strategic Housing Development) Regulations 2017 and pursuant to the requirement under Section 8(1)(a)(iv) of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended) (the "2016 Act"). This report also has regard to the provisions of the Dublin City Development Plan 2016-2022 and the feedback received from An Bord Pleanála and Dublin City Council during pre-planning consultations.

This report should be read in conjunction with the enclosed documentation prepared by the following design team members:

<u>Design Team Member</u>	<u>Documentation Provided</u>
Tyler Owens Architects	Architectural Drawing Pack & Associated Documents
Curtins Consulting Engineers Ltd.	Infrastructure Report, Flood Risk Assessment, CDWMP & Associated Drawings
NRB Consulting Engineers Ltd.	Traffic and Transportation Assessment, Travel Plan & DMURS Compliance Statement
Carmody Engineering	M&E Engineering Drawings & Associated Report
H3D	Daylight, Sunlight & Shadow Analysis, CGIs
Archimedia	Photomontage Imagery
The Big Space (TBS)	Landscape Drawing Pack & Associated Design Statement
Charles McCorkell	Arborist Report & Associated Drawings
Meehan Ecology	Appropriate Assessment & Natura Impact Statement
AWN	EIA Screening Report, Article 299B Statement, CEMP & OWMP
B-Fluid	Wind Microclimate Modelling Report

2.0 Site Location and Description

The subject site, which extends to an area of approximately 0.3845 hectares, comprises an irregularly shaped body of land tapering towards the north and fronting Old Finglas Road along its northern boundary and fronting Finglas Road along its western boundary. The site was formerly occupied by the Royal Oak public house and car park which has since been demolished. The site is bound to the north by the Old Finglas Road and Glasnevin Oaks, to the south by public open space associated with the Tolka River and to the east by a row of two-storey dwellings along Violet Hill Drive.

The site is located in an area that is characterised by residential development, including apartment buildings extending as high as seven-storeys. An apartment scheme, which includes blocks of five and six storeys, is located on the former Premier Dairies site, further to the north along the Finglas Road while a large scheme, again mainly consisting of residential apartment buildings, is to the northwest on the junction of Tolka Valley Road and the Old Finglas Road. Additionally, to the west and cross the Finglas Road is a six-storey apartment complex at 'Tolka Vale', further north along Finglas Road is the Prospect Hill Residential Development, which provides for building heights of up to 7-storeys, with frontage along the adjacent Finglas Road to the east.



Figure 1.0 Aerial view, showing subject site outlined in red and apartment buildings of 6 and 7-storeys in close proximity at the Tolka Vale and Prospect Hill residential schemes.



Figure 2.0 Aerial view from south, showing subject site outlined in red.

The site is situated in close proximity to 2 no. Dublin Bus Stops on the Finglas Road which are served by bus service No's 40, 40B, 40D and 140. Together these bus services provide routes from Charlestown Shopping Centre to Liffey Valley Shopping Centre, serving Finglas Village, Tolka Valley, Dorset Street Lower, O'Connell Street, Inchicore, Ballyfermot Road and Neilstown Road. Finglas Road provides this bus service with the routes going in both directions on either side of the road. Access to the Broombridge Train Station, which forms part of the western commuter services, and the Broombridge Luas terminus is also available within approximately 1.5km of the subject site via Finglas Road and the Tolka Valley Park.

Evidently, the site is well-located within proximity to high-capacity, high-frequency public transport routes and as such constitutes a highly accessible location within Dublin City Council's administrative boundary.

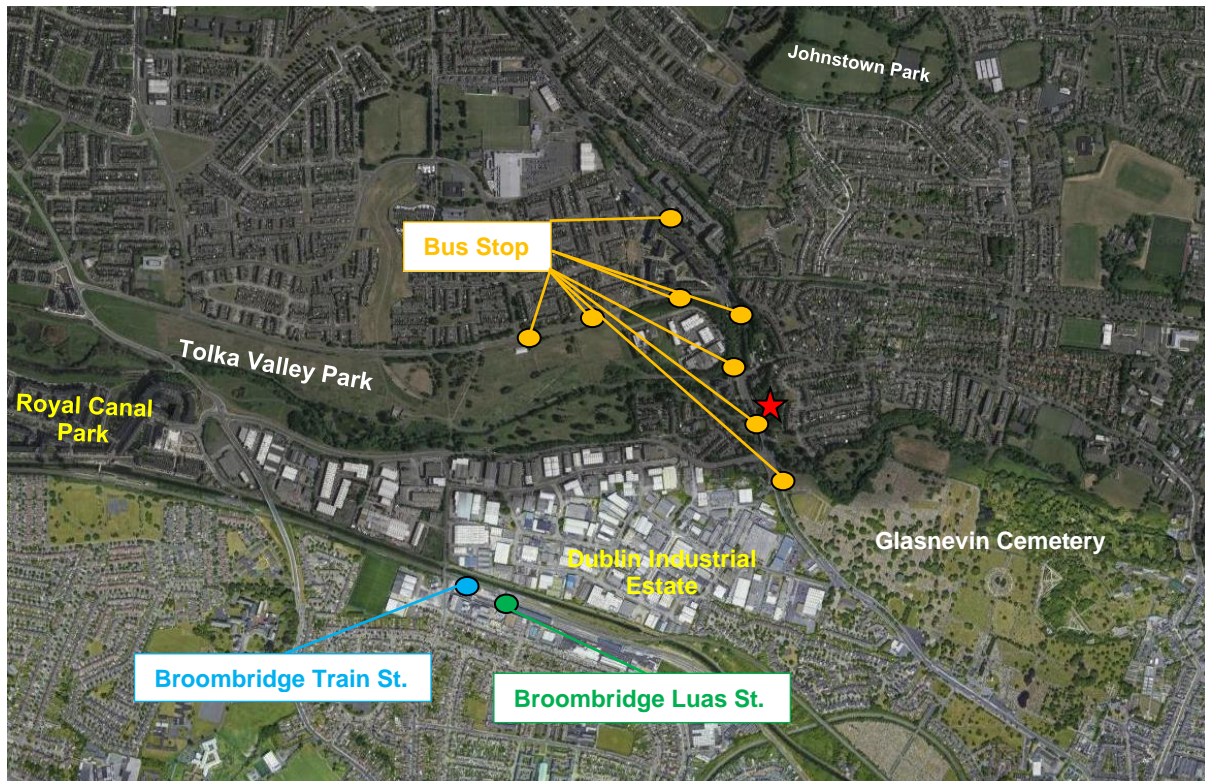


Figure 3.0 Aerial image showing the location of the subject site (red star) in proximity to surrounding public transport services and amenities.



Figure 4.0 Street view from Finglas Road, showing bus/cycle lanes directly adjoining the site.



Figure 5.0 Street view image showing taken from a point further south along Finglas Road, showing the existing western boundary of the subject site. As demonstrated above, the site is currently densely overgrown.

3.0 Pre-Planning Consultation

3.1 Section 247 Meeting with Dublin City Council

We note that an initial scheme was submitted to Dublin City Council by Hughes Planning and Development Consultants, in January 2020, as part of a formal Section 247 pre-planning meeting request. The submission outlined our client's preliminary concept for development and included a full suite of architectural drawings as prepared by Tyler Owens Architects. A formal meeting was subsequently held on 27th February 2020, at the offices of Dublin City Council, following the issuance of this request. The key points of this initial consultation is discussed in turn below and overleaf.

Meeting No. 1 (Formal Section 247 Pre-Planning Meeting Minutes)

Attendees:	Siobhan O'Connor	Dublin City Council
	Ronan Murphy	Dublin City Council
	Kieran O'Neill	Dublin City Council
	Kevin Hughes	Hughes Planning and Development Consultants
	Aoife O'Moore	Hughes Planning and Development Consultants
	Jason Tyler	Tyler Owens Architects
	Seamus Nolan	NRB Consulting Engineers

This initial formal meeting revolved around a pre-planning pack which was circulated prior to the meeting. Tyler Owens Architects and Hughes Planning and Development Consultants presented the proposed development to the Council, including details on the site's history; the site context; and the zoning and planning policy context pertaining to the subject site. The proposal outlined in this pre-planning consultation comprised the construction of 108 no. residential units (8 no. studio apartments, 32 no. one-bedroom apartments and 68 no. two bedroom apartments) in a part 7-storey, part 9-storey block.

For ease of reference, extracts from the architectural drawings presented at this meeting are provided overleaf.



Figure 6.0 Site layout plan presented at the initial Section 247 pre-planning consultation meeting on 26th February 2020



Figure 7.0 First/third/fifth floor plans (top left), second/fourth/sixth floor plans (top right) and eight floor plan (bottom) of the development proposal presented at the initial Section 247 pre-planning consultation meeting on 26th February 2020



Figure 8.0 Front/south-west elevation (l) and rear/north-east elevation of development as presented at the initial Section 247 pre-planning consultation meeting.



Figure 9.0 Montage view from the south of the proposed development presented at the initial Section 247 pre-planning consultation meeting on 26th February 2020.

In general, the Planning Authority was supportive of the principle of redeveloping the subject site, including the proposed height and massing. They did, however, raise concerns about the following aspects of the development:

- The quality of the communal open space provided with only roof terraces were being provided.
- The distance between the communal amenity terrace to the west and the apartments to the east;
- The ground floor level along Finglas Road, specifically that pedestrian access should be overlooked, prominent, safe and secure;
- The street elevation and how it would be read from Finglas Road and the need for active frontage along this section of the boundary;
- The amenity of existing residents of adjoining properties. The Planning Authority recommended that a daylight/sunlight/overshadowing analysis should accompany any forthcoming application
- The quantum of resident support facilities provided given the Build-to-Rent nature of the scheme;
- The quantum of dual aspect units provided; and,
- The level of natural lighting within the central communal hallway.

The feedback and guidance provided, as summarised above, was duly noted and considered by the Design Team. In response to the feedback provided at the initial pre-planning consultation meeting on 26th February 2020, an amended proposal was prepared by the design team which sought to overcome the points of concern raised by Dublin City Council. Following on from this, a subsequent Section 247 meeting request was issued to Dublin City Council in order to discuss the proposal further. Details from this meeting are provided in the proceeding section below.

3.2 Subsequent Consultation with Dublin City Council

Following the initial Section 247 pre-planning meeting, the design team undertook further engagement with Dublin City Council's Planning Department in relation to the proposed development. In this regard, a revised scheme was presented to the Planning Authority as part of a second formal S.247 meeting on 16th March 2021. The proposal was revised to include 108 no. residential units (10 no. studio apartment units, 28 no. one-bedroom units and 70 no. two-bedroom units) over seven to nine storeys.

Meeting No. 2 (Formal Section 247 Pre-Planning Meeting)

Attendees:	Siobhan O'Connor	Dublin City Council
	Ronan Murphy	Dublin City Council
	Kieran O'Neill	Dublin City Council
	Kevin Hughes	Hughes Planning and Development Consultants
	Aoife O'Moore	Hughes Planning and Development Consultants
	Jason Tyler	Tyler Owens Architects
	Cian Heffernan	Heffernan 3D

The second formal meeting revolved around a pre-planning pack, circulated prior to the meeting by Hughes Planning and Development Consultants. Tyler Owens Architects and Hughes Planning and Development Consultants gave a presentation on the proposal, demonstrating how the initial feedback received from Dublin City Council was duly considered in preparation of a revised pre-planning pack.



Figure 10.0 Site layout plan submitted as part of the second pre-planning submission to Dublin City Council.

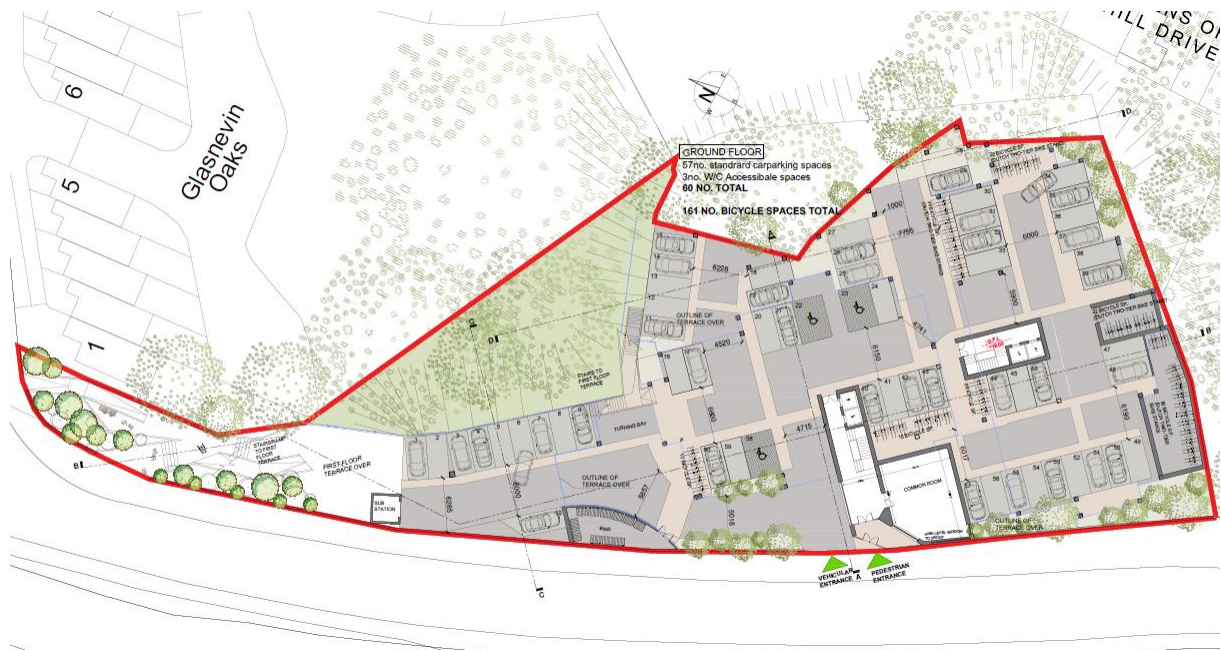


Figure 11.0 Ground floor plan submitted as part of the second pre-planning submission to Dublin City Council. It is noted that the parking layout was subsequently amended to allow for additional turning space.



Figure 12.0 First floor plan submitted as part of the second pre-planning submission to Dublin City Council. It is submitted a sizeable area of communal open space was provided at first floor level atop the proposed car parking area at ground floor level.

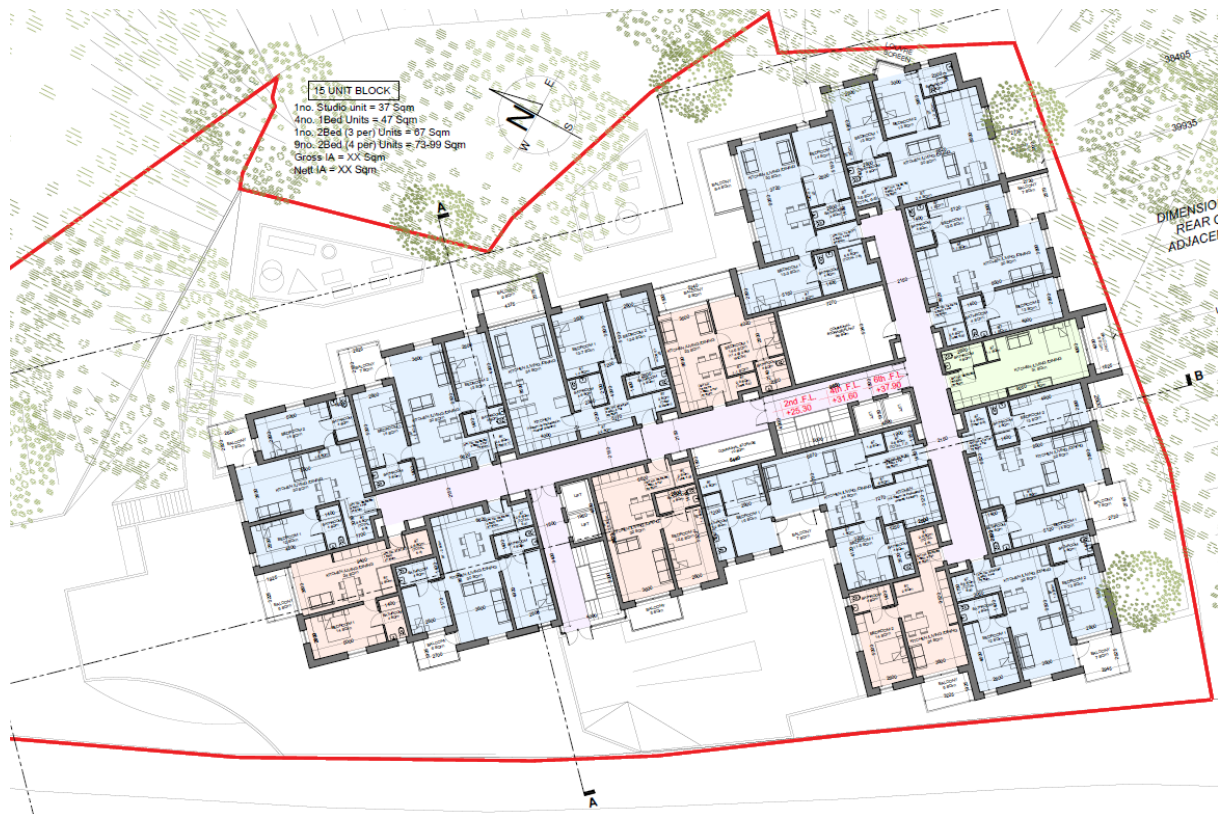


Figure 13.0 Typical second/fourth/sixth floor plan as submitted as part of the second pre-planning submission to Dublin City Council. Internal communal amenity rooms were incorporated at each floor level.



Figure 14.0 Seventh floor plan submitted as part of the second pre-planning submission to Dublin City Council. The above plan indicates the communal terrace at seventh floor level.



Figure 15.0 Front (south-west elevation) submitted as part of the second pre-planning submission to Dublin City Council. The above extract indicates the addition of a communal open space area at first floor level.



Figure 16.0 Rear (north-east) elevation submitted as part of the second pre-planning submission to Dublin City Council.

During the subsequent pre-planning consultation, the Planning Authority raised concerns with the following aspects of the proposed development:

- Dublin City Council noted concerns regarding the lack of active frontage at ground floor level - additional fenestration and use required at ground floor level to provide passive surveillance onto Finglas Road;
- It was also noted that a figure would need to be provided for the number/percentage of dual aspect units within the proposed scheme;
- The Planning Authority further recommended that a Landscape Masterplan should form part of any future application;
- Ensure that the open spaces meet the four criteria (accessibility, usability, quantity and security);
- The Planning Authority advised that CGI images/Photomontages be prepared as part of any future planning applications which illustrates the scheme as viewed from the adjoining Finglas Road;
- It was advised that any future application should provide for a criteria based assessment from the building height guidelines, *Urban Development and Building Heights - Guidelines for Planning Authorities (2018)*;
- It was also noted that the supporting material, should clearly stipulate the proposed density.

Design Team Response to Pre-Planning Feedback Received on 16th March 2021

The revised scheme as prepared by Tyler Owens Architects provided for the following amendments following on from the pre-planning feedback received from Dublin City Council on 16th March 2021:

- In order to provide an active frontage along Finglas Road, the current design proposal incorporates 1 no. common room and 2 no. apartments located at ground floor level fronting onto Finglas Road.
- In order to address any concerns expressed regarding daylight access/overshadowing, Heffernan 3D were engaged by the applicant to undertake a detailed daylight/sunlight/overshadowing assessment.
- There are a total of 78 no. dual aspect units provided for within the scheme. This is resulting in approximately 70% dual aspect units which is in line with the requirements of the *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities*.
- A Landscape Masterplan has been prepared by landscape architects, The Big Space, which accompanies this pre-planning submission.
- The communal open space has been designed to be accessible, usable and secure, with adequate space provided at first floor podium level, and seventh floor level. The communal terraces located at first floor level are accessible from 2 no. points through the main building. This space is also accessible via a pedestrian entrance located to the north of the site. This also increases the permeability of the site. The communal terrace at seventh floor level is accessible through the main building. All communal spaces are adequately overlooked to ensure their safety.
- Photomontages which have been prepared by Tyler Owens Architects accompany this pre-planning submission.
- The proposed vehicular entrance has been re-located to take account of the proposed Toucan Crossing identified in the BusConnects Core Bus Corridors plans.
- The subsequent sections of this report will include an assessment of the development in line with the building height guidelines, *Urban Development and Building Heights - Guidelines for Planning Authorities (2018)*.

The proposed scheme outlined in this report has been revised and the necessary alterations made to appropriately address the concerns of Dublin City Council.

3.3 Tri-Partite Pre-Application Consultation with An Bord Pleanála Ref. No. ABP-311696-21

The applicant, the Board and Dublin City Council conducted a tri-partite pre-application consultation meeting on 17th November 2021, in accordance with Section 6(5) of the 2016 Act.

The attendees of this meeting were as follows:

Attendees An Bord Pleanála

Stephen O'Sullivan	Assistant Director of Planning
Karen Hamilton	Senior Planning Inspector
Helen Keane	Executive Officer
Ashling Doherty	Executive Officer

Dublin City Council

Siobhan O'Connor	Senior Executive Planner
John Carty	Executive Planner (Roads Dept)
Kieran O'Neill	Senior Executive Landscape Architect
Ronan Murphy	Executive Planner

Prospective Applicant & Design Team

Diarmuid Healy	Three Castle Investments (Applicant)
Kevin Hughes	Hughes Planning & Development Consultants
Seamus Nolan	NRB Consulting Engineers
Jason Tyler	Tyler Owens Architects
Eunan O'Connor	Tyler Owens Architects
Linda Maher	TBS Landscape Architects

This pre-planning meeting revolved around an agenda of 5 no. key points as follows:

1. *Development Strategy, inter alia, scale and massing, height, open space, Z9 zoning*
2. *Impact on Residential Amenity, inter alia, daylight/sunlight analysis, distance from existing property*
3. *Traffic & Transport, inter alia, access, car parking*
4. *Irish Water Submission*
5. *Any Other Matters.*

We shall now provide a response to the key points raised, as presented in the Inspector's Report issued by An Bord Pleanála following the tripartite meeting, in respect of each of the above discussion points:

Development Strategy, inter alia, scale and massing, height, open space, Z9 zoning

An Bord Pleanála Comments

- The submitted planning statement indicates that the height of the proposed development materially contravenes the development plan.
- A Material Contravention statement was not submitted with the pre-application documentation.
- The submitted documentation regarding the impact on residential amenity does not allow for a full assessment.
- The submitted documentation does not give a justification for the increased height towards existing development.
- The prospective applicant is to provide further detail on the usability of the public open space for Build to Rent residents.
- The PA raised concern in the submitted Opinion, including the increased scale and mass.
- The impact of the scale cannot be fully assessed with the current amount of planting included in the illustrations/ CGIs.
- The prospective applicant is to ensure that application documents fully dovetail and correlate.
- Problematic to expect apartment management company to take responsibility for open space that would be used by the public. Clarity required on areas that the council would take in charge.

Dublin City Council Comments

- The prospective applicant is to refer to the PA's opinion.
- In terms of scale, the PA is primarily concerned with the back of the proposed development site.
- The increased height should be justified in more detail at application stage.
- The public open space encroaches on Z9 lands.
- The PA will consider a plaza as public open space.
- The spine going up towards Finglas Road may be suitable for public space.
- The proposed development is pushing in on the tree canopy line.
- The screening would be reduced if trees are removed near house numbers 42 and 44.

In response to the above, we would note that the subject proposal is accompanied by a Material Contravention Statement, prepared in respect of the proposed height, with appropriate justification for the height of the proposed scheme set out in Section 7.3 'Urban Development and Building Heights - Guidelines for Planning Authorities' of this report. The enclosed Daylight Assessment & Overshadowing Study, as prepared by H3D, confirms that the proposal presents no undue impact on adjoining residential amenities in the context of shadow impacts.

With regards to the provided public open space, it is considered that the subject proposal provides an appropriate design response to the issues raised by the manner in which the zoning objectives are applied to the site. The provision of public open space upon lands zoned Z9 ensures that this space retains a functional use for the benefit of the local community and allows for the provision of a direct link between the communal terrace serving the residents of the proposed development and the immediate public realm. The public open space will greatly improve the animation of the site within the context of both Finglas Road and Old Finglas Road.

As a final point, we would ask the Board to have regard for the documentation prepared by Charles McCorkell Arboricultural Consultancy, in respect of tree removal, and we would note that it is not proposed that any areas within the proposed development be taken in charge by Dublin City Council.

Impact on Residential Amenity, inter alia, daylight/sunlight analysis, distance from existing property

An Bord Pleanála Comments

- The prospective applicant is to provide further detail on the impact of the scale and mass of the proposed development on existing residential properties.
- Further detail is required on the significance of the overshadowing impact at Violet Hill.

Dublin City Council Comments

- The shared amenity rooms would be of poor quality, with no windows, no natural light, and a generic layout. The information in the pre-application documentation is minimal on what they will function as.
- The prospective applicant is to reconsider the separation distances at the communal amenity. Roof terraces and podiums are not ideal if this is all that is being provided.
- The clearance may need to be higher than what is currently proposed.
- The PA is open to further discussions with the prospective applicant.

As stated previously, the enclosed Daylight Assessment & Overshadowing Study, as prepared by H3D, confirms that the proposal presents no undue impact on adjoining residential amenities in the context of shadow impacts.

With regards to the level of amenity provided for residents of the proposed development, we would note that the scheme has been revised to provide an increased quantum (450.9sq.m) of internal amenities providing in excess of 4sq.m of resident's amenities per unit. Of the 6 no. resident amenity spaces at upper floor levels presented at pre-planning stage, 4 no. rooms have been extended northwards to allow for increased glazing and, as such, access to improved natural light. The extended rooms have been appropriately designated, as gym, quiet room, meeting room and co-working space, to benefit from the improved internal lighting. The 2 no. rooms which remain the same, at third and fifth floor level, provide uses which do not need extensive natural light including cinema and store room. A common room remains provided at ground level.

Whilst we note that external communal space is wholly provided by way of shared terraces, the fact that the provided quantum of communal amenity space (1,061sq.m) greatly exceeds the required quantum (625sq.m) is considered to provide a direct justification with the quality of the internal amenities considered sufficient to further justify this provision and confirm a high standard of amenity for future residents of the scheme.

Traffic & Transport, inter alia, access, car parking

An Bord Pleanála Comments

- The proposed parking needs to be justified having regard to the BTR status under apartment design guidelines, and the public transport and other facilities in the area.
- The area is quite accessible.
- Need to have regard for pedestrians and cyclist movement along the main road across, and to BusConnects proposals.

Dublin City Council Comments

- The PA has concerns in relation to parking overspill.

In response to the above, we would ask the Board to have regard for the enclosed Transportation Assessment Report, as prepared by NRB Consulting Engineers. This report confirms the public transport accessibility of the site, presents email confirmation from the NTA in relation to the

development's compatibility with BusConnects proposals on the Finglas Road. Having reviewed the apartment guidelines, we are not aware of any specific commentary pertaining to vehicular parking for BTR developments, however, we would consider the quantum of parking provided to be sufficient given the site's representation of a Central and/or Accessible Urban Locations in the context of the apartment guidelines. Further discussion in relation to vehicular parking is provided in Section 6.2.1.4 of this report.

Irish Water Submission

An Bord Pleanála Comments

- Irish Water has raised the issue of the feasibility of diversions on the site.

Dublin City Council Comments

- The prospective applicant can contact the PA's drainage division for further discussions.

In response to the above, we would ask the board to have regard for the documentation prepared by Curtins Consulting Engineers.

Any Other Matters

An Bord Pleanála comments

- N/A

Dublin City Council Comments

- The prospective applicant is to refer to the PA's submitted opinion of further issues to address.

In summary, we would note the following revisions which have been employed following review of the report prepared by Dublin City Council following the tripartite meeting:

- Reduction in the scale and height of the proposed development with additional photomontage imagery and architectural drawings provided;
- Social & Community Infrastructure Audit (including childcare audit) prepared;
- Microclimate & Wind Modelling, Road Safety Audit, Parking Management Strategy, CEMP and Building Lifecycle Reports prepared;
- Resident's amenities revised to provide in excess of 4sq.m per unit;

An Bord Pleanála subsequently issued a Notice of Pre-Application Consultation Opinion on 22nd December 2021, which identified 1 no. items to be addressed, in order for the application to constitute the reasonable basis for a Strategic Housing Application.

This item relates to 'Residential Amenity' and the wording of same is as follows:

Further consideration and/or justification of the documents as they relate to impact of the proposed development on the residential amenity of the existing neighbouring dwellings, having regard, inter alia, the location and height of the proposed development and the potential for a negative impact on the visual and residential amenity of existing occupants along Violet Hill. Additional Computer-Generated Images (CGIs) and visualisation/cross section drawings showing the proposed development in the context of the existing residential properties surrounding the site may further elaborate on the visual impact on these properties. This further consideration may require the submission of updated sunlight and daylight analysis detailing compliance with the requirements of BRE209/BS2011, as applicable and may require an amendment of the documents and/or design proposal submitted.

The Board also requested, pursuant to article 285(5)(b) of the Planning and Development Act 2000 (As amended by the Residential Tenancies Act 2016), the provision of the following specific information:

1. *Additional Computer-Generated Images (CGIs) and visualisation/cross section drawings showing the proposed development in the context of the site at key landmark views along the Finglas Road and surrounding areas.*
2. *Updated contextual elevations clearly illustrating the relationship between the ground floor and the Finglas Road.*
3. *An updated Sunlight/Daylight/Overshadowing analysis showing an acceptable level of residential amenity for future occupiers and existing residents, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable.*
4. *A Social Audit necessary to comply with Section 16.10.4 of the Dublin City Development Plan 2016-2022 and indicating the range of existing facilities in the area.*
5. *A report that specifically addresses the proposed materials and finishes to the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings, landscaped areas, pathways, entrances, and boundary treatment. 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. The documents should also have regard to the long-term management and maintenance of the proposed development and a life cycle report for the apartments in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2020).*
6. *A detailed site layout plan clearly illustrating the proposed development and the land use zoning for the site from the statutory development plan.*
7. *A Microclimate Study.*
8. *A quantitative and qualitative assessment which provides a breakdown of the public and communal open space areas. This assessment should include a detailed landscape plan including the provision of communal amenity spaces and play facilities in line with the Sustainable Urban Housing: Design Standards for New Apartments (2020). Further details relating to a specific tree survey, tree retention report and tree planting scheme should be included in the landscaping report.*
9. *Submission of a Car Parking Management Strategy will provide further justification in relation to car parking strategy, the designation of parking spaces for visitor and residents, car sharing spaces, 10% electric charging and provision of motorcycle spaces.*
10. *Submission of detailed information indicating compliance with Section 4.15 – 4.17 of the Apartment Guidelines (2020) for bicycle parking facilities.*
11. *The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, unless it is proposed to submit an EIAR at application stage.*
12. *Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective(s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format. The notice and statement should clearly indicate which Planning Authority statutory plan it is proposed to materially contravene.*

A Statement of Response to Pre-application Consultation Opinion has been prepared by Hughes Planning and Development Consultants, detailing how each of the items outlined in the pre-application consultation opinion from An Bord Pleanála have been addressed in full by the applicant and design team prior to lodgement of this application.

4.0 Planning History

4.1 Subject Site History

This section of the report provides a review of the planning history for the application site. In this context, a review of the Dublin City Council and An Bord Pleanála planning registers revealed a total of 5 no. planning applications relating specifically to the subject site. The details pertaining to each of these previous applications are noted below:

Reg. Ref. 2458/17 Permission granted on 27th February 2018 by An Bord Pleanála following a refusal by Dublin City Council for (a) 69 apartments; (32 no. two bedroom units, 19 no. one bedroom units, 15 no. three bedroom units & 3 no. studio apartments) in two five storey blocks. Block A - Ground floor: 2 no. 2 bed, 1 no. 3 bed, 1 no. 1 bed, & 1 studio; First Floor: 3 no. 2 bed, 1 no. 3 bed & 2 no. 1 bed; Second floor: 3 no. 2 bed, 1 no. 3 bed & 2 no. 1 bed; Third Floor 3 no. 2 bed, 1 no. 3 bed & 2 no. 1 bed; Fourth Floor: 3 no. 2 bed, 1 no. 3 bed & 2 no. 1 bed. Block B - Ground Floor: 4 no. 2 bed, 2 no. 3 bed & 2 no. studio; First Floor: 4 no. 2 bed, 2 no. 3 bed & 2 no. 1 bed; Second Floor: 4 no. 2 bed, 2 no. 3 bed & 2 no. 1 bed; Third Floor: 4 no. 2 bed, 2 no. 3 bed & 2 no. 1 bed; Fourth floor: 4 no. 2 bed, 2 no. 3 bed & 2 no. 1 bed. All ground floor apartments have private open space in the form of private patios, while all of the first to fifth floor apartments have private balconies (b) Basement car park over two levels (served with separate entrance and exit ramps off Finglas Road inbound lane), providing spaces for 104 no. cars (including 6 no. wheelchair accessible), 80 no. bicycle spaces, storage lockers, bin storage and attenuation tank (capacity 110m³), (c) Communal open space, landscaping, boundary fencing, paths, signage and site development works.

We note the below refusal reasons as included within Dublin City Council's decision to refuse permission under Reg. Ref. 2485/17:

1. *The lack of adequate sunlight and daylight levels for apartments, the proximity to the Finglas Road and boundaries which would result in undue overlooking, excessive noise and nuisance and the provision of 3 no. studio apartments would result in an unsatisfactory standard of residential amenity for future occupants, would set an undesirable precedent for similar type developments and would be contrary to the provisions of the Dublin City Development Plan 2016-2022. The proposed development would thus be contrary to the proper planning and sustainable development of the area.*
2. *The location of the proposed play area on the northern boundary of the site with access from the Finglas Road only and the conflict between the communal open space and drop off / servicing area and emergency vehicle route location fails to achieve the quality of communal open space as envisaged in the DECLG document 'Sustainable Designs for New Apartments, Guidelines for Planning Authorities, 2015' and paragraph 16.10.1 of the Dublin City Development Plan 2016-2022. The development would result in an unsatisfactory level of residential amenity for future occupants of the scheme. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.*
3. *Having regard to the design and materials to be used and the location of the proposed development in close proximity to the Finglas Road (N2), the proposed development would be out of keeping with the character of the area. Furthermore, the design of the scheme as proposed illustrates insufficient regard for the prominent nature of the site by reason of visual obtrusion and overbearing design. It is considered that the proposed development would seriously injure the visual amenities of the surrounding area, would have a negative impact upon the character of the area and set an undesirable precedent for similar developments. The proposal would therefore be contrary to the proper planning and sustainable development of the area and to the zoning objective Z1 'to protect, provide and improve residential amenities' as set out in the Dublin City Development Plan 2016- 2022 and thus would be contrary to the proper planning and sustainable development of the area.*



Figure 17.0 Extract from the proposed site layout plan as submitted at further information stage under Reg. Ref. 2458/17.



Figure 18.0 Proposed front elevation as submitted at further information stage under Reg. Ref. 2485/17.



Figure 19.0 Proposed rear elevation as submitted at further information stage under Reg. Ref. 2485/17.

The decision of Dublin City Council to refuse permission was subject to a first party appeal to An Bord Pleanála under ABP Ref No. PL29N.248996 with the Board later overturning the decision of Dublin City Council, issuing a grant of permission on 27th February 2018. We note the following positive commentary as included within the Board's Order in relation to the development as proposed:

'Having regard to the provisions of the Dublin City Development Plan, to the pattern of development in the area, to the site history, to the documents on file including the site specific Flood Risk Assessment and the Traffic Impact Assessment, the Board considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of the residential amenity of adjoining properties and the visual amenity of properties in the area, would be acceptable in terms of the residential amenity of future occupants, would be acceptable in terms of pedestrian and traffic safety and would not constitute a flood risk. The proposed development, would therefore, be in accordance with the proper planning and sustainable development of the area.'

Moreover, in deciding not to accept the Board's Inspector's recommendation to refuse permission, the Board considered that the concerns of the Inspector with regard to flood risk were adequately addressed by the site-specific Flood Risk Assessment submitted in response to the section 132 notice. In addition, the Board were satisfied subject to the omission of apartment No. 34 and based on the additional daylight and sunlight analysis submitted as part of the appeal, that the proposed development would provide an acceptable level of residential amenity to future occupants.

We note the adoption of the Urban Development and Building Heights Guidelines in the intervening period since the above grant of permission was issued by An Bord Pleanála under ABP Ref. No. PL29N.248996. This policy document encourages the facilitation of increased levels of residential development in our urban centres and significant increases in the building heights and overall density of development through the planning process, particularly at local authority and An Bord Pleanála levels. In this regard, we consider that the increased height and density proposed for the subject site as part of the current proposal, is consistent with the above given the site's location in proximity to high-capacity and frequency public transport services and in considering the existing and emerging built context surrounding the subject site.

Reg. Ref. 6360/06 Planning permission granted by Dublin City Council on 2nd July 2007 for the construction of 86 apartments (58 no. two bedroom, 12 no. one bedroom and 16 no. three bedroom) in three (A, B, C) seven storey, over two levels of basement, apartment blocks containing the following. Permission was also granted for private open space - as winter gardens and balconies, balconies only, or terraces, basement car park over two levels (providing spaces for 123 no. Cars, 90 no. Bicycle spaces & Bin Storage), with an entrance and exit ramp off Finglas Road inbound, and 3 communal open space, landscaping, boundary fencing, paths, signage and site development works.



Figure 20.0 Proposed site layout plan as submitted under Reg. Ref. 6360/06.

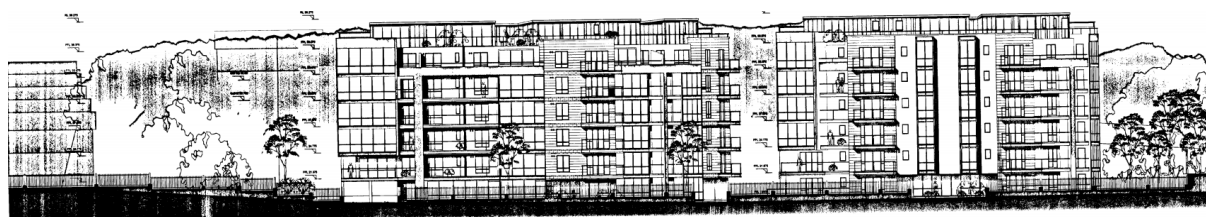


Figure 21.0 Proposed western elevation, fronting Finglas road, as submitted at further information stage under Reg. Ref. 6360/06.

The above application was for 86 no. apartments in three seven-storey blocks over two levels of basement parking. All of the units were to be provided with an area of private open space and three areas were proposed to be public open space. The Planning Authority considered that the scheme would have a considerable townscape presence and would act as a suitable entrance feature to the approach to Finglas Village, and a suitable counter-point to Tolka Park.

This decision was appealed to An Bord Pleanála (ABP Ref. No. PL29N.224579) where a decision was made to uphold the decision of Dublin City Council and grant permission. In their assessment of the application, the Board's Inspector considered that the proposal was a well-designed scheme on a suburban/infill site and also noted that this site can propose its own density and character. It is further noted in the Inspector's Report that this is particularly for those sites in excess of 0.5 hectares in area but the Density Guidelines '*do not advise this also being the case for sites less than 0.5 ha. in area*'. The proposed density of 159 no. units per hectare is considered to be acceptable and the two blocks of apartments will form a unique character along the Finglas Road. The Inspector considered that:

'The proposal was a well-designed, high density apartment complex on a brownfield, infill site close to main public transport routes and designed in such a way as to protect both visual and residential amenity and to integrate well with the developing character of this part of Dublin.'

4.2 Planning Precedents Within Wider Jurisdiction of Dublin City Council

Part of Former Premier Dairies Site, Finglas Road, Dublin 11 (c. 765 metres north-west of the subject site)

ABP Ref. 305312-19 Permission granted by An Bord Pleanála on 20th November 2019 for a strategic housing development comprising 245 no. apartments in 3 no. buildings ranging in height from 6 to 10 storeys; 118 no. car parking spaces; 295 no. bicycle parking spaces; and a childcare facility.



Figure 22.0 GCI view of the development as approved under ABP Ref. 30312-19, as viewed from Finglas Road (looking south)

In their assessment of the above Strategic Housing Development Application, the Board's Inspector noted the following in respect of the proposed height, scale and massing of the development as proposed:

'I note the site is located relatively proximate to the city centre and is immediately adjacent to a QBC and proposed BusConnects route. The site also has a significant presence to the Finglas Road and in this context there is an opportunity for a development of scale to provide an appropriate sense of enclosure along this major arterial route. I also note that a number of other higher density residential developments have been constructed further south along the Finglas Road and the development would accord with this emerging pattern of development.'

It was however the recommendation of the Board's Inspector that revisions should be introduced to the scheme, particularly the proposed Block 1, which would be reduced in height to 6-8 storeys and Block 2 which would be reduced to a 7-9 storey block, resulting in the omission of c. 31 units. Notwithstanding the positive determination of the Board as outlined above, on foot of judicial review proceedings (*O'Neill v An Bord Pleanála* 2020/45JR) the decision of An Bord Pleanála was quashed.

Merville Place SHD - Part of Former Premier Dairies Site, Finglas Road, Dublin 11 (c. 765 metres north-west of the subject site)

ABP Ref. 310722-21 Permission granted by An Bord Pleanála on 18th October 2021 for a strategic housing development comprising 191 no. apartments in 3 no. buildings ranging in height from 5 to 6 storeys; 99 no. car parking spaces; 271 no. bicycle parking spaces; and a childcare facility.

Whilst, upon review of the Inspector's Report prepared by An Bord Pleanála in respect of this application, we note that the Board considered the height and density of this identified precedent to be appropriate, we would contend that the subject site is located at a far more prominent location in the context of the Finglas Road. As such, we would consider the comparative increase in height and density, albeit accompanied by appropriate massing reduction, proposed under the current application to represent an appropriate interpretation of the extent of development which can be achieved upon the subject site.



Figure 23.0 Aerial image indicating the location of the proposed Merville Place SHD (orange star) relative to the subject site (red star) at the site of the Former Royal Oak Public House, Finglas Road.



Figure 24.0 CGI view of the development as proposed under ABP Ref. 310722-21, as viewed from Finglas Road



Figure 25.0 CGI view of the development as proposed under ABP Ref. 310722-21.

Glasnevin Autos, 54, Glasnevin Hill, Glasnevin, Dublin 9

Reg. Ref. 3870/18 Permission was granted by Dublin City Council on 23rd May 2019 by An Bord Pleanála for the demolition of the vacant motor vehicle showroom and No. 38 Glasnevin Hill (a vacant dwelling) and the development of a residential, retail and retail/medical scheme arranged in 2 No. blocks. Due to the fall in existing ground levels at Glasnevin Hill, Block 1 will be arranged over predominantly 5 storeys (including setbacks) at its northern end and 6 storeys (including setbacks) at its southern end. Block 2 will be arranged over 5 storeys (including setbacks) to Glasnevin Hill. The development will consist of; 74 No. residential units (comprising 18 No. 1-bed units; 47 No. 2-bed units; 9 No. 3 bed units, with associated residential amenities including communal facilities, gym, concierge, function rooms and meeting rooms, 2 No. retail units; 3 No. retail/medical units; store; plant; and substation and switch room. The development will also include: alterations to existing perimeter boundary walls; private and communal open space areas: car, motorcycle and cycle parking; vehicular and pedestrian access / egress and associated circulation routes; associated lighting; associated site servicing (foul and surface drainage and water supply); the provision of SUDs measures, including attenuation tank and blue and green roofs; services provision and related pipe work; electric vehicle charging points; waste management areas' work to the adjacent public streets, all of which are subject to agreement with Dublin City Council; all hard and soft landscaping; boundary treatments; changes in level; and all other associated site excavation and site development works above and below ground.

It is noted that the above application was submitted in August 2018, prior to the introduction of the Urban Development and Building Height Guidelines which were published in December. Thus, in their assessment of the application, Dublin City Council assessed the proposed building heights against the provisions included in the Dublin City Development Plan 2016-2022. Commentary as included in the Planners Report published on the Council's website states that

'The majority of the proposed development at 16m (maximum) in height is line with the quantitative height guidance set out in Section 16.7.2 of the DCDP 2016 – 2022 for this area of the city which is up to 16 metres (5 storeys) in height. However, upon measuring from street level of Block 1 to the top it would appear that the height proposed at this point is circa. 20 metres (6 storeys). This is not in compliance with development plan policy and would not be acceptable from a policy point of view or from a residential or visual amenity point of view. The applicant will be requested to address this concern by way of further information.'

One storey was later removed from the development to keep it in line with the policies as included in the development plan.

The Planner later goes on to note that

'It is considered that this site can accommodate a higher building and possibly up to the 16m height having regard to its Z3 – neighbourhood centre zoning, its position within a curve in the street, the set back at upper level, the high quality materials use and its accessible location. However, the planning authority is mindful that there are two storey properties adjoining and the transition between these and the 6-storey building (Block 1) could appear abrupt. The transition and step up in height from surrounding development should not detract from the visual amenities or character of the area.'

Despite the above noted positive commentary, the decision of the Planning Authority was subject to a third party appeal to An Bord Pleanála (ABP Ref. 304700-19), with the decision to grant permission being upheld by the Board, subject to conditions. In comparison to the subject site, and given the fact that the Urban Development and Building Height Guidelines have been introduced and now take precedence over Development Plan Policies, a seven to nine storey development at the subject site as proposed is considered appropriate and is not considered to cause any detriment to surrounding properties with regard overshadowing or overlooking.



Figure 26.0 Site layout plan submitted at further information stage under Reg. Ref. 3870/18.



Figure 27.0 CGI submitted at further information stage under Reg. Ref. 3870/18.



Figure 28.0 Contiguous elevation as viewed from Glasnevin Hill as submitted at further information stage under Reg. Ref. 3870/18

5.0 Proposed Development

The proposed development comprises the construction of a 'Build-To-Rent' (BTR) scheme, accommodating a total of 103 no. residential apartments, in a part six, part seven, part eight, part nine storey apartment building with maximum height provided within the south-west of the site at furthest proximity from adjoining sites. The proposed scheme has a housing density of 268 dwellings per hectare, a plot ratio of 2.44 and a site coverage of 12% at ground floor level. These figures are calculated based on the application site area of 0.3845 hectares. More specifically, the 'build-to-rent' housing development will comprise the following mix of units:

- Studio Apartment 10 No. Units
- One-Bedroom Apartment 33 No. Units
- Two-Bedroom Apartment 60 No. Units

All apartments within the scheme will be served by private amenity space, in the form of a balcony or a terrace, and will be provided with a kitchen/dining/living area, bathroom and storage area. With regards to shared amenities on site, each apartment will have access to 1,061sq.m of external communal amenity space, spread over 2 no. roof terraces at first and seventh floor level, and 450.9sq.m of resident's amenities. The breakdown of internal amenity spaces is presented below.

Internal Amenity Space	Sq.m	Floor Level
Common Room	78.3sq.m	Ground
Gym	65sq.m	First
Quiet Room	65.3sq.m	Second
Cinema	54sq.m	Third
Meeting Room	65.3sq.m	Fourth
Store Room	54sq.m	Fifth
Co-Working Space	69sq.m	Sixth

Figure 29.0 Table presenting breakdown of internal communal amenities on site.

As per the above table, the scheme will accommodate a common room, gym, cinema, store room, quiet room, meeting room and co-working space. The extent of facilities provided will allow residents a range of on-site amenities with such a strong variety of uses considered particularly important in light of the current Covid 19 climate. In addition to the amenities provided on site, it is also worth noting that the subject development is in close proximity to multiple local amenities, including Glasnevin Cemetery and The National Botanic Gardens.

With regards to vehicular parking, the proposed development is to be served by a ground level carpark, accessible via a new entrance off Finglas Road, providing a total of 48 no. spaces (including 5 no. electric-charging and 3 no. mobility impaired user parking spaces). The development will be served by 222 no. bicycle parking spaces at ground level. A total of 7 no. pedestrian entrances will also be provided via Finglas Road to the site with these entrances serving ground floor level apartments (2), publicly accessible amenity space (3) and the apartment building itself (2).

The adjoining public realm is also set to benefit from the provision of a public amenity terrace within the northern extent of the subject site which will run parallel to Finglas Road. This space extends to 365sq.m and will comprise a pedestrian walkway, seating areas and a natural play area. The space is accessed from the north and west through steps and ramps as well as from within the building and provides the residents with a space to relax, exercise or move through by using a hierarchy of materials and planting to create different zones and provide visual cues to how people use these spaces. This amenity space has distinctive uses including: a paved walkway, multi-stem and shrub planting (see planting schedule), seating areas and natural play elements. The proposed natural play area will contain equipment for a range of ages and will be positioned to achieve passive surveillance from the seating areas and the surrounding units.

Please refer to the Architectural Design Statement and drawings, prepared by Tyler Owens Architects, for further details regarding the above. The subject application has been prepared having regard to the feedback received from An Bord Pleanála and Dublin City Council during pre-planning consultations. The proposed development has been designed having due regard to the prominent central position of the subject site in the context of Finglas Road.

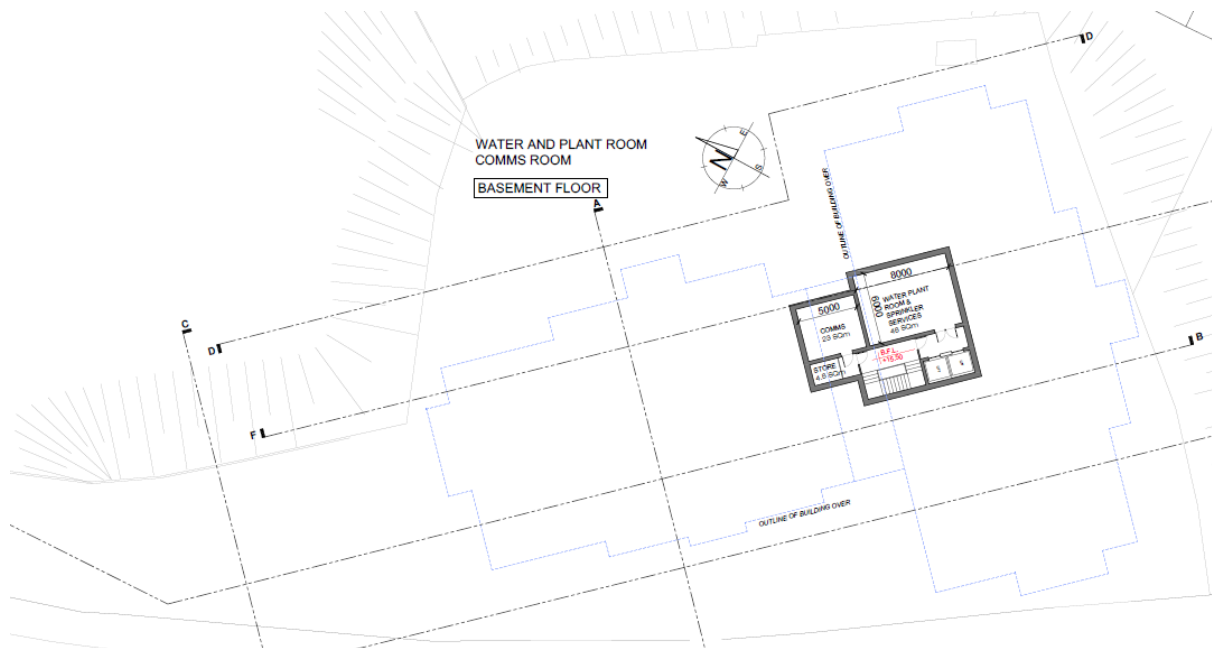


Figure 30.0 Basement floor plan. A limited extent of ancillary plant and storage space will be provided at basement level.



Figure 31.0 Ground floor plan. 2 no. two-bedroom units and the communal common room will be provided at this level whilst the undercroft car park, bicycle parking, bin stores and ESB substation/meter room will also be provided at this level.

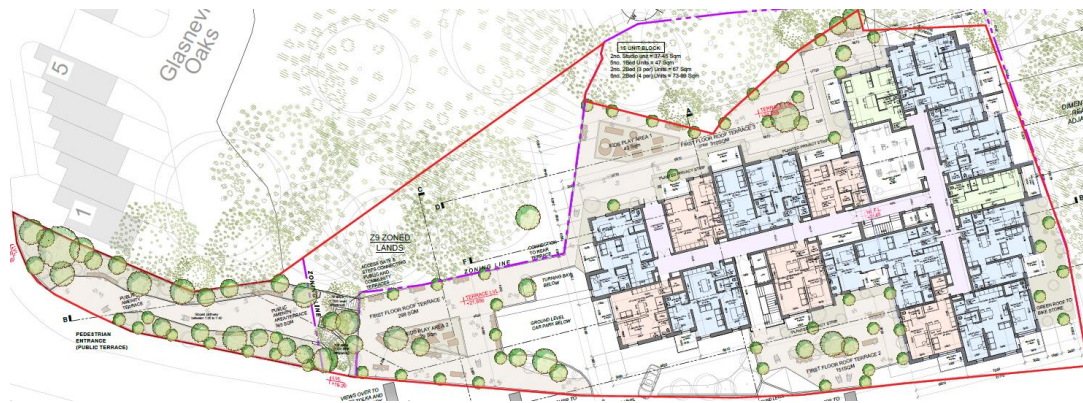


Figure 32.0 First floor plan. A total of 15 no. units will be provided at this level (2 no. studio/5 no. one-bedroom/8 no. two-bedroom) whilst a large communal terrace directly linking to the public terrace/amenity space will also be provided at this level.



Figure 33.0 Second & fourth floor plan. A total of 15 no. units will be provided at each level (2 no. studio/4 no. one-bedroom/9 no. two-bedroom) whilst a quiet room will be provided at second floor level and a meeting room at fourth floor level.



Figure 34.0 Third & fifth floor plan. A total of 15 no. units will be provided at each level (1 no. studio/5 no. one-bedroom/9 no. two-bedroom) whilst a cinema room will be provided at third floor level and a store room at fifth floor level.



Figure 35.0 Sixth floor plan. A total of 13 no. units will be provided at this level (1 no. studio/4 no. one-bedroom/8 no. two-bedroom) whilst a co-working space will also be provided. We note a reduction in the massing of the building along its eastern elevation at this level.



Figure 36.0 Seventh floor plan. A total of 7 no. units will be provided at this level (1 no. studio/2 no. one-bedroom/4 no. two-bedroom) whilst a large communal terrace will also be provided at this level



Figure 37.0 Eighth floor plan. A total of 6 no. units will be provided at this level (2 no. one-bedroom/4 no. two-bedroom).



Figure 38.0 Proposed front (west) elevation.



Figure 39.0 Proposed contiguous southern elevation.



Figure 40.0 Photo-realistic image of the proposed development looking northwards from Finglas Road towards the subject site.

6.0 Planning Policy Context

This section of the statement will examine the planning framework, including national, regional and local, that informs the use and development of the subject land. Documents of note are as follows:

- Ireland 2040 - Our Plan National Planning Framework;
- Project Ireland 2040 National Development Plan 2018-2027;
- Urban Development and Building Heights - Guidelines for Planning Authorities (2020);
- Housing for All - A new Housing Plan for Ireland (2021);
- Quality Housing for Sustainable Communities - Guidelines for Planning Authorities (2007);
- Sustainable Residential Development in Urban Areas- Guidelines for Planning Authorities (2009);
- Urban Design Manual - A Best Practice Guide (2009);
- Regional Spatial and Economic Strategy (RSES) for Eastern and Midland Regional Assembly (2019);
- Dublin City Development Plan 2016-2022;
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020); and,
- Guidelines for Planning Authorities on Childcare Facilities (2001).

6.1 Project Ireland 2040 - National Planning Framework (2018)

Project Ireland 2040 - National Planning Framework seeks more balanced and concentrated growth, particularly within the five major cities in Ireland. We note the below target in relation to national growth:

'We have five cities in Ireland today in terms of population size (>50,000 people): Dublin, Cork, Limerick, Galway and Waterford. In our plan we are targeting these five cities for 50% of overall national growth between them, with Ireland's large and smaller towns, villages and rural areas accommodating the other 50% of growth.'

Under national core principles, the framework states:

'The location of new housing provision is to be prioritised in existing settlements as a means to maximising access, a better quality of life for people through accessing services, ensuring a more efficient use of land and allowing for greater integration with existing infrastructure.'

More specifically, strategies are included in Chapter 2.2 of the Planning Framework which seek to target a greater proportion (40%) of future housing development to be within and close to the existing 'footprint' of built-up areas. This target is to be achieved by making better use of under-utilised land and buildings, including 'infill', 'brownfield' and publicly owned sites and vacant and under-occupied buildings, with higher housing and jobs densities, better serviced by existing facilities and public transport. A key element of national growth is the more efficient use of underutilized sites within existing built-up areas, such as Swords as per the following commentary from Project Ireland 2040 document:

'A major new policy emphasis on renewing and developing existing settlements will be required, rather than continual expansion and sprawl of cities and towns out into the countryside, at the expense of town centres and smaller villages. The target is for at least 40% of all new housing to be delivered within the existing built-up areas of cities, towns and villages on infill and/or brownfield sites. The rest of our homes will continue to be delivered at the edge of settlements and in rural areas'.

Moreover, we would note the following National Policy Objectives (NPO) as per Project Ireland 2040:

NPO 3a Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.

NPO 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.

- NPO 11** There will be a presumption in favour of development that encourages more people, jobs and activity within existing urban areas, subject to development meeting appropriate planning standards and achieving targeted growth
- NPO 32** Target the delivery of 550,000 additional households up to 2040 in accordance with the policy objectives of Ireland 2040'. These targets are supported by the ongoing Government initiative 'Rebuilding Ireland.
- NPO 33** Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- NPO 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.

The proposal is consistent with the above as it involves the re-development of underutilised land which is in close proximity to existing facilities and public transport as well as the proposed metro line.

6.2 Project Ireland 2040 National Development Plan 2018—2027

The National Development Plan 2018-2027 sets out the investment priorities that will underpin the successful implementation of the National Planning Framework, including the development of the necessary housing stock set out therein.

'By 2040 the population of Ireland is expected to reach almost 6 million with a need for 550,000 more homes and the creation of 660,000 additional jobs to achieve and maintain full employment. The need to provide in excess of half-a- million more homes over the period to 2040 corresponds to a long-term trend of 25,000 new homes every year'.

The proposed development is considered to reflect the type of sustainable development which is sought throughout National Policy in regard to the appropriate development of under-utilised sites. Moreover, the National Development Plan demonstrates the Government's commitment to meeting Ireland's infrastructure and investment needs over the next ten years, with investment, estimated at €116 billion over this period, in high quality integrated public and sustainable transport systems. This includes investment in high quality integrated public and sustainable transport systems as per the following commentary from the Development Plan:

'This urban, compact growth will be supported through investment in high quality integrated public and sustainable transport systems and supporting amenities.'

Glasnevin currently benefits from access to a number of high-frequency bus routes within 140 metres of the proposed development site. The bus stop directly opposite the subject site provides high-frequency services to IKEA, Charlestown and Tyrrelstown. It is considered that the location of the subject site in Glasnevin, along with the availability of efficient bus services in proximity to the site, promotes sustainable forms of transport, including cycling and walking. The public transport and road and cycle networks would support the proposed high-density development for the subject site.

In light of the above, the subject development at the site of the old Royal Oak public house, is considered to aid in meeting the targets and objectives of the National Planning Framework through the more efficient use of an underutilised site within the existing built-up area of Dublin City. The proposed development is considered to reflect the type of sustainable development which is sought throughout National Policy on regards to the appropriate development of under-utilised sites.

6.3 Urban Development and Building Heights - Guidelines for Planning Authorities

These guidelines as published in 2018, later amended in 2020, by the Minister under Section 28 of the Planning and Development Act 2000 (as amended) following a period of public consultation, are intended to set out national planning policy guidelines on building heights in relation to urban areas, as defined by the census, building from the strategic policy framework set out in Project Ireland 2040 and the National Planning Framework.

These guidelines outline that there is significant scope to accommodate anticipated population growth and development needs, whether for housing, employment or other purposes, by building up and consolidating the development of our existing urban areas. The rationale for consolidation and densification to meet our accommodation needs applies in relation to locations that development plans and local area plans would regard as city and town centre areas as well as areas in and around existing urban areas and suburban areas. This policy encourages the facilitation of increased levels of residential development in our urban centres and significant increases in the building heights and overall density of development through the planning process, particularly at local authority and An Bord Pleanála levels.

Increasing prevailing building heights is deemed to have a critical role to play in addressing the delivery of more compact growth in our urban areas, particularly our cities and large towns through enhancing both the scale and density of development. In particular, increased density and height of development within the footprint of developing sustainable mobility corridors and networks, where substantial investment in public transport infrastructure has been made as part of Project Ireland 2040. Specific Planning Policy Requirement (SPPR) Nos. 1 and 4 goes on to outline the following in relation to this:

'In accordance with Government policy to support increased building height in locations with good public transport accessibility, particularly town/city cores, planning authorities shall explicitly identify, through their statutory plans, areas where increased building height will be actively pursued for both redevelopment and infill development to secure the objectives of the National Planning Framework and Regional Spatial and Economic Strategies and shall not provide for blanket numerical limitations on building height.'

'It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure: 1. the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled "Sustainable Residential Development in Urban Areas (2007)" or any amending or replacement Guidelines; 2. a greater mix of building heights and typologies in planning for the future development of suburban locations; and 3. avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.'

It is important to note that these SPPRs contain national planning policy requirements which take precedence over the Council's own Development Plan in an aim to break height limitations on development and allow for the introduction of taller buildings into the landscape of Ireland. Furthermore, we note the wording of SPPR No. 3 as follows:

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 criteria above; and*
- 2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines;*

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

(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.

Having regard for paragraph (1) of subsection (A) of SPPR No. 3, we would note Section 5.3.2 'Development Management Criteria' of this report which presents a detailed response to the development management criteria referenced within the Heights Guidelines 2020.

6.3.1 Development Management Principles

Section 3.1 of the Urban Development and Building Heights 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:

- *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?*

It is noted that the design of the proposed development has been informed by policies and objectives of both national and local planning policy. The development complies with the policy provided and positively contributes to the development of the area. The subject site is located in close proximity to a number of public transport routes, particularly the 2 no. Dublin Bus stops along Finglas Road in proximity to the site, with 1 no. bus stop immediately west of the site, and 1 no. bus stop located c. 150m north of the site. This results in the site being highly accessible and creates a stronger argument for the positioning of this development at the subject site.

6.3.2 Development Management Criteria

Section 3.2 'Development Management Criteria' of the guidelines state that applicants shall demonstrate to the satisfaction of the Planning Authority/An Bord Pleanála, that proposed development satisfy the criteria for development at a set of relevant scales. We note the subject proposal's compliance with these specified scales as follows:

6.3.2.1 At Scale of the Relevant City / Town

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

As stated previously, the site benefits from an excellent public transport network. There are regular bus services, including Dublin Bus Routes No. 40, 40B, 40D, 70D and 140 within 150 metres of the subject site. These services provide strong access links to Dublin City Centre and wider employment/recreational centres within Dublin. In addition, we note that the accessibility of the subject site has been extensively detailed in the Traffic and Transport Assessment prepared by NRB Consulting Engineers as is submitted with this application.

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.

In response to the above item, we note the Architect's Design Statement prepared by Tyler Owens Architects as is submitted with this application. This document details the way the design of the proposed building has considered the 12 no. design criteria of the Urban Design Manual 2009 and is appropriate relative to the topography of the immediate area. We note that the subject site is not located within an architecturally or culturally sensitive area and is not surrounded by any unique locational characteristics, key landmarks, or key viewpoints.

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 positioning of the six-storey element, which represents the maximum height of the proposal, has been arranged to offer maximum separation from any adjoining amenities which could be considered sensitive. This height is concentrated along the eastern site boundary with the scheme's height tapering down as it moves to the west and south. As stated previously, the Architect's Design Statement prepared by Tyler Owens Architects has considered the development relative to the 12 no. criteria of design referenced within the Urban Design Manual 2009.

The contemporary form of the proposal will provide visual interest within the immediate area whilst the enhanced public realm, public open space and improved permeability accommodated at ground level represents a direct contribution to local place-making fulfilling the above direction to incorporate new streets and public spaces with the massing of the development appropriate to enclose the central courtyard and providing a valuable public space.

6.3.2.2 At 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 high standard of architectural design achieved in the current proposal has had due regard to the guidance contained within national planning policy in relation to the densification of brownfield sites. The proposal has been designed so as to ensure no undue impacts on existing residential amenity will occur as a result of the development, having regard to the results of the various analysis documents prepared in respect of this application, including Architect's Design Report and Daylight/Sunlight Assessment. The improvement of the immediate public realm is considered to represent a planning gain for the immediate area, whilst the extent of amenity spaces provided within the scheme, for future residents, allows variation in the day-to-day life of residents.

It is considered that the proposed development would make a positive contribution to the urban neighbourhood and streetscape. The stepping back of the proposed building from eighth to sixth floor level along with the mix of materials and finishes breaks up the massing of the development and adds visual interest. The proposed scheme also addresses both street frontages in a positive manner, introducing activation not currently provided and providing passive surveillance.

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

A comprehensive Architect's Design Statement, prepared by Tyler Owens Architects, demonstrates the rationale for the design of this high-quality scheme of contemporary architecture. The final design avoids long, uninterrupted walls of building fronting on the immediate public realm and is, instead, appropriately broken up to allow for views into and out of the central courtyard to the local public realm with the design unrepresentative of monolithic architecture.

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 scheme ensures active surveillance of public and communal open spaces throughout the development. It is considered that the scale of the proposal is appropriate with the heights of the blocks purposefully organised and stepped down to minimise any potential overbearing impacts on existing built form whilst allowing for the appropriate enclosure of the central courtyard for the benefit of future users.

Moreover, we would note the enclosed Flood Risk Assessment, as prepared by Curtins Consulting Engineers, which has been prepared having due regard to the provisions of the “The Planning System and Flood Risk Management – Guidelines for Planning Authorities” (2009). In terms of flood risk, we note that the site is located within Flood Zone C, the lowest risk category. It is further concluded that in accordance with the relevant sections included within the Planning System and Flood Risk Management Guidance document, the site is considered to be appropriate for the subject proposal

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 proposed development includes upgrades to the immediate public realm and provides a high standard of contemporary architectural design. It is considered that the height in conjunction with the materials of the proposed building together result in the creation of a landmark development which will add legibility to the immediate area and act as a focal point along Finglas Road.

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

The subject proposal provides an appropriate mix of uses as permitted on the site by the applicable Z1 and Z9 zoning objectives. It is considered that the extent of residential accommodation achieved under the subject proposal allows for the efficient use of the site. With regards to dwelling typology, it is considered that the provision of apartment units is the only means of achieving a sufficient density on this well-serviced site and the Build-To-Rent residential model ensures the swift occupation of the development once approved and constructed for the benefit of the quickly evolving landscape of Glasnevin.

6.3.2.3 At 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.

In response to the above, we note that the organisation of building heights across the subject site, with maximum heights achieved within the southern extent of the site, ensures that shadows are primarily cast towards the public realm and within the site as opposed to existing residential properties.

As detailed in the enclosed Architectural Design Statement prepared by Tyler Owens Architects, the spatial layout was carefully designed to account for natural passive surveillance and to improve the quality of space for this urban site.

The enclosed Daylight & Sunlight Report, as prepared by H3D, confirms that the design of the subject development ensures appropriate access to daylight/sunlight for future residents of the proposed scheme whilst having no undue impact on adjoining sites with regards to overshadowing impacts.

It is considered that the massing and form of the scheme has been appropriately organised to minimise impacts to views, with the subject proposal considered to allow for the creation of a landmark viewpoint in its own right.

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.

As per the above, the Daylight & Sunlight Report prepared by 3DDB concludes that no material impacts will occur on neighbouring properties. The Daylight & Sunlight Report has been prepared on the basis of the Building Research Establishment's Site Layout Planning for Daylight and Sunlight: a Guide to Good Practice (the BRE Guidelines). In this regard, we would note that the Daylight & Sunlight Report assumes that 100% of combined kitchen/living/dining spaces across the subject scheme meet and exceed the required 2.0% standard as relates to Average Daylight Factor (ADF). It is considered that this level of compliance is exemplary and does not necessitate the provision of specific compensation with regards to individual residential units.

The proposed scheme has also been assessed pursuant to daylight standard EN17037 for completeness, even though there is no express requirement to do so in the Apartment Guidelines, Building Height Guidelines or any other planning guidelines. We note good levels of compliance under this non-mandatory standard, although the targets are very challenging and the development does not achieve 100% compliance. With respect to any compliance shortfall against this new standard, we note there is almost full compliance under the British implementation of the European standard, which is adjusted for residential development and is more closely related to the BS 8206-2:2008 standard cited in the Apartment Guidelines and Building Height Guidelines than the EN17037 standard proper.

We also note good levels of compliance under the Building Research Establishment's 'Site Layout Planning for Daylight and Sunlight' (2nd edition) and the BS 8206-2: 2008 – 'Lighting for Buildings – Part 2 Code of Practice for Daylighting'. Finally, we note the following positive characteristics of the development: all units will be provided with a balcony; the development will create generous public and communal open space; the development will result in a significant improvement to the streetscape and deliver an overall high-quality development in a currently vacant site.

It is thus considered that appropriate and reasonable regard has been taken with regards to the quantitative performance approach to daylight provision within the proposed scheme. The proposal contributes to comprehensive urban regeneration of the immediate area allowing for the succinct and contemporary upgrade of a prominent yet underutilised site which commands a significant viewpoint.

6.3.2.4 Specific Assessments

Specific impact assessment of the micro-climatic effects such as downdraft. 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 response to the above, we would ask the Board to have due regard for the enclosed Wind & Microclimate Modelling Report, as prepared by B-Fluid.

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.

As detailed in the Appropriate Assessment Screening and Natura Impact Statement prepared by Meehan Ecology, whilst there are records for bat species along the Tolka River within 500 metres of the development, the development's lighting design will ensure that light spill does not affect the Tolka or its riparian banks.

Also, the subject site does not provide suitable ex situ habitat for any of the SCI bird species of the SPAs located within Dublin Bay due to non-availability of suitable habitats for such species, small site area and the site's location beside a major road and residential areas.

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

The above criteria is not considered to be applicable to the subject proposal given the limited height of proposed built form.

An assessment that the proposal maintains safe air navigation.

All requirements of the Irish Aviation Authority (IAA) will be complied with during the construction and operation phases of the proposed development and consultation with the IAA will continue as required during these phases to ensure proper implementation of any measures.

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

An architectural Design Statement has been prepared by Tyler Owens Architects and is submitted with this application.

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

The project ecologist, Meehan Ecology, has prepared an Appropriate Assessment Screening and a Natura Impact Statement for the proposed development as opposed to a Strategic Environmental Assessment (SEA).

A Statement in Accordance with Article 299B(1)(b)(ii)(II)(C) of the Planning and Development Regulations 2001 – 2021 and an EIA Screening Report have also been prepared by AWN Consulting.

6.4 Housing for All - A New Housing Plan for Ireland

The 'Housing for All - A new Housing Plan for Ireland' was published in September 2021 as part of the Irish Government's 'Our Shared Future' programme which, in turn, sets out the Government's mission to tackle the housing crisis. The objective of the plan is to ensure that everybody has

'access to sustainable, good quality housing to purchase or rent at an affordable price, built to high standard, and located close to essential services, offering high quality of life.'

The plan seeks to increase new housing supply to an average of at least 33,000 new units per year with specific pathways outlined to achieve the four overarching objectives of the plan which are:

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

We submit that the proposal is consistent with the above policy as it provides an appropriate quantum of residential accommodation on a zoned and serviced suburban site. The provision of residential units on site, in the manner proposed under this application, supports homeownership and affordability, results in increased social housing provision and provides for the efficient use of zoned and serviced land.

The proposed development responds to a recognised need, at national level, for residential accommodation and is consistent with policy in this regard.

6.5 Quality Housing for Sustainable Communities – Guidelines for Planning Authorities

The purpose of these Guidelines is to assist in achieving the objectives for Delivering Homes, Sustaining Communities contained in the Government Statement on Housing Policy which focuses on creating sustainable communities that are socially inclusive by promoting high standards in the design and construction and in the provision of residential amenity and services in new housing schemes.

The guidelines set out the minimum standards for new housing, which the proposed development considerably exceeds. The site is located in close proximity to a significant quantum of recreational amenities, including both sports clubs/facilities and community centres, and is centrally located in respect of local retail centres.

In addition, the proposed development will accommodate a common room, gym, cinema, store room, quiet room, meeting room and co-working space.

6.6 Sustainable Residential Development in Urban Areas – Guidelines for Planning Guidelines (2009)

The Sustainable Residential Development in Urban Areas – Guidelines for Planning Guidelines (2009) updated and revised earlier guidance of 1999. These statutory guidelines, which were brought forward to improve the quality of homes and neighbourhoods, set out best practice design criteria and provide a robust framework in which proposals for residential development should be considered. They establish a series of high level aims for successful and sustainable development in urban areas. The aim of the guidelines is to identify the primary principles and criteria important to the design of housing and to highlight specific design features, requirements and standards.

The document makes reference to both infill and backland development and states that, 'infill developments and urban redevelopment projects should respect the character of the existing neighbourhood'. In relation to the main considerations regarding infill and backland development, the guidelines state the following:

'It is important to recognise the existing character, street patterns, streetscapes and building lines of an area, particularly in the case of infill sites or where new dwellings will adjoin existing buildings' and that 'the degree to which they will impact on any new development will need to be taken into account in assessing the development potential of any proposed site'.

Additionally, Section 5.9 (i) of these Guidelines state the following:

'Potential sites may range from small gap infill, unused or derelict land and backland areas, up to larger residual sites or sites assembled from a multiplicity of ownerships. In residential areas, whose character is established by their density or architectural form, a balance has to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings, the protection of established character and the need to provide residential infill. The local area plan should set out the planning authority's views with regard to the range of densities acceptable within the area. The design approach should be based on a recognition of the need to protect the amenities of directly adjoining neighbours and the general character of the area and its amenities, i.e. views, architectural quality, civic design etc.'

In relation to infill residential development, it is noted in Section 5.9.1 that:

'a balance has to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings, the protection of established character and the need to provide residential infill' and the design approach 'should be based on a recognition of the need to protect the amenities of directly adjoining neighbours and the general character of the area'.

The proposed development has been designed to address the provisions of these guidelines, as set out hereunder:

- The design of the proposed development responds appropriately to its main frontage along Finglas Road and its locational context/sensitive abutments in terms of block positioning and its scale, massing and architectural treatment, as well as the stepped nature of the proposed scheme, providing for an appropriate transition in building heights.
- The location of the proposed development, close to public transport routes, will ensure good connectivity. Its location, adjacent to a quality Bus Corridor and the multiple bus stops along Finglas Road, and the provision of 222 no. bicycle parking spaces on-site will promote walking and cycling to and from the development and minimise the need for travel by private car.
- By nature, the proposed 'build-to-rent development will accommodate a diverse mix of residents and family sizes. In terms of layout, the provision of communal facilities, including communal amenity rooms and communal open space areas at first floor level and seventh floor level, will facilitate significant levels of interaction amongst residents.
- The proposed development, by reason of its location on a brownfield site, together with its density and layout, will promote the efficient use of land and of energy, including in relation to transport, and thereby minimise greenhouse gas emissions.
- The proposed development will include communal amenity spaces and multi-functional communal rooms throughout the scheme, including at ground floor level, opening out onto Finglas Road. This will provide a distinct sense of place and improve activation along this section of Finglas Road.
- The proposed design provides for a high-quality development of purpose-built, build-to-rent accommodation. The amenity spaces provided both internally and externally, as well as the communal spaces and facilities provided, will afford a high standard of residential environment for prospective residents.

Having regard to the foregoing, it is considered that the proposed development would be consistent with the Sustainable Residential Development in Urban Areas Planning Guidelines (2009).

6.7 Urban Design Manual – A Best Practice Guide 2009

The best practice guide is based around twelve questions that have been drawn up to encapsulate a full range of design considerations for residential/mixed use development such as that proposed on the subject site. These questions are 'a distillation of current policy and guidance and tried and tested principles of good urban design'. The Design Statement, prepared by Tyler Owens Architects, reviews the proposed development in this context in an effort to address the key issues of design, scale, massing and integration with the fabric of the area while respecting the amenity of adjacent properties and established residential areas.

6.8 Regional Spatial and Economic Strategy (RSES) for Eastern and Midland Regional Assembly

The Regional Spatial and Economic Strategy for the Eastern and Midland Region (RSES) was published in 2019. A Regional Spatial & Economic Strategy (RSES) is a strategic plan which identifies regional assets, opportunities and pressures and provides appropriate policy responses in the form of Regional Policy Objectives. At this strategic level it provides a framework for investment to better manage spatial planning and economic development throughout the region.

The principal statutory purpose of the RSES is to support the implementation of Project Ireland 2040 and the economic policies and objectives of the Government by providing a long-term strategic planning and economic framework for the development of the Regions. The Greater Dublin Area incorporates seven local authority areas, including the geographical area of Dublin City Council. These Guidelines aim to consolidate a coordinated pattern of settlement and continue to direct growth into compact, sustainable urban forms. The Settlement Strategy for the Regional Planning Guidelines (RPG) is focused on achieving key principles contained within the RPG vision:

- *Achieving the potential of the GDA as an international Gateway*
- **Consolidated and sustainable cities and towns**
- *Supporting high quality public transport, and increase opportunities for walking and cycling*

It is noted that Regional Policy Objective No. 4.3 'Consolidation and Re-Intensification' supports the proposed development as follows:

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

Due to its strategic location in proximity to Dublin City Centre, the subject site should be appropriately developed to ensure its efficient use, it is considered that the subject proposal provides an appropriate balance between the need to ensure the appropriate intensification of opportunity sites whilst respecting the amenities of existing residents.

6.9 Design Manual for Urban Roads and Streets (2013)

The proposed development has been designed having regard to the Design Manual for Urban Roads and Streets (2013). Compliance with the Design Manual for Urban Roads and Streets (2013) is discussed in the DMURS Compliance Statement, prepared by NRB Consulting Engineers, which accompanies this application.

6.10 The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009)

The proposed development has been designed having regard to the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009). Compliance with the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) is discussed in the Flood Risk Assessment, prepared by Curtins Engineers, which accompanies this application.

The proposed development, by reason of its location on a brownfield site, together with its density and layout, will promote the efficient use of land and of energy, including in relation to transport, and thereby minimise greenhouse gas emissions.

- The proposed development will include communal amenity spaces and multi-functional communal rooms throughout the scheme, including at ground floor level, opening out onto Finglas Road. This will provide a distinct sense of place and improve activation along this section of Finglas Road.
- The proposed design provides for a high-quality development of purpose-built, build-to-rent accommodation. The amenity spaces provided both internally and externally, as well as the communal spaces and facilities provided, will afford a high standard of residential environment for prospective residents.

Having regard to the foregoing, it is considered that the proposed development would be consistent with the Sustainable Residential Development in Urban Areas Planning Guidelines (2009).

6.11 Smarter Travel: A Sustainable Transport Future – A New Transport Policy for Ireland (2009)

The purpose of the Smart Travel policy is to provide alternative to the use of the car through improved public transport services and investment in cycling and sustainable modes of transport. Within the above noted document, the Government has committed to reduce the total share of car commuting from 65% to 45%, a rise in non-car trips by 55% and that the total vehicle miles travelled by the car fleet will not increase. The policy document states that:

‘to achieve the vision of a sustainable transport system, individual lifestyles will have to change and collectively we will have to work progressively on a range of solutions which deal with apparently conflicting goals: economic growth, reduced emissions, less use of motorised transport and better accessibility’

The five key goals of this transport policy document are as follows:

- *Improve quality of life and accessibility to transport for all and, in particular, for people with reduced mobility and those who may experience isolation due to lack of transport;*
- *Improve economic competitiveness through maximising the efficiency of the transport system and alleviating congestion and infrastructural bottlenecks;*
- *Minimise the negative impacts of transport on the local and global environment through reducing localised air pollutants and greenhouse gas emissions;*
- *Reduce overall travel demand and commuting distances travelled by the private car; and,*
- *Improve security of energy supply by reducing dependency on imported fossil fuels.*

The Smarter Travel Plan also provides that local authorities should ensure safe walking and cycling routes to and from schools and other educational institutions are identified and implemented.

The proposed development complies with the key goals outlined within Smarter Travel: A Sustainable Transport Future. As noted in the preceding sections of this pre-planning statement of consistency and planning report, the proposed development provides for a reduced quantum of car parking and as such will contribute to a reduction in the use of the private car for commuting.

The subject site is located immediately adjacent to a Quality Bus Corridor, with numerous serviced bus stops located along Finglas Road. The development encourages cycling as a sustainable mode of travel by providing a number of bicycle parking spaces, whilst the use of bus provides alternative access to surrounding parts of Dublin City and beyond through the use of public transport.

6.12 Design Manual for Urban Roads and Streets (2013)

The proposed development has been designed having appropriate regard to the Design Manual for Urban Roads and Streets (2013). The Manual includes design guidance and standards for constructing new and reconfigured existing urban roads and streets, whilst also setting out practical design measures to encourage more sustainable travel patterns in urban areas. We submit that an assessment against the Design Manual for Urban Roads and Streets (2013) is included in the application documentation, prepared by NRB Consulting Engineers.

6.13 The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009)

The proposed development has been designed having appropriate regard to the Planning Systems and Flood Risk Management Guidelines for Planning Authorities (2009). An assessment against these guidelines feature in the Flood Risk Assessment prepared by Curtins Consulting Engineers. It is concluded that the site historically has no record of flood events as noted in the OPW’s historical flood maps that could have impacted on the subject site.

The Strategic Flood Risk Assessment as included as part of the Dublin City Development Plan 2016-2022 also illustrates that the site is located within Flood Zone C, the lowest risk category. It is further concluded that in accordance with the relevant sections included within the Planning System and Flood Risk Management Guidance document, the site is considered to be appropriate for the subject proposal.

The flood risk assessment document, as prepared by Curtins Consulting Engineers, outlines a number of mitigation measures with which it is recommended the proposed development shall accord with. Subject to compliance with these measures, it is noted that the site can be considered to be at low risk of being subject to any form of flooding and is not likely to increase the probability of flooding elsewhere. For full details in respect of the above, please refer to the Flood Risk Assessment Report, prepared by Curtins Consulting Engineers, which is provided under a separate cover.

6.14 Guidelines for Planning Authorities on Childcare Facilities (2001)

The Guidelines for Planning Authorities on Childcare Facilities (2001) indicate that Development Plans should facilitate the provision of childcare facilities in appropriate locations. These include larger new housing estates where planning authorities should require the provision of a minimum of one childcare facility with 20 places for each 75 dwellings. The threshold for provision should be established having regard to existing location of facilities and the emerging demography of the area where new housing is proposed. The Guidelines advise that sites should be identified for such facilities as an integral part of the pre-planning discussions. The following definition of Childcare is included in the Guidelines:

'In these Guidelines, "childcare" is taken to mean full day-care and sessional facilities and services for pre-school children and school-going children out of school hours. It includes services involving care, education and socialisation opportunities for children. Thus, services such as pre-schools, naíonraí (Irish language playgroups), day-care services, crèches, playgroups, and after-school groups are encompassed by these Guidelines. Conversely childminding, schools, (primary, secondary and special) and residential centres for children are not covered by these Guidelines.'

The proposed development does not include the provision of a childcare facility, which is considered appropriate in this instance. We note that under the 'Communal Facilities' section of the Design Standards for New Apartments Guidelines for Planning Authorities (2020), the provisions surrounding childcare facilities are outlined. It is recommended that one childcare facility be provided for every 75 no. dwelling units. The current 103 no. units proposed in this development falls short of this as the guidelines note that one-bedroom and studio units are not considered to contribute to a requirement for any childcare provision. Excluding one-bedroom units, the development proposes 60 no. units comprising two bedroom units, resulting in the development falling under the threshold of 75 no. units for providing childcare facilities.

Notwithstanding the above guidance, it is submitted that there are a number of existing childcare facilities within the area surrounding the subject site which serve the broader catchment area

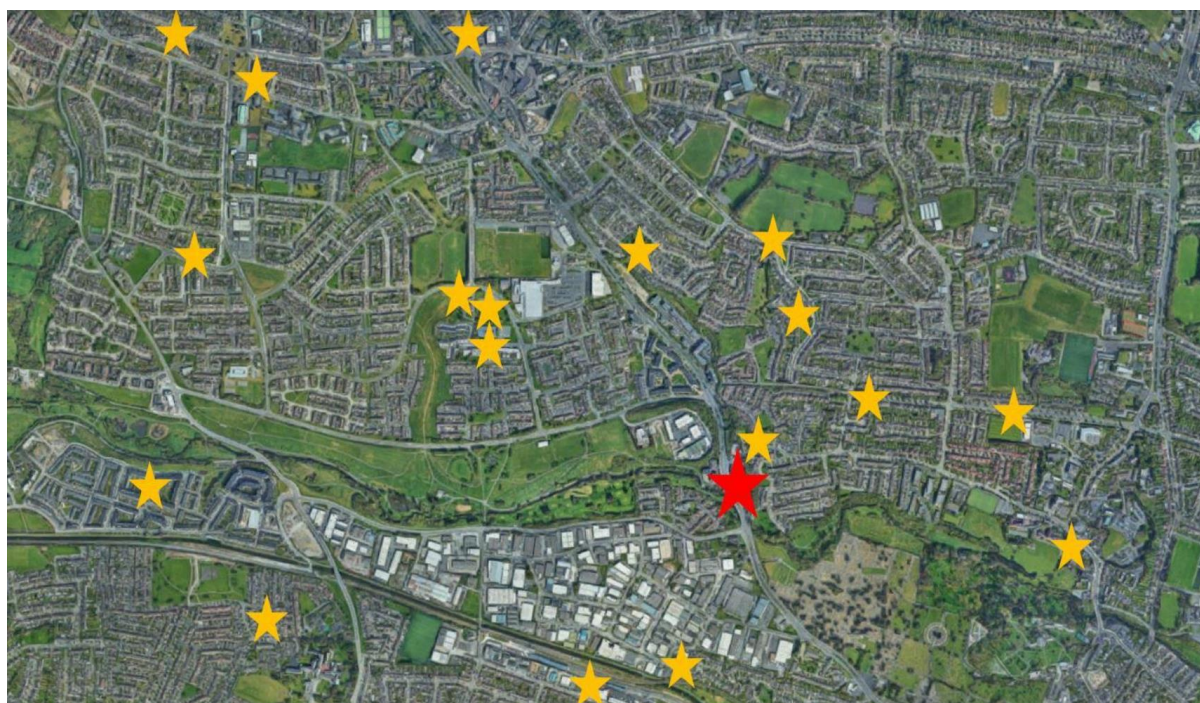


Figure 41.0 Location of childcare facilities (orange star) in relation to the subject site (red star)

In addition to the above, it must be noted that the type of residential development proposed (Build-to-Rent) is generally occupied by young professionals and students and therefore, tend to generate a much lower demand for childcare facilities than traditional housing or apartment schemes. We would contend that the absence of a childcare facility in the subject scheme is consistent with national policy.

7.0 Local Planning Context

The Dublin City Development Plan 2016-2022 is the relevant statutory plan for the subject site.

7.1 Dublin City Council Development Plan 2016-2022

7.1.1 Land Use Zoning

The application site is subject to 2 no. separate zoning objectives under the provisions of the Dublin City Development Plan 2016-2022 as follows:

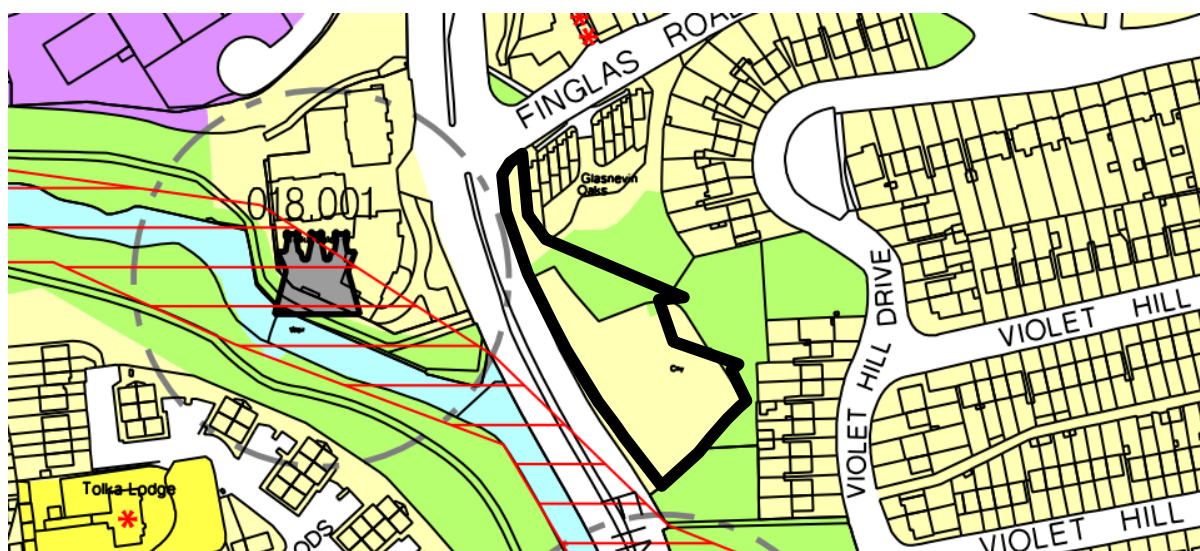


Figure 42.0 Extract from Zoning Map A of the Dublin City Development Plan 2016-2022, showing subject site zoned 'Z1' and 'Z9' outlined in black.

Z1 'Sustainable Residential Neighbourhoods'

The Z1 zoning objective applies to the vast majority of the subject site. The objective of this zoning is to:

'Protect, provide and improve residential amenities.'

Moreover, we note the following land use classes as being permissible upon lands subject to the Z1 zoning objective:

*'Buildings for the health, safety and welfare of the public, childcare facility, community facility, cultural/ recreational building and uses, education, embassy residential, enterprise centre, halting site, home based economic activity, medical and related consultants, open space, park-and-ride facility, place of public worship, public service installation, **residential**, shop (local), training centre.'*

The vision for lands subject to the Z1 zoning objective is to:

'Provide a wide range of accommodation is available within sustainable communities where residents are within easy reach of services, open space and facilities such as shops, education, leisure, community facilities and amenities, on foot and by public transport and where adequate public transport provides good access to employment, the city centre and the key district centres.'

Z9 'Amenity/Open Space Lands/Green Network'

It is noted that a limited section of the application site is subject to the Z9 zoning objective. The objective of this zoning is to:

'Preserve, provide and improve recreational amenity and open space and green networks.'

Moreover, we note the following land use classes as being permissible upon lands subject to the Z9 zoning objective:

'Cemetery, club house and associated facilities, municipal golf course, open space, public service installation which would not be detrimental to the amenity of Z9 zoned lands.'

The vision for lands subject to the Z9 zoning objective is to:

'Provide public open space.'

The proposed development has been designed with due regard shown for the distinctly different zoning objectives which apply to the site.

The vast majority of built form is located on lands subject to the Z1 zoning objective, upon which residential development is permitted in principle. Whilst we note a limited extent of encroachment of built form upon the Z9 lands, comprising a public amenity terrace, this is not considered to have any undue impact on these lands from an amenity perspective and is entirely ancillary to the efficient development of the Z1 lands. It is important to note that there are no protected structures located on site, nor is the application site located within an Architectural Conservation Area (ACA). As evident from the above zoning map extract, there is a Site of Archaeological Interest (Recorded Monument: Mill DU018-001----) located adjacent to the north-western site boundary, however the proposed development site lies outside of the zone of influence of this feature.

7.1.2 Relevant Planning Policies

The following development plan policies are relevant to the proposal on the subject site:

- SC13** *To promote sustainable densities, particularly in public transport corridors, which will enhance the urban form and spatial structure of the city; which are appropriate to their context, and which are supported by a full range of community infrastructure such as schools, shops and recreational areas, having regard to the safeguarding criteria set out in Chapter 16 (development standards), including the criteria and standards for good neighbourhoods, quality urban design and excellence in architecture. These sustainable densities will include due consideration for the protection of surrounding residents, households and communities.*
- SC14** *To promote a variety of housing and apartment types which will create both a distinctive sense of place in particular areas and neighbourhoods, including coherent streets and open spaces.*
- SC25** *To promote development which incorporates exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture befitting the city's environment and heritage and its diverse range of locally distinctive neighbourhoods, such that they positively contribute to the city's built and natural environments. This relates to the design quality of general development across the city, with the aim of achieving excellence in the ordinary, and which includes the creation of new landmarks and public spaces where appropriate.*
- QH1** *To have regard to the DECLG Guidelines on 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007); 'Delivering Homes Sustaining Communities – Statement on Housing Policy' (2007), 'Sustainable Urban Housing: Design Standards for New Apartments' (2015) and 'Sustainable Residential Development in Urban Areas' and the accompanying 'Urban Design Manual: A Best Practice Guide' (2009)*
- SC26** *To promote and facilitate innovation in architectural design to produce contemporary buildings which contribute to the city's acknowledged culture of enterprise and innovation, and which mitigates and is resilient to, the impacts of climate change.*

It is noted that the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, issued in December 2020, update the Sustainable Urban Housing: Design Standards for New Apartments guidelines, published in 2015. These guidelines will be considered when assessing the proposal.

- QH5** *To promote residential development addressing any shortfall in housing provision through active land management and a co-ordinated planned approach to developing appropriately zoned lands at key locations including regeneration areas, vacant sites and under-utilised sites.*
- QH6** *To encourage and foster the creation of attractive mixed-use sustainable neighbourhoods which contain a variety of housing types and tenures with supporting community facilities, public realm and residential amenities, and which are socially mixed in order to achieve a socially inclusive city.*
- QH7** *To promote residential development at sustainable urban densities throughout the city in accordance with the core strategy, having regard to the need for high standards of urban design.*
- QH8** *To promote the sustainable development of vacant or under-utilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and the character of the area.*
- QH18** *To promote the provision of high-quality apartments within sustainable neighbourhoods by achieving suitable levels of amenity within individual apartments, and within each apartment development, and ensuring that suitable social infrastructure and other support facilities are available in the neighbourhood, in accordance with the standards for residential accommodation.*
- QH19** *To promote the optimum quality and supply of apartments for a range of needs and aspirations, including households with children, in attractive, sustainable mixed-income, mixed-use neighbourhoods supported by appropriate social and other infrastructure*
- QH20** *To ensure apartment developments on City Council sites are models of international best practice and deliver the highest quality energy efficient apartments with all the necessary infrastructure where a need is identified, to include community hubs, sports and recreational green open spaces and public parks and suitable shops contributing to the creation of attractive, sustainable, mixed-use and mixed-income neighbourhoods.*

With regards to infill development, Chapter 16.2.2.2 of the development plan states the following

As such Dublin City Council will seek:

- *To ensure that infill development respects and complements the prevailing scale, architectural quality and the degree of uniformity in the surrounding townscape.*
- *In areas of varied cityscape of significant quality, infill development will demonstrate a positive response to context, including characteristic building plot widths, architectural form and the materials and detailing of existing buildings, where these contribute positively to the character and appearance of the area.*
- *Within terraces or groups of buildings of unified design and significant quality, infill development will replicate and positively interpret the predominant design and architectural features of the group as a whole.*
- *In areas of low quality, varied townscape, infill development will have sufficient independence of form and design to create new compositions and points of interest and have regard to the form and materials of adjoining buildings, where these make a positive contribution to the area.*

The vision for residential development in the Dublin City administrative area is one where a wide range of accommodation is available and set within sustainable communities where residents are within easy reach of services, open space and facilities such as shops, education, leisure, community facilities and amenities, on foot and by public transport and where adequate public transport provides good access to employment, the city centre and the key district centres. The proposed development is consistent with this element of the development plan in that it provides housing choice within an established area.

The proposed development is consistent with this element of the development plan in that it provides housing choice within an established built-up area, offering high quality studio, one-bedroom and two-bedroom apartments on what is otherwise considered an underutilised piece of urban land in the city centre area. The site is also well served by public transport and opportunities for walking and cycling to both the city centre and supporting social, community and recreational facilities in the area.

7.1.3 Design Criteria for Residential Development

The Dublin City Development Plan 2016-2022 requires a high standard of residential development, which provides for good quality accommodation and also protects the character and amenity of the area. According to the Development Plan, the vision for residential development in the city is one where:

'a wide range of accommodation is available within sustainable communities where residents are within easy reach of services, open space and facilities such as shops, education, leisure, community facilities and amenities, on foot and by public transport and where adequate public transport provides good access to employment, the city centre and the key district centres.'

The policy chapters, especially Chapter 5: Quality Housing and Chapter 12: Sustainable Communities and Neighbourhoods detailing the policies and objectives for residential development, making good neighbourhoods and standards respectively. The Dublin City Development Plan 2016-2022 seeks to ensure that that new residential development is sufficiently flexible to allow for changing circumstances (e.g. aging, disability, growing family) and sufficiently spacious with all the necessary facilities to provide a level of residential amenity attractive to families with children on a long-term basis.

Specific development standards and requirements, in relation to density, community and private open space etc., are set out in Chapter 16: 'Development Standards' of the Development Plan. Many of the Development Standards adopt the standards outlined in the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2015) (subsequently replaced by the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020).

The compliance of the proposal with the development standards, not including those mirroring the apartment guidelines, is set out in the following sections of this report. The compliance of the proposed development with the apartment guidelines 2020 is set out within this report.

Building Height

Section 16.7 of the Dublin City Development Plan 2016-2022 has regard to 'Building Height in a Sustainable City' and notes the intrinsic quality of Dublin as a low-rise city and it is policy that it should largely remain so. This section states the following:

'It is important to protect and enhance the skyline of the inner city and to ensure that any proposals for high buildings make a positive contribution to the urban character of the city, and create opportunities for place-making and identity... A coordinated approach shall be taken to the potential positioning of higher building forms across the city to create clusters, where appropriate, and prevent visual clutter or negative disruption of the city skyline.'

The locational context of the site defines the building height considerations. Section 16.7.2 in the development plan has regard to 'height limits and areas for low-rise, mid-rise and taller development'. This section states that:

'Notwithstanding the maximum permissible heights specified in this section, proposals will be subject to assessment against standards set out elsewhere in the development plan'.

The heights shown in the low-rise and mid-rise categories in Table 2.0 below, are maximum heights.

Category	Area	Height (m)
Low-rise (relates to the prevailing local height and context)	Inner City	Up to 28m (commercial)
		Up to 24m (residential)
	Rail hubs	Up to 24m (commercial and residential)
	Outer City	Up to 16m (commercial and residential)
Mid-rise	Digital Hub	Up to 50m
	St Teresa’s Gardens	
	North Fringe	
	Clonsaugh Industrial Estate	
	Ballymun	
	Pelletstown	
	Park West/Cherry Orchard	
	Naas Road	
	Oscar Traynor Road	
	National Concert Hall Quarter	
High-rise	Docklands Cluster	50m +
	Connolly	
	Heuston	
	George’s Quay	

Figure 43.0 Building heights in Dublin set out in the table in Chapter 16.7.2 of the Development Plan

Given the above and the location of the subject site in the outer city area, the subject site would be restricted to buildings heights of **16 metres** for residential development. However, the Urban Development and Building Heights - Guidelines for Planning Authorities, December 2018, taken precedence over local guidance as discussed in paragraph 1.14 of these Guidelines, which states the following:

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

SPPR 3 goes on to state the following in this regard:

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 criteria above; and*
- 2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines; then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise.*

An assessment of the proposed development against the criteria set out within the Urban Development and Building Heights Guidelines is set out in Section 6.1 of this report. In the context of the provisions of the Dublin City Development Plan in respect of Building Heights, it is noted that the proposed development includes for building heights of between 7 to 9 storeys which exceeds the recommended 16 metres. The proposed variation to the recommended height is however considered appropriate in this instance for the reasons set out in the section below.

Material Contravention – Building Height

Given the height of the proposed building, it is clear that the proposal materially contravenes the provisions of the Dublin City County Development Plan 2016-2022 with regards to height policy, with this document guiding an indicative height of 16metres for residential development on the subject site with associated policy allowing for higher buildings in accordance with the criteria outlined in Section 16.7.2 of the Development Plan which states the following:

All proposals for mid-rise and taller buildings must have regard to the assessment criteria for high buildings as set out below:

- *Relationship to context, including topography, built form, and skyline having regard to the need to protect important views, landmarks, prospects and vistas;*
- *Effect on the historic environment at a city-wide and local level;*
- *Relationship to transport infrastructure, particularly public transport provision*
- *Architectural excellence of a building which is of slender proportions, whereby a slenderness ratio of 3:1 or more should be aimed for*
- *Contribution to public spaces and facilities, including the mix of uses;*
- *Effect on the local environment, including micro-climate and general amenity considerations;*
- *Contribution to permeability and legibility of the site and wider area*
- *Sufficient accompanying material to enable a proper assessment, including urban design study/masterplan, a 360 degree view analysis, shadow impact assessment, wind impact analysis, details of signage, branding and lighting, and relative height studies*
- *Adoption of best practice guidance related to the sustainable design and construction of tall buildings*
- *Evaluation of providing a similar level of density in an alternative urban form.*

As previously noted, the proposed development incorporates building heights between 6 to 9 storeys which is considered acceptable for the reasons noted below:

- The subject site is located within a highly accessible area of Dublin City, being directly adjacent to the Finglas Road QBC and proposed Bus Connects Route, which also runs along the Finglas Road, offering existing and future high-frequency, high-capacity bus services to and from Dublin City Centre and beyond. Access to the Broombridge Train Station, which forms part of the western commuter services, and the Broombridge Luas terminus is also available within approximately 1.5km of the subject site via Finglas Road and the Tolka Valley Park.
- The scheme adopts varying heights across the site, with the tallest 9 storey element being confined to the southern site boundary.
- The proposal adopts appropriate setbacks from adjacent sensitive interfaces; and
- As discussed previously, current national policy guidance (including the Urban Development and Building Heights – Guidelines for Planning Authorities (December 2018) encourages increased building heights and intensification of development in central areas such as the subject site.

In addition to the above, it is considered prudent to note that a building height in excess of the standard outlined in the Dublin City Development Plan was considered appropriate by An Bord Pleanála for the Premier Dairies site, located north-west of the subject site, with building heights ranging from 6-9 storeys approved under ABP Ref. 305312-19. Whilst it is acknowledged that this grant of permission was subsequently quashed, the Board's assessment in respect of the proposed building heights is considered to be of relevance in the context of the subject application.

Plot Ratio

Section 16.5 of the Dublin City Development Plan 2016-2022 has regard to plot ratio. Indicative plot ratios for the various land use zonings are outlined to influence bulk and massing of buildings. The purpose of plot ratio standards is to prevent the adverse effects of over-development on the layout and amenity of buildings and also to ensure an adequate sense of enclosure along with the efficient and sustainable use of serviced lands.

An indicative plot ratio standard of 0.5-2.0 is outlined for 'Z1' zoned land in the city. The plot ratio for the proposed development is 2.57 which surpasses the standards of Dublin City Council. The Development Plan goes on to state that a higher plot ratio than that indicated may be permitted in certain circumstances such as:

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

The proposed plot ratio is considered appropriate in this instance given the site's location in proximity to public transport services and corridors, including the Finglas Road QBC. In addition, the proposed development will facilitate the redevelopment of a well-located site which is currently grossly underutilised.

Site Coverage

Section 16.6 of the Dublin City Development Plan 2016-2022 has regard to Site Coverage. Site coverage standards are intended to avoid the adverse effects of over-development. Indicative site coverage figures for the various land use zonings are outlined to preventing the adverse effects of overdevelopment.

An indicative site coverage standard of 45%-60% is outlined for 'Z1' zoned land in the city. Similar to the Council's position on plot ratio, the Development Plan goes on to state that a higher site coverage than that indicated may be permitted in certain circumstances such as:

- *Adjoining major public transport termini and corridors, where an appropriate mix of residential and commercial uses is proposed.*
- *To facilitate comprehensive redevelopment in areas in need of urban renewal.*
- *To maintain existing streetscape profiles.*
- *Where a site already has the benefit of a higher site coverage.*

The proposed development provides for a total site coverage of 12% which complies with the development plan requirements.

Urban Density

In the Development Plan, Section 4.5.3: Making a more Compact Sustainable Community provides commentary relating to urban density. In this regard, the Development Plan states that it will:

'Continue to physically consolidate the city and to optimise the efficient use of urban land. This will minimise wastage of scarce urban land, reduce urban sprawl and provide for a compact city with attractive mixed-use neighbourhoods, a variety of housing types and tenure, and adaptable housing, where people of all ages will choose to live as a matter of choice'.

The proposed development with an overall of 110 no. units represents a density of 286 units per hectare. We would note the provisions of the document entitled 'Urban Development and Building Heights – Guidelines for Planning Authorities' (2018). This document seeks to encourage increased building height and density of development within urban areas such as the application site, to which this report pertains. In respect of this legislation, we note the following commentary:

'These guidelines require that the scope to consider general building heights of at least three to four storeys, coupled with appropriate density, in locations outside what would be defined as city and town centre areas, and which would include suburban areas, must be supported in principle at development plan and development management levels.'

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

While achieving higher density does not automatically and constantly imply taller buildings alone, increased building height is a significant component in making optimal use of the capacity of sites in urban locations where transport, employment, services or retail development can achieve a requisite level of intensity for sustainability. Accordingly, the development plan must include the positive disposition towards appropriate assessment criteria that will enable proper consideration of development proposals for increased building height linked to the achievement of a greater density.'

On the basis of the above commentary, we would consider the application site to be representative of an urban area at the edge of the City Centre yet still strategically placed to benefit from an increased density of development and increased building height. Furthermore, the availability and frequency of nearby public transport (Bus & train services), needs to be considered whilst determining that the proposed density is appropriate for the site.

Open Space

Section 16.10 of the development plan requires that in addition to providing private open space, apartment schemes must also provide for communal open space, as a 'breathing space' and for meeting the amenity needs of residents. The following quantitative requirements are set out in relation to communal open space provision:

Minimum area for communal amenity space:

- *Studio: 4sq.m*
- *One Bedroom: 5sq.m*
- *Two Bedroom 7sq.m*

The following qualitative requirements are set out in relation to communal open space provision:

Development proposals shall demonstrate that the communal open space:

- *will be soft and/or hard landscaped with appropriate plant species and landscaping materials such as those with good resistance to accidental damage and low maintenance characteristics;*
- *is secure for residents and benefits from passive surveillance;*
- *considers the needs of children in particular in terms of safety and supervision. In schemes of 25 or more units small play spaces of 85-100 sq.m are considered suitable for toddlers and children up to the age of six, with suitable play equipment, seating for parents/ guardians, and within sight of the apartment building. For larger schemes of 100 or more apartments, play areas of 200-400 sq. m for older children and young teenagers should be provided;*
- *is wheelchair accessible;*
- *achieves good sunlight penetration; and*
- *has appropriate arrangements for maintenance and management such as a conveniently accessed garden maintenance and storage area with water and drainage connections.*

The subject scheme complies with the above requirements as:

- It provides 1,061sq.m of communal open space which is in excess of the 625sq.m required;
- The open space areas include a mix of hard and soft landscaping incorporating tree shrubs and seating areas and play areas;
- The communal open space areas are overlooked by multiple apartments within the scheme;

- The communal open space as wheelchair accessible; and
- It is considered that due to the orientation of the proposed open spaces at podium level and seventh floor level, each space will achieve good sunlight penetration year round.

Public Open Space

Section 16.10.3 of the development plan includes the following requirement in relation to public open space:

'In new residential developments, 10% of the site area shall be reserved as public open space.'

'In the event that the site is considered by the planning authority to be too small or inappropriate (because of site shape or general layout) to fulfil useful purpose in this regard, then a financial contribution towards provision of a new park in the area, improvements to an existing park and/or enhancement.'

The subject proposal does not include a public open space area. This is considered appropriate in this instance given the limited size of the subject site and the subject site's proximity to a number of established public open space areas, including Tolka Valley Park to the west and the National Botanic Gardens to the south-east.

7.1.4 Car Parking

The Dublin City Development Plan 2016-2022 requires any new development to provide car parking spaces depending on the specific location of the development. The subject site is located in 'Parking Area 3' of Map J (Strategic Transport and Parking Areas) of the Dublin City Development Plan 2016-2022. A maximum no. of car parking spaces of 1.5 per dwelling, as set out in Table 16.1 of the development plan, is outlined for residential developments located in Parking Area 3. Car parking standards are maximum in nature and may be reduced in specific locations where it is demonstrated that other modes of transport are sufficient for the needs of residents.

The Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020) outline that the quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of location in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria. The following guidance is provided in regards to Central and/or Accessible Urban Locations:

'In larger scale and higher density developments, comprising wholly of apartments in more central locations that are well served by public transport, the default policy is for car parking provision to be minimised, substantially reduced or wholly eliminated in certain circumstances. The policies above would be particularly applicable in highly accessible areas such as in or adjoining city cores or at a confluence of public transport systems such as rail and bus stations located in close proximity.'

'These locations are most likely to be in cities, especially in or adjacent to (i.e. within 15 minutes walking distance of) city centres or centrally located employment locations. This includes 10 minutes walking distance of DART, commuter rail or Luas stops or within 5 minutes walking distance of high frequency (min 10 minute peak hour frequency) bus services.'

The proposed development provides a total of 0.466 on-site car parking spaces per unit which is below the standards as set out in the Dublin City Development Plan 2016-2022. This is considered to be appropriate due to the confined nature of the site given the Z1' – Sustainable Residential Neighbourhoods zoning, the site's proximity to the public transport network surrounding the subject site. The site is situated in close proximity to a Dublin Bus Stop on the Finglas Road which is served by Nos. 40, 40B, 40D and 140. Together, these bus routes provide frequent services to Dublin City Centre, Rathmines, and the No. 40 travels as far as the Liffey Valley Shopping Centre.

7.1.5 Bicycle Parking

The Dublin City Development Plan 2016-2022 requires that developments provide bicycle parking spaces in accordance with Table 16.2, which requires 1 no. bicycle parking space per unit plus additional visitor parking as appropriate. The development includes a provision of 222 no. bicycle parking spaces at ground floor level which is well in excess of the Dublin City Development Plan requirements.

7.1.6 Sustainable Transport – Walking and Cycling

The development plan acknowledges the need to promote sustainable transport within Dublin City and beyond. It is noted that cycling and walking are the most efficient modes of transport in terms of use of road space and environmental sustainability. Glasnevin is a suburb of Dublin City which is highly suited for cycling and walking. The following objectives regarding cycling and walking are relevant:

Objective MT01 *To encourage intensification and mixed-use development along existing and planned public transport corridors and at transport nodes where sufficient public transport capacity and accessibility exists to meet the sustainable transport requirements of the development, having regard to conservation policies set out elsewhere in this plan and the need to make best use of urban land. Dublin City Council will seek to prepare SDZs, LAPs or other plans for areas surrounding key transport nodes, where appropriate, in order to guide future sustainable development.*

The proposed development will provide 222 no. bicycle parking spaces which is considered an appropriate amount for the proposed development. Walking will also be a viable option for future residents of this proposed development due to the site's proximity to services, public transport hubs and employment centres.

7.1.7 Visual Impact

With this project, or with any project, there are always a number of different design solutions available that respond to the given criteria. The goal is to arrive at a solution that enhances the built environment with a high-quality scheme while being sympathetic to its context and planning precedent in the area. The proposed development has been designed and scaled to avoid appearing visually obtrusive, whilst ensuring no dis-amenity to existing properties arises by way of overlooking or overshadowing, particularly given the appropriate height of the proposed blocks and the substantial separation distance between the application site and closest dwellings.

The proposed development is fully compliant with the various policies and objectives of as set out in the Dublin City Development Plan 2016-2022, whilst also being in accordance with the various quantitative standards set out in the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020), and it is therefore considered that the proposed development is of appropriate character, scale, density and height for the area. It is considered that the proposed development creates an attractive environment and facilitates for the addition of apartments in the area, in a site that is currently underutilised. We would welcome the Board to have due regard for the enclosed photomontage images when considering the visual impact of the subject proposal.

7.1.8 Infill Development

Chapter 5 of the development plan recognises the importance of infill development and its role in creating concentrated growth within the existing urban footprint using underutilized land. The following policy objective relates to the proposed development:

Objective QH8 *To promote the sustainable development of vacant or under-utilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and the character of the area.*

The proposed development will comprise 1 no. block ranging in height from six to nine storeys.

Due to the topography of the site which slopes down from the dwellings located on the Old Finglas Road towards the Finglas Road, it is considered that the placement of a part-six to part-nine storey building upon the subject site would not injure the physical character of the area. It is therefore considered that the proposed development is compliant with Objective QH8.

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

The proposed development has been designed to be fully compliant with the standards set out in the *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities 2020*. The 2020 Guidelines update the previous guidance in the context of greater evidence and knowledge of current and likely future housing demand in Ireland taking account of the Housing Agency National Statement on Housing Demand and Supply, the Government's action programme on housing and homelessness Rebuilding Ireland and Project Ireland 2040 and the National Planning Framework, published since the original 2015 guidelines.

These guidelines identify the potential for 'build-to-rent' developments to play a role in providing choice for people and in supporting economic growth and access to jobs in Ireland. Furthermore, the 2020 Guidelines include guidance specific to the emerging 'build to rent' sector which did not feature in the previous 2015 Guidelines. These are set out in Section 5.0 and Specific Planning Policy Requirements 7 and 8 included therein which relate specifically to build-to-rent developments. Further details in this regard will be provided in the proceeding paragraphs of this report. In respect of the apartment development, the proposal has been designed to comply with the standards set out in *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2020*. An assessment against each of the applicable standards is provided below and overleaf:

Housing Mix

The following guidance is provided in relation to housing mix:

'Specific Planning Policy Requirement 1

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

The proposed development includes 10 no. studio apartments, 33 no. one-bedroom apartments, and 60 no. two-bedroom apartments. The one-bedroom apartments equate to 42% of the overall development. Therefore, the proposed development complies with this aspect of the subject standards.

Minimum overall apartment floor areas

The overall apartment floor area sizes required in the Guidelines are as follows:

- Studio apartment (1 person) 37sq.m
- 1-bedroom apartment (2 persons) 45sq.m
- 2-bedroom apartment (3/4 persons) 63/73sq.m

It is submitted that whilst the requirement that the majority of all apartments in a proposed scheme exceed the minimum floor area standards by a minimum of 10% does not apply to build-to-rent schemes, pursuant to Specific Planning Policy Requirement 8(iv), the majority of units do, in fact, exceed minimum floor area requirements by 10%. The proposed development comprises a total of 103 no. apartment units, of which there are 10 no. studio units, 33 no. one-bedroom units and 60 no. two-bedroom units. The floor areas for each of the different apartment types is fully compliant with the various floor area and floor width standards, and in most instances are in excess of the required minimum standards set out in the guidelines for new apartments as illustrated in the Housing Quality Assessment prepared by Tyler Owens Architects.

Dual Aspect Ratios

The 2020 Guidelines require the following in relation to dual aspect apartments:

'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.'*

The proposed development is located within a suburban or intermediate location, as such the scheme provides 73 no. dual aspect apartments, accounting for almost 71% of the 103 no. apartment units proposed, which complies with and substantially exceeds the above requirements. In addition, the majority of the proposed single aspect apartment units have been orientated to face in a southern eastern or western direction to allow for maximum light exposure for each individual apartment throughout long periods of the daylight hours. This is consistent with the 2020 Guidelines which recommend, in Section 3.18 that single aspect apartments be orientated to face south, east or west, to allow for maximum sunlight exposure.

Minimum Floor Area for Private Amenity Space

The overall private amenity space floor area sizes required for apartment units outlined in the 2020 Guidelines are as follows:

- Studio apartment (1 person) 4sq.m
- 1-bedroom apartment (2 persons) 5sq.m
- 2-bedroom apartment (3/4 persons) 6/7sq.m

All apartments in the proposed development comply with and exceed the required minimum standards stated above. For full details in this regard, please refer to the Housing Quality assessment as prepared by Tyler Owens Architects which accompanies this application.

Floor to Ceiling Height

The Guidelines require minimum floor to ceiling heights of 2.4m for apartments above ground floor, and 2.7m at ground floor to allow flexibility for future use. Floor to ceiling heights in the proposal will comply with the Guidelines in both respects.

Security Considerations

Section 3.40 of the Guidelines recommend that in order to ensure visitor and occupant safety natural surveillance should be maximised for all streets, open spaces, play areas and any surface bicycle or car parking areas. Particular attention should be given to entrance points being well lit and overlooked in building blocks. Consideration should also be given to incorporating privacy strips in instances where ground floor apartments front onto public footpaths.

The proposal has been designed in a manner that allows for maximum natural surveillance throughout the development site, with windows overlooking all internal and external public spaces, whilst also providing terraces to apartments at ground floor level that front onto public footpaths, and is therefore consistent with the Guidelines in this regard.

Bicycle Parking

The Guidelines seeks that the design of apartment schemes should ensure that bicycle parking spaces are located to be conveniently accessible to residents, both in terms of proximity to access points to apartments and routes to the external road / street network. We shall now provide a direct response to subsections 4.15-4.17 of the Apartment Guidelines (2020) as is considered appropriate in the context of bicycle parking:

4.15 *An important context for these guidelines is a likely significant population increase in our cities and urban areas over the next two decades. These guidelines aim to secure wider Government policy to achieve more sustainable urban development that will enable more households to live closer to their places of work without the need for long commuter journeys and disruption of personal and family time. Enabling citizens to more easily get around our cities and urban areas is a fundamental planning concern and maximising accessibility of apartment residents to public transport and other sustainable transport modes is a central theme of these guidelines.*

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

Noting that no specific standards for compliance are raised in either of the above subsections, we would consider it appropriate to respond to confirm that the subject development provides a significant quantum of bicycle parking at a location proximate to educational facilities, employment centres and recreational locations for the benefit of future residents of the scheme. Moreover, and noting a number of sub-headings to subsection 4.17 of the apartment Guidelines 2020, it is considered appropriate to provide a direct response to the 4 no. sub-headings of subsection 4.17, location, quantity, design and management, as follows:

4.17 *The accessibility to, and secure storage of, bicycles is a key concern for apartment residents and apartment proposals must respond accordingly to the requirements below in their design and provision of cycle storage facilities. Requirements of these guidelines include:*

Location *cycle storage facilities should be directly accessible from the public road or from a shared private area that gives direct access to the public road avoiding unnecessarily long access routes with poor passive security or, slopes that can become hazardous in winter weather.*

All cycle parking facilities are accessible via the undercroft parking area which, in turn, is easily accessible via Finglas Road. The routes from the public realm to the parking areas are short, unimpeded and unhindered by level changes.

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

With a total of 103 no. units and a unit mix of 10 no. studio units, 33 no. one-bedroom units and 60 no. two-bedroom units, the development would require a minimum of 214 no. bicycle parking spaces. The development includes a provision of 222 no. resident bicycle spaces in a secure and convenient location for each apartment at ground floor level. The quantum of bicycle parking spaces provided as part of the proposed development is consistent with the requirements of the 2020 Apartment Guidelines.

Design *cycle storage facilities shall be provide in a dedicated facility of permanent construction, preferably within the building footprint or, where not feasible, within an adjacent or*

adjoining purpose built structure of permanent construction. Cycle parking areas shall also be designed so that cyclists feel personally safe – secure cage/compound facilities, with electronic access for cyclists and CCTV, afford an increased level of security for residents. Effective security for cycle storage is also maximised by the provision of individual cycle lockers and it is best practice that planning authorities ensure that either secure cycle cage/compound or preferably locker facilities are provided.

The subject development provides all 222 no. bicycle parking spaces within a ground/undercroft level facility within the boundary of the subject site. Resident parking is recessed within a variety of secure stores whilst visitor parking is provided within the wider undercroft area. Whilst individual cycle lockers are not provided, it is considered that the suburban location of the site and the level of security provided is sufficient to not warrant such facilities.

Management *an acceptable quality of cycle storage requires a management plan that ensures the effective operation and maintenance of cycle parking, in particular, avoiding arrangements that lead to a significant number of lockers being left locked whilst empty for instance. Cycle parking shall be the subject of a funded maintenance regime that ensures that facilities are kept clean, free of graffiti, well-lit and the parking equipment will be properly maintained. It is essential, therefore, that as far as possible cycle parking is low maintenance, easy to use and easy and attractive to use by residents*

It is considered that the extent of bicycle parking spaces provided, at a ratio of 2.15 no. spaces per apartment unit, represents a significant quantum of such facilities. Moreover, noting that all spaces are provided at ground level, the spaces are highly accessible for ease of use by future residents.

Car-Parking

Section 4.18 of the above guidelines, state that the quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of location in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria. The subject site would constitute a 'central and/or accessible location', pursuant to the New Apartment Guidelines given the availability of public transport services within proximity to the subject site, particularly along the Finglas Road QBC. The following guidance under Section 4.19 of the guidelines is provided in relation to car parking provision in central and/or accessible location:

'In larger scale and higher density developments, comprising wholly of apartments in more central locations that are well served by public transport, the default policy is for car parking provision to be minimised, substantially or wholly eliminated in certain circumstances. The policies above would be particularly applicable in highly accessible areas such as in or adjoining city cores or at a confluence of public transport systems such as rail and bus stations located in close proximity.'

As the development is located within an existing built up area and has very strong public transport connections, it is considered that the reduction of car parking spaces (with 48 no. spaces in total being provided, comprising 45 no. standard car parking spaces and 3 no. limited mobility spaces) may be considered acceptable in this instance.

Communal and Recreational Amenities

Specific Planning Policy Requirement 7, as included within the 2020 Guidelines, requires that Build to Rent developments feature supporting communal and recreational amenities. The guidelines also outline minimum communal amenity space requirements for new apartments, which are as follows:

- Studio 4sq.m
- One-Bedroom 5sq.m
- Two Bedrooms (4P) 7sq.m

In light of the above requirements, the communal amenity space requirements for the proposed development are as follows:

Communal Amenity Space Requirements			
Unit Type	Required floor areas for communal amenity space	No. of Apartments	Communal amenity space required
Studio	4sq.m	10 no.	40sq.m
One Bed	5sq.m	33 no.	165sq.m
Two Bed (4P)	7sq.m	60 no.	420sq.m
Total Communal Amenity Space Required			625 sq.m

Figure 44.0 Table showing required floor areas for communal amenity spaces per apartment type

The subject development includes a accommodate a common room, gym, cinema, store room, quiet room, meeting room and co-working space (equating to a total area of 450.9sq.m). Waste storage facilities to serve the proposed development are also included at ground floor level. In addition, the proposed development also provides for external communal amenity space in the form of terraces at first and seventh floor levels (1,061sq.m), which is inclusive of play facilities. The proposed development has also been designed to ensure the open space areas serving the proposed block receives adequate levels of sunlight throughout the year.

to Rent / Private Rented Scheme

Larger-scale apartment developments that typically include several hundred units, that are designed and constructed specifically for the needs of the rental sector are a prominent feature of housing provision in many countries. These types of housing developments also have a potential role to play in providing choice and flexibility to people and in supporting economic growth and access to jobs here in Ireland. They can provide a viable long-term housing solution to households where home-ownership may not be a priority, such people starting out on their careers and who frequently move between countries in the pursuance of career and skills development in the modern knowledge-based economy.

The promotion of Build-to-Rent (BTR) development by planning authorities is therefore strongly merited through specific Build to Rent planning and design policies and standards, which the Department will give consideration to further bolstering by establishing build-to-rent projects as a specific use class under the Planning and Development Regulations 2001 (as amended). Residential development may be proposed as a specific Build to Rent development in the planning process at planning application stage: Specific Planning Policy Requirement 7 states that 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.*

Specific Planning Policy Requirement 8 states that 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.*

It is considered that the proposal complies with all the required standards set out in the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020).

8.0 Public Transport

The proposed development is located within Glasnevin and is considered a suitable location for a high-density residential development due to its location and proximity to public transport. The subject site is located next to a Quality Bus Corridor which is serviced by Dublin Bus routes 40, 40b, 40d, 70d, 140.

Further north of the development, the Prospect Hill bus stop also provides for bus services 220 and 220a. The 220 bus services run from Lady's Well Road to Ballymun via Blanchardstown Hospital and Finglas. The bus stop opposite that at Prospect Hill also provides for the 220 bus service running in the other direction from Ballymun to Lady's Well Road via Finglas and Blanchardstown Hospital.

It is submitted that the proposal is sustainable development given the transport options located close to the subject site as shown in Figure 45.0 below. In addition to the proximity to a number of bus stops, the subject site is also located approximately 1.4km (19-minutes' walk) north east of the Broombridge train station. This provides commuter services to Maynooth, Connolly, Pearse Station, Docklands, Longford and M3 Parkway.

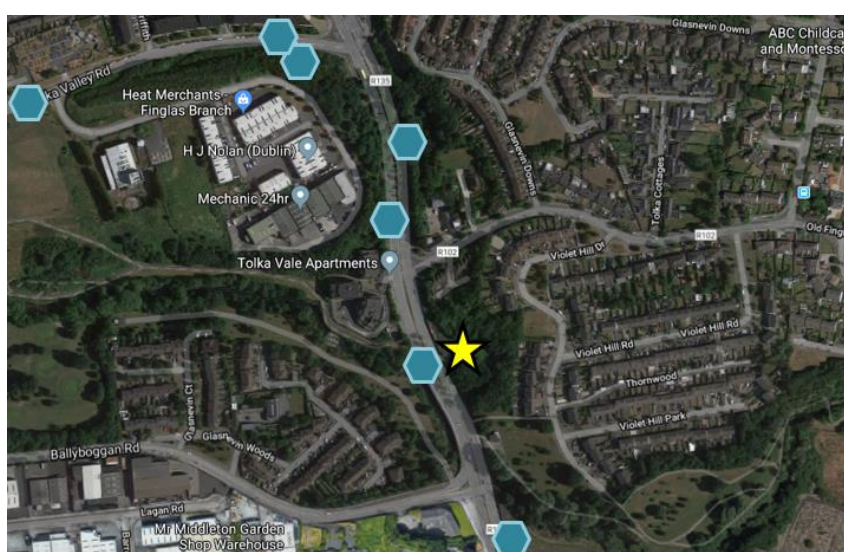


Figure 45.0 Existing bus stops in close proximity to the site (red star)

Proposed LUAS Finglas Extension

An extension to the Luas Green Line services to serve Finglas is highlighted under the NTA's 'Transport Strategy for the Greater Dublin Area 2016-2035'. As part of the feasibility stage, Transport Infrastructure Ireland (TII) in collaboration with the National Transport Authority (NTA) have developed an Emerging Preferred Route for the Luas Extension. This route travels from Broombridge to Charlestown via Finglas and includes stops as St. Helena's Road, Finglas Village, Mellows Park, terminating at Charlestown. The map extract displayed below, illustrates the Emerging Preferred Route and the proposed new stops along this route in the context of the subject site. It is noted that the delivery of the Luas Green line extension will subsequently enhance the availability public transport facilities available within walking distance of the subject site, and would in turn mean that the subject site would be within easy walking distance of high capacity, high frequency light rail services which service a number of key locations.

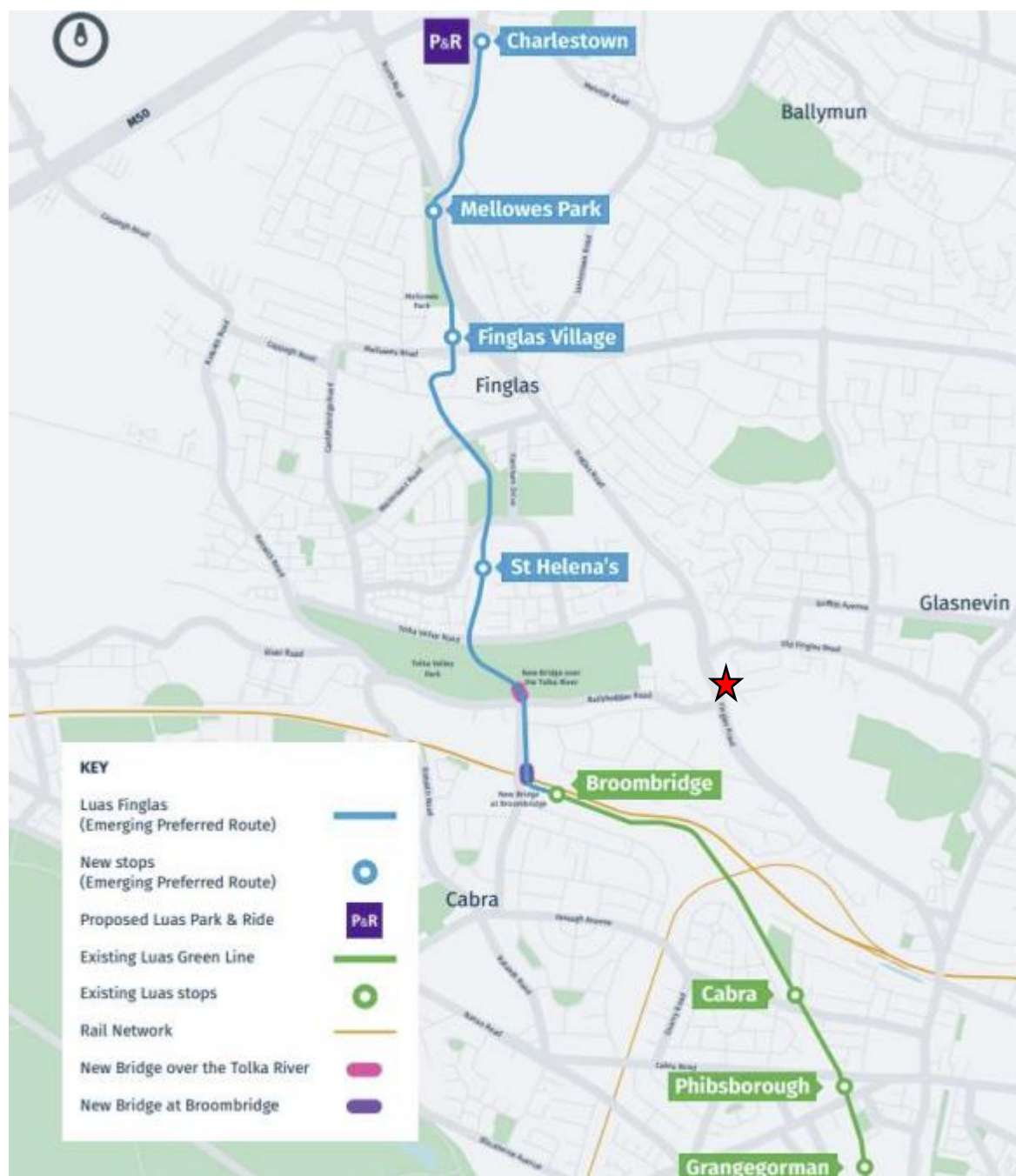


Figure 46.0 Map indicating the approximate location of subject site (red star) in the context of the Emerging Preferred Route for the proposed Luas Finglas extension

Proposed BusConnects Route

Further to the above, it is noted that within the National Transport Authority's (NTA) '*Transport Strategy for the Greater Dublin Area 2016-2035*' and the Government's '*Ireland 2040: National Development Plan 2018-2027*', there is specific provision for upgrades to the Greater Dublin area bus network, which takes the form of the proposed '*BusConnects*' initiative. The primary components of the BusConnects initiative are as follows:

- Provision of some 240km of 'Bus Priority' and 'Cycling Segregation' over 16 No. bus corridors;
- Bus network re-design centred around 'Spine' and 'Orbital' routes; and
- Integrated ticketing and fare structures with all transport modes.

The subject lands will be served under this initiative by 'Core Bus Corridor No. 4'. The envisaged route would directly connect Finglas and the city centre via Glasnevin and Phibsborough. The NTA consider that all proposed Cor Bus Corridors under the BusConnects Initiative will be operational by 2027. The below drawing extract as provided by NRB Consulting Engineers, overlays the proposed development with the most recent route map issued to the project team by NTA.

Figure 5.3 of the enclosed Transportation Assessment Report prepared by NRB Consulting Engineers confirms that the proposed development development is compatible with the BusConnects proposals on the Finglas Road.

9.0 Drainage and Water Supply Proposals

The foul/surface water drainage and water supply proposals for the development have been designed by Curtins Consulting Civil and Structural Engineers.

9.1 Foul Drainage

The foul network will be a $\varnothing 150\text{mm}$ foul sewer with a gradient of 1/94. The proposed foul drainage system has the capacity to cater the wastewater demand (3.40 l/s). The foul network will flow by gravity into the existing $\varnothing 375\text{mm}$ concrete foul sewer. Foul drainage from the development will be generated by toilets, wash hand basins, showers, sinks and floor drains. A confirmation letter from Irish Water regarding foul water has been received. Please refer to the accompanying reports and drawings prepared by Curtins Consulting Ltd. for further information.

9.2 Surface Water

A surface water drainage system has been prepared by Curtins Consulting Ltd. The system has been designed in accordance with the requirements of the *Greater Dublin Strategic Drainage Study (GDSDS)*, *BS-EN 752-2017 - Gravity Drainage Systems outside Buildings*, and *Ciria Report C753 - The SUDS Manual*. It is proposed to construct a new separate surface water drainage system for the site. This will include a new attenuation system, flow control device to limit the discharge and a soakaway. This will then flow to an existing stormwater manhole on the public storm water network. This will collect runoff from roofs and paved area.

All hardstanding areas will have conventional positive drainage systems with longitudinal and horizontal falls with gradients sufficient to allow any rainfall runoff to be collected using road gullies and kerbs or channels. The proposed drainage network system will flow by gravity to an existing stormwater manhole on the public storm water network on Finglas Road. Please refer to the accompanying drainage documents prepared by Curtins Consulting Ltd. for the full technical assessment.

9.3 Water Supply

The new development will be served by a new 100mm uPVC watermain which will be tied into the existing main water supply on Finglas Road. The water supply demand for the proposed development has been calculated and can be seen in the accompanying documents prepared by Curtins Consulting Ltd. A letter of acceptance in response to a pre-connection enquiry has been obtained from Irish Water which outlines that the new connection to the existing network is feasible without upgrade.

10.0 Social and Affordable Housing

10.1 Part V, Section 96 of the Planning and Development Act 2000 (as amended)

Part V, Section 96 of the Planning and Development Act 2000 (as amended), applies to this application. New provisions relating to Part V, under the Affordable Housing Act 2021, were formally enacted on 3rd September 2021. The applicant, Three Castle Investments Ltd., owns the property forming the basis of this application. It was acquired in 2018 and falls within the purchase period of 1st September 2015-31st July 2021. Therefore, the applicant is required to provide 10% of the land in compliance with the requirements as set of in Part V of the Planning and Development Act 2000 (as amended).

10.2 Part V Proposal

The applicants propose to fulfil their Part V obligations for the proposed development by transferring 10 no. apartments to the ownership of the Planning Authority, or to the ownership of persons nominated by the authority. Please consult the Part V drawings, prepared by Tyler Owens Architects, for specific details on the units proposed for construction/transfer. This proposal has been forwarded to Dublin City Council's Housing Department for consideration.

The applicant confirms its willingness to enter into an agreement with Dublin City Council in respect of Part V (Social and Affordable Housing) should a grant of permission be forthcoming at the subject site, in accordance with the relevant provisions of the Planning and Development Act 2000 (as amended).

11.0 Appropriate/Environmental Assessment

299B of the Planning and Development Regulations 2001-2019, as amended, outlines requirements in relation to environmental impact assessment for subthreshold development where no screening determination was made under section 7 of Act. Article 299B(1)(b)(ii)(II) and Article 299B(1)(c) of the Planning and Development Regulations 2001-2019, as amended, read as follows:

- (b) (i) The Board shall carry out a preliminary examination of, at the least, the nature, size or location of the development.

.....

- (ii) Where the Board concludes, based on such preliminary examination, that—

.....

- (II) there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development, it shall satisfy itself that the applicant has provided to the Board

- (A) the information specified in Schedule 7A,
- (B) any further relevant information on the characteristics of the proposed development and its likely significant effects on the environment, and
- (C) 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.
- (c) The information referred to in paragraph (b)(ii)(II) may be accompanied by a description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment of the development.

Schedule 7A referred to in Article 299B(1)(b)(ii)(II)(A) reads as follows:

1. A description of the proposed development, including in particular— (a) a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works, and (b) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.
2. A description of the aspects of the environment likely to be significantly affected by the

proposed development.

3. A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from— (a) the expected residues and emissions and the production of waste, where relevant, and (b) the use of natural resources, in particular soil, land, water and biodiversity.
1. The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7.

To assist with the Board determination, we provide the following information:

11.1 Appropriate Assessment

The EU Directive on the Conservation of Habitats, Flora and Fauna (92/43/EEC), commonly known as 'the Habitats Directive', was adopted in 1992, came into force in 1994 and was transposed into Irish law in 1997.

The main aim of the Habitats Directive is to contribute towards the conservation of biodiversity by requiring Member States to take measures to maintain or restore natural habitats and wild species listed on the Annexes to the Directive at a favourable conservation status. These annexes list habitats (Annex I) and species (Annexes II, IV and V) which are considered threatened in the EU list habitats (Annex I) and species (Annexes II, IV and V) which are considered threatened in the EU territory.

With regards to effects on a European site, from analysis of the NPWS mapping system it was determined that the site of the proposed development and the corresponding grid connection is not located in a site of European importance (Natura 2000 Site).

The screening process has examined the details of the proposed residential development and has considered the conservation interests of a range of Natura 2000 sites within a 15km radius of the site. For full details please refer to the Appropriate Assessment Report Prepared by Meehan Ecology.

11.2 Environmental Assessment

In accordance with Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended), an Environmental Impact Assessment Report is only required for infrastructural projects comprising of:

- *Construction of more than 500 dwelling units;*
- *Construction of a shopping centre with a gross floorspace exceeding 10,000 square metres;*
- *and*
- *Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up areas and 20 hectares elsewhere*

The development proposed for the subject site as part of this application comprises 103 no. dwelling units and is therefore sub-threshold. As such, an Environmental Impact Assessment Report has not been prepared for this application.

An assessment against Schedules 7 and 7A of the Planning and Development Regulations, 2001 (as amended), is provided within the EIA Screening Report enclosed with this application – as prepared by AWN. Schedules 7 schedule sets out criteria for determining whether development listed in Part 2 of Schedule 5 should be subject to an environmental impact assessment if a sub-threshold development. Schedule 7A outlines information to be provided by the Applicant or Developer for the purposes of screening sub-threshold development for environmental impact assessment.

Consideration of the proposed development in the context of Schedule 7A referred to in Article 299B(1)(b)(ii)(II)(A) is provided within the enclosed Statement prepared by AWN.

12.0 Conclusion

It is submitted that the proposed development, which comprises the construction of a 'Build-to-Rent' housing development comprising 1 no. block from seven to nine storeys accommodating 103 no. residential apartments and associated communal facilities at the former Royal Oak Public House, Finglas Road & Old Finglas Road, Glasnevin, Dublin 11, is considered to be acceptable and compliant with the relevant policies and objectives as set out in the applicable national, regional and local planning context.

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

- Project Ireland 2040 - National Planning Framework, Urban Development and Building Heights - Guidelines for Planning Authorities (2018);
- Project Ireland 2040 National Development Plan 2018-2027;
- Urban Development and Building Heights – Guidelines for Planning Authorities, December 2018;
- Housing for All - A new Housing Plan for Ireland (2021);
- Design Standards for New Apartments – Guidelines for Planning Authorities (December 2020);
- Smarter Travel – A New Transport Policy for Ireland (2009-2020);
- Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009);
- Urban Design Manual, A best practice guide (2009);
- Design Manual for Urban Roads and Streets (2013);
- The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009);
- Guidelines for Planning Authorities on Childcare Facilities (2001)
- Regional Spatial & Economic Strategy for the Eastern and Midland Regional Assembly, 2019; and
- Dublin City Development Plan 2016-2022.

The proposed development would provide additional living accommodation in the vicinity of Dublin City Centre whilst protecting the amenity and character of the surrounding area. In addition, the proposed development, in terms of scale, form and finishing materials, seeks to enhance the visual amenity of the area by creating a strong urban frontage onto the adjacent Finglas Road.

The proposed development has been designed to a high standard to contribute to the surrounding form of the area and is generally compliant and in accordance with the qualitative and quantitative standards as set out in the relevant statutory development plan and other national guidance documents.

We are of the opinion that the development is generally compliant and in accordance with the qualitative and quantitative standards as set out in the relevant statutory development plans and other national guidance documents.

Yours sincerely,



Kevin Hughes MIPI MRTPI
Director for HPDC